

Economic Impact Statement
LSA Document #05-328

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**Description of the Rule**

Since 1955 the Indiana State Department of Health (ISDH) has had responsibility under [IC 16-41-27](#) for the inspections and licensing of mobile home and manufactured home communities. The law grants ISDH authority to promulgate rules to administer the licensing program.

The 2005 Indiana General Assembly adopted Senate Enrolled Act No. 306 amending [IC 16-41-27](#). The Act modernized and updated terminology currently accepted in the industry and made alterations to the definitions. The change in the definition of a manufactured home community would not expand the scope of the program. The change will more clearly define the communities already a part of the program. The purpose of this proposed rule is to bring [410 IAC 6-6](#) into compliance with the statute and update health, sanitation, and safety requirements.

Economic Impact on Small Businesses**1. Estimate of the number of small businesses, classified by industry sector, that will be subject to the proposed rule.**

[IC 4-22-2.1-4](#) defines a small business as any person, firm, corporation, limited liability company, partnership, or association that:

- (1) is actively engaged in business in Indiana and maintains its principal place of business in Indiana;
- (2) is independently owned and operated;
- (3) employs one hundred (100) or fewer full-time employees; and
- (4) has gross annual receipts of five million dollars (\$5,000,000) or less.

The ISDH licenses 1,330 mobile home parks/manufactured home communities. The ISDH does not have data on the gross annual receipts of mobile home parks/manufactured home communities. Based upon the size of these parks/communities, though, it can be presumed that most all, if not all of them employ 100 or fewer full-time employees and have gross annual receipts of \$5,000,000 or less. They are small businesses.

2. Estimate of the average annual reporting, record keeping, and other administrative costs that small businesses will incur to comply with the proposed rule.

The economic impact of the amendments to the mobile home park/manufactured home community rule on the mobile home park/manufactured home community is zero. The amendments regarding the water supply distribution system do not impose requirements that are not already required of those parks/communities by the Indiana Department of Environmental Management.

3. Estimate of the total annual economic impact that compliance with the proposed rule will have on all small businesses subject to the rule.

Based on the above information, there is no fiscal impact on small businesses subject to this rule.

4. Statement justifying any requirement or cost that is imposed on small businesses by the rule and not expressly required by the statute authorizing the agency to adopt the rule or any other state or federal law.

There are no requirements imposed that are not expressly required either by the authorizing statute or the statutes or rules of the Indiana Department of Environmental Management (IDEM). These requirements are for water supply distribution systems in section 7.1 of the rule.

5. Regulatory Flexibility Analysis

Other factors considered:

A. Establishment of less stringent compliance or reporting requirements for small businesses.

The rule amendments make only changes that were made in the authorizing statute by the 2005 Indiana General Assembly and already required of the mobile home parks/manufactured home communities by IDEM. The amendments cannot be less stringent than state law.

B. Establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses.

The amendments did not add schedules or deadlines.

C. Consolidation or simplification of compliance or reporting requirements for small businesses.

The amendments did not add schedules or deadlines.

D. Establishment of performance standards for small businesses instead of design or operational standards imposed on other regulated entities by the rule.

The amendments did not add performance standards that were not already required by IDEM for water supply systems.

E. Exemption of small businesses from part or all of the requirements or costs imposed by the rule.

In order to protect the health and safety of all persons using mobile homes/manufactured homes, it is

necessary that the requirements, as amended, apply to all mobile home parks/manufactured home communities within this industry sector.

Conclusion

All mobile home parks/manufactured home communities under this rule are a small business, and there is no economic impact of the proposed rule on small businesses.

Submitted by,

Terry Whitson
Assistant Commissioner
Health Care Regulatory Services
Indiana State Department of Health

Posted: 10/25/2006 by Legislative Services Agency

An [html](#) version of this document.