



IN THE GENERAL ASSEMBLY STATE OF _____

An Act

To Prohibit the Sale of Tanning Facility Ultraviolet Rays to Individuals Under 18 Years of Age

1 Be it enacted by the People of the State of _____, represented in the General
2 Assembly:

3 **Section 1.**

4 (a) The Legislature hereby finds and declares that:

- 5 (1) The hazardous effects of ultraviolet radiation include skin cancer
6 formation, premature aging of the skin, cataract formation, impairment of
7 the immune system, photosensitizing reaction with various drugs,
8 initiation and or aggravation of certain systemic diseases;
- 9 (2) tanning facility rays penetrate deeper and do more harm than natural
10 sunlight;
- 11 (3) there are more than 1,000,000 new cases of skin cancer diagnosed each
12 year and most of these skin cancers were preventable, representing almost
13 50% of the more than 2,000,000 total overall cancers diagnosed each year;
- 14 (4) melanoma rates have increased by 60% since the mid-1970s;
- 15 (5) people receive 80% of their dangerous lifetime exposure to ultraviolet
16 radiation (tanning rays) before age 20 and numerous studies have

1 established that skin cancer is closely associated with excessive ultraviolet
2 light exposure before the age of 18; and

3 (6) the Food and Drug Administration has ruled that tanning rays are
4 carcinogenic agents and the World Health Organization recently
5 recommended that no one under the age of 18 use tanning beds and
6 sunlamps.

7 (b) It is therefore the purpose of this Act to prohibit the sale of tanning facility
8 ultraviolet rays to those individuals under 18 years of age.

9 **Section 2. Definitions.** For purposes of this Act:

10 (a) “ultraviolet rays” shall mean electromagnetic radiation with wavelengths in air
11 between 200 to 400 nanometers.

12 (b) “tanning device” shall mean any equipment that emits ultraviolet radiation with
13 wavelengths in the air between 200 and 400 nanometers used for tanning of
14 the skin such as a sunlamp, tanning booth or tanning bed.

15 (c) “tanning facility” shall mean any place where a tanning device is used for a fee,
16 membership dues, or other compensation.

17 **Section 3.** It shall be unlawful to sell, give or furnish ultraviolet rays to individuals under
18 the age of eighteen years except as prescribed by a physician.

19 **Section 4.** Any person who engages in the sale of ultraviolet rays having reasonable
20 cause to believe that an individual attempting to purchase such product is under the age

1 of eighteen years shall demand that such purchaser present some form of identification
2 clearly indicating his or her age.

3 **Section 5.** Any person who sells, gives or furnishes ultraviolet rays to an individual
4 under eighteen years of age shall be guilty of a [insert offense].

5 **Section 6. Exclusion.** Phototherapy devices utilized by appropriate health care
6 professionals under the direct supervision of a physician who is trained in the use of
7 phototherapy devices

8 **Section 7.** Nothing contained in the provisions of this Act or any other provision of law
9 shall invalidate an ordinance of, or be constructed to prohibit the adoption of an
10 ordinance by, a city or county regulating the sale or purchase of ultraviolet rays which is
11 more restrictive than the provisions of this Act.

12 **Section 8. Effective Date.** This Act shall become effective immediately upon being
13 enacted into law.

14 **Section 9. Severability.** If any provision of this Act is held by a court to be invalid,
15 such invalidity shall not affect the remaining provisions of this Act, and to this end the
16 provisions of this Act are hereby declared severable.