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S.187

An act relating to student application of sunscreen

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 16 V.S.A. § 1389 is added to read:

§ 1389. POSSESSION AND APPLICATION OF SUNSCREEN

(a) Pursuant to the requirements of this section, each public and approved independent school in the State shall permit students, with the written authorization of a parent or guardian, to possess and self-administer a topical, nonaerosolized sunscreen while on school property or at a school-sponsored event or activity without being required to provide a medical provider's note or prescription or having to store the sunscreen in a specific location. A school shall keep on file a parent's or guardian's written authorization.

(b) School personnel shall not be required to assist students in applying sunscreen and shall not be responsible for ensuring that the sunscreen is applied to the student.

(c) The school and school personnel shall be immune from civil liability for any actions taken in good faith in reliance on the provisions of this section. This section shall not apply to recklessness or intentional misconduct on the part of the school or school personnel.

1 (d) As used in this section, “sunscreen” means a product regulated by the
2 U.S. Food and Drug Administration for over-the-counter use for the purpose of
3 limiting ultraviolet-light-induced skin damage.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on July 1, 2024.