



## **H.B. 230**

127th General Assembly  
(As Introduced)

**Reps. Combs, J. McGregor, Brown, Bupp, Fessler, Otterman, Miller, Domenick**

---

### **BILL SUMMARY**

- Prohibits an operator or employee of a tanning facility, under any circumstances, from allowing an individual who is under 18 years of age to use the tanning services of the facility unless the individual presents a prescription for receiving ultraviolet radiation treatments.
- Eliminates the requirement that the State Board of Cosmetology adopt a rule that requires a consumer who is under 18 years of age to obtain written consent from the consumer's parent or legal guardian prior to receiving tanning services.

---

### **CONTENT AND OPERATION**

#### **Restriction on minors' use of tanning facilities**

The State Board of Cosmetology regulates tanning facilities<sup>1</sup> operating in Ohio. A person is prohibited from operating a tanning facility that is offered to the public for a fee or other compensation without a current, valid permit issued by the Board. (R.C. 4713.14(Q), not in the bill.)

Continuing law requires the Board to adopt rules in accordance with the Ohio Administrative Procedure Act (R.C. Chapter 119.) to establish standards for installing and operating a tanning facility in a manner that ensures the health and safety of consumers (R.C. 4713.08(A)(16)). Among the standards the Board must adopt under current law are ones that require a consumer who is under the age of

---

<sup>1</sup> A "tanning facility," under continuing law, is a room or booth that houses equipment or beds used for tanning human skin by the use of fluorescent sun lamps using ultraviolet or other artificial radiation (R.C. 4713.01, not in the bill).

18 to obtain written consent from the consumer's parent or legal guardian prior to receiving tanning services (R.C. 4713.08(A)(16)(f)).

The bill removes the requirement that the Board adopt such a rule (R.C. 4713.08(A)(16)(f)). Instead, the bill prohibits an operator or employee of a tanning facility, under any circumstances, from allowing an individual who is under 18 years of age to use the tanning services of the facility unless the individual presents a prescription for receiving ultraviolet radiation treatments written by a physician authorized under the Physicians and Limited Practitioners Law (R.C. Chapter 4731.) to practice medicine and surgery or osteopathic medicine and surgery (R.C. 4713.50).

Under continuing law, the Board, in accordance with the Administrative Procedure Act, may deny, revoke, or suspend a person's license or permit issued by the Board or impose a fine against a person for failing to comply with the requirements of the Cosmetologists Law (R.C. Chapter 4713.) or rules adopted under it (R.C. 4713.64(A), not in the bill). Thus, under the bill, the Board could impose any of these sanctions upon a tanning facility operator for allowing an individual who is under 18 years of age to use the tanning services of the facility without the required prescription.

---

## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	05-22-07

h0230-i-127.doc/kl