

SENATE BILL 217

F1, J1

8lr2468
CF 8lr1578

By: **Senator Young**

Introduced and read first time: January 18, 2018

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Student Sunscreen Use – Policy**

3 FOR the purpose of requiring each county board of education to adopt a certain written
4 policy to authorize a student to possess and use sunscreen on school property or at a
5 school–sponsored activity without written permission from a health care provider;
6 requiring a certain policy to allow certain public school employees to apply or assist
7 a student in applying sunscreen under certain circumstances; providing that a
8 student may only use sunscreen provided by the student’s parent or guardian;
9 providing that public schools and public school employees that assist a student in
10 the application of sunscreen according to a certain policy cannot be held liable for
11 certain outcomes; requiring each county board to encourage public schools to educate
12 students about certain policies and sun safety measures; defining a certain term; and
13 generally relating to a policy for public school student sunscreen use.

14 BY adding to

15 Article – Education

16 Section 7–441

17 Annotated Code of Maryland

18 (2014 Replacement Volume and 2017 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Education**

22 **7–441.**

23 **(A) IN THIS SECTION, “SUNSCREEN” MEANS A TOPICAL SUNSCREEN**
24 **PRODUCT THAT IS:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) USED TO PREVENT THE EFFECTS OF OVEREXPOSURE TO THE SUN**
2 **AND NOT FOR MEDICAL TREATMENT OF AN INJURY OR ILLNESS; AND**

3 **(2) APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION**
4 **FOR OVER-THE-COUNTER USE.**

5 **(B) (1) EACH COUNTY BOARD SHALL ADOPT A WRITTEN POLICY**
6 **AUTHORIZING A STUDENT TO POSSESS AND USE SUNSCREEN ON SCHOOL PROPERTY**
7 **OR AT A SCHOOL-SPONSORED ACTIVITY WITHOUT WRITTEN PERMISSION FROM A**
8 **HEALTH CARE PROVIDER.**

9 **(2) THE POLICY SHALL ALLOW, IF AUTHORIZED BY A STUDENT'S**
10 **PARENT OR GUARDIAN, A PUBLIC SCHOOL EMPLOYEE TO:**

11 **(I) APPLY SUNSCREEN TO A STUDENT WHO IS UNABLE TO**
12 **SELF-APPLY IT; OR**

13 **(II) ASSIST A STUDENT IN THE APPLICATION OF SUNSCREEN.**

14 **(C) A STUDENT MAY ONLY USE SUNSCREEN SUPPLIED BY THE STUDENT'S**
15 **PARENT OR GUARDIAN.**

16 **(D) A PUBLIC SCHOOL, OR A PUBLIC SCHOOL EMPLOYEE WHO APPLIES OR**
17 **ASSISTS A STUDENT WITH THE APPLICATION OF SUNSCREEN IN ACCORDANCE WITH**
18 **THE POLICY ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION, MAY NOT BE**
19 **HELD LIABLE FOR:**

20 **(1) AN ADVERSE REACTION SUFFERED BY THE STUDENT RESULTING**
21 **FROM THE USE OF SUNSCREEN; OR**

22 **(2) THE EFFECTS OF DISCONTINUING THE APPLICATION OF THE**
23 **SUNSCREEN AT ANY TIME.**

24 **(E) EACH COUNTY BOARD SHALL ENCOURAGE PUBLIC SCHOOLS TO**
25 **EDUCATE STUDENTS ABOUT SUNSCREEN, SUN SAFETY, AND THE POLICY**
26 **ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2018.