

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 544

By: Rice

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5
6 AS INTRODUCED

7 An Act relating to public health and safety; defining
8 terms; prohibiting use of a tanning device by a person
9 under thirteen; providing for exceptions; requiring
10 informed consent statement in certain circumstances;
11 requiring accompaniment by a parent or legal guardian
12 in certain circumstances; directing the State
13 Department of Health to investigate certain
14 complaints; authorizing the Department to impose
15 administrative fine for noncompliance; providing for
16 codification; and providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified in
19 the Oklahoma Statutes as Section 1-1420 of Title 63, unless there is
20 created a duplication in numbering, reads as follows:

21 A. For purposes of this section:

22 1. "Tanning device" means any equipment, including a sunlamp,
23 tanning booth, or tanning bed, that emits electromagnetic radiation
24 with wavelengths in the air between 200 and 400 nanometers and is
issued for the tanning of human skin; and

2. "Tanning facility" means a business that provides persons
access to or use of tanning beds.

1 B. To ensure the proper operation of the tanning equipment, a
2 tanning facility shall not allow a person younger than thirteen (13)
3 years of age to use a tanning device unless:

4 1. The facility receives written permission from the person's
5 physician allowing the person to use the device; and

6 2. The person's parent or legal guardian remains at the tanning
7 facility while the person uses the device.

8 C. Before any person sixteen (16) or seventeen (17) years of age
9 uses a tanning facility device for the first time, the person shall
10 provide the tanning facility with a written informed consent
11 statement signed and dated by the person's parent or legal guardian
12 stating that the parent or legal guardian consents to the minor's use
13 of a tanning device and agrees that the minor will use protective
14 eyewear.

15 D. A person who is thirteen (13), fourteen (14), or fifteen (15)
16 years of age shall be accompanied by a parent or legal guardian who
17 shall remain at the tanning facility while the person uses the
18 tanning device.

19 E. The State Department of Health shall investigate complaints
20 of noncompliance with this section and may impose an administrative
21 fine not to exceed Five Hundred Dollars (\$500.00) for each offense.

22 SECTION 2. This act shall become effective November 1, 2009.

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