

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 816

(SENATE AUTHORS: EATON, Sheran and Nelson)

DATE	D-PG	OFFICIAL STATUS
02/28/2013	438	Introduction and first reading Referred to Health, Human Services and Housing
03/06/2013	622	Withdrawn and re-referred to Commerce
03/07/2013	691	Author stricken Metzen

1.1 A bill for an act
 1.2 relating to health; limiting tanning equipment to persons age 18 or older;
 1.3 amending Minnesota Statutes 2012, sections 325H.05; 325H.09; proposing
 1.4 coding for new law in Minnesota Statutes, chapter 325H; repealing Minnesota
 1.5 Statutes 2012, sections 325H.06; 325H.08.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2012, section 325H.05, is amended to read:

1.8 **325H.05 POSTED WARNING REQUIRED.**

1.9 (a) The facility owner or operator shall conspicuously post the warning sign
 1.10 described in ~~paragraph~~ paragraphs (b) and (c) within three feet of each tanning station.
 1.11 The sign must be clearly visible, not obstructed by any barrier, equipment, or other object,
 1.12 and must be posted so that it can be easily viewed by the consumer before energizing the
 1.13 tanning equipment.

1.14 (b) The warning sign required in paragraph (a) shall have dimensions not less than
 1.15 eight inches by ten inches, and must have the following wording:

1.16 "DANGER - ULTRAVIOLET RADIATION

1.17 -Follow instructions.

1.18 -Avoid overexposure. As with natural sunlight, overexposure can cause eye and skin
 1.19 injury and allergic reactions. Repeated exposure may cause premature aging
 1.20 of the skin and skin cancer.

1.21 -Wear protective eyewear.

1.22 FAILURE TO USE PROTECTIVE EYEWEAR MAY RESULT

1.23 IN SEVERE BURNS OR LONG-TERM INJURY TO THE EYES.

2.1 -Medications or cosmetics may increase your sensitivity to the ultraviolet radiation.
2.2 Consult a physician before using sunlamp or tanning equipment if you are
2.3 using medications or have a history of skin problems or believe yourself to be
2.4 especially sensitive to sunlight."

2.5 (c) All tanning facilities must prominently display a sign in a conspicuous place that
2.6 states it is unlawful for a tanning facility or operator to allow a person under age 18 to use
2.7 any tanning equipment.

2.8 Sec. 2. **[325H.085] USE BY MINORS PROHIBITED.**

2.9 Except for apartments, condominiums, and private residences, a person under age 18
2.10 may not use any type of tanning equipment available in a tanning facility in this state.

2.11 Sec. 3. Minnesota Statutes 2012, section 325H.09, is amended to read:

2.12 **325H.09 PENALTY.**

2.13 Any person who leases tanning equipment or who owns a tanning facility and who
2.14 operates or permits the equipment or facility to be operated in noncompliance with the
2.15 requirements of sections 325H.01 to 325H.08 325H.085 is guilty of a petty misdemeanor
2.16 and shall be subject to a penalty of no less than \$75 for the first violation and not more
2.17 than \$250 for each subsequent violation.

2.18 Sec. 4. **REPEALER.**

2.19 Minnesota Statutes 2012, sections 325H.06; and 325H.08, are repealed.

APPENDIX
Repealed Minnesota Statutes: 13-1110

325H.06 NOTICE TO CONSUMER.

The tanning facility owner or operator shall provide each consumer under the age of 18, before initial exposure at the facility, with a copy of the following warning, which must be signed, witnessed, and dated as indicated in the warning:

"WARNING STATEMENT

This statement must be read and signed by the consumer BEFORE first exposure to ultraviolet radiation for tanning purposes at the below signed facility.

DANGER - ULTRAVIOLET RADIATION WARNING

-Follow instructions.

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

-Wear protective eyewear.

**FAILURE TO USE PROTECTIVE EYEWEAR MAY RESULT
IN SEVERE BURNS OR LONG-TERM INJURY TO THE EYES.**

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

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

.....
Signature of Operator of Tanning Facility or
Equipment

.....
Signature of Consumer

.....
Print Name of Consumer

.....
Date

OR

The consumer is illiterate and/or visually impaired and I have read the warning statement aloud and in full to the consumer in the presence of the below signed witness.

.....
Signature of Operator of Tanning Facility or
Equipment

.....
Witness

.....
Date"

325H.08 CONSENT REQUIRED.

Before allowing the initial exposure at a tanning facility of a person under the age of 16, the owner or operator shall witness the person's parent's or legal guardian's signing and dating of the warning statement required under section 325H.06.