

1 **SENATE FLOOR VERSION**

2 February 21, 2013

3 **AS AMENDED**

4 SENATE BILL NO. 345

By: Paddack of the Senate

and

Enns of the House

6
7
8 **[tanning - specifying requirements of tanning**
9 **facilities - codification - effective date]**

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

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 1-1431 of Title 63, unless there
14 is created a duplication in numbering, reads as follows:

15 A. A tanning facility shall:

16 1. Have an operator present during operating hours who is
17 sufficiently knowledgeable in the correct operation of tanning
18 devices used at the facility so that he or she is able to inform and
19 assist each customer in the proper use of the tanning beds;

20 2. Before each use of a tanning device, provide each customer
21 with properly sanitized protective eyewear that protects the eye
22 from ultraviolet radiation and allows adequate vision to maintain
23 balance and not allow a person to use a tanning device if that
24 person does not use the protective eyewear;

1 3. Show each customer how to use suitable physical aids, such
2 as handrails and markings on the floor, to maintain proper exposure
3 distance as recommended by the manufacturer;

4 4. Use a timer on a tanning device that has an accuracy of plus
5 or minus ten percent (10%) of any selected timer interval. The
6 timer shall also be remotely located so that customers cannot set
7 their own time;

8 5. Limit each customer using a tanning device to the maximum
9 exposure time as recommended by the manufacturer; and

10 6. Control the interior temperature of a tanning facility so
11 that it does not exceed one hundred (100) degrees Fahrenheit.

12 B. Every person who uses a tanning facility shall sign a
13 written statement acknowledging that he or she has read and
14 understood the warning before using the device and that he or she
15 agrees to use the protective eyewear that the tanning facility
16 provides.

17 C. Whenever using a tanning device, a person shall use the
18 protective eyewear that the tanning facility provides.

19 D. Persons under eighteen (18) years of age shall be **required**
20 **to submit a written consent form signed by their parent or legal**
21 **guardian before** using a tanning device. Proof of age shall be
22 satisfied with a driver license or other government issued
23 identification containing the date of birth and a photograph of the
24 individual.

1 E. The provisions of this section shall not be construed to
2 preclude a physician or other authorized health care provider from
3 prescribing the use of a phototherapy device to a patient of any
4 age.

5 F. For purposes of this section:

6 1. "Phototherapy device" means equipment that emits ultraviolet
7 radiation that is used in the treatment of disease or other medical
8 use;

9 2. "Tanning device" means equipment that emits electromagnetic
10 radiation with wavelengths in the air that is used for tanning of
11 human skin and includes any accompanying items incidental to
12 operation of the tanning device; and

13 3. "Tanning facility" means any facility, whether independent
14 or part of a salon, health spa or any other facility, which provides
15 access to tanning devices but shall not include private residences
16 if access to tanning devices is provided without charge.

17 SECTION 2. This act shall become effective November 1, 2013.

18 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE
19 February 21, 2013 - DO PASS AS AMENDED
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