

House Bill 200

By: Representatives Newton of the 123rd, Brockway of the 102nd, Glanton of the 75th, Carter of the 175th, Chandler of the 105th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to student health, so as to require local boards of education to adopt
3 policies authorizing students to carry and self-administer sunscreen; to provide for legislative
4 findings; to define a term; to provide for limited liability; to provide for related matters; to
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
9 relating to student health, is amended by adding a new Code section to read as follows:

10 "20-2-776.5.

11 (a) The General Assembly hereby finds and declares that many children in Georgia are
12 exposed to excessive ultraviolet radiation because school policies prevent the use of
13 sunscreen at school and in school sponsored activities. This excessive exposure can lead
14 to skin cancer development. It is the intent of the General Assembly to ensure that parents
15 have the option to allow their children to use sunscreen when outdoors.

16 (b) As used in this Code section, the term 'sunscreen' means a product approved by the
17 federal Food and Drug Administration for over-the-counter use for the purpose of limiting
18 ultraviolet light-induced skin damage.

19 (c) Each local board of education shall adopt a policy authorizing a student to carry and
20 self-administer sunscreen while:

21 (1) In school;

22 (2) At a school sponsored activity;

23 (3) Under the supervision of school personnel; and

24 (4) In before-school or after-school care operated on school property.

25 (d) A local board of education may adopt a policy allowing school personnel to assist
26 students in applying sunscreen with parental permission.

27 (e) A local school system and its employees and agents shall incur no liability other than
28 for willful or wanton misconduct for any injury to a student caused by his or her use of
29 sunscreen."

30

SECTION 2.

31 All laws and parts of laws in conflict with this Act are repealed.