

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred Senate Bill
3 No. 187 entitled “An act relating to student application of sunscreen and car
4 seat safety” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

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

8 § 1389. POSSESSION AND APPLICATION OF SUNSCREEN

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

16 (b) A school may adopt policies to allow school personnel to assist a
17 student in applying topical, nonaerosolized sunscreen if written permission
18 from the student’s parent or guardian is obtained.

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

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

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

8 Sec. 2. EFFECTIVE DATE

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

10 and that after passage the title of the bill be amended to read: “An act
11 relating to student application of sunscreen”

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18 (Committee vote: _____)

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Senator _____

FOR THE COMMITTEE