

HOUSE BILL 427

F1, J1

8lr1578
CF SB 217

By: Delegates K. Young, Barkley, Barron, Barve, Brooks, Carr, Cullison, Ebersole, Gibson, Gutierrez, Hettleman, Hill, Korman, Krebs, Lisanti, Luedtke, McMillan, Miele, Pendergrass, Proctor, Robinson, Rose, Sample-Hughes, Turner, Vogt, M. Washington, ~~and West West, and Healey~~

Introduced and read first time: January 24, 2018

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 20, 2018

Returned to second reading: February 22, 2018

House action: Adopted with floor amendments

Read second time: February 22, 2018

CHAPTER _____

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)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Education**

4 **7-441.**

5 (A) IN THIS SECTION, “SUNSCREEN” MEANS A TOPICAL SUNSCREEN
6 PRODUCT THAT IS:

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

9 (2) APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION
10 FOR OVER-THE-COUNTER USE.

11 (B) ~~(1)~~ EACH COUNTY BOARD SHALL ADOPT A WRITTEN POLICY
12 AUTHORIZING A STUDENT TO POSSESS AND USE SUNSCREEN ON SCHOOL PROPERTY
13 OR AT A SCHOOL-SPONSORED ACTIVITY WITHOUT WRITTEN PERMISSION FROM A
14 HEALTH CARE PROVIDER.

15 ~~(2) THE POLICY SHALL ALLOW, IF AUTHORIZED BY A STUDENT’S~~
16 ~~PARENT OR GUARDIAN, A PUBLIC SCHOOL EMPLOYEE TO:~~

17 ~~(I) APPLY SUNSCREEN TO A STUDENT WHO IS UNABLE TO~~
18 ~~SELF APPLY IT; OR~~

19 ~~(II) ASSIST A STUDENT IN THE APPLICATION OF SUNSCREEN.~~

20 ~~(C) A STUDENT MAY ONLY USE SUNSCREEN SUPPLIED BY THE STUDENT’S~~
21 ~~PARENT OR GUARDIAN.~~

22 ~~(D) A PUBLIC SCHOOL, OR A PUBLIC SCHOOL EMPLOYEE WHO APPLIES OR~~
23 ~~ASSISTS A STUDENT WITH THE APPLICATION OF SUNSCREEN IN ACCORDANCE WITH~~
24 ~~THE POLICY ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION, MAY NOT BE~~
25 ~~HELD LIABLE FOR:~~

26 ~~(1) AN ADVERSE REACTION SUFFERED BY THE STUDENT RESULTING~~
27 ~~FROM THE USE OF SUNSCREEN; OR~~

28 ~~(2) THE EFFECTS OF DISCONTINUING THE APPLICATION OF THE~~
29 ~~SUNSCREEN AT ANY TIME.~~

1 ~~(E)~~ (C) EACH COUNTY BOARD SHALL ENCOURAGE PUBLIC SCHOOLS TO
2 EDUCATE STUDENTS ABOUT SUNSCREEN, SUN SAFETY, AND THE POLICY
3 ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.