

SHB 2335 - H AMD 647

By Representative Bailey

SCOPE AND OBJECT 2/3/2006

1 On page 3, after line 11, insert the following:

2 "Sec. 6. RCW 26.28.085 and 1995 c 373 s 1 are each amended to
3 read as follows:

4 (1)(a) Every person who applies a tattoo to any minor under the
5 age of eighteen is guilty of a misdemeanor. It is not a defense to
6 a violation of this section that the person applying the tattoo did
7 not know the minor's age unless the person applying the tattoo
8 establishes by a preponderance of the evidence that he or she made
9 a reasonable, bona fide attempt to ascertain the true age of the
10 minor by requiring production of a driver's license or other
11 picture identification card or paper and did not rely solely on the
12 oral allegations or apparent age of the minor.

13 (b) Every person who engages in body piercing or body art on
14 any minor under the age of eighteen is guilty of a misdemeanor,
15 unless a parent of, or a legal guardian of, the minor provides
16 informed consent in writing, furnishes proof of identification, and
17 is present when the piercing occurs.

18 (2) For the purposes of this section,

19 (a) "Body art" means the practice of physical cosmetic body
20 adornment including the use of branding and scarification;

21 (b) "Body piercing" means the creation of an opening in the
22 body of a human being for the purpose of inserting jewelry or other
23 decoration. This includes, but is not limited to, piercing of a
24 lip, tongue, nose, or eyebrow. "Body piercing" does not include
25 the piercing of an earlobe; and

26 (c) (~~"tattoo" includes~~) Tattoo means any permanent marking or
27 coloring of the skin with any pigment, ink, or dye, or any
28 procedure that leaves a visible scar on the skin.

29 (3) (~~Medical~~) Health-related procedures performed by a
30 licensed (~~physician~~) health practitioner are exempted from this
31 section."

Correct the title.

EFFECT: Establishes that the practice of body piercing or body art on minors under 18 years old without the informed consent and presence of the minor's parent or legal guardian is a misdemeanor.