

SENATE BILL 964

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CF HB 887

By: **Senator Raskin**

Introduced and read first time: February 28, 2007

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Department of the Environment – Licensing and Regulation of Tanning**
3 **Facilities**

4 FOR the purpose of requiring certain persons to obtain a certain license to operate a
5 tanning facility; requiring a separate license for each tanning facility; requiring
6 the Secretary of the Environment to issue certain licenses and adopt certain
7 regulations concerning tanning facilities; requiring the Secretary to set certain
8 fees; requiring the fees to be set to produce funds to approximate certain costs;
9 providing for the scope of a certain license; providing for the term, renewal, and
10 display of licenses for tanning facilities; requiring a tanning facility to post
11 certain signs in certain locations including certain information; establishing
12 certain requirements for the operation of tanning facilities; requiring tanning
13 facilities to maintain certain tanning devices; requiring a certain inspection of
14 certain tanning devices each year; providing a certain penalty for failing a
15 certain inspection; requiring adult customers of tanning facilities to sign a
16 certain statement of warnings; prohibiting certain minors from using certain
17 tanning devices except in certain circumstances; requiring that certain
18 customer records be kept; providing a certain penalty for violation of certain
19 provisions of law; defining certain terms; stating the intent of the General
20 Assembly that certain funds be included in the State budget for certain
21 purposes and that when certain special funds become available, the special
22 funds be used to reimburse the General Fund; requiring the Department of the
23 Environment to make certain efforts to educate certain persons about the
24 requirements of this Act; providing for the effective dates of this Act; and
25 generally relating to the licensing and regulation of tanning facilities by the
26 Department of the Environment.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY renumbering
2 Article – Environment
3 Section 8–601 and the subtitle “Subtitle 6. Short Title”
4 to be Section 8–701 and the subtitle “Subtitle 7. Short Title”
5 Annotated Code of Maryland
6 (1996 Replacement Volume and 2006 Supplement)

7 BY repealing and reenacting, with amendments,
8 Article – Environment
9 Section 8–301(a) and 8–501
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 2006 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – Environment
14 Section 8–301(b)
15 Annotated Code of Maryland
16 (1996 Replacement Volume and 2006 Supplement)

17 BY adding to
18 Article – Environment
19 Section 8–601 through 8–613 to be under the new subtitle “Subtitle 6. Tanning
20 Facilities”
21 Annotated Code of Maryland
22 (1996 Replacement Volume and 2006 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That Section(s) 8–601 and the subtitle “Subtitle 6. Short Title” of
25 Article – Environment of the Annotated Code of Maryland be renumbered to be
26 Section(s) 8–701 and the subtitle “Subtitle 7. Short Title”.

27 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
28 read as follows:

29 **Article – Environment**

30 8–301.

31 (a) (1) Subject to [Subtitle] **SUBTITLES 4 AND 5** of this title, the
32 Secretary shall adopt rules and regulations for general licenses and specific licenses
33 that govern:

- 1 (i) Ionizing radiation sources and byproduct material;
- 2 (ii) Special nuclear material; and
- 3 (iii) Devices that use ionizing radiation sources, byproduct
- 4 material, or special nuclear material.

5 (2) The rules and regulations shall provide for:

6 (i) The issuance, amendment, suspension, or revocation of

7 general licenses and specific licenses;

8 (ii) The registration of ionizing radiation sources for which a

9 general license or specific license is not required; and

10 (iii) Based on the kinds and amounts of radioactive material

11 subject to specific licenses, the establishment of financial plans to ensure the

12 decommissioning of facilities operating under those licenses and a timetable for the

13 submission of the plans to the Department.

14 (3) The amount of funding assurance required under a financial plan

15 established under paragraph (2)(iii) of this subsection may not exceed the amount

16 specified in the comparable federal regulations promulgated by the U.S. Nuclear

17 Regulatory Agency as amended from time to time.

18 (b) (1) The Secretary may adopt rules and regulations that:

19 (i) Require registration by persons granted a general license;

20 (ii) Subject to any registration requirements the Secretary

21 requires, recognize licenses issued by the federal government or any other state; and

22 (iii) Except as otherwise provided in subsections (c) and (d) of

23 this section, based on the anticipated cost of monitoring and regulating sources of

24 radiation, establish a fee schedule for general licenses, specific licenses, and the

25 registration of radiation machines or other sources of radiation issued under this

26 section.

