
SUBSTITUTE HOUSE BILL 1448

State of Washington 53rd Legislature 1993 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Zellinsky, Scott, Schmidt and Sheldon)

Read first time 02/24/93.

1 AN ACT Relating to business regulations; adding a new chapter to
2 Title 18 RCW; creating a new section; prescribing penalties; and
3 providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** Unless the context clearly requires
6 otherwise, the definitions in this section apply throughout this
7 chapter.

8 (1) "Tattoo" means a permanent mark or design made on the skin by
9 a process of pricking and ingraining an indelible pigment or raising a
10 scar.

11 (2) "Tattooer" means a person who performs the act of applying a
12 tattoo on a human being.

13 (3) "Tattoo parlor" means a place of business where tattooing takes
14 place.

15 NEW SECTION. **Sec. 2.** (1) All tattooers shall pay a fee to
16 register with the secretary of health and pay an annual renewal
17 registration fee determined by the secretary of health as provided in
18 RCW 43.70.250 on or before the certificate holder's birth anniversary

1 date. Registration shall be renewed for a period of one year or longer
2 in the discretion of the secretary of health.

3 (2) All tattoo parlors shall pay a fee to register with the
4 secretary of health, and pay an annual renewal registration fee
5 determined by the secretary of health as provided in RCW 43.70.250 on
6 or before the anniversary date of the first registration.

7 (3) The fee for the certificate shall cover expenses incurred by
8 the department of health for administering the registration program.

9 (4) The department of health shall adopt those rules necessary to
10 implement this chapter, including rules establishing sanitation
11 standards for tattoo parlors and providing inspection procedures to be
12 followed by local health departments.

13 (5) The department of health shall maintain a registry of tattooers
14 and tattoo parlors and provide a copy of the register upon request to
15 any tattooer, tattoo parlor, law enforcement agency, government agency,
16 or member of the public. The department of health shall provide an
17 updated copy of the registry on a regular basis to the state board of
18 health and all local health departments. The registry shall include a
19 record of every sanitation violation reported by a local health
20 department.

21 (6) Nothing in this chapter may be construed to prohibit or
22 restrict the practice of a profession by a person who is either
23 registered, certified, licensed, or similarly regulated under the laws
24 of this state who is performing services within the person's authorized
25 scope of practice.

26 NEW SECTION. **Sec. 3.** In addition to any other authority provided
27 by law, the secretary of health has the authority to:

28 (1) Appoint an advisory committee, if necessary; and

29 (2) Establish forms and procedures necessary to administer this
30 chapter.

31 NEW SECTION. **Sec. 4.** Each local health department, as defined in
32 RCW 70.05.010, shall regularly inspect the tattoo parlors within its
33 jurisdiction in accordance with rules adopted by the department of
34 health. If a local health department finds that a tattoo parlor has
35 violated the sanitation standards adopted by the department of health,
36 the local health department shall immediately notify the department of
37 health of the violation.

1 NEW SECTION. **Sec. 5.** (1) It is a misdemeanor for a tattooer to
2 apply a tattoo on a person who is under eighteen years of age, unless
3 the person receiving the tattoo presents the tattooer with a notarized
4 letter from a parent or guardian allowing the minor to receive a
5 tattoo.

6 (2) When a tattooer applies a tattoo in violation of subsection (1)
7 of this section, either the tattooer or the tattoo parlor, or both,
8 shall be liable for the cost of removal of the minor's tattoo.

9 (3) It is a separate offense, punishable as a misdemeanor, for a
10 tattooer or tattoo parlor to refuse to remove or refuse to pay for the
11 removal of a minor's tattoo as required by subsection (2) of this
12 section.

13 NEW SECTION. **Sec. 6.** The secretary of the department of health
14 may take those steps necessary to ensure that sections 2 through 4 of
15 this act are implemented on the effective date of this act.

16 NEW SECTION. **Sec. 7.** Sections 2 through 4 of this act shall take
17 effect July 1, 1994.

18 NEW SECTION. **Sec. 8.** Sections 1 through 5 of this act shall
19 constitute a new chapter in Title 18 RCW.

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