

1 HB254
2 156962-3
3 By Representative Johnson (R)
4 RFD: Health
5 First Read: 15-JAN-14

ENGROSSED

A BILL

TO BE ENTITLED

AN ACT

Relating to public health; to regulate tanning facilities.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For purposes of this chapter, the following terms shall have the following meanings:

(1) OPERATOR. A person designated by the tanning facility owner or tanning device lessee to operate or assist and instruct in the operation and use of the tanning facility or tanning device.

(2) PHOTOTHERAPY DEVICE. Equipment used in the diagnosis or treatment of disease or injury that emits ultraviolet radiation.

(3) TANNING DEVICE. Equipment used for tanning of human skin that emits electromagnetic radiation having wavelengths between 200 and 400 nanometers.

(4) TANNING FACILITY. Any location, place, area, structure, or business, including tanning salons, health clubs, apartments, and condominiums, that provides persons access to a tanning device regardless of whether a fee is charged for the access.

Section 2. The use of a tanning device at a tanning facility in this state is subject to the following restrictions:

(1) No person 16 or 17 years of age shall use a tanning device unless a parent or legal guardian provides written consent signed at the tanning facility.

(2) No person 15 years of age shall use a tanning device unless a parent or legal guardian provides written consent signed at the tanning facility and the parent or legal guardian who signed the written consent is present in the facility during the operation of the device.

(3) No person 14 years of age or under shall use a tanning device unless prescribed by a physician; provided, however, that a person 14 years of or under may receive a spray tan.

(4) No person shall use a tanning device without the use of protective eyewear.

Section 3. The written consent required to be signed by a parent or legal guardian as required in Section 2 shall contain the following warning: "Danger. Ultraviolet radiation. Follow instructions. Avoid overexposure. As with natural sunlight, overexposure can cause eye and skin injury and allergic reactions. Repeated exposure may cause premature aging of the skin and skin cancer. WEAR PROTECTIVE EYEWEAR; FAILURE TO DO SO MAY RESULT IN SEVERE BURNS OR LONG-TERM INJURY TO THE EYES. Medications or cosmetics may increase your sensitivity to the ultraviolet radiation. Consult a physician

1 before using the sunlamp if you are using medications or have
2 a history of skin problems or believe yourself especially
3 sensitive to sunlight. If you do not tan in the sun, you are
4 unlikely to tan from use of this product."

5 Section 4. This act shall become effective on the
6 first day of the sixth month following its passage and
7 approval by the Governor, or its otherwise becoming law.

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House of Representatives

4 Read for the first time and re-
5 ferred to the House of Representa-
6 tives committee on Health 15-JAN-14

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8 Read for the second time and placed
9 on the calendar with 1 substitute
10 and..... 22-JAN-14

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12 Read for the third time and passed
13 as amended..... 11-FEB-14

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Yea 92, Nays 2, Abstains 0

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Jeff Woodard
Clerk