27 (2) If the Secretary finds that allowing the exemptions will not

28 constitute a significant risk to the health and safety of the public, the Secretary may

29 adopt rules and regulations that exempt from the licensing or registration

30 requirements of this section:

- (i) Specific sources of ionizing radiation;
- (ii) Specific kinds of uses of ionizing radiation; and
- (iii) Specific kinds of users of ionizing radiation.

(3) In adopting the regulations under paragraph (1)(iii) of this subsection, the Department shall consult with the regulated profession or industry to determine that the license fee is reasonable and directly related to the actual cost of the licensing and regulatory activity.

8–501.

(a) In accordance with § 10–226 of the State Government Article and after notice and hearing, the Department may suspend, modify, or revoke any general or specific license issued under § 8–301 of this title or any license issued under § 8–304 of this title for violation of this title or any regulation adopted under this title.

(b) [The] **EXCEPT AS PROVIDED IN § 8–607 OF THIS TITLE, THE** Department may revoke any license issued under this title if the Department finds that:

(1) False or inaccurate information was willfully, deliberately, or knowingly contained in the application;

(2) Conditions or requirements of the license have been violated;

(3) Substantial deviation from plans, specifications, or requirements has occurred;

(4) The Department has been refused lawful entry to the premises for the purpose of inspecting to insure compliance with the conditions of the license; or

(5) A change in conditions exists that requires temporary or permanent reduction or elimination of the source or discharge of radiation.

SUBTITLE 6. TANNING FACILITIES.

8–601.

(A) **IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

1 (B) **“LICENSE” MEANS A LICENSE ISSUED BY THE SECRETARY TO**
2 **OPERATE A TANNING FACILITY.**

3 (C) **“OPERATOR” MEANS AN OWNER OF A TANNING FACILITY OR AGENT**
4 **OF AN OWNER OF A TANNING FACILITY.**

5 (D) (1) **“TANNING DEVICE” MEANS A DEVICE THAT EMITS**
6 **ELECTROMAGNETIC RADIATION WITH WAVELENGTHS IN THE AIR BETWEEN 200**
7 **AND 400 NANOMETERS AND THAT IS USED FOR THE TANNING OF HUMAN SKIN.**

8 (2) **“TANNING DEVICE” INCLUDES A SUNLAMP, TANNING BOOTH,**
9 **TANNING BED, AND ANY ACCOMPANYING EQUIPMENT, INCLUDING PROTECTIVE**
10 **EYEWEAR, TIMERS, AND HANDRAILS.**

11 (E) **“TANNING FACILITY” MEANS A BUSINESS THAT PROVIDES ACCESS**
12 **TO OR THE USE OF TANNING DEVICES.**

13 **8-602.**

14 (A) **A PERSON SHALL OBTAIN A LICENSE BEFORE THE PERSON**
15 **OPERATES A TANNING FACILITY IN THE STATE.**

16 (B) **A SEPARATE LICENSE IS REQUIRED FOR EACH TANNING FACILITY**
17 **THAT A PERSON OPERATES.**

18 **8-603.**

19 (A) **THE SECRETARY SHALL ISSUE A LICENSE TO EACH APPLICANT WHO**
20 **MEETS THE REQUIREMENTS OF THIS SUBTITLE.**

21 (B) **THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THE**
22 **PROVISIONS OF THIS SUBTITLE.**

23 (C) (1) **THE SECRETARY SHALL SET REASONABLE FEES FOR THE**
24 **ADMINISTRATION OF LICENSES ISSUED UNDER THIS SUBTITLE.**

1 (2) THE FEES SHALL BE SET SO AS TO PRODUCE FUNDS TO
2 APPROXIMATE THE DIRECT AND INDIRECT COSTS OF ADMINISTERING LICENSES
3 ISSUED UNDER THIS SUBTITLE.

