

LEGISLATURE OF NEBRASKA
 FIRST LEGISLATURE
 FIRST SESSION
LEGISLATIVE BILL 132

A BILL

1 FOR AN ACT relating to tanning facilities; to adopt the Skin Cancer Prevention Act.

2 Be it enacted by the people of the State of Nebraska,

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

4 Section 2. For purposes of the Skin Cancer Prevention Act:

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

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

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

13 Section 3. The Skin Cancer Prevention Act does not apply to:

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

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

17 Section 4. It shall be unlawful for an operator or an owner or a lessee of a tanning facility to allow any
18 person less than eighteen years old to use tanning equipment at the tanning facility. The operator, owner or lessee
19 shall require proof of age from each person before allowing the person access to tanning equipment. Proof of age
20 shall mean a driver’s license or other government-issued identification containing the person’s date of birth and
21 photograph or digital image.

22 Section 5. Any operator or owner or lessee of a tanning facility who allows any person less than eighteen
23 years old to use tanning equipment at the tanning facility shall be guilty of a Class V misdemeanor.

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

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

2 DANGER - ULTRAVIOLET RADIATION

3 Avoid overexposure: It may cause severe burns.

4 Read instructions carefully.

5 Ultraviolet radiation causes:

6 - Skin cancer

7 - Injury to the eyes and skin

8 - Skin aging

9 WEAR PROTECTIVE EYEWEAR TO PREVENT EYE INJURY

10 Certain medicines or cosmetics can increase your sensitivity to ultraviolet radiation. Consult physician
11 before tanning.

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

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

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