



Office of Small Business and Entrepreneurship  
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August 12, 2016

Jeff Cummins  
Program Manager, Policy and Regulatory Affairs  
Indiana State Department of Agriculture  
One North Capitol Avenue, Suite 600  
Indianapolis, IN 46204

Dear Mr. Cummins,

Pursuant to IC 4-22, the Indiana Office of Small Business and Entrepreneurship (OSBE) has reviewed the economic impact analysis for small business associated with rule changes contained in LSA Document 15-331 proposed by the Indiana State Department of Agriculture (ISDA). The proposed rule Amends 824 IAC 2-4-1 to eliminate certain selections for the type of license to be applied for. Amends 824 IAC 2-4-3 to reflect a statutory fee increase required for each additional facility. Amends 824 IAC 2-4-4 to eliminate a cash bond option upon filing for a license. Amends 824 IAC 2-4-5 to correct grammar. Amends 824 IAC 2-4-7 to eliminate superfluous language. Amends 824 IAC 2-4-14 to allow for electronic mail as an option for mailing renewal applications. Amends 824 IAC 2-5-1 to clarify that auditors are employees not appointees and to remove obsolete language. Amends 824 IAC 2-6-1 to clarify that auditors are employees not appointees. Amends 824 IAC 2-9-2 to correct grammar. Amends 824 IAC 2-14-5 to rearrange certain language. Amends 824 IAC 2-15-1 to remove repetitive language. Amends 824 IAC 2-16-1 to reflect a statutory change. Repeals 824 IAC 2-1-3, 824 IAC 2-1-6, and 824 IAC 2-1-7. Effective 30 days after filing with the Publisher.

The economic impact statement prepared by ISDA states the proposed rule will impose an economic impact on small businesses under IC 4-22-2.1-5. The proposed rule promulgates changes in 824 IAC 2-4-3, fees that are required by IC 26-3-7-3 and IC 26-3-7-6 as added by House Enrolled Act 1549 (P.L. 60-2015). It does not impose any requirements or costs that are not expressly required by law. Specifically, the increase in the fee to two hundred fifty dollars (\$250) will result in an economic impact of approximately \$14,600. That number is derived from the number of impacted small businesses in the state multiplied by the increase in the fee. Additionally, the proposed rule will impose de minimis reporting, record keeping, or other administrative costs because it is current practice that all licensed grain facilities that acquire additional facilities pay this fee. This does not create a new reporting, record keeping, or administrative cost.

Based upon this analysis, OSBE does not object to the economic impact to small business associated with the proposed rule. If you have any questions about the comments contained herein please contact me at 317.232.5679 or [ombudsman@osbe.in.gov](mailto:ombudsman@osbe.in.gov).

Regards,

A handwritten signature in black ink, appearing to read "R Warner", written over a horizontal line.

Robert Warner