4 **8-604.**

5 A LICENSE AUTHORIZES A LICENSEE TO OPERATE A TANNING FACILITY.

6 **8-605.**

7 (A) THE TERM OF A LICENSE IS 1 YEAR.

8 (B) A LICENSE EXPIRES ON THE FIRST ANNIVERSARY OF ITS EFFECTIVE
9 DATE UNLESS IT IS RENEWED FOR A 1-YEAR TERM AS PROVIDED IN THIS
10 SECTION.

11 (C) BEFORE A LICENSE EXPIRES, THE LICENSEE MAY RENEW IT FOR AN
12 ADDITIONAL 1-YEAR TERM IF THE LICENSEE:

13 (1) OTHERWISE IS ENTITLED TO A LICENSE;

14 (2) FILES WITH THE SECRETARY A RENEWAL APPLICATION ON
15 THE FORM THAT THE SECRETARY PROVIDES; AND

16 (3) PAYS TO THE SECRETARY A RENEWAL FEE AS DETERMINED
17 BY THE SECRETARY.

18 (D) THE SECRETARY SHALL RENEW THE LICENSE OF EACH LICENSEE
19 WHO MEETS THE REQUIREMENTS OF THIS SECTION.

20 **8-606.**

21 THE LICENSE SHALL BE DISPLAYED IN AN OPEN, PUBLIC AREA OF THE
22 TANNING FACILITY.

23 **8-607.**

24 SUBJECT TO THE HEARING PROVISIONS OF SUBTITLE 5 OF THIS TITLE,
25 THE SECRETARY MAY DENY A LICENSE TO AN APPLICANT, REPRIMAND A

LICENSEE, OR SUSPEND OR REVOKE A LICENSE IF THE APPLICANT OR
LICENSEE:

(1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO
OBTAIN A LICENSE FOR THE APPLICANT OR LICENSEE OR FOR ANOTHER;

(2) FRAUDULENTLY OR DECEPTIVELY USES A LICENSE;

(3) VIOLATES A PROVISION OF THIS SUBTITLE; OR

(4) VIOLATES A REGULATION ADOPTED BY THE SECRETARY
UNDER THIS SUBTITLE.

8-608.

(A) (1) A TANNING FACILITY SHALL POST A WARNING SIGN IN A
CONSPICUOUS LOCATION THAT IS READILY VISIBLE TO INDIVIDUALS ENTERING
THE TANNING FACILITY.

(2) THE WARNING SIGN SHALL:

(I) BE AT LEAST 11 INCHES BY 17 INCHES; AND

(II) CONTAIN THE FOLLOWING WORDING:

“DANGER : ULTRAVIOLET RADIATION

**REPEATED EXPOSURE TO ULTRAVIOLET RADIATION MAY CAUSE CHRONIC
SUN DAMAGE CHARACTERIZED BY WRINKLING, DRYNESS, FRAGILITY, BRUISING
OF THE SKIN, AND SKIN CANCER.**

**FAILURE TO USE PROTECTIVE EYEWEAR MAY RESULT IN SEVERE BURNS
OR PERMANENT INJURY TO THE EYES.**

**MEDICATIONS OR COSMETICS MAY INCREASE YOUR SENSITIVITY TO
ULTRAVIOLET RADIATION. CONSULT A PHYSICIAN BEFORE USING A SUNLAMP IF
YOU ARE USING MEDICATIONS, HAVE A HISTORY OF SKIN PROBLEMS, OR
BELIEVE YOU ARE ESPECIALLY SENSITIVE TO SUNLIGHT. PREGNANT WOMEN OR**

1 **WOMEN TAKING ORAL CONTRACEPTIVES WHO USE THIS PRODUCT MAY**
2 **DEVELOP DISCOLORED SKIN.**

3 **IF YOU DO NOT TAN IN THE SUN, YOU WILL NOT TAN FROM USE OF AN**
4 **ULTRAVIOLET LAMP OR SUNLAMP.”**

5 **(B) (1) A TANNING FACILITY OPERATOR SHALL ALSO POST A**
6 **WARNING SIGN AT EACH TANNING DEVICE IN A CONSPICUOUS LOCATION THAT**
7 **IS READILY VISIBLE TO AN INDIVIDUAL ABOUT TO USE THE TANNING DEVICE.**

