

HOUSE BILL NO. HB0178

Tanning salons-minors.

Sponsored by: Representative(s) Millin, Carson, Harvey and Pedersen and Senator(s) Scott

A BILL

for

1 AN ACT relating to ultraviolet tanning devices; prohibiting
2 allowing the use of ultraviolet tanning devices by minors
3 under fifteen (15) years of age as specified; requiring
4 parental consent for use of ultraviolet tanning devices by
5 minors between fifteen (15) and eighteen (18) years of age;
6 providing a definition; providing criminal penalties; and
7 providing for an effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 14-3-108 is created to read:

12

13 **14-3-108. Use of ultraviolet tanning devices by**
14 **persons who have not reached the age of majority; consent**
15 **required; penalties.**

16

1 (a) No person other than the minor's parent or legal
2 guardian shall knowingly allow a minor who has not reached
3 fifteen (15) years of age to use an ultraviolet tanning
4 device, either alone or in the presence of another
5 individual. No person shall knowingly allow a minor age
6 fifteen (15) years to the age of majority to use an
7 ultraviolet tanning device, except with written consent
8 obtained from the minor's parent or legal guardian who is
9 present at the time of the use of the ultraviolet tanning
10 device. The parent or guardian shall not be required to be
11 in the tanning room or booth with the minor. Any person
12 other than the minor's parent or legal guardian allowing
13 the use of an ultraviolet tanning device by a minor shall
14 demand proof of age prior to allowing the use of an
15 ultraviolet tanning device. A motor vehicle driver's
16 license, a registration card issued under the federal
17 Selective Service Act, an identification card issued to a
18 member of the armed forces, a valid United States passport,
19 a tribal identification card issued by the governing body
20 of the Eastern Shoshone tribe of Wyoming or the Northern
21 Arapahoe tribe of Wyoming or an identification card issued
22 by the department of transportation is prima facie evidence
23 of the age and identity under this section. Proof that the
24 person allowing the use of the ultraviolet tanning device

1 demanded, was shown and acted in reasonable reliance upon
2 the information contained in any one (1) of the above
3 documents as identification and proof of age is a defense
4 to any criminal prosecution under this section.

5

6 (b) Any person violating this section is guilty of a
7 misdemeanor punishable by imprisonment for not more than
8 six (6) months, a fine of not more than seven hundred fifty
9 dollars (\$750.00), or both.

10

11 (c) As used in this section, "ultraviolet tanning
12 device" means equipment that emits electromagnetic
13 radiation with wavelengths in the air between two hundred
14 (200) and four hundred (400) nanometers used for tanning of
15 the skin, including, but not limited to, a sunlamp, tanning
16 booth or tanning bed but does not include equipment that
17 emits ultraviolet radiation used by a health care
18 professional in the treatment of disease or used pursuant
19 to a prescription.

20

21 **Section 2.** This act is effective July 1, 2009.

22

23

(END)