

REFERENCE TITLE: indoor tanning; minors; restricted use

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

HB 2493

Introduced by
Representatives Carter, Brophy McGee

AN ACT

AMENDING TITLE 36, CHAPTER 6, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 15;
RELATING TO INDOOR TANNING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 6, Arizona Revised Statutes, is amended
3 by adding article 15, to read:

4 ARTICLE 15. INDOOR TANNING

5 36-799. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "TANNING DEVICE":

8 (a) MEANS ANY EQUIPMENT THAT EMITS RADIATION USED FOR TANNING OF THE
9 SKIN, INCLUDING A SUNLAMP, TANNING BOOTH OR TANNING BED THAT EMITS
10 ULTRAVIOLET RADIATION, AND ANY ACCOMPANYING EQUIPMENT, INCLUDING PROTECTIVE
11 EYEWEAR, TIMERS AND HANDRAILS.

12 (b) DOES NOT INCLUDE A PHOTOTHERAPY DEVICE USED IN THE TREATMENT OF
13 DISEASE OR INJURY UNDER THE DIRECT OR INDIRECT SUPERVISION OF A PHYSICIAN WHO
14 IS LICENSED IN THIS STATE.

15 2. "TANNING FACILITY" MEANS ANY PLACE WHERE A TANNING DEVICE IS USED.

16 3. "ULTRAVIOLET RADIATION" MEANS ELECTROMAGNETIC RADIATION WITH
17 WAVELENGTHS BETWEEN TWO HUNDRED AND FOUR HUNDRED NANOMETERS.

18 36-799.01. Use of tanning facilities; restricted use for
19 minors; signage; use of device in private
20 residence

21 A. A PERSON WHO VISITS A TANNING FACILITY SHALL PRESENT PHOTO
22 IDENTIFICATION ISSUED BY THE UNITED STATES GOVERNMENT OR A STATE OR TRIBAL
23 GOVERNMENT TO PROVE THAT THE PERSON IS AT LEAST EIGHTEEN YEARS OF AGE.

24 B. AN OPERATOR OR EMPLOYEE OF A TANNING FACILITY MAY NOT ALLOW A
25 PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE TO USE A TANNING DEVICE.

26 C. A TANNING FACILITY SHALL POST IN A CONSPICUOUS PLACE A SIGN STATING
27 THAT IT IS UNLAWFUL FOR A TANNING FACILITY OPERATOR OR EMPLOYEE TO ALLOW A
28 PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE TO USE ANY TANNING DEVICE.

29 D. THIS ARTICLE DOES NOT PREVENT OR RESTRICT AN INDIVIDUAL FROM USING
30 A TANNING DEVICE FOR PERSONAL USE IN THE INDIVIDUAL'S PRIVATE RESIDENCE.

31 36-799.02. Recordkeeping

32 A TANNING FACILITY SHALL MAINTAIN A RECORD OF EACH CUSTOMER WHO USES A
33 TANNING DEVICE FOR AT LEAST TWO YEARS AFTER THE DATE OF THE CUSTOMER'S LAST
34 USE OF THE TANNING DEVICE. THE RECORD SHALL INCLUDE:

35 1. THE NAME AND AGE OF THE CUSTOMER.

36 2. THE DATE AND TIME OF THE CUSTOMER'S USE OF THE TANNING DEVICE.

37 3. THE LENGTH OF TIME THE CUSTOMER USED THE TANNING DEVICE.

38 4. IF KNOWN, ANY INJURY OR ILLNESS THAT RESULTS FROM THE CUSTOMER'S
39 USE OF THE TANNING DEVICE.

40 36-799.03. Advertising and promotional materials

41 A TANNING FACILITY MAY NOT ADVERTISE OR DISTRIBUTE PROMOTIONAL
42 MATERIALS THAT CLAIM THAT USING A TANNING DEVICE IS SAFE OR FREE FROM RISK OR
43 THAT THE USE OF A TANNING DEVICE WILL RESULT IN A MEDICAL OR HEALTH BENEFIT.