

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -
2008**

COMMITTEE STATEMENT

LB1163

Hearing Date: February 27, 2008

Committee On: Health and Human Services

Introducer(s): (Lautenbaugh)

Title: Require tanning facilities to post warning signs and obtain and maintain consumers signatures

Roll Call Vote - Final Committee Action:

Indefinitely Postponed

Vote Results:

7 Yes	Senators Erdman, Gay, Hansen, Howard, Johnson, Pankonin, Stuthman
0 No	
0 Absent	
0 Present, not voting	

Proponents:

Senator Lautenbaugh
Scott Yahnke

Representing:

Introducer
Self

Opponents:

Michelle Grubbs
Dana Morinelli
Tracie Cunningham
Joseph Levy
Barton Bonn
Monica Parris

Representing:

Maxtan Tanning Salon
Ashley Lynn's Incorporated
Ashley Lynn's Incorporated
International Smart Tan Network
Ashley Lynn's Incorporated
Alternative Tan

Neutral:

Representing:

Summary of purpose and/or change:

LB 1163 relates to tanning facilities. The bill defines terms.

The bill does not apply to (1) a person who (a) uses equipment which emits ultraviolet radiation incidental to its normal operation and (b) does not use such equipment to deliberately expose parts of the living human body to ultraviolet radiation for the purpose of tanning or other treatment; (2) a licensed physician who uses, in the practice of medicine, medical diagnostic and therapeutic equipment that emits ultraviolet radiation; or (3) a person who owns tanning equipment exclusively for personal, noncommercial use.

The bill requires a tanning facility owner or tanning equipment lessee to conspicuously post a warning sign within three feet of each piece of tanning equipment. Contents of the warning are prescribed.

A tanning facility owner or tanning equipment lessee must require the operator to provide each consumer, before initial exposure to the tanning equipment at such facility, with a copy of a warning, which must be signed, witnessed, and dated as indicated on the warning. Contents and required signatures on the warning are prescribed.

The bill requires the owner or lessee of a tanning facility to make the original copies of signed warning forms available for inspection by the Department of Health and Human Services or any person designated by the department at any time during the normal business hours of the facility.

The bill provides criminal penalties for any person who leases tanning equipment or who owns a tanning facility and who operates or permits the equipment or facility to be operated in violation of the requirements of the bill and any operator who violates the requirements of the bill. Violations are a Class III misdemeanor.

Explanation of amendments, if any:

Senator Joel Johnson, Chairperson