

RULE IMPACT STATEMENT

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
CHAPTER 2. FEES**

- (A) **PURPOSE OF THE PROPOSED RULE:**
The proposed rule amendments increase and provide for certain laboratory fees to cover the Department's costs of labor and reagents; delete obsolete or unused laboratory testing procedures from the Department's fee schedules; clarify language to reflect name of test performed; delete restriction in schedule of horticulture program fees; and allow for delivery of results by electronic submission for same fee as facsimile.
- (B) **CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:**
The proposed rules will affect persons or entities that request laboratory testing services from the Department.
- (C) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**
Taxpayers will benefit from the rules as the cost of conducting laboratory testing will be borne primarily by the person or entity requesting the laboratory test rather than funds appropriated to the Department by the Legislature.
- (D) **DESCRIPTION OF THE PROBABLE IMPACT OF THE PROPOSED RULE UPON AFFECTED CLASSES OF PERSONS:**
The cost of conducting laboratory testing will be borne primarily by the person or entity requesting the laboratory test rather than funds appropriated to the Department by the Legislature.
- (E) **PROBABLE COST AND BENEFITS TO AGENCY; SOURCE OF REVENUE FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE:**
The cost of conducting laboratory testing will be borne primarily by the person or entity requesting the laboratory test rather than funds appropriated to the Department by the Legislature.
- (F) **DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:**
No effect on any political subdivision is anticipated by the proposed rules.
- (G) **DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The proposed rules will have no adverse effect on small business. However, fees charged by the Department for laboratory testing services are increased in the proposed rules. Accordingly, small businesses that purchase laboratory testing services will pay increased fees.

(H) **DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES:**

The Department is unaware of any non-regulatory methods to achieve the purpose of the proposed rules.

(I) **DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The proposed rules will not detrimentally affect the public health, safety, and environment.

(J) **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The Department is not aware of any detrimental effect the proposed rules will have on public health, safety, and environment.

(K) **DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared on December 4, 2019.