
HOUSE BILL 1700

State of Washington

60th Legislature

2007 Regular Session

By Representatives Appleton, Campbell, Green, Williams, Kagi, Eddy, Kenney, Haigh, Dickerson, Hasegawa and Curtis

Read first time 01/25/2007. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to establishing a prohibition on performing any
2 body piercing below the neck on certain sensitive parts of the body for
3 minors under the age of eighteen; amending RCW 26.28.085; and
4 prescribing penalties.

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

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

8 (1)(a) Every person who applies a tattoo to any minor under the age
9 of eighteen is guilty of a misdemeanor.

10 (b) Every person who engages in body piercing a nipple or the
11 genitalia of any minor under the age of eighteen is guilty of a
12 misdemeanor.

13 (2) It is not a defense to a violation of this section that the
14 person applying the tattoo did not know the minor's age unless the
15 person applying the tattoo establishes by a preponderance of the
16 evidence that he or she made a reasonable, bona fide attempt to
17 ascertain the true age of the minor by requiring production of a
18 driver's license or other picture identification card or paper and did
19 not rely solely on the oral allegations or apparent age of the minor.

1 (3) For the purposes of this section((7)):

2 (a) "Tattoo" includes any permanent marking or coloring of the skin
3 with any pigment, ink, or dye, or any procedure that leaves a visible
4 scar on the skin.

5 (b) "Body piercing" means the process of penetrating the skin or
6 mucous membrane for the purpose of insertion of an object, including
7 jewelry, for cosmetic purposes. "Body piercing" also includes any scar
8 tissue resulting from or relating to the piercing. "Body piercing"
9 does not include the use of stud and clasp piercing systems to pierce
10 the earlobe in accordance with the manufacturer's directions and
11 applicable United States food and drug administration requirements.
12 "Body piercing" does not include any health-related procedures
13 performed by licensed health practitioners under their scope of
14 practice.

15 (4) Medical procedures performed by a licensed physician are
16 exempted from this section.

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