

HOUSE BILL NO. HB0063

Tanning salons-minors.

Sponsored by: Representative(s) Millin, Bonner, Carson,
Esquibel, K., Harvey, Landon and Pedersen
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 unless a parent or legal
4 guardian is present; requiring parental consent as
5 specified for use of ultraviolet tanning devices by minors
6 between fifteen (15) and eighteen (18) years of age;
7 providing definitions; providing a criminal penalty; and
8 providing for an effective date.

9

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

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

13

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

1

2 (a) No person other than the minor's parent or legal
3 guardian shall knowingly allow a minor who has not reached
4 fifteen (15) years of age to use an ultraviolet tanning
5 device, unless the minor's parent or legal guardian
6 consents in writing to the use and is present the entire
7 time of use. No person shall knowingly allow a minor age
8 fifteen (15) years to the age of majority to use an
9 ultraviolet tanning device, except with written consent
10 obtained from the minor's parent or legal guardian. Any
11 person other than the minor's parent or legal guardian
12 allowing the use of an ultraviolet tanning device by a
13 minor shall demand proof of age prior to allowing the use
14 of an ultraviolet tanning device. A motor vehicle driver's
15 license, a registration card issued under the federal
16 Selective Service Act, an identification card issued to a
17 member of the armed forces, a valid United States passport,
18 a tribal identification card issued by the governing body
19 of the Eastern Shoshone tribe of Wyoming or the Northern
20 Arapahoe tribe of Wyoming or an identification card issued
21 by the department of transportation is prima facie evidence
22 of the age and identity under this section. Proof that the
23 person allowing the use of the ultraviolet tanning device
24 demanded, was shown and acted in reasonable reliance upon

1 the information contained in any one (1) of the above
2 documents as identification and proof of age is a defense
3 to any criminal prosecution under this section.

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5 (b) Any person violating this section is guilty of a
6 misdemeanor punishable by a fine of not more than two
7 hundred fifty dollars (\$250.00), or both.

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9 (c) As used in this section:

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

21

22 (ii) "Present" means being physically present at
23 the facility at which the tanning device is being used, but

1 does not require the presence in the tanning room or booth
2 being used;

3

4 (iii) "Ultraviolet tanning device" means
5 equipment that emits electromagnetic radiation with
6 wavelengths in the air between two hundred (200) and four
7 hundred (400) nanometers used for tanning of the skin,
8 including, but not limited to, a sunlamp, tanning booth or
9 tanning bed, but does not include equipment that emits
10 ultraviolet radiation used by a health care professional in
11 the treatment of disease or used pursuant to a
12 prescription.

13

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

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16

(END)