

HOUSE BILL REPORT

HB 1448

As Reported By House Committee On:
Commerce & Labor

Title: An act relating to business regulations.

Brief Description: Regulating tattooers and tattoo parlors.

Sponsors: Representatives Zellinsky, Scott, Schmidt and Sheldon.

Brief History:

Reported by House Committee on:
Commerce & Labor, February 19, 1993, DPS.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Heavey, Chair; G. Cole, Vice Chair; Lisk, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Conway; Horn; King; Springer; and Veloria.

Staff: Jim Kelley (786-7166).

Background: Washington law provides no specific regulation of tattooers or tattoo parlors.

Summary of Substitute Bill: All tattooers and tattoo parlors must register with the Department of Health. The department is required to adopt sanitation standards, keep a registry of tattooers and tattoo parlors with a record of all sanitation violations, and provide a copy of the registry to the local health departments and to interested persons upon request. The local health departments must regularly inspect the tattoo parlors for compliance with the sanitation standards.

It is a misdemeanor for a tattooer to apply a tattoo on a minor without the permission of the minor's parent or guardian. It is also a misdemeanor for a tattooer or tattoo parlor to refuse to remove an unlawfully applied tattoo. The effective date for the registration and inspection provisions is July 1, 1994.

Substitute Bill Compared to Original Bill: The proposed substitute bill provides for registration of tattoo parlors in addition to individual tattooers. The department's duty to inspect tattoo parlors is transferred to the local health departments. The department is required to adopt sanitation standards, keep a registry of tattooers and tattoo parlors with a record of all sanitation violations, and provide a copy of the registry to the local health departments and to interested persons upon request.

The criminal provisions are clarified. It is a misdemeanor for a tattooer to apply a tattoo on a minor without the permission of the minor's parent or guardian. It is also a misdemeanor for a tattooer or tattoo parlor to refuse to remove an unlawfully applied tattoo. The effective date for the registration and inspection provisions is delayed until July 1, 1994.

Fiscal Note: Available.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: There are kids everywhere getting tattoos without their parents' permission. These tattoos can be vulgar and possibly dangerous. There is currently no regulation of the industry, even despite the potential danger. The risk of the spread of hepatitis and AIDS is very real. Tattooing is a true art form, but, because of its nature, it must be regulated.

Testimony Against: (Original bill): It could be expensive for the tattooers to pay for their licensing and the inspection function at the state level. Some of the language of the original bill is unclear. The effective date should be put off to allow for the department to go through the sunrise process on this program.

Witnesses: Representative Paul Zellinsky, prime sponsor (in favor); Joseph Johnson, M.D. (in favor); Susan Boots, Department of Health (had concerns); and Pierre Z'Berg, Tattooer (in favor).