

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1856

Chapter 307, Laws of 2019

66th Legislature
2019 Regular Session

SCLERAL TATTOOING

EFFECTIVE DATE: July 28, 2019

Passed by the House March 8, 2019
Yeas 94 Nays 4

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 16, 2019
Yeas 47 Nays 1

CYRUS HABIB

President of the Senate

Approved May 8, 2019 3:51 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1856** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 13, 2019

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1856

Passed Legislature - 2019 Regular Session

State of Washington 66th Legislature 2019 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Tharinger, Caldier, Cody, Kloba, Wylie, Corry, Sutherland, Ybarra, Steele, Peterson, Klippert, DeBolt, Stanford, Doglio, Mead, Ryu, and Macri)

READ FIRST TIME 02/22/19.

1 AN ACT Relating to prohibiting scleral tattooing; amending RCW
2 18.300.100; adding a new section to chapter 70.54 RCW; and
3 prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.54
6 RCW to read as follows:

7 (1) A person may not perform or offer to perform scleral
8 tattooing on another person.

9 (2) A person who violates this section is subject to a civil
10 penalty not to exceed ten thousand dollars for each violation, as
11 determined by the court.

12 (3)(a) The attorney general may receive, investigate, and
13 prosecute complaints against alleged violators of this section.

14 (b) The attorney general may institute and conduct an action in
15 the name of the state of Washington for any of the following:

16 (i) An injunction in any court of this state for injunctive
17 relief to restrain a person from continuing any activity that
18 violates this section.

19 (ii) The assessment and recovery of civil penalties provided in
20 subsection (2) of this section.

1 (4) The attorney general must be reimbursed through civil
2 penalties collected under this section for the costs incurred in
3 providing the services described in subsection (3) of this section.
4 Any remaining funds must be deposited in the state general fund.

5 (5) For the purposes of this section, "scleral tattooing" means
6 the practice of producing an indelible mark or figure on the human
7 eye by scarring or inserting a pigment on, in, or under: (a) The
8 fornix conjunctiva; (b) the bulbar conjunctiva; (c) the ocular
9 conjunctiva; or (d) another ocular surface; using needles, scalpels,
10 or other related equipment.

11 **Sec. 2.** RCW 18.300.100 and 2009 c 412 s 11 are each amended to
12 read as follows:

13 In addition to the unprofessional conduct described in RCW
14 18.235.130, the director may take disciplinary action against any
15 applicant or licensee under this chapter if the licensee or
16 applicant:

17 (1) Has been found to have violated any provisions of chapter
18 19.86 RCW;

19 (2) Has engaged in a practice prohibited under RCW 18.300.030
20 without first obtaining, and maintaining in good standing, the
21 license required by this chapter;

22 (3) Has failed to display licenses required in this chapter;
23 ((~~or~~))

24 (4) Has violated any provision of this chapter or any rule
25 adopted under it; or

26 (5) Has been found to have violated section 1 of this act.

Passed by the House March 8, 2019.

Passed by the Senate April 16, 2019.

Approved by the Governor May 8, 2019.

Filed in Office of Secretary of State May 13, 2019.

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