S T A T E O F N E W Y O R K

3083

2011-2012 Regular Sessions

I N S E N A T E

February 8, 2011

Introduced by Sen. STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to increasing the minimum age of persons permitted to use tanning facilities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivisions 2, 3 and 4 of section 3555 of the public health law, as added by chapter 573 of the laws of 2006, are amended to read as follows:

2. No owner, operator, or employee of a tanning facility shall permit the use of an ultraviolet radiation device by a person [fourteen] SIXTEEN to eighteen years of age until such person provides the tanning facility with the written consent, in a form prescribed by the commissioner, of a parent or legal guardian to use such tanning facility. The parent or legal guardian shall sign such consent form in the presence of the owner of the tanning facility or an employee responsible for the operation of the ultraviolet radiation device of such facility indicating that such parent or guardian has read the warnings required under subdivision two of section thirty-five hundred fifty-four of this article and that the person [fourteen] SIXTEEN to eighteen years of age agrees to wear safety goggles before using an ultraviolet radiation device. Such original written consent shall be retained by the tanning facility for a period of twelve months and may be retained off premises provided that an electronic image or facsimile of the original signed consent form is readily available by the owner or employee responsible for the operation of the ultraviolet radiation device of such facility.

3. A written consent form signed by a parent or legal guardian pursuant to subdivision two of this section shall expire twelve months from the date it is signed by the parent or legal guardian. Upon the expiration of a written consent form, a new written consent shall be provided in the manner prescribed in subdivision two of this section prior to the

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD08986-01-1

use of an ultraviolet radiation device by any person [fourteen] SIXTEEN to eighteen years of age.

4. No owner, operator, or employee of a tanning facility shall permit the use of an ultraviolet radiation device by persons under [fourteen] SIXTEEN years of age.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.