

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By  
\_\_\_\_\_

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 401, Page 39,  
2 Section 376.2014, Line 19, by inserting after all of said section and line, the following:

3  
4 "577.665. 1. As used in this section, the following terms shall mean:

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

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

10 2. Prior to any person less than seventeen years of age using a tanning device in a tanning  
11 facility, a parent or guardian of such person shall annually appear in person at the tanning facility and  
12 sign a written statement acknowledging that the parent or guardian has read and understands the  
13 warnings given by the tanning facility and consents to the person's use of a tanning device at the  
14 tanning facility.

15 3. The department of health and senior services shall, by rule, develop a standard consent  
16 form to be used by all tanning facilities operating in this state. Any rule or portion of a rule, as that  
17 term is defined in section 536.010, that is created under the authority delegated in this section shall  
18 become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if  
19 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers  
20 vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
21 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking  
22 authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

23 4. Any person who violates the provisions of this section shall be subject to a fine of fifty

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 dollars. Any tanning facility that violates the provisions of this section shall be subject to a fine of  
2 five hundred dollars for each violation. Every use of a tanning device in a tanning facility in  
3 violation of this section is a separate offense.

4 5. The enforcement of the provisions of this section shall be provided by existing personnel  
5 and resources of law enforcement and the department of health and senior services."; and

6  
7 Further amend said bill by amending the title, enacting clause, and intersectional references  
8 accordingly.