HB 2084

Introduced by
Representative Carter

AN ACT

AMENDING TITLE 36, CHAPTER 6, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 15: RELATING TO PUBLIC HEALTH.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 36, chapter 6, Arizona Revised Statutes, is amended by adding article 15, to read:

ARTICLE 15. INDOOR TANNING

36-799. Definitions
IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:
1. "TANNING DEVICE":
(a) MEANS ANY EQUIPMENT THAT EMITS RADIATION USED FOR TANNING OF THE SKIN.
(b) INCLUDES SUNLAMP, TANNING BOOTH OR TANNING BED THAT EMITS ULTRAVIOLET RADIATION, AND ANY ACCOMPANYING EQUIPMENT, INCLUDING PROTECTIVE EYEWEAR, TIMERS AND HANDRAILS.
(c) DOES NOT INCLUDE A PHOTOTHERAPY DEVICE USED IN THE TREATMENT OF DISEASE OR INJURY UNDER THE DIRECT OR INDIRECT SUPERVISION OF A PHYSICIAN WHO IS LICENSED IN THIS STATE.
2. "TANNING FACILITY" MEANS ANY PLACE WHERE A TANNING DEVICE IS USED.
3. "ULTRAVIOLET RADIATION" MEANS ELECTROMAGNETIC RADIATION WITH WAVELENGTHS BETWEEN TWO HUNDRED AND FOUR HUNDRED NANOMETERS.

36-799.01. Tanning facilities; restricted use for minors; signage; use of device in private residence
A. A PERSON WHO USES THE SERVICES OF A TANNING FACILITY SHALL PRESENT PHOTO IDENTIFICATION ISSUED BY THE UNITED STATES GOVERNMENT OR A STATE OR TRIBAL GOVERNMENT TO PROVE THAT THE PERSON IS AT LEAST EIGHTEEN YEARS OF AGE.
B. AN OPERATOR OR EMPLOYEE OF A TANNING FACILITY MAY NOT ALLOW A PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE TO USE A TANNING DEVICE.
C. A TANNING FACILITY SHALL POST IN A CONSPICUOUS LOCATION IN THE TANNING FACILITY A SIGN STATING THAT IT IS UNLAWFUL FOR A TANNING FACILITY OPERATOR OR EMPLOYEE TO ALLOW A PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE TO USE ANY TANNING DEVICE.
D. THIS ARTICLE DOES NOT PREVENT OR RESTRICT AN INDIVIDUAL FROM USING A TANNING DEVICE FOR PERSONAL USE IN THE INDIVIDUAL'S PRIVATE RESIDENCE.

36-799.02. Recordkeeping
A TANNING FACILITY SHALL MAINTAIN A RECORD OF EACH CUSTOMER WHO USES A TANNING DEVICE FOR AT LEAST TWO YEARS AFTER THE DATE OF THE CUSTOMER'S LAST USE OF THE TANNING DEVICE. THE RECORD SHALL INCLUDE:
1. THE NAME AND AGE OF THE CUSTOMER.
2. THE DATE AND TIME OF THE CUSTOMER'S USE OF THE TANNING DEVICE.
3. THE LENGTH OF TIME THE CUSTOMER USED THE TANNING DEVICE.
4. IF KNOWN, ANY INJURY OR ILLNESS THAT RESULTS FROM THE CUSTOMER'S USE OF THE TANNING DEVICE.
36-799.03. Advertising and promotional materials

A TANNING FACILITY MAY NOT ADVERTISE OR DISTRIBUTE PROMOTIONAL MATERIALS THAT CLAIM THAT USING A TANNING DEVICE IS SAFE OR FREE FROM RISK OR WILL RESULT IN A MEDICAL OR HEALTH BENEFIT.

Sec. 2. Short title

This act shall be known as the "Skin Cancer Preventive Act of 2018".