

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2896

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office

***Only Impacts on Original or Engrossed
Versions are Considered Official***

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Date: 2/22/2013

Measure Description:

Prohibits entity doing business in this state as tanning facility from allowing person who is under 18 years of age to use tanning device that is owned or operated by entity.

Government Unit(s) Affected:

Oregon Health Authority (OHA)

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

House Bill 2896 prohibits tanning businesses from allowing persons under 18 years of age to use a tanning device that is owned or operated by the business, unless the person provides documentation that a physician licensed under ORS chapter 677 has recommended that the person use a tanning device for medical purposes. The bill requires tanning businesses to post in conspicuous view notice of this prohibition. The bill directs the Oregon Health Authority to adopt rules necessary to implement the provision of this bill.

If the bill's intention is only that OHA is required to revise rules to prohibits tanning businesses from allowing persons under 18 years of age to use a tanning device, OHA anticipates a minimal fiscal impact. OHA's Radiation Protective Services will use existing staff and resources for the rulemaking work associated with passage of this bill.

However, note that the bill is silent on the entity responsible for enforcement, including the consequences to a tanning business if there is non-compliance to the provisions of this bill. In addition, the bill does not address the tanning facility's responsibility in verifying that the physician providing the documentation is licensed under ORS chapter 677. If the bill intends for OHA to assume any of these duties, the execution of these functions would result in a fiscal impact for the agency.