

# State of South Dakota

NINETY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2016

454X0385

## HOUSE BILL NO. 1124

Introduced by: Representatives Munsterman, Bolin, Dryden, Duvall, Gibson, Hawks, Johns, Killer, Kirschman, McCleerey, Partridge, Rasmussen, Ring, Schaefer, Sly, Soli, and Zikmund and Senators Tidemann, Buhl O'Donnell, Heinert, Hunhoff (Bernie), Soholt, Solano, Tieszen, and White

1 FOR AN ACT ENTITLED, An Act to prohibit the use of tanning devices by minors.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That the code be amended by adding a NEW SECTION to read:

4 Terms used in this Act mean:

5 (1) "Tanning device," equipment that emits electromagnetic radiation having  
6 wavelengths in the air between two hundred and four hundred nanometers and that  
7 is used for tanning human skin. The term does not include a phototherapy device  
8 used by a physician licensed pursuant to chapter 36-4 that emits ultraviolet radiation  
9 and is used in treating disease;

10 (2) "Tanning facility," a business that provides persons access to a tanning device.

11 Section 2. That the code be amended by adding a NEW SECTION to read:

12 No person may permit a minor to use a tanning device at a tanning facility. A violation of  
13 this section is a Class 2 misdemeanor.

