



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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**Bill Number:** H. 4410 Prefiled on November 9, 2017  
**Author:** Henderson  
**Subject:** Tattoo Facilities  
**Requestor:** House Medical, Military, Public, and Municipal Affairs  
**RFA Analyst(s):** Powell  
**Impact Date:** December 21, 2017

**Estimate of Fiscal Impact**

	<b>FY 2018-19</b>	<b>FY 2019-2020</b>
<b>State Expenditure</b>		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
Full-Time Equivalent Position(s)	0.00	0.00
<b>State Revenue</b>		
General Fund	\$0	\$0
Other and Federal	\$0	\$0
<b>Local Expenditure</b>	\$0	\$0
<b>Local Revenue</b>	\$0	\$0

**Fiscal Impact Summary**

This bill will not have an expenditure or revenue impact on the General Fund, Other Funds, or Federal Funds. This bill requires the Department of Health and Environmental Control (DHEC) to perform activities that would be conducted in the normal course of agency business. Any additional revenues collected from enforcement actions will be minimal and will vary from year to year.

**Explanation of Fiscal Impact**

**Prefiled on November 9, 2017**

**State Expenditure**

This bill allows DHEC to revoke, suspend, refuse to issue a new license, and to impose a monetary penalty on a facility or person that violates provisions of Chapter 34 of Title 44, Tattooing. Currently, such penalties are imposed upon the licensee of the tattoo facility. This bill allows the penalty to be imposed upon either the licensee of the tattoo facility or the person responsible for the violation. This bill allows further that penalties may be imposed on a tattoo facility or person that operates a tattoo facility without a license as required by this chapter.

Before a monetary penalty could be assessed, DHEC would be required to promulgate regulations regarding how the person responsible would be determined in an enforcement action and to assign a violation classification to the new offense. DHEC currently licenses facilities and imposes penalties under this statute. It retains the revenue from these penalties to support regulatory activities related to tattooing pursuant to Section 48-34-40. DHEC anticipates the additional work can be managed within existing resources and appropriations. If an

unexpectedly large number of violations were to occur, the additional costs would be offset by the penalty revenues.

**State Revenue**

DHEC currently licenses 188 tattoo facilities. DHEC has taken three enforcement actions against tattoo facilities in the past three years in the form of consent orders. The assessed penalties totaled \$7,100, of which \$3,100 has been collected by DHEC. DHEC estimates that additional monetary penalties collected from persons or unlicensed facilities would be minimal and varying. The monetary penalties collected would be deposited in an account designated for the regulation of tattooing and retained by DHEC.

**Local Expenditure**

N/A

**Local Revenue**

N/A



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Frank A. Rainwater, Executive Director