



February 13, 2018

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# ENGROSSED SENATE BILL No. 24

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DIGEST OF SB 24 (Updated February 13, 2018 8:56 am - DI 84)

**Citations Affected:** IC 20-34; IC 34-30.

**Synopsis:** Student possession and use of sunscreen. Provides that a student may possess and use a topical, non-aerosol sunscreen product while on school property or at a school sponsored event or activity without being required to: (1) have a physician's note or prescription; or (2) store the topical, non-aerosol sunscreen product in a specific location; if the product is regulated by the United States Food and Drug Administration for over-the-counter use for the purpose of limiting ultraviolet light-induced skin damage. Allows school personnel to assist a student in applying the sunscreen if the school has written permission from the student's parent or guardian. Provides certain civil immunity for school corporations, schools, and school personnel for any action taken to comply with the sunscreen provisions.

**Effective:** July 1, 2018.

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## Brown L, Kruse, Melton, Stoops

(HOUSE SPONSORS — KIRCHHOFER, GIAQUINTA)

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January 3, 2018, read first time and referred to Committee on Education and Career Development.

January 18, 2018, reported favorably — Do Pass.

January 22, 2018, read second time, ordered engrossed. Engrossed.

January 23, 2018, read third time, passed. Yeas 45, nays 4.

### HOUSE ACTION

February 6, 2018, read first time and referred to Committee on Education.

February 13, 2018, reported — Do Pass.

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ES 24—LS 6126/DI 110





February 13, 2018

Second Regular Session 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 24

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 20-34-3-22 IS ADDED TO THE INDIANA CODE  
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2018]: **Sec. 22. (a) As used in this section, "school" means a  
4 public or charter school.**  
5 **(b) A student may possess and use a topical, non-aerosol  
6 sunscreen product while on school property or at a school  
7 sponsored event or activity without being required to:**  
8 **(1) have a physician's note or prescription; or**  
9 **(2) store the topical, non-aerosol sunscreen product in a  
10 specific location;**  
11 **if the product is regulated by the United States Food and Drug  
12 Administration for over-the-counter use for the purpose of limiting  
13 ultraviolet light-induced skin damage.**  
14 **(c) School personnel may assist a student in applying a topical,  
15 non-aerosol sunscreen product if the school has written permission  
16 from the student's parent or guardian.**  
17 **(d) A school corporation, a school, and school personnel are**

ES 24—LS 6126/DI 110



1 **immune from civil liability for any actions taken in good faith to**  
2 **comply with this section. The civil immunity under this subsection**  
3 **does not apply to an act or omission that constitutes gross**  
4 **negligence or willful, wanton, or intentional misconduct.**

5 **(e) This section may not be construed to:**

6 **(1) require school personnel to assist students in applying a**  
7 **topical sunscreen product; or**

8 **(2) prohibit a school from allowing a topical, aerosol**  
9 **sunscreen product under school policy.**

10 **(f) The department may provide assistance and guidance to**  
11 **schools concerning the administration of this section.**

12 SECTION 2. IC 34-30-2-85.4 IS ADDED TO THE INDIANA  
13 CODE AS A NEW SECTION TO READ AS FOLLOWS  
14 [EFFECTIVE JULY 1, 2018]: **Sec. 85.4. IC 20-34-3-22 (Concerning**  
15 **school corporations, schools, and school personnel and sunscreen).**



COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 24, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 24 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 10, Nays 0

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 24, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 24 as printed January 19, 2018.)

BEHNING

Committee Vote: Yeas 12, Nays 0

