

**Report From Agency**

**STATE OF WISCONSIN  
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES**

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**IN THE MATTER OF RULEMAKING :  
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE  
DEPARTMENT OF SAFETY AND : CR 19-085  
PROFESSIONAL SERVICES :**

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**I. THE PROPOSED RULE:**

The proposed rule, including the analysis and text, is attached.

**II. REFERENCE TO APPLICABLE FORMS: N/A**

**III. FISCAL ESTIMATE AND EIA:**

The Fiscal Estimate and EIA is attached.

**IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:**

2015 Wisconsin Act 55 transferred responsibility for regulating tanning facilities from the Department of Health Services (DHS) to the Department of Safety and Professional Services (DSPS), effective January 1, 2016. DHS 161 and 161 Appendix were renumbered SPS 220 and 220 Appendix at that time. This rule will align administrative provisions transferred from DHS with DSPS's processes, and modernize the rule to reflect current practice for ensuring the safe and sanitary use of tanning devices.

**V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:**

The Department of Safety and Professional Services held a public hearing on July 19, 2019. No one testified or provided written comments.

**VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

All recommendations suggested in the Clearinghouse Report have been accepted in whole.

**VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:**

The proposed rule does not have an economic impact on small business, as defined in s. 227.114 (1), Stats.