

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0646-01  
Bill No.: HB 71  
Subject: Professional Registration and Licensing  
Type: Original  
Date: January 18, 2019

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Bill Summary: This proposal changes the definition of “tattoo.”

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Tattoo, Body Piercing & Branding Fund	\$9,583	\$11,500	\$0
<b>Total Estimated Net Effect on Other State Funds</b>	<b>\$9,583</b>	<b>\$11,500</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
 This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### Section 324.520

Officials from the **Department of Insurance, Financial Institutions and Professional Registration (DIFP)** estimate there will be 85 practitioners and 15 establishments that practice "A mark made on the face or body of another person for cosmetic purposes or to any part of the body for scar coverage or other corrective purposes by the insertion of a permanent or semipermanent pigment under the skin with the air of needles, blades, or other instruments."

#### FY 2020

85 practitioners x \$100 fee = \$8,500

15 establishments at \$200 fee = \$3,000

The next renewal will be in FY 21. This legislation does not require additional FTE and the department believes it can absorb the additional workload. However until the FY20 budget is final, the department cannot identify specific funding sources. Should the cost be more than anticipated, the department would request an increase to our FTE and appropriations as appropriate through the budget process.

<u>Revenue</u>	<u>FY2020</u>	<u>FY2021</u>	<u>FY2022</u>
85 practitioners x \$100	8,500	8,500	0
15 establishments x \$200	<u>3,000</u>	<u>3,000</u>	<u>0</u>
<b><u>Total</u></b>	<b><u>11,500</u></b>	<b><u>11,500</u></b>	<b><u>0</u></b>

Officials from the **Office of the State Public Defender (SPD)** state that the SPD Trial Division did not open any cases under charge code 324.520 in FY 2018; therefore this proposal will have no fiscal impact on their organization.

Officials from the **Office of Administration - Administrative Hearing Commission**, the **Office of the State Courts Administrator** and the **Office of Prosecution Services** each assume the proposal will have no fiscal impact on their respective organizations.

**Oversight** notes that the Office of Administration - Administrative Hearing Commission, the Office of the State Courts Administrator and the Office of Prosecution Services have each stated the proposal would not have a direct fiscal impact on their respective organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
<b>TATTOO, BODY PIERCING &amp; BRANDING FUND (0883)</b>			
<u>Revenue</u> - DIFP - definition change to include more practitioners and establishments	<u>\$9,583</u>	<u>\$11,500</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT TO THE TATTOO, BODY PIERCING &amp; BRANDING FUND</b>	<b><u>\$9,583</u></b>	<b><u>\$11,500</u></b>	<b><u>\$0</u></b>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2020 (10 Mo.)	 FY 2021	 FY 2022
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT - Small Business

Any small business that now falls into the new definition of tattoo will be fiscally impacted by the proposed legislation.

FISCAL DESCRIPTION

This bill changes the definition of tattoo in an effort to ensure that new cosmetic procedures performed with the aid of needles or blades are subject to the tattooing requirements of Chapter 324, RSMo.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Insurance, Financial Institutions and Professional Registration  
Office of Administration  
Administrative Hearing Commission  
Office of the State Courts Administrator  
Office of the State Public Defender  
Office of Prosecution Services



Kyle Rieman  
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January 18, 2019

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January 18, 2019