

HOUSE BILL REPORT

SB 6065

As Passed House - Amended:

March 7, 2014

Title: An act relating to protecting children under the age of eighteen from the harmful effects of exposure to ultraviolet radiation associated with tanning devices.

Brief Description: Protecting children under the age of eighteen from the harmful effects of exposure to ultraviolet radiation associated with tanning devices.

Sponsors: Senators King, Darneille, Kohl-Welles, Hewitt, Conway and Frockt.

Brief History:

Committee Activity:

Health Care & Wellness: 2/19/14, 2/20/14, 2/26/14 [DPA].

Floor Activity:

Passed House - Amended: 3/7/14, 58-39.

Brief Summary of Bill (As Amended by House)

- Prohibits minors from using ultraviolet tanning devices without a prescription from a physician.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass as amended. Signed by 10 members: Representatives Cody, Chair; Riccelli, Vice Chair; Clibborn, Green, Jinkins, Moeller, Morrell, Rodne, Tharinger and Van De Wege.

Minority Report: Do not pass. Signed by 7 members: Representatives Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; DeBolt, G. Hunt, Manweller, Ross and Short.

Staff: Jenna Zwang (786-7290) and Alexa Silver (786-7190).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Tanning occurs when the human body produces melanin, which darkens the skin. Tanning is caused by exposure to ultraviolet (UV) radiation from the sun or artificial UV radiation. Tanning beds or booths are equipment that utilize tanning lamps to expose the skin to UV radiation, which induces tanning.

At least 39 states have statutes or rules regulating tanning facilities. These regulations include minimum standards for tanning facilities, restrictions on access for minors, and the licensing, permitting, or registration of tanning facilities. Tanning facilities are currently not licensed in Washington.

Summary of Amended Bill:

Persons under 18 years of age are prohibited from using a UV tanning device without a written prescription for UV radiation treatment from a licensed physician. A "UV tanning device" is equipment that emits radiation used for the tanning of the skin, including a sunlamp, tanning booth, or tanning bed. It does not include a phototherapy device. Proof of age must be satisfied with a driver's license or other government-issued identification containing the date of birth and photograph.

The owner of a tanning facility that permits a minor to use a tanning device is liable for a civil penalty not to exceed \$250 per violation. A "tanning facility" is a location or business that provides people access to UV tanning devices for a fee.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This is a relatively simple bill with huge ramifications. There have been similar bills for the last five years. Many young women who have had skin cancer related it back to the fact that they used tanning booths in their teens. This bill falls in the same category as prohibiting minors from drinking or smoking.

Ultraviolet light is a known cause of skin cancer. Over half of adolescent tanning users have had burns from overuse. Society has recognized that children and adolescents do not always exercise good judgment in terms of long-term consequences. Washington is one of only 15 states that do not restrict tanning facilities in any way.

Skin cancer is the most common kind of cancer in the United States. This year 2,410 Washingtonians will be diagnosed with melanoma. The most common cause of melanoma is UV radiation. The appearance of a tan is the body's way of trying to protect itself from UV radiation. Ultraviolet radiation during childhood and teenage years increases the melanoma rate in adulthood by 29 percent.

Dermatologists would never send a patient to a tanning salon. Tanning salons use intense ultraviolet A rays. In a dermatologist's office, ultraviolet B or ultraviolet C rays are used for therapy purposes. Tanning before vacation does not protect against skin cancer.

(Opposed) This bill is an infringement on parental rights. It is counterintuitive that a child could get birth control or an abortion without parental consent, but they could not tan with parental consent. There is a need for regulation of the tanning industry in Washington, but this bill is not good for parents. Many states allow tanning under age 18 or 16 with parental consent. Tanning salons take the role of tanning consultants very seriously.

Many tanning customers come to a salon to prepare for vacation. They tan in a controlled environment for a natural protection against getting burned. If they bring their children, their children do not get burned on vacation. Severe sunburns contribute to skin cancer.

Some customers use tanning beds as a way to treat eczema, psoriasis, or acne. There are a lot of rural areas where people do not have access to dermatologists, and this bill would eliminate the ability of those people to get light therapy. Doctors should be able to grant consent for minors to use tanning devices. Tanning beds are United States Food and Drug Administration-approved medical devices that mimic the light of the sun.

A flat ban on tanning is too severe for an activity that is generally low risk. Smoking, in comparison, kills 500,000 Americans a year. Tanning is more in line with activities like swimming, boating, or football. Washington favors individual rights and personal freedoms.

Persons Testifying: (In support) Senator King, prime sponsor; David Jansen, Washington State Department of Health; Mary McHale, American Cancer Society Cancer Action Network; Jessica Hulet; and Sasha Kramer, Washington State Dermatology Association.

(Opposed) Daniel Mann, Tropical Tan; and Kaye Miller, On Track Tanning.

Persons Signed In To Testify But Not Testifying: None.