

HB 1043

2012

1                   A bill to be entitled  
 2           An act relating to tanning facilities; amending s.  
 3           381.89, F.S.; requiring that the operator or  
 4           proprietor of a tanning facility witness the signing  
 5           of a written statement by the parent or legal guardian  
 6           of a minor before the minor is allowed to use a  
 7           tanning device; providing requirements for the written  
 8           statement; prohibiting a minor younger than a certain  
 9           age from using a tanning device at a tanning facility;  
 10          deleting provisions authorizing the use of a tanning  
 11          device by certain minors if accompanied by a parent or  
 12          legal guardian; allowing use of a tanning device by  
 13          certain minors as treatment prescribed by a health  
 14          care provider; providing an effective date.

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 16 Be It Enacted by the Legislature of the State of Florida:

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 18           Section 1. Subsections (7) and (8) of section 381.89,  
 19 Florida Statutes, are amended to read:

20           381.89 Regulation of tanning facilities.—

21           (7) A tanning facility may not allow a minor ~~between the~~  
 22 ~~ages of 14~~ years of age or older ~~and 18~~ to use a tanning device  
 23 unless it has on file a statement signed by the minor's parent  
 24 or legal guardian and witnessed by the operator or proprietor of  
 25 the tanning facility stating that the parent or legal guardian:

26           (a) Has read and understands the warnings given by the  
 27 tanning facility;;

28           (b) Consents to the minor's use of a tanning device;; ~~and~~

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29        (c) Agrees that the minor will use the provided protective  
30 eyewear; ~~and-~~

31        (d) Authorizes a specified number of tanning sessions for  
32 the minor during a 12-month period. The number of tanning  
33 sessions authorized by the parent or legal guardian may not  
34 exceed the number authorized by rules of the department and the  
35 manufacturer's exposure schedule.

36  
37 An operator or proprietor of a tanning facility shall refuse  
38 service to a minor if the minor's parent or legal guardian has  
39 not, in the operator's or proprietor's presence, signed the  
40 statement as required by this subsection.

41        (8) A minor younger than 14 years of ~~under the age~~ may not  
42 use a tanning device at a tanning facility ~~of 14 must be~~  
43 ~~accompanied by a parent or legal guardian when using a tanning~~  
44 ~~device.~~ This subsection does not apply if use of the tanning  
45 device is prescribed by a health care provider. However, the  
46 parent or legal guardian must comply with subsection (7) if use  
47 of the tanning device is prescribed by the health care provider.

48        Section 2. This act shall take effect July 1, 2012.