8 **(2) THE WARNING SIGN SHALL:**

9 **(I) BE AT LEAST 11 INCHES BY 17 INCHES; AND**

10 **(II) CONTAIN THE FOLLOWING WORDING:**

11 **“DANGER: ULTRAVIOLET RADIATION**

12 **FOLLOW THE MANUFACTURER’S INSTRUCTIONS FOR USE OF THIS DEVICE.**

13 **AVOID TOO FREQUENT OR LENGTHY EXPOSURE. AS WITH NATURAL**
14 **SUNLIGHT, EXPOSURE CAN CAUSE SERIOUS EYE AND SKIN INJURIES AND**
15 **ALLERGIC REACTIONS. REPEATED EXPOSURE MAY CAUSE SKIN CANCER.**

16 **WEAR PROTECTIVE EYEWEAR. FAILURE TO USE PROTECTIVE EYEWEAR**
17 **MAY RESULT IN SEVERE BURNS OR PERMANENT DAMAGE TO THE EYES.**

18 **DO NOT SUNBATHE BEFORE OR AFTER EXPOSURE TO ULTRAVIOLET**
19 **RADIATION FROM SUNLAMPS.**

20 **MEDICATIONS OR COSMETICS MAY INCREASE YOUR SENSITIVITY TO**
21 **ULTRAVIOLET RADIATION. CONSULT A PHYSICIAN BEFORE USING A SUNLAMP IF**
22 **YOU ARE USING MEDICATIONS, HAVE A HISTORY OF SKIN PROBLEMS, OR**
23 **BELIEVE YOU ARE ESPECIALLY SENSITIVE TO SUNLIGHT. PREGNANT WOMEN OR**
24 **WOMEN USING ORAL CONTRACEPTIVES WHO USE THIS PRODUCT MAY DEVELOP**
25 **DISCOLORED SKIN.**

26 **IF YOU DO NOT TAN IN THE SUN, YOU WILL NOT TAN FROM USE OF THIS**
27 **DEVICE.”**

1 **8-609.**

2 (A) (1) A TANNING FACILITY SHALL HAVE AN OPERATOR PRESENT
3 DURING OPERATING HOURS.

4 (2) THE OPERATOR MUST:

5 (I) BE SUFFICIENTLY KNOWLEDGEABLE IN THE CORRECT
6 OPERATION OF THE TANNING DEVICES USED AT THE FACILITY;

7 (II) INSTRUCT, INFORM, AND ASSIST EACH CUSTOMER IN
8 THE PROPER USE OF THE TANNING DEVICES;

9 (III) COMPLETE AND MAINTAIN RECORDS REQUIRED BY THIS
10 SUBTITLE; AND

11 (IV) EXPLAIN OR OTHERWISE INFORM EACH CUSTOMER
12 INITIALLY USING THE TANNING FACILITY OF:

13 1. THE POTENTIAL HAZARDS OF AND PROTECTIVE
14 MEASURES NECESSARY FOR ULTRAVIOLET RADIATION;

15 2. THE REQUIREMENT THAT PROTECTIVE EYEWEAR
16 BE WORN WHILE USING A TANNING DEVICE;

17 3. THE POSSIBILITY OF PHOTSENSITIVITY OR OF A
18 PHOTOALLERGIC REACTION TO CERTAIN DRUGS, MEDICINE, OR OTHER AGENTS
19 WHEN AN INDIVIDUAL IS SUBJECTED TO THE SUN OR ULTRAVIOLET RADIATION;

20 4. THE CORRELATION BETWEEN SKIN TYPE AND
21 EXPOSURE TIME;

22 5. THE MAXIMUM EXPOSURE TIME TO THE TANNING
23 FACILITY'S DEVICES;

24 6. THE BIOLOGICAL PROCESS OF TANNING; AND

1 **7. THE DANGERS OF AND THE NECESSITY TO AVOID**
2 **OVEREXPOSURE TO ULTRAVIOLET RADIATION.**

3 **(B) (1) BEFORE EACH USE OF A TANNING DEVICE, THE OPERATOR**
4 **SHALL PROVIDE WITH EACH TANNING DEVICE CLEAN AND PROPERLY SANITIZED**
5 **PROTECTIVE EYEWEAR THAT PROTECTS THE EYES FROM ULTRAVIOLET**
6 **RADIATION AND ALLOWS ADEQUATE VISION TO MAINTAIN BALANCE.**

