

**2021 -- S 0034 SUBSTITUTE A**

LC000327/SUB A

**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2021**

A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

Introduced By: Senators Miller, Coyne, Cano, Quezada, Murray, Valverde, DiMario, and Acosta

Date Introduced: January 19, 2021

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-21 of the General Laws entitled "Health and Safety of Pupils" is  
2 hereby amended by adding thereto the following section:

3 **16-21-37. Sun safety.**

4 (a) Any person including, but not limited to, students, parents or school personnel may  
5 possess and use a topical sunscreen product, without a physician's note or prescription, while on  
6 school property or at a school-related event, or activity, to avoid overexposure to the sun, if the  
7 product is regulated by the Federal Food and Drug Administration for over-the-counter use.  
8 Notwithstanding the foregoing, children enrolled in grades kindergarten through five (K-5) may  
9 only possess sunscreen on school property or at a school-related event or activity with a note from  
10 a parent or guardian.

11 (b) For the purposes of this section only, sunscreen is not to be considered an over-the-  
12 counter medication.

13 (c) Nothing in this section requires school personnel to assist pupils in applying sunscreen.  
14 Nothing in this section shall make the school district or its personnel liable for any damages.

15 (d) The school district may encourage schools to educate pupils on sun safety precautions.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

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1           This act would allow students in public schools to possess and use a topical sunscreen  
2 product. Children enrolled in grades K-5 would need a note from a parent or guardian in order to  
3 possess sunscreen on school property.

4           This act would take effect upon passage.

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