



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 20-1340

FISCAL NOTE

Drafting Number: LLS 20-0090
Prime Sponsors: Rep. Caraveo, Sen. Todd

Date: March 16, 2020
Bill Status: House Public Health
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Bill Topic: TANNING DEVICES RISKS MINORS PROHIBITED

- Summary of Fiscal Impact: State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, Statutory Public Entity

The bill requires tanning facilities to keep signed disclosure-of-risk forms onsite, and prohibits tanning facilities from allowing minors to use artificial tanning devices. It minimally increases expenditures and revenue to the Department of Public Health and Environment and the Judicial Department.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

The bill requires that tanning facilities provide a written disclosure of the risks of artificial tanning devices to all first-time users, and that tanning facilities receive signed acknowledgment forms from those users and retain them at the facility. The bill also prohibits tanning facilities from allowing minors to use artificial tanning devices, including emancipated minors.

The State Board of Health may promulgate rules regarding these practices, and may levy penalties on tanning facilities that violate the rules.

State Revenue and Expenditures

The bill will minimally affect revenue and expenditures in several state agencies as discussed below.

Department of Public Health and Environment. The Division of Environmental Health and Sustainability in the Department of Public Health and Environment administers state rules and regulations regarding artificial tanning devices. The division will revise existing rules to include the provisions of this bill as determined by the State Board of Health. These changes can be accomplished with existing appropriations. To the extent that these rules are violated, the division will receive revenue to the Artificial Tanning Device Education Fund from penalties. The fiscal note assumes that tanning facilities will comply with the law; therefore, penalty revenue, and any corresponding change to the state's TABOR refund obligation, is expected to be minimal.

Judicial Department. In the event that a tanning facility is assessed a penalty for violating the new rules, the owner of the facility can appeal the board's final decision in district trial court. To the extent that cases are filed, revenue and expenditures associated with judicial review will increase in the Judicial Department. As the number of cases is expected to be low, no change in appropriations is required. Filing fees are subject to TABOR.

Effective Date

The bill takes effect August 5, 2020, if the General Assembly adjourns on May 6, 2020, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Judicial Law Public Health and Environment