

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number Plc 606

<p>1. Agency Name & Address:</p> <p>Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 314-A:6, I-IV</u></p> <p>3. Federal Authority: <u>n/a</u></p> <p>4. Type of Action:</p> <p>Adoption <u>X</u></p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment _____</p>
--	---

5. Short Title: **Licensing of Body Art Facilities**

6. (a) Summary of what the rule says and of any proposed amendments:

The Office of Professional Licensing and Certification (OPLC) is proposing to adopt rules to establish the procedures and standards for regulating body art facilities, as required by RSA 314-A:6 intro. The proposed rules include physical plant standards and operational standards for body art facilities; requirements for applying for an initial facility license or for renewal of a facility license; criteria and procedures for reviewing applications; responsibilities and obligations of facility licensees; requirements for seeking reinstatement of a facility license; and criteria and procedures for imposing sanctions, including suspending or revoking a facility license or imposing administrative fines against the facility licensee.

6. (b) Brief description of the groups affected:

The rules will apply to any individual or business that owns or operates a body art facility or that seeks to open a body art facility.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	State Statute(s) Implemented
Plc 606	RSA 314-A:6 intro and I - IV

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: Gretchen Hamel	Title: Program Specialist IV
Address: OPLC	Phone #: Please contact via email
7 Eagle Square	Fax #: [discontinued]
Concord, NH 03301	E-mail: Gretchen.R.Hamel1@oplcnh.gov

The rules can be reviewed on-line at
[**https://www.oplc.nh.gov/oplc-laws-and-rules**](https://www.oplc.nh.gov/oplc-laws-and-rules)

TTY/TDD Access: Relay NH 1-800-735-2964
 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **4:00 PM on Wednesday, February 22, 2023**

Please submit comments to [**OPLC-Rules@oplcnh.gov**](mailto:OPLC-Rules@oplcnh.gov)

- Fax E-mail Other format (specify):

RULEMAKING NOTICE FORM - Page 2

9. Public hearing scheduled for:

Date and Time: **Monday, February 13, 2023 at 3:00 PM**

Place: **Eagle Square Board Room, Office of Professional Licensure & Certification, 7 Eagle Square, Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant):

FIS # 22:266, dated 12/30/2022

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

Not applicable as these are new rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

The proposed rules establish procedures and standards for regulating body art facilities. The rules also include an initial facility license application fee of \$110, an application-related inspection fee of \$100, as well as a renewal fee of \$110. The Office of Professional Licensure and Certification (OPLC) is unable to calculate costs or revenues as they cannot determine how many new initial facility license application and inspections fees will be paid.

A. To State general or State special funds:

There will be no direct impact on the State general fund, however after paying all costs and salaries associated with the Office, any remaining balance in the fund lapses to the general fund at the close of each biennium. There will be an increase in revenue to the OPLC fund from the proposed fee changes listed above.

B. To State citizens and political subdivisions:

None

C. To independently owned businesses:

There could be increased costs to independently owned businesses to the extent they currently own a body art facility and need to bring the facility into compliance with the standards of the proposed rules or if an entity plans to open a body art facility they will have to pay the application related fees.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The rules do not apply to political subdivisions. The rules thus do not mandate or assign any new, expanded, or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures and so do not violate Part I, Article 28-a of the N.H. Constitution.