

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 132**

Introduced by Nordquist, 7; Avery, 28; Campbell, 25; Howard, 9.  
Read first time January 11, 2013  
Committee: Health and Human Services

A BILL

- 1 FOR AN ACT relating to tanning facilities; to adopt the Skin Cancer
- 2                   Prevention Act.
- 3 Be it enacted by the people of the State of Nebraska,

1           Section 1. This act shall be known and may be cited as  
2 the Skin Cancer Prevention Act.

3           Sec. 2. For purposes of the Skin Cancer Prevention Act:

4           (1) Operator means a person designated by the tanning  
5 facility owner or tanning equipment lessee to operate, or to assist  
6 and instruct in the operation and use of, the tanning facility or  
7 tanning equipment;

8           (2) Tanning equipment means any device that emits  
9 electromagnetic radiation with wavelengths in the air between two  
10 hundred nanometers and four hundred nanometers and that is used for  
11 tanning of the skin. Tanning equipment includes, but is not limited  
12 to, a sunlamp, tanning booth, or tanning bed; and

13           (3) Tanning facility means a location, place, area,  
14 structure, or business that provides access to tanning equipment.  
15 Tanning facility includes, but is not limited to, any tanning salon,  
16 health club, apartment, or condominium, regardless of whether a fee  
17 is charged for access to the tanning equipment.

18           Sec. 3. The Skin Cancer Prevention Act does not apply to:

19           (1) A physician licensed under the Uniform Credentialing  
20 Act who uses, in the practice of medicine, medical diagnostic and  
21 therapeutic equipment that emits ultraviolet radiation; or

22           (2) Any person who owns tanning equipment exclusively for  
23 personal, noncommercial use.

24           Sec. 4. It shall be unlawful for an operator or an owner  
25 or a lessee of a tanning facility to allow any person less than

1 eighteen years old to use tanning equipment at the tanning facility.  
2 The operator, owner, or lessee shall require proof of age from each  
3 person before allowing the person access to tanning equipment. Proof  
4 of age shall mean a driver's license or other government-issued  
5 identification containing the person's date of birth and photograph  
6 or digital image.

7           Sec. 5. Any operator or owner or lessee of a tanning  
8 facility who allows any person less than eighteen years old to use  
9 tanning equipment at the tanning facility shall be guilty of a Class  
10 V misdemeanor.

11           Sec. 6. (1) An operator or an owner or a lessee of a  
12 tanning facility shall post a warning sign in a conspicuous location  
13 in the tanning facility where it is readily visible by any person  
14 entering the tanning facility. The warning sign shall have black  
15 letters which are at least one-fourth inch in height.

16           (2) The warning sign shall include the following  
17 information:

18           DANGER – ULTRAVIOLET RADIATION

19           Avoid overexposure: It may cause severe burns.

20           Read instructions carefully.

21           Ultraviolet Radiation causes:

22           - Skin Cancer

23           - Injury to the Eyes and Skin

24           - Skin Aging

25           WEAR PROTECTIVE EYEWEAR TO PREVENT EYE INJURY

1                   Certain medicines or cosmetics can increase your  
2 sensitivity to ultraviolet radiation. Consult physician before  
3 tanning.

4                   If you do not tan in the sun, you are unlikely to tan  
5 from the use of tanning equipment.

6                   It is unlawful for a tanning facility to allow a person  
7 under eighteen years of age to use tanning equipment.

8                   Any person may report a violation of the Skin Cancer  
9 Prevention Act to any law enforcement agency.