1	HOUSE OF REPRESENTATIVES - FLOOR VERSION
2	STATE OF OKLAHOMA
3	1st Session of the 56th Legislature (2017)
4	ENGROSSED SENATE BILL NO. 765 By: Yen of the Senate
5	
6	and
7	Henke of the House
8	
9	definitions; prohibiting use of tanning facilities by minors; requiring posting of certain signage; providing standards for signage; directing promulgation of rules; providing for codification; and providing an effective date.
LO	
11	
L2	
L3	
L 4	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
L5	SECTION 1. NEW LAW A new section of law to be codified
L 6	in the Oklahoma Statutes as Section 7302 of Title 63, unless there
L7	is created a duplication in numbering, reads as follows:
L8	A. As used in this act:
L 9	1. "Phototherapy device" means equipment that emits ultraviolet
20	radiation and is used in the diagnosis or treatment of disease or
21	injury;
22	2. "Tanning device" means equipment that emits electromagnetic
23	radiation having wavelengths in the air between two hundred (200)
24	and four hundred (400) nanometers and that is used for tanning of

- human skin and any equipment used with that equipment including, but not limited to, protective eyewear, timers and handrails. For the purposes of this paragraph, "tanning device" shall not include a phototherapy device used, or prescribed for use, by a physician;
 - 3. "Tanning facility" means any location, place, area, structure or business that provides persons access to any tanning device, including tanning salons, health clubs, apartments and condominiums, regardless of whether a fee is charged for access to tanning equipment; and
 - 4. "Operator" means a person designated by the owner of a tanning facility or tanning device lessee to operate or to assist and instruct in the operation and use of the tanning facility or tanning device.
 - B. It shall be unlawful for any person under eighteen (18) years of age to use any tanning device of any tanning facility in this state.
 - C. A person who is the owner, lessee or operator of a tanning facility in this state shall post in a conspicuous place in each tanning facility owned, leased or operated by that person a notice developed by the State Department of Health that states all of the following:
- 1. That it is unlawful for a tanning facility or operator to allow a person under eighteen (18) years of age to use any tanning device;

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

1	2. That a tanning facility or operator that violates the
2	provisions of this act shall be subject to a civil penalty;
3	3. That an individual may report a violation of one or more
4	provisions of this act to the local law enforcement agency; and
5	4. The health risks associated with tanning including, but not
6	limited to, skin cancer, premature aging of skin, burns to the skir
7	and adverse reactions to certain medications, foods and cosmetics.
8	D. The State Board of Health shall promulgate rules to
9	implement the provisions of this act.
10	SECTION 2. This act shall become effective November 1, 2017.
11	
12	COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM, dated 04/13/2017 - DO PASS.
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	