

BILL ANALYSIS

S.B. 329
By: Huffman
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

While incidence rates for certain cancers are decreasing, there are indications that the incidence rate for melanoma is increasing. According to public health authorities, thousands of new cases of invasive melanoma, the most dangerous type of skin cancer, are diagnosed in the United States each year.

Research shows that, though melanoma only accounts for a small percentage of all types of skin cancer cases, it has the highest death rate and is more likely to spread in the body. Interested parties contend that it is one of the most frequently occurring types of cancer in young adults and is a leading cause of cancer death in young women. Studies have associated indoor tanning with a significant increase in the risk of melanoma, and interest groups such as the International Agency for Research on Cancer, part of the World Health Organization, have classified ultraviolet-emitting tanning devices such as tanning beds and sunlamps as carcinogenic.

Currently in Texas, a tanning facility may not allow a person younger than 16.5 years of age to use a tanning device or a person younger than 18 years of age to use a tanning device without parental consent in person and in writing. S.B. 329 seeks to further restrict the use of tanning devices by young people in order to reduce the incidence of this dangerous type of cancer.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 329 amends the Health and Safety Code to prohibit a tanning facility from allowing a person younger than 18 years of age, rather than a person younger than 16.5 years of age, to use a tanning device and removes an exemption from the prohibition for a person younger than 18 years of age whose parent or legal guardian, in person at the facility, consents in writing for the person to use the device. The bill requires a tanning facility to maintain a record of required information for a customer younger than 18 years of age until the third anniversary of the date of the customer's last use of a tanning device.

S.B. 329 repeals Section 145.008(g), Health and Safety Code, requiring a person younger than 18 years of age, before the person uses a tanning facility device for the first time, to give the facility operator a written informed consent statement signed and dated by both the person and the person's parent or legal guardian.

EFFECTIVE DATE

September 1, 2013.