7 **(2) THE PROTECTIVE EYEWEAR SHALL BE LOCATED IN THE**
8 **IMMEDIATE AREA OF EACH TANNING DEVICE AND SHALL BE PROVIDED**
9 **WITHOUT CHARGE TO EACH USER OF A TANNING DEVICE.**

10 **(3) THE OPERATOR MAY NOT ALLOW AN INDIVIDUAL TO USE A**
11 **TANNING DEVICE IF THAT INDIVIDUAL DOES NOT USE PROTECTIVE EYEWEAR**
12 **THAT MEETS THE REQUIREMENTS OF THE UNITED STATES FOOD AND DRUG**
13 **ADMINISTRATION.**

14 **(4) THE OPERATOR ALSO SHALL SHOW EACH CUSTOMER HOW TO**
15 **USE SUITABLE PHYSICAL AIDS, SUCH AS HANDRAILS AND MARKINGS ON THE**
16 **FLOOR, TO MAINTAIN PROPER EXPOSURE DISTANCE AS RECOMMENDED BY THE**
17 **MANUFACTURER OF THE TANNING DEVICE.**

18 **(C) THE OPERATOR SHALL CLEAN AND PROPERLY SANITIZE THE BODY**
19 **CONTACT SURFACES OF A TANNING DEVICE AFTER EACH USE OF THE TANNING**
20 **DEVICE.**

21 **(D) (1) THE TANNING FACILITY SHALL USE A TIMER WITH AN**
22 **ACCURACY OF AT LEAST PLUS OR MINUS 10% OF THE MAXIMUM TIMER**
23 **INTERVAL OF THE TANNING DEVICE.**

24 **(2) THE OPERATOR SHALL LIMIT THE EXPOSURE TIME OF A**
25 **CUSTOMER ON A TANNING DEVICE TO THE MAXIMUM EXPOSURE TIME**
26 **RECOMMENDED BY THE MANUFACTURER.**

27 **(3) A TIMER SHALL BE LOCATED SO THAT A CUSTOMER CANNOT**
28 **SET OR RESET THE CUSTOMER'S EXPOSURE TIME.**

1 (4) THE OPERATOR SHALL CONTROL THE TEMPERATURE OF THE
2 CUSTOMER CONTACT SURFACES OF A TANNING DEVICE AND THE SURROUNDING
3 AREA SO THAT IT MAY NOT EXCEED 100 DEGREES FAHRENHEIT.

4 (E) A CUSTOMER MAY NOT BE ALLOWED TO USE A TANNING DEVICE IN A
5 TANNING FACILITY MORE THAN ONCE IN A 24-HOUR PERIOD.

6 **8-610.**

7 (A) EACH TANNING FACILITY SHALL PROPERLY MAINTAIN THE
8 TANNING DEVICES USED IN THE TANNING FACILITY.

9 (B) THE TANNING DEVICES USED IN EACH TANNING FACILITY SHALL BE
10 INSPECTED EACH YEAR BY AN APPROPRIATE AUTHORITY, AS DETERMINED BY
11 THE SECRETARY, TO ENSURE THAT THE TANNING DEVICES ARE BEING
12 OPERATED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND
13 IN A SAFE AND HEALTHFUL MANNER.

14 (C) THE SECRETARY MAY SUSPEND THE LICENSE OF ANY TANNING
15 FACILITY THAT HAS TANNING DEVICES THAT FAIL THE INSPECTION REQUIRED
16 IN SUBSECTION (B) OF THIS SECTION UNTIL THE LICENSEE CAN PROVIDE
17 EVIDENCE TO THE SECRETARY THAT THE TANNING DEVICES ARE BEING
18 OPERATED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND
19 IN A SAFE AND HEALTHFUL MANNER.

