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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 169
135th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 169's Bill Analysis](#)

Version: As Introduced

Primary Sponsors: Rep. Hillyer

Local Impact Statement Procedure Required: No

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Highlights

- The prohibition in the bill is unlikely to cause a significant increase in enforcement actions taken by the State Cosmetology and Barber Board against tanning facilities. The fines assessed under the bill and collected by the Board (\$500 for a first and subsequent offenses) would be deposited to the credit of the Occupational Licensing and Regulatory Fund (Fund 4K90).

Detailed Analysis

Sun lamp tanning prohibition for persons under 18 years old

The bill modifies the law governing the use of sun lamp tanning services by individuals who are less than 18 years old and could result in a minimal gain in fine revenue collected by the State Cosmetology and Barber Board. Under current law, tanning facilities may allow individuals who are 16 or 17 years old to use sun lamp tanning services after obtaining consent from a parent or guardian. The bill prohibits all individuals that are under 18 from using sun lamp tanning services. Under the bill, any tanning facility that permits someone under 18 years of age to use the facility's sun lamp tanning services is subject to a fine of \$500 for a first violation and an additional \$500 fine for subsequent violations, as well as other disciplinary actions.

There are few enforcement actions taken against tanning facilities for age restriction violations under current law. When enforcement actions are necessary, they are generally applied for a tanning facility's repeated failure to collect and document parental consent properly. The Board does not expect changes made by the bill to significantly increase the number of enforcement actions taken, nor does it expect an increase in the number of fines levied. Thus, any increase in fine revenue under the bill is expected to be minimal at most. Fine

revenue collected by the Board is deposited to the credit of the Occupational Licensing and Regulatory Fund (Fund 4K90).

Provisions with no fiscal effect

In addition to the changes regarding sun lamp tanning services discussed above, the bill also makes changes to the titles that may be used by physicians licensed by the State Medical Board. These changes appear to have no fiscal effect. Please see the LSC bill analysis for additional details.