

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1411

AN ACT

To amend chapter 577, RSMo, by adding thereto one new section relating to tanning facilities, with a penalty provision.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,  
AS FOLLOWS:

1           Section A. Chapter 577, RSMo, is amended by adding thereto  
2 one new section, to be known as section 577.665, to read as  
3 follows:

4           577.665. 1. As used in this section, the following terms  
5 shall mean:

6           (1) "Tanning device", any equipment that emits  
7 electromagnetic radiation with wavelengths in the air between two  
8 hundred and four hundred nanometers used for tanning of the skin,  
9 including but not limited to a sunlamp, tanning booth or tanning  
10 bed;

11           (2) "Tanning facility", any location, place, area,  
12 structure, or business which provides persons access to any  
13 tanning device for a fee, membership dues, or any other form of  
14 compensation.

15           2. Prior to any person less than seventeen years of age  
16 using a tanning device in a tanning facility, a parent or  
17 guardian of such person shall annually appear in person at the

1 tanning facility and sign a written statement acknowledging that  
2 the parent or guardian has read and understands the warnings  
3 given by the tanning facility and consents to the person's use of  
4 a tanning device at the tanning facility.

5 3. The department of health and senior services shall, by  
6 rule, develop a standard consent form to be used by all tanning  
7 facilities operating in this state. Any rule or portion of a  
8 rule, as that term is defined in section 536.010, that is created  
9 under the authority delegated in this section shall become  
10 effective only if it complies with and is subject to all of the  
11 provisions of chapter 536 and, if applicable, section 536.028.  
12 This section and chapter 536 are nonseverable and if any of the  
13 powers vested with the general assembly pursuant to chapter 536  
14 to review, to delay the effective date, or to disapprove and  
15 annul a rule are subsequently held unconstitutional, then the  
16 grant of rulemaking authority and any rule proposed or adopted  
17 after August 28, 2014, shall be invalid and void.

18 4. Any tanning facility that violates the provisions of  
19 this section shall be subject to a fine of one hundred dollars  
20 for a first violation, two hundred fifty dollars for a second  
21 violation, and five hundred dollars for each subsequent  
22 violation. Every use of a tanning device in a tanning facility in  
23 violation of this section is a separate offense.

24 5. The duties and penalties provided under this section  
25 shall not take effect or be enforced until the rule containing  
26 the standard consent form has been adopted pursuant to subsection  
27 3 of this section.