



## Fiscal Estimate Narratives

DATCP 1/4/2016

LRB Number	15-3773/1	Introduction Number	AB-0591	Estimate Type	Original
<b>Description</b> Regulating the use of certain professional credentials and providing a criminal penalty					

### Assumptions Used in Arriving at Fiscal Estimate

This bill prohibits a person from using the title of certified dangerous goods professional, certified hazardous materials manager, certified hazardous materials practitioner, certified health physicist, certified industrial hygienist, certified safety professional, or registered radiation protection technologist, or the initials for these titles, unless the person is certified or registered to use that title by the Institute of Hazardous Materials Management, the American Board of Health Physics, the American Board of Industrial Hygiene, the Board of Certified Safety Professionals, or the National Registry of Radiation Protection Technologists.

The bill also prohibits a business from representing that the services that the business provides are furnished by one of these certified or registered professionals unless those services are provided by, or are provided under the direct supervision of, a person who is permitted to use that title under this bill. Under the bill, a person is also prohibited from misleading or deceiving another person by the unauthorized use of a certification mark awarded by the U.S. Patent and Trademark Office that includes one of these titles.

The bill allows the Department of Agriculture, Trade and Consumer Protection to bring a court action for an injunction to restrain a violation of these prohibitions. In addition, this bill prohibits a city, village, town, or county from enacting an ordinance or adopting a resolution that restricts the use of these professional titles.

The Department does not anticipate having to change or create any rules to enforce this bill. However, the Department does not currently, and has no future plans to, credential or collect data on the affected professions. Therefore, it cannot accurately predict the additional costs of administering this bill nor can it accurately predict how many complaints the agency would receive from consumers or competitors. The Department cannot predict how many violations it would discover that would result in enforcement actions.

The accrediting organizations contacted do not charge for credential verification; therefore, the department expects no subscription costs during inquiries about credentials.

### Long-Range Fiscal Implications

Unknown.