

Tanning Facilities - Legislative Notice & Frequently Asked Questions

LEGISLATIVE INFORMATION

[HB 2456](#), which prohibits minors from tanning, was signed by the Governor on May 13, 2016. The law will take effect on **July 1, 2016**. The tanning legislation was first introduced by the House Appropriations Committee in 2015 as HB 2369. The bill was later combined with HB 2471, a board of barbering bill, and became HB 2456. The bill states the following:

New Section 1.

- (a) No tanning facility shall provide access to a tanning device for any person under 18 years of age.
- (b) In addition to the board's authority to impose discipline pursuant to K.S.A. 65-1920, and amendments thereto, the board shall have the authority to assess a fine not in excess of \$250 against a licensee for each violation. Such fine may be assessed in lieu of or in addition to such discipline.
- (c) The board shall adopt rules and regulations as necessary to effectuate the provisions of this section. Such rules and regulations shall be adopted no later than January 1, 2017.

New Section. 2.

K.S.A. 65-1920 through 65-1929 and section 1, and amendments thereto, shall be known and may be cited as the Kansas tanning facilities act.

The Board will draft regulations to provide further instructions to tanning facilities regarding the prohibition. Until such time as regulations are adopted, fines will not be assessed.

FREQUENTLY ASKED QUESTIONS

When does the law take effect?

July 1, 2016.

Why does the bill say January 1, 2017?

January 1, 2017, is the date that the Board must have adopted regulations to carry out the law.

Can a parent give consent for their child to tan?

No.

Can a minor with a note from a doctor tan?

No

Who introduced this legislation?

The House Appropriations Committee introduced the bill.

Should I ask for identification?

Yes, you should verify that all persons using your tanning devices are 18 years of age or older.

Do I need to keep client records?

At this time, you are not required to keep client records. The Board is required to draft regulations by January 1, 2017, to provide further direction regarding the law, which may include a requirement to record this information.

What do I do about prepaid packages?

The Board does not regulate contracts between you and your customer. If you are not sure what to do, you should seek legal advice.

Will the facility or the tanning device operator be fined?

Until regulations are final and published, fines will not be imposed.

Can I hire employees under age 18?

Yes

What about tanning devices in homes?

The Board does not regulate tanning devices in homes if there is no charge to use the device.

What about spray tanning?

The Board does not regulate spray tanning.