

tion [enacting this section and section 18091 of Title 42, The Public Health and Welfare] shall apply to taxable years ending after December 31, 2013.”

**CONSTRUCTION OF 2018 AMENDMENT**

Pub. L. 115–271, title IV, § 4003(c), Oct. 24, 2018, 132 Stat. 3960, provided that: “Nothing in the amendment made by subsection (a) [amending this section] shall preempt any State law requiring the provision of medical treatment for children, especially those who are seriously ill.”

**CHAPTER 49—COSMETIC SERVICES**

Sec.

5000B. Imposition of tax on indoor tanning services.

**Editorial Notes**

**PRIOR PROVISIONS**

A prior chapter 49, added Pub. L. 111–148, title IX, § 9017(a), Mar. 23, 2010, 124 Stat. 872, which related to elective cosmetic medical procedures and consisted of section 5000B, was not set out in the Code in view of Pub. L. 111–148, title X, § 10907(a), Mar. 23, 2010, 124 Stat. 1020, which provided that the amendments made by section 9017 of Pub. L. 111–148 were deemed null, void, and of no effect.

**§ 5000B. Imposition of tax on indoor tanning services**

**(a) In general**

There is hereby imposed on any indoor tanning service a tax equal to 10 percent of the amount paid for such service (determined without regard to this section), whether paid by insurance or otherwise.

**(b) Indoor tanning service**

For purposes of this section—

**(1) In general**

The term “indoor tanning service” means a service employing any electronic product designed to incorporate 1 or more ultraviolet lamps and intended for the irradiation of an individual by ultraviolet radiation, with wavelengths in air between 200 and 400 nanometers, to induce skin tanning.

**(2) Exclusion of phototherapy services**

Such term does not include any phototherapy service performed by a licensed medical professional.

**(c) Payment of tax**

**(1) In general**

The tax imposed by this section shall be paid by the individual on whom the service is performed.

**(2) Collection**

Every person receiving a payment for services on which a tax is imposed under subsection (a) shall collect the amount of the tax from the individual on whom the service is performed and remit such tax quarterly to the Secretary at such time and in such manner as provided by the Secretary.

**(3) Secondary liability**

Where any tax imposed by subsection (a) is not paid at the time payments for indoor tanning services are made, then to the extent that such tax is not collected, such tax shall

be paid by the person who performs the service.

(Added Pub. L. 111–148, title X, § 10907(b), Mar. 23, 2010, 124 Stat. 1020.)

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 5000B, added Pub. L. 111–148, title IX, § 9017(a), Mar. 23, 2010, 124 Stat. 872, which related to tax on elective cosmetic medical procedures, and section 9017(c) of Pub. L. 111–148, which provided that the amendments made by section 9017 of Pub. L. 111–148 were applicable to procedures performed on or after Jan. 1, 2010, were not set out in the Code in view of Pub. L. 111–148, title X, § 10907(a), Mar. 23, 2010, 124 Stat. 1020, which provided that the provisions of, and amendments made by, section 9017 of Pub. L. 111–148 were deemed null, void, and of no effect.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Pub. L. 111–148, title X, § 10907(d), Mar. 23, 2010, 124 Stat. 1021, provided that: “The amendments made by this section [enacting this section] shall apply to services performed on or after July 1, 2010.”

**CHAPTER 50—FOREIGN PROCUREMENT**

Sec.

5000C. Imposition of tax on certain foreign procurement.

**§ 5000C. Imposition of tax on certain foreign procurement**

**(a) Imposition of tax**

There is hereby imposed on any foreign person that receives a specified Federal procurement payment a tax equal to 2 percent of the amount of such specified Federal procurement payment.

**(b) Specified Federal procurement payment**

For purposes of this section, the term “specified Federal procurement payment” means any payment made pursuant to a contract with the Government of the United States for—

(1) the provision of goods, if such goods are manufactured or produced in any country which is not a party to an international procurement agreement with the United States, or

(2) the provision of services, if such services are provided in any country which is not a party to an international procurement agreement with the United States.

**(c) Foreign person**

For purposes of this section, the term “foreign person” means any person other than a United States person.

**(d) Administrative provisions**

**(1) Withholding**

The amount deducted and withheld under chapter 3 shall be increased by the amount of tax imposed by this section on such payment.

**(2) Other administrative provisions**

For purposes of subtitle F, any tax imposed by this section shall be treated as a tax imposed by subtitle A.

(Added Pub. L. 111–347, title III, § 301(a)(1), Jan. 2, 2011, 124 Stat. 3666.)