

REFERENCE TITLE: schools; children's camps; sunscreen use

State of Arizona  
House of Representatives  
Fifty-third Legislature  
First Regular Session  
2017

# HB 2134

Introduced by  
Representative Carter

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 5, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 15-158; AMENDING TITLE 36, CHAPTER 39, ARTICLE 1, ARIZONA  
REVISED STATUTES, BY ADDING SECTION 36-3916; RELATING TO CHILDREN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 1, article 5, Arizona Revised  
3 Statutes, is amended by adding section 15-158, to read:

4 15-158. Use of sunscreen in schools; immunity

5 A. A PUPIL WHO ATTENDS ANY PUBLIC SCHOOL IN THIS STATE MAY POSSESS  
6 AND USE A TOPICAL SUNSCREEN PRODUCT WHILE ON SCHOOL PROPERTY OR AT A  
7 SCHOOL-SPONSORED EVENT WITHOUT A NOTE OR PRESCRIPTION FROM A LICENSED  
8 HEALTH CARE PROFESSIONAL IF THE PRODUCT IS APPROVED BY THE UNITED STATES  
9 FOOD AND DRUG ADMINISTRATION FOR NONPRESCRIPTION USE FOR THE PURPOSE OF  
10 LIMITING SKIN DAMAGE INDUCED BY ULTRAVIOLET LIGHT.

11 B. A SCHOOL DISTRICT GOVERNING BOARD OR A CHARTER SCHOOL GOVERNING  
12 BODY MAY ADOPT POLICIES TO ALLOW EMPLOYEES AND VOLUNTEERS OF THE SCHOOL  
13 DISTRICT OR CHARTER SCHOOL TO ASSIST PUPILS IN THE APPLICATION OF A  
14 TOPICAL SUNSCREEN PRODUCT IF THE PARENT OF THE PUPIL PROVIDES WRITTEN  
15 CONSENT TO THIS ASSISTANCE.

16 C. EXCEPT IN CASES OF GROSS NEGLIGENCE, WILFUL MISCONDUCT OR  
17 INTENTIONAL WRONGDOING, SCHOOL DISTRICTS AND CHARTER SCHOOLS AND EMPLOYEES  
18 AND VOLUNTEERS OF SCHOOL DISTRICTS AND CHARTER SCHOOLS ARE IMMUNE FROM  
19 CIVIL LIABILITY WITH RESPECT TO ALL DECISIONS MADE AND ACTIONS TAKEN THAT  
20 ARE BASED ON GOOD FAITH IMPLEMENTATION OF THIS SECTION.

21 Sec. 2. Title 36, chapter 39, article 1, Arizona Revised Statutes,  
22 is amended by adding section 36-3916, to read:

23 36-3916. Use of sunscreen; immunity

24 A. A CHILD WHO ATTENDS A CHILDREN'S CAMP IN THIS STATE MAY POSSESS  
25 AND USE A TOPICAL SUNSCREEN PRODUCT WITHOUT A NOTE OR PRESCRIPTION FROM A  
26 LICENSED HEALTH CARE PROFESSIONAL IF THE PRODUCT IS APPROVED BY THE UNITED  
27 STATES FOOD AND DRUG ADMINISTRATION FOR NONPRESCRIPTION USE FOR THE  
28 PURPOSE OF LIMITING SKIN DAMAGE INDUCED BY ULTRAVIOLET LIGHT.

29 B. A CHILDREN'S CAMP MAY ALLOW EMPLOYEES AND VOLUNTEERS OF THE  
30 CHILDREN'S CAMP TO ASSIST CHILDREN WHO ATTEND THE CHILDREN'S CAMP IN THE  
31 APPLICATION OF A TOPICAL SUNSCREEN PRODUCT IF THE PARENT OF THE CHILD  
32 PROVIDES WRITTEN CONSENT TO THIS ASSISTANCE.

33 C. EXCEPT IN CASES OF GROSS NEGLIGENCE, WILFUL MISCONDUCT OR  
34 INTENTIONAL WRONGDOING, CHILDREN'S CAMPS AND EMPLOYEES AND VOLUNTEERS OF  
35 CHILDREN'S CAMPS ARE IMMUNE FROM CIVIL LIABILITY WITH RESPECT TO ALL  
36 DECISIONS MADE AND ACTIONS TAKEN THAT ARE BASED ON GOOD FAITH  
37 IMPLEMENTATION OF THIS SECTION.