



# Senate

General Assembly

**File No. 535**

*January Session, 2013*

Substitute Senate Bill No. 872

*Senate, April 17, 2013*

The Committee on Public Health reported through SEN. GERRATANA of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING THE USE OF INDOOR TANNING DEVICES BY PERSONS UNDER EIGHTEEN YEARS OF AGE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-232 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) As used in this section:

4 (1) "Consumer" means any individual who (A) is provided access to  
5 a tanning facility in exchange for a fee or other compensation, or (B) in  
6 exchange for a fee or other compensation, is afforded use of a tanning  
7 device as a condition or benefit of membership or access;

8 (2) "Operator" means an individual designated by the tanning  
9 facility to control operation of the tanning facility and to instruct and  
10 assist the consumer in the proper operation of the tanning device;

11 (3) "Tanning device" means any equipment that emits radiation  
12 used for tanning of the skin, such as a sunlamp, tanning booth or

13 tanning bed that emits ultraviolet radiation, and includes any  
14 accompanying equipment, such as timers or handrails; and

15 (4) "Tanning facility" means any place where a tanning device is  
16 used for a fee, membership dues or other compensation.

17 (b) An operator shall not allow any person under eighteen years of  
18 age to use a tanning device. Any operator who, knowing that a person  
19 is under [sixteen] eighteen years of age or under circumstances where  
20 such operator should know that a person is under [sixteen] eighteen  
21 years of age, allows such person to use a tanning device [without the  
22 written consent of a parent or guardian] shall be fined not more than  
23 one hundred dollars. Such fine shall be payable to the municipal health  
24 department or health district for the municipality in which the tanning  
25 facility is located.

26 (c) Any municipal health department established under this chapter  
27 and any district department of health established under chapter 368f  
28 may, within its available resources, enforce the provisions of this  
29 section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	19a-232

**PH**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

Municipalities	Effect	FY 14 \$	FY 15 \$
Various Municipalities	Revenue Gain	Potential Minimal	Potential Minimal

**Explanation**

The bill prohibits tanning facility operators from allowing anyone under age 18 to use tanning devices.

There is a potential revenue gain, expected to be minimal, to municipalities associated with expanding the prohibition on the use of tanning devices from anyone under 16 to anyone under 18. Municipalities currently can fine tanning facility operators \$100 for violating this provision. It is not known how much revenue municipalities receive from these fines.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****sSB 872*****AN ACT CONCERNING THE USE OF INDOOR TANNING DEVICES  
BY PERSONS UNDER EIGHTEEN YEARS OF AGE.*****SUMMARY:**

This bill prohibits tanning facility operators from allowing anyone under age 18 to use tanning devices (i.e., equipment emitting radiation used for tanning, such as a sunlamp, tanning booth, or tanning bed emitting ultraviolet radiation, and accompanying equipment, such as timers or handrails).

Current law prohibits these operators from allowing anyone under age 16 to use a tanning device without the parent's or guardian's written consent. The bill does not include an exception for parental or guardian consent.

The law, unchanged by the bill, imposes a fine of up to \$100 on a facility operator who violates the underage provision.

By law, a "tanning facility" is any place where a tanning device is used for a fee, membership dues, or other compensation.

EFFECTIVE DATE: October 1, 2013

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable Substitute

Yea 25 Nay 2 (04/01/2013)