

Fiscal Estimate Narratives

DSPS 6/5/2023

LRB Number	23-2594/1	Introduction Number	AB-0241	Estimate Type	Original
Description regulation of tanning facilities					

Assumptions Used in Arriving at Fiscal Estimate

This bill makes several changes to the regulation of tanning facilities. Under current law, no person may operate a tanning facility in this state without a permit issued by the Department of Safety and Professional Services. Tanning facilities are required to adhere to certain requirements established by statute and rules promulgated by DSPS. The bill makes the following changes to the regulation of tanning facilities:

1. Under current law, an owner of a tanning facility must ensure that no person under the age of 16 is permitted to use the tanning facility. The bill requires the owner of a tanning facility to ensure that no customer who is 16 or 17 years of age is permitted to use the tanning facility unless the customer's parent or guardian provides written authorization for the customer to use a tanning device.
2. The bill prohibits tanning facilities from advertising or distributing promotional materials that claim that using a tanning device is safe or free from risk or that the use of a tanning device will result in medical or health benefits.
3. Under current law, each tanning facility must prominently display a warning sign in each area where a tanning device is used that contains certain directions and information. The bill requires that the warning sign be at least 11 inches by 17 inches and that the warning sign provide a current telephone number for a customer to contact DSPS to report an injury.

The Division of Legal Services & Compliance (DLSC) will be the sole division with an estimated impact caused by the implementation of this bill, affecting DLSC's role in business and health profession credentialing. The Department of Safety and Professional Services estimates a total of \$7,600 in annual costs and \$3,200 in one-time costs for staffing to implement the rule.

The estimated one-time staffing costs of 80 hours are for training, review, and statutory updates. The estimated ongoing staffing cost would require 210 hours for an increased number of complaints, investigations, report preparation, records requests, and prosecutions.

The one-time and ongoing estimated costs cannot be absorbed in the currently appropriated agency budget.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2023 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

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Description regulation of tanning facilities		
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): \$3,200 in one-time costs for staffing		
II. Annualized Costs:		
Annualized Fiscal Impact on funds from:		
	Increased Costs	Decreased Costs
A. State Costs by Category		
State Operations - Salaries and Fringes	\$7,600	\$
(FTE Position Changes)	(0.1 FTE)	
State Operations - Other Costs		
Local Assistance		
Aids to Individuals or Organizations		
TOTAL State Costs by Category	\$7,600	\$
B. State Costs by Source of Funds		
GPR		
FED		
PRO/PRS	7,600	
SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, ets.)		
	Increased Rev	Decreased Rev
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT		
	<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS	\$7,600	\$
NET CHANGE IN REVENUE	\$	\$
Agency/Prepared By		
Authorized Signature		Date
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