

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 3506

By: Sneed

AS INTRODUCED

An Act relating to public health and safety; amending Section 1, Chapter 189, O.S.L. 2017 (63 O.S. Supp. 2019, Section 7302), which relates to tanning facilities; providing exception; and providing an effective date.

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

SECTION 1. AMENDATORY Section 1, Chapter 189, O.S.L. 2017 (63 O.S. Supp. 2019, Section 7302), is amended to read as follows:

Section 7302. A. As used in this act:

1. "Phototherapy device" means equipment that emits ultraviolet radiation and is used in the diagnosis or treatment of disease or injury;

2. "Tanning device" means equipment that emits electromagnetic radiation having wavelengths in the air between two hundred (200) and four hundred (400) nanometers and that is used for tanning of human skin and any equipment used with that equipment including, but not limited to, protective eyewear, timers and handrails. For the

1 purposes of this paragraph, "tanning device" shall not include a
2 phototherapy device used, or prescribed for use, by a physician;

3 3. "Tanning facility" means any location, place, area,
4 structure or business that provides persons access to any tanning
5 device, including tanning salons, health clubs, apartments and
6 condominiums, regardless of whether a fee is charged for access to
7 tanning equipment; and

8 4. "Operator" means a person designated by the owner of a
9 tanning facility or tanning device lessee to operate or to assist
10 and instruct in the operation and use of the tanning facility or
11 tanning device.

12 B. ~~It~~ Except as otherwise provided, it shall be unlawful for
13 any person under eighteen (18) years of age to use any tanning
14 device of any tanning facility in this state. Persons over sixteen
15 (16) years of age may use any tanning device of any tanning facility
16 in this state with parental consent.

17 C. A person who is the owner, lessee or operator of a tanning
18 facility in this state shall post in a conspicuous place in each
19 tanning facility owned, leased or operated by that person a notice
20 developed by the State Department of Health that states all of the
21 following:

22 1. ~~That~~ Except as provided in subsection B of this section,
23 that it is unlawful for a tanning facility or operator to allow a
24 person under eighteen (18) years of age to use any tanning device;

1 2. That a tanning facility or operator that violates the
2 provisions of this act shall be subject to a civil penalty;

3 3. That an individual may report a violation of one or more
4 provisions of this act to the local law enforcement agency; and

5 4. The health risks associated with tanning including, but not
6 limited to, skin cancer, premature aging of skin, burns to the skin
7 and adverse reactions to certain medications, foods and cosmetics.

8 D. The State Board of Health shall promulgate rules to
9 implement the provisions of this act.

10 SECTION 2. This act shall become effective November 1, 2020.

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