



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB0188

Introduced 1/18/2013, by Rep. Robyn Gabel

SYNOPSIS AS INTRODUCED:

210 ILCS 145/25

from Ch. 111 1/2, par. 8351-25

Amends the Tanning Facility Permit Act. Provides that a tanning facility may not permit any person less than 18 years of age, regardless of whether the person has the permission of a parent or guardian, to use tanning equipment or a device defined as equipment that emits ultraviolet (UV) radiation used for tanning of the skin, such as a sunlamp, tanning booth, or tanning bed that emits electromagnetic radiation with wavelengths in the air between 200 and 400 nanometers. Provides that "tanning equipment" includes any accompanying equipment, such as protective eyewear, timers, and handrails, and does not include certain devices.

LRB098 04102 RPM 34125 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Tanning Facility Permit Act is amended by
5 changing Section 25 as follows:

6 (210 ILCS 145/25) (from Ch. 111 1/2, par. 8351-25)

7 Sec. 25. Operating requirements.

8 (1) Each tanning facility shall have on hand at all times
9 an operator adequately trained in the correct operation of the
10 facility so as to be able to inform and assist the public in
11 its proper use. Each operator shall perform the following
12 functions as a precondition to the public having access to the
13 tanning facility being made to the public:

14 (a) The operator shall require each person desiring to
15 use the facility to fill out a form specifying any and all
16 prescription medicines and over-the-counter medications
17 they are presently taking. The form shall be kept as a
18 permanent record of the individual's attendance and
19 progress.

20 (b) The operator shall require each person desiring to
21 use a tanning facility to use protective eyewear.

22 (c) The operator shall instruct the user in the proper
23 position to maintain in relation to the tanning lamps

1 within the facility; the position of the safety railing, if
2 applicable; the manual switching device to terminate the
3 radiation in case of emergency; and a recommended time of
4 exposure.

5 (d) The operator shall monitor the use of the facility
6 to ensure that the interior temperature does not exceed 100
7 degrees fahrenheit or 34 degrees centigrade.

8 (e) The operator shall inspect the facility to ensure
9 that the floors are dry. The floors are to be made dry
10 prior to each individual's use.

11 (f) The operator shall give each person using the
12 facility a written copy of the warning required under
13 subsection (h) of Section 20 of this Act prior to each
14 person's use of the facility. The operator shall post signs
15 warning consumers of the potential effects of radiation on
16 persons taking medication and the relationship of
17 radiation to skin cancer.

18 (g) The operator shall be responsible for proper
19 sanitizing procedures for all sunlamp equipment and
20 protective eyewear between every user.

21 (2) A tanning facility may not permit any person less than
22 18 years of age, regardless of whether the person has the
23 permission of a parent or guardian, to use tanning equipment or
24 a device defined as equipment that emits ultraviolet (UV)
25 radiation used for tanning of the skin, such as a sunlamp,
26 tanning booth, or tanning bed that emits electromagnetic

1 radiation with wavelengths in the air between 200 and 400
2 nanometers. For the purposes of this Section, "tanning
3 equipment" includes any accompanying equipment, such as
4 protective eyewear, timers, and handrails. "Tanning equipment"
5 does not include any of the following:

6 (a) Phototherapy devices utilized by appropriate
7 health care professionals under the direct supervision of a
8 physician who is trained in the use of phototherapy
9 devices.

10 (b) Devices used for personal use in a private
11 residence.

12 (c) Devices intended for purposes other than the
13 irradiation of human skin.

14 (d) Devices used to apply chemicals to the skin to
15 achieve a bronze color, commonly referred to as spray-on,
16 mist-on, or sunless tans.

17 (Source: P.A. 87-636.)