

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

Offered By

1 AMEND House Committee Substitute for House Bill No. 1260, Pages 1 to 2, Section 577.665,  
2 Lines 17 to 37, by deleting said lines and inserting in lieu thereof the following:

3  
4 "2. Prior to any person less than [~~seventeen~~] eighteen years of age using a tanning device in  
5 a tanning facility, a parent or guardian of such person shall [~~annually~~] appear in person at the  
6 tanning facility and sign a written statement acknowledging that the parent or guardian has read and  
7 understands the warnings given by the tanning facility and consents to the person's use of a tanning  
8 device at the tanning facility. The parent or guardian shall appear in person at the tanning facility  
9 and sign a new consent form each time a person under eighteen years of age uses a tanning device in  
10 a tanning facility.

11 3. The department of health and senior services shall, by rule, develop a standard consent  
12 form to be used by all tanning facilities operating in this state. The consent form shall disclose the  
13 health risks of using a tanning device, including the increased risk of cancer and mortality based on  
14 current evidence-based scientific literature appearing in peer-reviewed publications. The consent  
15 form shall include a declaration that the person signing the form is the parent or guardian of the  
16 minor. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under  
17 the authority delegated in this section shall become effective only if it complies with and is subject  
18 to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter  
19 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter  
20 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held  
21 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
22 August 28, 2014, shall be invalid and void.

23 4. The provisions of this section shall not apply to any physician who is duly licensed to  
24 practice medicine in this state and who, in the practice of medicine, uses or prescribes to be used a  
25 phototherapy device with respect to a patient of any age. The provisions of this section shall also not  
26 apply to any person of any age who uses a phototherapy device under the direction of a physician  
27 under this subsection."; and

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29 Further amend said bill and section, Page 2, Lines 42 and 43, by deleting said lines and inserting in  
30 lieu thereof the following:

31  
32 "(1) That it is unlawful for a tanning facility or operator to allow a person under eighteen  
33 years of age to use any tanning device without receiving a written consent form signed by the  
34 person's parent or guardian in person prior to each use;"; and

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36 Further amend said bill, page, and section, Lines 53 and 54, by deleting said lines and inserting in

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1 lieu thereof the following:

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3 "(1) No customer under eighteen years of age is permitted to use a tanning device within the  
4 tanning facility unless said person's parent or guardian has signed a written consent form prior to  
5 each use. Proof of age shall be satisfied with a valid driver's license or"; and

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7 Further amend said bill and section by renumbering said section accordingly; and

8

9 Further amend said bill by amending the title, enacting clause, and intersectional references  
10 accordingly.