

# House Bill 2402

Sponsored by Representative NERON (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Removes medical purpose exception to prohibition on use of tanning device by person under 18 years of age.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to tanning facilities; creating new provisions; amending ORS 453.734; and prescribing an  
3 effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 453.734 is amended to read:

6 453.734. (1)*[(a) Except as provided in paragraph (b) of this subsection,]* An entity doing business  
7 in this state as a tanning facility may not allow a person who is under 18 years of age to use a  
8 tanning device that is owned or operated by the entity.

9 *[(b) An entity may allow a person who is under 18 years of age to use a tanning device that is*  
10 *owned or operated by the entity if:]*

11 *[(A) The person or the parent or legal guardian of the person provides the entity with documenta-*  
12 *tion that a physician licensed under ORS chapter 677 has recommended that the person use a tanning*  
13 *device for a medical purpose; and]*

14 *[(B) The entity only allows the person to use a tanning device according to the terms of the*  
15 *physician's recommendation.]*

16 (2) An entity doing business in this state as a tanning facility shall post in conspicuous view  
17 notice of the prohibition described in subsection (1) of this section.

18 (3) The Oregon Health Authority shall adopt rules necessary to *[implement the provisions of]*  
19 **carry out** this section.

20 **SECTION 2.** (1) **The amendments to ORS 453.734 by section 1 of this 2021 Act become**  
21 **operative on January 1, 2022.**

22 (2) **The Oregon Health Authority may take any action before the operative date specified**  
23 **in subsection (1) of this section that is necessary to enable the authority to exercise, on and**  
24 **after the operative date specified in subsection (1) of this section, all of the duties, functions**  
25 **and powers conferred on the authority by the amendments to ORS 453.734 by section 1 of this**  
26 **2021 Act.**

27 **SECTION 3.** **This 2021 Act takes effect on the 91st day after the date on which the 2021**  
28 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.