20 (D) THE SECRETARY MAY ADOPT REGULATIONS TO CARRY OUT THE
21 PROVISIONS OF THIS SECTION.

22 **8-611.**

23 (A) BEFORE A CUSTOMER WHO IS AN ADULT USES A TANNING DEVICE
24 AT A TANNING FACILITY FOR THE FIRST TIME AND EACH TIME AN INDIVIDUAL
25 EXECUTES OR RENEWS A CONTRACT TO USE A TANNING DEVICE AT A TANNING
26 FACILITY, THE INDIVIDUAL SHALL SIGN A WRITTEN STATEMENT
27 ACKNOWLEDGING THAT THE INDIVIDUAL HAS READ AND UNDERSTOOD THE
28 REQUIRED WARNINGS BEFORE USING THE TANNING DEVICE AND AGREES TO
29 USE PROTECTIVE EYEWEAR.

1 **(B) AN INDIVIDUAL UNDER THE AGE OF 14 YEARS MAY NOT USE A**
2 **TANNING DEVICE.**

3 **(C) AN INDIVIDUAL AT LEAST 14 YEARS OLD BUT WHO IS UNDER THE**
4 **AGE OF 18 MAY NOT USE A TANNING DEVICE UNLESS THE INDIVIDUAL:**

5 **(1) HAS A WRITTEN PRESCRIPTION FROM THE INDIVIDUAL'S**
6 **PHYSICIAN SPECIFYING:**

7 **(I) THE NATURE OF THE MEDICAL CONDITION REQUIRING**
8 **THE TREATMENT;**

9 **(II) THE NUMBER OF PRESCRIBED VISITS; AND**

10 **(III) THE TIME OF EXPOSURE AT EACH VISIT; OR**

11 **(2) HAS PERMISSION FROM A PARENT OR GUARDIAN AS**
12 **EVIDENCED BY A WRITTEN CONSENT FORM SIGNED BY THE INDIVIDUAL'S**
13 **PARENT IN THE PRESENCE OF AN OPERATOR EACH TIME THE INDIVIDUAL**
14 **EXECUTES OR RENEWS A CONTRACT TO USE A TANNING DEVICE.**

15 **8-612.**

16 **(A) A RECORD OF EACH CUSTOMER USING A TANNING DEVICE SHALL BE**
17 **MAINTAINED AT THE TANNING FACILITY AT LEAST UNTIL THE THIRD**
18 **ANNIVERSARY OF THE DATE OF THE CUSTOMER'S LAST USE OF A TANNING**
19 **DEVICE.**

20 **(B) THE RECORD SHALL INCLUDE:**

21 **(1) THE DATE AND TIME OF THE CUSTOMER'S USE OF A TANNING**
22 **DEVICE;**

23 **(2) THE LENGTH OF TIME THE TANNING DEVICE WAS USED;**

24 **(3) ANY INJURY OR ILLNESS RESULTING FROM THE IMMEDIATE**
25 **USE OF A TANNING DEVICE; AND**

1 **(4) ANY WRITTEN INFORMED CONSENT STATEMENT REQUIRED**
2 **TO BE SIGNED UNDER § 8-611 OF THIS SUBTITLE.**

3 **8-613.**

4 **THE SECRETARY MAY IMPOSE A CIVIL PENALTY, NOT EXCEEDING \$250,**
5 **ON A PERSON WHO VIOLATES THE PROVISIONS OF THIS SUBTITLE.**

6 SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the
7 General Assembly that the Governor provide funds in the fiscal year 2009 budget at a
8 level sufficient enough to allow the Department of the Environment to begin the
9 process of regulating tanning facilities, and when special funds become available for
10 the regulation of tanning facilities, special funds shall be used to reimburse the
11 General Fund for the cost of starting the regulation process.

12 SECTION 4. AND BE IT FURTHER ENACTED, That, on or before October 1,
13 2008, the Department of the Environment shall make reasonable efforts to educate
14 persons subject to this Act about the requirements of this Act.

15 SECTION 5. AND BE IT FURTHER ENACTED, That Sections 1 and 2 of this
16 Act shall take effect October 1, 2008.

17 SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in
18 Section 5 of this Act, this Act shall take effect June 1, 2007.