

### Fiscal Estimate - 2023 Session

Original     
  Updated     
  Corrected     
  Supplemental

|  |  |                         |
|--|--|-------------------------|
| <b>LRB Number</b> <b>23-2823/1</b>   | <b>Introduction Number</b> <b>SB-0261</b>                      |                         |
| <b>Description</b><br>regulation of tanning facilities   |  |                         |
| <b>Fiscal Effect</b>   |  |                         |
| <b>State:</b><br><input type="checkbox"/> No State Fiscal Effect<br><input checked="" type="checkbox"/> Indeterminate<br><input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget<br><input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs  |  |                         |
| <b>Local:</b><br><input type="checkbox"/> No Local Government Costs<br><input type="checkbox"/> Indeterminate<br>1. <input type="checkbox"/> Increase Costs      3. <input type="checkbox"/> Increase Revenue <b>5. Types of Local Government Units Affected</b><br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities<br>2. <input type="checkbox"/> Decrease Costs      4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts |  |                         |
| <b>Fund Sources Affected</b> <b>Affected Ch. 20 Appropriations</b><br><input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS s.20.165(1)(g)   |  |                         |
| <b>Agency/Prepared By</b><br>DSPS/ Megan Denenea (608) 287-3749  | <b>Authorized Signature</b><br>Jennifer Garrett (608) 266-6795 | <b>Date</b><br>6/5/2023 |

## Fiscal Estimate Narratives

DSPS 6/5/2023

|  |           |                     |         |               |          |
|--|-----------|---------------------|---------|---------------|----------|
| LRB Number   | 23-2823/1 | Introduction Number | SB-0261 | Estimate Type | Original |
| <b>Description</b><br>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

|   |   |                 |
|---|---|-----------------|
| <b>LRB Number</b> <b>23-2823/1</b>  | <b>Introduction Number</b> <b>SB-0261</b> |                 |
| <b>Description</b><br>regulation of tanning facilities  |   |                 |
| <b>I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):</b><br><br>\$3,200 in one-time costs for staffing |   |                 |
| <b>II. Annualized Costs:</b>  |   |                 |
| <b>Annualized Fiscal Impact on funds from:</b>  |   |                 |
|   | Increased Costs                           | Decreased Costs |
| <b>A. State Costs by Category</b>   |   |                 |
| State Operations - Salaries and Fringes   | \$7,600                                   | \$              |
| (FTE Position Changes)  | (0.1 FTE)                                 |                 |
| State Operations - Other Costs  |   |                 |
| Local Assistance  |   |                 |
| Aids to Individuals or Organizations  |   |                 |
| <b>TOTAL State Costs by Category</b>  | <b>\$7,600</b>                            | <b>\$</b>       |
| <b>B. State Costs by Source of Funds</b>  |   |                 |
| GPR   |   |                 |
| FED   |   |                 |
| PRO/PRS   | 7,600                                     |                 |
| SEG/SEG-S   |   |                 |
| <b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, ets.)</b>                |   |                 |
|   | Increased Rev                             | Decreased Rev   |
| GPR Taxes   | \$  | \$              |
| GPR Earned  |   |                 |
| FED   |   |                 |
| PRO/PRS   |   |                 |
| SEG/SEG-S   |   |                 |
| <b>TOTAL State Revenues</b>   | <b>\$</b>                                 | <b>\$</b>       |
| <b>NET ANNUALIZED FISCAL IMPACT</b>   |   |                 |
|   | <u>State</u>                              | <u>Local</u>    |
| NET CHANGE IN COSTS   | \$7,600                                   | \$              |
| NET CHANGE IN REVENUE   | \$  | \$              |
| <b>Agency/Prepared By</b>   |   |                 |
| <b>Authorized Signature</b>   |   | <b>Date</b>     |
| DSPS/ Megan Denenea (608) 287-3749  |   | 6/5/2023        |
| Jennifer Garrett (608) 266-6795   |   |                 |