

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 901:1-4-08

Rule Type: No Change

Rule Title/Tagline: Order ¿ crocodilia; family ¿ alligatoridae (excluding dwarf caiman); family - crocodylidae; family ¿ gavialidae.

Agency Name: Department of Agriculture

Division: Animal Industry

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I. Rule Summary

1. Is this a five year rule review? Yes

A. What is the rule's five year review date? 7/1/2019 and 07/01/2024

2. Is this rule the result of recent legislation? No

3. What statute is this rule being promulgated under? 119.03

4. What statute(s) grant rule writing authority? 935.17

5. What statute(s) does the rule implement or amplify? 935.17

6. What are the reasons for proposing the rule?

This rule is up for five year rule review..

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

On September 5, 2012, Senate Bill 310 of the 129th General Assembly became effective. Senate Bill 310 was more commonly referred to as the Dangerous Wild Animal and Restricted Snake Act which regulated the possession of dangerous

wild animals and restricted snakes in the state of Ohio. Chapter 901:1-4 of the Administrative Code was established pursuant to SB 310.

The rules in this chapter set forth regulatory requirements to protect the public from the dangers posed by the possession of dangerous wild animals and restricted snakes, as well as to ensure the care for these animals. The protection includes mandating the use of safe housing, ensuring owners have the requisite knowledge to care for the animals, appropriate recordkeeping, and adequate sanitary conditions to prevent the spread of disease and infection. The rules have been reviewed pursuant to the five-year rule review requirements and are being proposed as follows:

901:1-4-08 establishes species care standards for crocodiles and alligators. This rule has been proposed as needing no changes.

- 8. Does the rule incorporate material by reference? Yes**
- 9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**

Pursuant to section 121.76 of the Revised Code, the code sections incorporated into this rule are exempt from compliance with sections 121.71 to 121.74 of the Revised Code.

- 10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

- 11. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

0.00

Not applicable.

- 12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

The exact adverse impact varies widely for each permit holder or applicant due to the diverse nature of the animals regulated by these rules and the varying individual circumstances of each permit holder. When possible, the rules were written to be outcome based and allow the permit holder a great deal of flexibility and personal choice in determining how to meet the standards. The cost of permits is low, especially when compared to the cost to feed and house the given number of dangerous wild animals and restricted snakes that may be in a permit holder's possession. The hours a permit holder would spend cleaning housing and ensuring the housing and current care is to specifications in the rules would depend on how many animals the permit holder possesses.

- 13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**
- 14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

III. Common Sense Initiative (CSI) Questions

- 15. **Was this rule filed with the Common Sense Initiative Office? Yes**
- 16. **Does this rule have an adverse impact on business? Yes**

- A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes**

All individuals that possess a dangerous wild animal or restricted snake must possess a permit issued by the Department.

- B. **Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? Yes**

Failure to comply with these rules could subject the violator to civil or criminal penalties.

- C. **Does this rule require specific expenditures or the report of information as a condition of compliance? No**