

Colorado Legislative Council Staff Fiscal Note

**FINAL  
FISCAL NOTE**

<b>Drafting Number:</b> LLS 14-0008	<b>Date:</b> July 29, 2014
<b>Prime Sponsor(s):</b> Rep. Peniston Sen. Tochtrop	<b>Bill Status:</b> Postponed Indefinitely
	<b>Fiscal Analyst:</b> Lauren Schreier (303-866-3523)

**SHORT TITLE:** RESTRICT MINORS' ACCESS ARTIFICIAL TANNING DEVICES

<b>Fiscal Impact Summary*</b>	<b>FY 2014-2015</b>	<b>FY 2015-2016</b>
<b>State Revenue</b>	<b>&lt;\$1,000</b>	<b>\$1,000</b>
Cash Funds	<\$1,000	<\$1,000
<b>State Expenditures</b>	<b>\$12,086</b>	
Cash Funds	\$8,822	
Centrally Appropriated Costs	\$3,264	
<b>FTE Position Change</b>	0.1 FTE	
<b>Appropriation Required:</b> \$8,822 - Department of Public Health and Environment (FY 2014-15)		

\* This summary shows changes from current law under the bill for each fiscal year. Transfers and diversions result in no net change to state revenue. Parentheses indicate a decrease in funds.

**Summary of Legislation**

The bill prohibits minors under 18 years of age from using artificial tanning devices. Owners and operators of tanning facilities that allow minors to use artificial tanning devices will be subject to a fine of up to \$200 per offense. Fine penalties will be credited to the Department of Public Health and Environment (DPHE). The State Board of Health may adopt rules, at its discretion, to implement the bill. Owners and operators must require appropriate documentation certifying the age of each person who wishes to use an artificial tanning device. The DPHE must also establish clear guidelines for appropriate proof-of-age documentation.

**State Revenue**

Cash fund revenue to the DPHE from fines assessed on tanning facilities will be deposited into the Tanning Device Education Fund. Revenue is anticipated to increase by a small amount under the bill. This fiscal note assumes that tanning facilities will have a high rate of compliance with the bill and less than \$1,000 of fine revenue is expected per year.

**State Expenditures**

**Department of Public Health and Environment (DPHE).** The bill will increase state expenditures for the DPHE by an estimated \$12,086 in FY 2014-15. The costs, paid from the Artificial Tanning Device Education Cash Fund, are summarized in Table 1. The department will need to develop a proof of age requirements and guidelines. In the first year, 0.1 FTE is required to accomplish these duties, at a cost of \$7,982. The bill will also increase the average length of

inspection time for the 284 licensed tanning facilities in the state. The department will be responsible for publishing notice of these changes in statewide newspapers at a cost of \$840. In subsequent years, DPHE may experience minimal workload increases as a result of reviewing the additional documentation from each tanning facility and monitoring compliance, which can be accomplished within existing appropriations.

<b>Table 1. Expenditures Under HB 14-1054</b>		
<b>Cost Components</b>	<b>FY 2014-15</b>	<b>FY 2015-16</b>
Personal Services	\$7,982	
FTE	0.1	
Newspaper Publications	\$840	
Centrally Appropriated Costs*	\$3,264	
<b>TOTAL</b>	<b>\$12,086</b>	

\* Centrally appropriated costs are not included in the bill's appropriation.

**Department of Law.** The Department of Law will assist DPHE if the State Board of Health chooses to promulgate rules. This increase in workload is expected to be minimal and will not require new appropriations.

**Centrally appropriated costs.** Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. The centrally appropriated costs subject to this policy are estimated in the fiscal note for informational purposes and summarized in Table 1.

<b>Table 2. Centrally Appropriated Costs Under HB 14-1054*</b>		
<b>Cost Components</b>	<b>FY 2014-15</b>	<b>FY 2015-16</b>
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$458	
Supplemental Employee Retirement Payments	\$554	
Indirect Costs	\$2,252	
<b>TOTAL</b>	<b>\$3,264</b>	

\*More information is available at: <http://colorado.gov/fiscalnotes>

### Appropriations

The bill requires an appropriation to the DPHE in FY 2014-15 of \$8,822 from the Artificial Tanning Device Education Cash Fund and an allocation of 0.1 FTE.

### Effective Date

The bill was postponed indefinitely by the Senate Appropriations Committee on April 16, 2014.

### State and Local Government Contacts

Judicial      Law      Public Health and Environment      Regulatory Agencies