

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature Second Regular Session - 2012

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 486

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO MINORS; AMENDING CHAPTER 15, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-1524, IDAHO CODE, TO DEFINE TERMS, TO PROHIBIT THE USE OF A PHOTOTHERAPY DEVICE, TANNING DEVICE OR ULTRAVIOLET TANNING DEVICE ON MINORS, TO PROVIDE AN EXCEPTION AND TO PROVIDE PENALTIES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 15, Title 18, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 18-1524, Idaho Code, and to read as follows:

18-1524. USING TANNING BEDS OR SIMILAR DEVICES OR MACHINES BY MINORS. (1) As used in this section:

(a) "Phototherapy device" means equipment that emits ultraviolet radiation used by a health care professional in the treatment of disease.

(b) "Tanning device" means an ultraviolet tanning device and any accompanying equipment including, but not limited to, protective eyewear, timers and handrails.

(c) "Ultraviolet tanning device" means equipment that emits electromagnetic radiation with wavelengths in the air between two hundred (200) and four hundred (400) nanometers used for tanning of the skin including, but not limited to, a sunlamp, tanning booth or tanning bed.

(2) No person under the age of eighteen (18) years may use a phototherapy device, tanning device or ultraviolet tanning device unless such use is authorized by prescription from a licensed medical provider to treat an underlying medical condition. Additionally, no person shall use a phototherapy device, tanning device or ultraviolet tanning device on a person under eighteen (18) years of age unless medical consent via a prescription is provided.

(3) A person who violates this section is guilty of a misdemeanor and shall be fined not more than five hundred dollars (\$500). If there is a subsequent violation of this section within one (1) year of the initial violation, such person shall be fined not less than five hundred dollars (\$500) and not more than one thousand dollars (\$1,000).