
SENATE BILL 5311

State of Washington

56th Legislature

1999 Regular Session

By Senator Roach

Read first time 01/19/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to body piercing; amending RCW 26.28.085; and
2 prescribing penalties.

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

4 **Sec. 1.** RCW 26.28.085 and 1995 c 373 s 1 are each amended to read
5 as follows:

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

16 (2) For the purposes of this section, (a) "tattoo" includes any
17 permanent marking or coloring of the skin with any pigment, ink, or
18 dye, or any procedure that leaves a visible scar on the skin; and (b)
19 "body piercing" means the creation of an opening in the body of a human

1 being for the purpose of inserting jewelry or other decoration. This
2 includes, but is not limited to, piercing of a lip, tongue, nose, or
3 eyebrow. "Body piercing" does not include the piercing of an earlobe.
4 (3) Medical procedures performed by a licensed physician are
5 exempted from this section.

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