

2013 DRAFTING REQUEST

Bill

Received: 11/26/2013 Received By: mduchek
Wanted: As time permits Same as LRB:
For: Fred Risser (608) 266-1627 By/Representing: Cassie
May Contact: Drafter: mduchek
Subject: Health - miscellaneous Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Risser@legis.wisconsin.gov
Carbon copy (CC) to: tamara.dodge@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Allow minors 16-18 to use tanning beds with parental consent

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 12/17/2013			_____			
/P1	mduchek 1/22/2014	evinz 1/28/2014	rschluet 12/18/2013	_____	srose 12/18/2013		
/1			jmurphy 1/29/2014	_____	srose 1/29/2014	lparisi 1/29/2014	

FE Sent For:

*None
needed*

<END>

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FE Sent For:		1 epv 1/28/14	1 epv 1/28/14 <END>	<i>Janet</i> 1/29			

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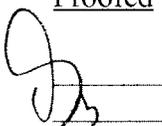
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1/?	mduchek	pl eev 12/18/13	pl eev 12/18/13	 12/18/13			

FE Sent For:
<END>

Duchek, Michael

From: Jurenci, Cassie
Sent: Tuesday, November 26, 2013 3:18 PM
To: Duchek, Michael
Subject: RE: Bill request

Hi Mike,

Yes, we'd like a draft amending the language so that minors under 16 may not use a tanning facility but adding that those minors ages 16 and 17 may use a tanning facility with the consent of a parent/guardian.

We'd like to borrow the language from a similar statute regarding tattooing and body piercing which reads:

[DHS 173.10 Patrons (1) (b) (2)] "No person age 16 or 17 may use a *tanning facility* unless an informed consent form has been signed by his or her parent or legal guardian in the presence of the operator."

Thanks for all of your help, Mike. Appreciate it!

Cassie Jurenci
Office of Senator Fred Risser
Wisconsin State Senate
130 South, State Capitol
E-mail: cassie.jurenci@legis.wi.gov
Office: 608.266.1627

From: Duchek, Michael
Sent: Tuesday, November 26, 2013 2:28 PM
To: Jurenci, Cassie
Subject: Bill request

Cassie,

Tamara Dodge here said you called with a request to allow minors 16-18 to use tanning facilities with a parent's consent. Just wanted to confirm that's the extent of the request. Aldo, do you want the parental consent to be required to be in writing? Thanks,

Mike Duchek
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 266-0130



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3723/P1

MED:.....

In 12-17-13

eev

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SAV
xref N/A

Gov

1 AN ACT ...; relating to: tanning facilities.

Analysis by the Legislative Reference Bureau

Under current law, no person may operate a place or business that provides persons access to a tanning device without a permit issued by the Department of Health Services (DHS). Such a place or business is referred to under current law as a tanning facility. Current law also contains a number of provisions regulating the use and operation of tanning devices and facilities, including provisions requiring the owner of a tanning facility to ensure that: 1) no customer under 16 years of age is permitted to use the tanning facility and 2) during operating hours, a trained operator is present at the tanning facility. DHS may suspend or revoke a permit issued to operate a tanning facility if the permit holder or his or her employee violates any of these provisions. In addition, any person who violates these provisions may be required to forfeit not less than \$50 nor more than \$250.

This bill provides that, in addition, the owner of a tanning facility must ensure that no customer who has attained the age of 16 but who has not yet attained the age of 18 is permitted to use the tanning facility unless an informed consent form has been signed by his or her parent or legal guardian in the presence of a trained operator. As under current law, DHS may suspend or revoke a permit issued to operate a tanning facility if the permit holder or his or her employee violates this provision, and any person who violates this provision may be subject to a forfeiture.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Duchek, Michael

From: Jurenci, Cassie
Sent: Tuesday, January 21, 2014 11:14 AM
To: Duchek, Michael
Subject: RE: Tanning Bed Ban

Ok, sounds good. Thanks again, Mike.

