

**Economic Impact Statement**

LSA Document #09-620

**[IC 4-22-2.1-5](#) Statement Concerning Rules Affecting Small Businesses****1. Description of the Rule:**

The rule reiterates a statutory requirement for commercial dog breeders and commercial dog brokers to register with the Indiana State Board of Animal Health (BOAH) and pay a fee. The rule sets forth the procedure for registering and directs the state veterinarian to collect registrations for the BOAH. Establishes a common expiration date for registrations that are completed in the same month. Establishes the procedure to renew a registration.

**2. Description of Affected Industry:**

The rule applies to commercial dog brokers and commercial dog breeders. These terms are defined by statute:

A. "Commercial dog broker" is a person:

(1) who is a Class "B" licensee under 9 CFR 1.1; and

(2) who sells at least five hundred dogs in a calendar year.

[IC 15-21-1-5](#).

B. "Commercial dog breeder" is a person who maintains more than twenty unaltered female dogs that are at least twelve months of age. [IC 15-21-1-4](#).

BOAH does not know how many commercial dog brokers are in Indiana. The United States Department of Agriculture (USDA) has licensed 29 Class B licensees under 9 CFR 1.1 in Indiana. BOAH does not know how many of those sell at least 500 dogs in a calendar year.

BOAH does not know how many commercial dog breeders are in Indiana. The Legislative Services Agency (LSA) fiscal impact statement for the enabling legislation utilized an estimate of 1,500 commercial dog breeders. BOAH has used this number for the purposes of preparing fiscal impact statements and planning for the program.

**3. Reporting, Record Keeping, and Other Administrative Costs:**

The reporting, record keeping, and other administrative costs associated with the program are imposed by the enabling statute. [IC 15-21](#). The changes in the proposed rule do not increase the reporting, record keeping, or other administrative costs associated with the program.

**4. Estimated Total Annual Economic Impact on Small Businesses and Evaluation of Benefits and Costs:****a. Benefits of the proposed rule:**

The rule clarifies procedures for registering and renewing commercial dog breeder and broker registrations. The rule states BOAH's interpretation of the statute that a person may not avoid registering by moving animals to different locations or claiming different animals at the same location are owned by different people.

The rule will benefit regulated entities by providing clear direction on what is required to meet the registration requirement.

The rule will benefit BOAH and the regulated entities by establishing a common monthly renewal date for registrations. The rule establishes the policy that registrations will expire at the end of the month. This means there will be 12 registration renewal cycles rather than having a unique expiration date for every registration. A common expiration date will simplify administration of the program for BOAH and provide a clear and easily understood rule for regulated entities.

**b. Costs of the proposed rule:**

The fees in the proposed rule are reiterations of the fees required by statute. By statute, the fees remain with BOAH to administer the program. [IC 15-21-3-3](#).

The provisions BOAH is adding in the rule do not increase the cost to regulated entities beyond the costs imposed by the statutory mandate. [IC 15-21](#).

**c. The direct and indirect benefits of the proposed rule outweigh the costs.****5. Regulatory Flexibility Analysis:**

BOAH considered not adopting this rule. BOAH determined that the procedures in the proposed rule are not costly or burdensome. BOAH determined that the benefits to the regulated entities and the BOAH of adopting the rule outweigh the costs.

*Posted: 03/03/2010 by Legislative Services Agency*

