

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1920

4
5 By: Representative Maloch
6
7

For An Act To Be Entitled

8
9 AN ACT TO PLACE REASONABLE RESTRICTIONS ON
10 YOUTHFUL CONSUMERS WHO UTILIZE TANNING
11 FACILITIES; TO REQUIRE RECORD KEEPING AT TANNING
12 FACILITIES; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 TO PLACE REASONABLE RESTRICTIONS ON
16 YOUTHFUL CONSUMERS WHO UTILIZE TANNING
17 FACILITIES.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code Title 20, Chapter 27 is amended to add an
23 additional subchapter to read as follows:

24 SUBCHAPTER 21 Tanning Facilities

25
26 20-27-2101. Definitions.

27 As used in this subchapter:

28 (1) "Consumer" means an individual who is provided access to a
29 tanning facility;

30 (2)(A) "Operator" means an individual designated by the tanning
31 facility owner or tanning equipment lessee to operate or to assist and
32 instruct the consumer in the operation and use of the tanning facility or
33 tanning equipment.

34 (B) However an operator in an apartment or a condominium
35 need not exercise direct supervision or be physically on the premises at all
36 times;



1 (3) "Person" means an individual, corporation, partnership,
2 limited liability company, firm, association, trust, estate, public or
3 private institution, group, agency, political subdivision of this state, any
4 other state, or political subdivision or agency of this state, and any legal
5 successor, representative, agent, or agency of these entities;

6 (4) "Tanning equipment" means ultraviolet or other lamps and
7 equipment containing these lamps intended to induce skin tanning through the
8 irradiation of any part of the living human body with ultraviolet radiation;

9 (5)(A) "Tanning facility" means a location, place, area,
10 structure, or business or a part of a location, place, area, structure, or
11 business which provides consumers access to tanning equipment.

12 (B) "Tanning facility" includes, without limitation
13 regardless of whether a fee is charged for access to the tanning equipment:

- 14 (i) Apartments;
- 15 (ii) Condominiums;
- 16 (iii) Health clubs; and
- 17 (iv) Tanning salons; and

18 (6) "Ultraviolet radiation" means electromagnetic radiation with
19 wavelengths in air between two hundred nanometers (200 nm) and four hundred
20 nanometers (400 nm).

21
22 20-27-2102. Consent required.

23 Before allowing an initial exposure at a tanning facility of a person
24 under eighteen (18) years of age, the owner or operator shall witness the
25 person's parent or legal guardian signing and dating a warning statement as
26 follows:

27
28 "WARNING STATEMENT

29 This statement must be read and signed by a parent or legal guardian of
30 any person under eighteen (18) years of age before allowing the initial
31 exposure at this tanning facility.

32 DANGER – ULTRAVIOLET RADIATION WARNING

33 Follow instructions.

34 Avoid overexposure. As with natural sunlight, overexposure can cause
35 eye and skin injury and allergic reactions. Repeated exposure may cause
36 premature aging of the skin and skin cancer.

1 Wear protective eyewear. FAILURE TO USE PROTECTIVE EYEWEAR MAY RESULT
2 IN SEVERE BURNS OR LONG-TERM INJURY TO THE EYES.

3 Medications or cosmetics may increase your sensitivity to the
4 ultraviolet radiation. Consult a physician before using sunlamp or tanning
5 equipment if you are using medications or have a history of skin problems or
6 believe yourself to be especially sensitive to sunlight.

7 I have read the above warning and understand what it means before
8 undertaking any tanning equipment exposure.

9
10
11 Signature of Operator of Tanning Facility or Equipment

12
13
14 Signature of parent or legal guardian

15
16
17 Print name of minor and parent or legal guardian

18
19
20 Date

21
22 OR

23
24 The consumer is illiterate or visually impaired, or both impaired, and
25 I have read the warning statement aloud and in full to the consumer in the
26 presence of the below signed witness.

27
28
29 Signature of Operator of Tanning Facility or Equipment

30
31
32 Witness

33
34
35 Date"
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