Cassie

Cassie Jurenci
Office of Senator Fred Risser
Wisconsin State Senate
130 South, State Capitol
E-mail: cassie.jurenci@legis.wi.gov
Office: 608.266.1627

From: Duchek, Michael
Sent: Tuesday, January 21, 2014 11:12 AM
To: Jurenci, Cassie
Subject: RE: Tanning Bed Ban

Cassie,

I think the /P1 doesn't necessarily say that, so if that is the senator's intent, I'd suggest I do a version (/P2 or /1) that makes that clear.

-Mike

From: Jurenci, Cassie
Sent: Tuesday, January 21, 2014 10:34 AM
To: Duchek, Michael
Subject: Tanning Bed Ban

Hi Mike,

On our previous draft 3723/P1, your note asked about consent forms for subsequent tanning visits. The Senator would like the bill to reflect that the initial consent form for a facility is satisfactory and subsequent consent forms are not necessary per facility. A new consent form would be needed should a minor visit a new facility. Will this information change the P1?

Thanks for your help,

Cassie Jurenci
Office of Senator Fred Risser
Wisconsin State Senate
130 South, State Capitol
E-mail: cassie.jurenci@legis.wi.gov
Office: 608.266.1627



In 1-22-13
other

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-note

Under the bill, unless the form provides otherwise, the form is valid for subsequent visits to that tanning facility by that customer.

regen

1 AN ACT to create 255.08 (9) (am) of the statutes; relating to: tanning facilities.

Analysis by the Legislative Reference Bureau

Under current law, no person may operate a place or business that provides persons access to a tanning device without a permit issued by the Department of Health Services (DHS). Such a place or business is referred to under current law as a tanning facility. Current law also contains a number of provisions regulating the use and operation of tanning devices and facilities, including provisions requiring the owner of a tanning facility to ensure that: 1) no customer under 16 years of age is permitted to use the tanning facility and 2) during operating hours, a trained operator is present at the tanning facility. DHS may suspend or revoke a permit issued to operate a tanning facility if the permit holder or his or her employee violates any of these provisions. In addition, any person who violates these provisions may be required to forfeit not less than \$50 nor more than \$250.

This bill provides that, in addition, the owner of a tanning facility must ensure that no customer who has attained the age of 16 but who has not yet attained the age of 18 is permitted to use the tanning facility unless an informed consent form has been signed by his or her parent or legal guardian in the presence of a trained operator. As under current law, DHS may suspend or revoke a permit issued to operate a tanning facility if the permit holder or his or her employee violates this provision, and any person who violates this provision may be subject to a forfeiture.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 255.08 (9) (am) of the statutes is created to read:

2 255.08 (9) (am) No customer who has attained the age of 16, but who has not
3 yet attained the age of 18, is permitted to use the tanning facility unless an informed
4 consent form has been signed by his or her parent or legal guardian in the presence
5 of an operator described under par. (b).

****NOTE: I believe that people who go tanning often go back multiple times. So, let me know if you want to specifically provide that an informed consent form is required each time a person comes back, or if you want to specifically provide that an informed consent form is valid for subsequent visits to the same tanning facility.

6 (END)

Unless the form provides otherwise, a form signed under this paragraph is valid for subsequent visits to that tanning facility by that customer.

Date

LRB-3723/1dn
MED:eev:...

D-note!

Please review the added language. I said "unless the form provides otherwise" in case some parents or operators want to require forms for subsequent visits. Is that OK?

MED

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3723/1dn
MED:eev:jm

January 29, 2014

Please review the added language. I said “unless the form provides otherwise” in case some parents or operators want to require forms for subsequent visits. Is that OK?

Michael Duchek
Legislative Attorney
Phone: (608) 266-0130
E-mail: michael.duchek@legis.wisconsin.gov

Parisi, Lori

From: Jurenci, Cassie
Sent: Wednesday, January 29, 2014 11:30 AM
To: LRB.Legal
Subject: Draft Review: LRB -3723/1 Topic: Allow minors 16-18 to use tanning beds with parental consent

Please Jacket LRB -3723/1 for the SENATE.

Thanks, Mike!