

SECOND REGULAR SESSION  
[CORRECTED]  
[TRULY AGREED TO AND FINALLY PASSED]  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1411**  
**97TH GENERAL ASSEMBLY**

5297S.03T

2014

---

---

**AN ACT**

To amend chapter 577, RSMo, by adding thereto one new section relating to tanning facilities, with a penalty provision.

---

---

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 577, RSMo, is amended by adding thereto one new section, to be  
2 known as section 577.665, to read as follows:

**577.665. 1. As used in this section, the following terms shall mean:**

2 **(1) "Tanning device", any equipment that emits electromagnetic radiation with**  
3 **wavelengths in the air between two hundred and four hundred nanometers used for**  
4 **tanning of the skin, including but not limited to a sunlamp, tanning booth or tanning bed;**

5 **(2) "Tanning facility", any location, place, area, structure, or business which**  
6 **provides persons access to any tanning device for a fee, membership dues, or any other**  
7 **form of compensation.**

8 **2. Prior to any person less than seventeen years of age using a tanning device in a**  
9 **tanning facility, a parent or guardian of such person shall annually appear in person at the**  
10 **tanning facility and sign a written statement acknowledging that the parent or guardian**  
11 **has read and understands the warnings given by the tanning facility and consents to the**  
12 **person's use of a tanning device at the tanning facility.**

13 **3. The department of health and senior services shall, by rule, develop a standard**  
14 **consent form to be used by all tanning facilities operating in this state. Any rule or portion**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 of a rule, as that term is defined in section 536.010, that is created under the authority  
16 delegated in this section shall become effective only if it complies with and is subject to all  
17 of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
18 chapter 536 are nonseverable and if any of the powers vested with the general assembly  
19 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul  
20 a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
21 any rule proposed or adopted after August 28, 2014, shall be invalid and void.

22 4. Any tanning facility that violates the provisions of this section shall be subject  
23 to a fine of one hundred dollars for a first violation, two hundred fifty dollars for a second  
24 violation, and five hundred dollars for each subsequent violation. Every use of a tanning  
25 device in a tanning facility in violation of this section is a separate offense.

26 5. The duties and penalties provided under this section shall not take effect or be  
27 enforced until the rule containing the standard consent form has been adopted pursuant  
28 to subsection 3 of this section.

✓