

Regular Session, 2014

HOUSE BILL NO. 746

BY REPRESENTATIVE MORENO

TANNING FACILITIES: Prohibits the use of tanning equipment by a minor

1 AN ACT

2 To amend and reenact R.S. 40:2707 and 2714(E) and (I), relative to tanning facilities; to
3 prohibit the use of tanning equipment by persons under eighteen years of age; to
4 provide for notice requirements; to make technical changes; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:2707 and 2714(E) and (I) are hereby amended and reenacted to
8 read as follows:

9 §2707. Prohibited acts; advertisement; minors

10 A. A tanning facility ~~may~~ shall not claim or distribute promotional materials
11 that claim use of a tanning device is safe or free from risk. No person shall state or
12 imply that any activity under such registration has been approved by the department.

13 B. A tanning facility shall not allow any person under eighteen years of age
14 to use any tanning equipment.

15 * * *

16 §2714. Information provided to consumer

17 * * *

18 ~~E. Before any person between fourteen and eighteen years of age uses a~~
19 ~~tanning device, the tanning facility shall secure a statement signed at the tanning~~
20 ~~facility by the person's parent or tutor stating that the parent or tutor has read and~~

1 ~~understood the warnings given by the tanning facility, consents to the minor's use of~~
2 ~~a tanning device, and agrees that the minor will use the protective eyewear that the~~
3 ~~tanning facility provides. A person under fourteen years of age shall be accompanied~~
4 ~~by a parent or tutor when using a tanning device. The registrant shall place, at the~~
5 ~~entrance of the tanning facility, signage that states "LOUISIANA LAW PROHIBITS~~
6 ~~PERSONS UNDER 18 YEARS OF AGE FROM USING ANY TANNING~~
7 ~~FACILITY EQUIPMENT WHICH EMITS ULTRAVIOLET LIGHT FOR THE~~
8 ~~PURPOSE OF SKIN TANNING". The signage shall have dimensions of at least~~
9 ~~eight inches by ten inches.~~

* * *

11 I. ~~Effective October 1, 1991, the~~ The registrant shall limit the operation of
12 tanning equipment to persons who have successfully completed formal training
13 courses which cover the provisions of Subsection H of this Section and have been
14 approved by the department.

* * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Moreno

HB No. 746

Abstract: Prohibits the use of tanning equipment which emits ultraviolet light by persons under 18 years of age.

Present law defines "tanning equipment" as ultraviolet or other lamps and equipment containing such lamps intended to induce skin tanning through the irradiation of any part of the living human body with ultraviolet radiation.

Proposed law retains present law.

Present law prohibits a tanning facility from claiming or distributing promotional materials that claim use of a tanning device is safe or free from risk. Present law further prohibits a person from stating or implying that any activity under such registration has been approved by the Dept. of Health and Hospitals.

Proposed law retains present law and makes a technical change.

Proposed law prohibits a tanning facility from allowing any person under 18 years of age to use any tanning equipment.

Present law requires a tanning facility, before any person between 14 and 18 years of age uses a tanning device, to secure a statement signed at the tanning facility by the person's parent or tutor stating that the parent or tutor has read and understood the warnings given by the tanning facility, consents to the minor's use of a tanning device, and agrees that the minor will use the protective eyewear that the tanning facility provides. Present law further requires a person under 14 years of age to be accompanied by a parent or tutor when using a tanning device.

Proposed law repeals present law.

Proposed law requires signage that states "LOUISIANA LAW PROHIBITS PERSONS UNDER 18 YEARS OF AGE FROM USING ANY TANNING FACILITY EQUIPMENT WHICH EMITS ULTRAVIOLET LIGHT FOR THE PURPOSE OF SKIN TANNING" to be placed at the entrance of the tanning facility. Proposed law further requires the signage to have dimensions of at least 8 inches by 10 inches.

Present law provides that, effective Oct. 1, 1991, the registrant shall limit the operation of tanning equipment to persons who have successfully completed formal training courses which cover the provisions of present law and have been approved by the Dept. of Health and Hospitals.

Proposed law retains present law but makes the technical change of removing the effective date that has passed.

(Amends R.S. 40:2707 and 2714(E) and (I))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Health and Welfare to the original bill.

1. Clarified that the prohibition applies to persons under 18 years of age.
2. Made technical changes.