

HOUSE BILL NO. HB0063

Tanning salons-minors.

Sponsored by: Representative(s) Millin, Bonner, Esquibel,
K., Harvey and Landon and Senator(s) Landen,
Meyer and Scott

A BILL

for

1 AN ACT relating to ultraviolet tanning devices; prohibiting
2 allowing the use of ultraviolet tanning devices by minors
3 under fifteen (15) years of age as specified; requiring
4 parental consent for use of ultraviolet tanning devices by
5 minors between fifteen (15) and eighteen (18) years of age;
6 providing definitions; providing criminal penalties; and
7 providing for an effective date.

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9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 14-3-108 is created to read:

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13 **14-3-108. Use of ultraviolet tanning devices by**
14 **persons who have not reached the age of majority; consent**
15 **required; penalties.**

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1 (a) No person other than the minor's parent or legal
2 guardian shall knowingly allow a minor who has not reached
3 fifteen (15) years of age to use an ultraviolet tanning
4 device, either alone or in the presence of another
5 individual. No person shall knowingly allow a minor age
6 fifteen (15) years to the age of majority to use an
7 ultraviolet tanning device, except with written consent
8 obtained from the minor's parent or legal guardian. The
9 parent or guardian shall not be required to stay at the
10 facility during the tanning session or be in the tanning
11 room or booth with the minor. Any person other than the
12 minor's parent or legal guardian allowing the use of an
13 ultraviolet tanning device by a minor shall demand proof of
14 age prior to allowing the use of an ultraviolet tanning
15 device. A motor vehicle driver's license, a registration
16 card issued under the federal Selective Service Act, an
17 identification card issued to a member of the armed forces,
18 a valid United States passport, a tribal identification
19 card issued by the governing body of the Eastern Shoshone
20 tribe of Wyoming or the Northern Arapahoe tribe of Wyoming
21 or an identification card issued by the department of
22 transportation is prima facie evidence of the age and
23 identity under this section. Proof that the person
24 allowing the use of the ultraviolet tanning device

1 demanded, was shown and acted in reasonable reliance upon
2 the information contained in any one (1) of the above
3 documents as identification and proof of age is a defense
4 to any criminal prosecution under this section.

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6 (b) Any person violating this section is guilty of a
7 misdemeanor punishable by imprisonment for not more than
8 six (6) months, a fine of not more than seven hundred fifty
9 dollars (\$750.00), or both.

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11 (c) As used in this section:

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13 (i) "Consent" means that the parent or legal
14 guardian appears at the first time the minor uses the
15 ultraviolet tanning device and signs a written consent form
16 in the presence of the owner or an employee of the
17 facility. The minor's parent or legal guardian may
18 withdraw this consent at anytime. Unless so withdrawn,
19 this consent shall be valid for twelve (12) months from the
20 date the written consent form is signed;

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22 (ii) "Ultraviolet tanning device" means
23 equipment that emits electromagnetic radiation with
24 wavelengths in the air between two hundred (200) and four

1 hundred (400) nanometers used for tanning of the skin,
2 including, but not limited to, a sunlamp, tanning booth or
3 tanning bed, but does not include equipment that emits
4 ultraviolet radiation used by a health care professional in
5 the treatment of disease or used pursuant to a
6 prescription.

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8 **Section 2.** This act is effective July 1, 2010.

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(END)