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SENATE BILL 5521

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State of Washington

63rd Legislature

2013 Regular Session

By Senators King, Darneille, Kohl-Welles, Schlicher, Keiser, Frockt, Shin, and Kline

Read first time 02/01/13. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to protecting children under the age of eighteen  
2 from the harmful effects of exposure to ultraviolet radiation  
3 associated with tanning devices; adding a new chapter to Title 18 RCW;  
4 and prescribing penalties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The definitions in this section apply  
7 throughout this chapter unless the context clearly requires otherwise.

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

11 (2) "Tanning facility" means any location, place, area, structure,  
12 or business that provides persons access to any ultraviolet tanning  
13 device.

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

1        NEW SECTION.    **Sec. 2.**    This chapter does not apply to a  
2 phototherapy device used by or under the direct supervision of a  
3 licensed physician who is trained in the use of phototherapy devices.

4        NEW SECTION.    **Sec. 3.**    (1) Persons under eighteen years of age are  
5 prohibited from using an ultraviolet tanning device.

6        (2) Proof of age must be satisfied with a driver's license or other  
7 government-issued identification containing the date of birth and a  
8 photograph of the individual.

9        NEW SECTION.    **Sec. 4.**    (1) A tanning facility that violates this  
10 chapter is liable for a civil penalty not to exceed one thousand  
11 dollars per day in addition to any other penalty established by law.

12        (2) A first violation of this chapter is a class 1 infraction.  
13 Each day a first violation continues constitutes a separate infraction.

14        (3) Any violation of this chapter subsequent to a first violation  
15 is a misdemeanor under RCW 9A.20.010. Each day a subsequent violation  
16 continues constitutes a separate misdemeanor.

17        NEW SECTION.    **Sec. 5.**    Sections 1 through 4 of this act constitute  
18 a new chapter in Title 18 RCW.

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