

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 29, 2003

TO: Honorable Jaime Capelo, Chair, House Committee on Public Health

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB2535 by Uresti (Relating to the regulation of tattooists, persons who perform body piercing, tattoo studios, and certain body piercing studios; providing criminal penalties.),
Committee Report 1st House, Substituted

Estimated Two-year Net Impact to General Revenue Related Funds for HB2535, Committee Report 1st House, Substituted: a positive impact of \$44,478 through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	\$22,239
2005	\$22,239
2006	\$22,239
2007	\$22,239
2008	\$22,239

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Probable Revenue Gain from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Change in Number of State Employees from FY 2003
2004	(\$106,921)	\$129,160	3.0
2005	(\$106,921)	\$129,160	3.0
2006	(\$106,921)	\$129,160	3.0
2007	(\$106,921)	\$129,160	3.0
2008	(\$106,921)	\$129,160	3.0

Fiscal Analysis

The bill would amend several sections of Chapter 146 of the Health and Safety Code relating to the regulation of tattoo studios and body piercing studios. The bill would prohibit a tattoo studio or body-piercing studio from employing a tattoo artist or person performing body piercing unless registered with the Texas Department of Health (TDH). The bill would require tattoo artists and persons who perform body piercing to register with TDH and provide proof of annual training regarding bloodborne pathogens, infection control, and aseptic techniques through courses approved by TDH. The bill would authorize TDH to set registration and course approval fees by rule in an amount reasonable and necessary to administer the provisions of this bill.

This bill would take effect September 1, 2003.

Methodology

The Texas Department of Health would amend existing rules to incorporate the registration requirement for tattoo artists and persons who perform body piercing, create criteria for the approval of training courses, and develop fees to cover costs of registration and course approval.

Currently, there are 1412 licensed tattoo studios and body piercing studios. It is assumed that on average there are two tattooists and/or body piercers per studio. There would be 2,824 individuals registering and generating General Revenue of \$112,960 (2,824 x \$40 fee = \$112,960) each year. It is assumed that most community college districts in Texas and some associations of tattooists and body piercers (50 community college districts and 4 association courses) would offer training courses and that TDH would approve the 54 training courses. Assuming a \$300 fee for the approval of courses, based on a similar program at TDH, General Revenue of \$16,200 would be generated. The registration and course approval fees would total \$129,160 each year.

According to TDH, developing criteria for approval of training courses, developing application forms, review and approval of the training courses, and processing the registrations will require three (3) full-time positions. There would be a cost of \$106,921 per year for the three full-time positions.

Technology

The bill would require a one-time purchase of 3 desktop computers (a total cost of \$3,900) for use by the three full-time positions.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 501 Department of Health

LBB Staff: JK, EB, KF, MH