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**Business & Financial Services Committee**

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**HB 1256**

**Brief Description:** Concerning body art, body piercing, and tattooing.

**Sponsors:** Representative Appleton.

**Brief Summary of Bill**

- Establishes standards for individual operator licenses for practitioners of body art, body piercing, and tattooing.
- Requires applicants for individual operating licenses after July 1, 2013, to complete a 12-month internship program conducted by an operator with seven years of documented experience in the profession.
- Allows the Department of Licensing to grant 30-day guest artist licenses under certain conditions.
- Requires suspension of the license of a person who defaults on certain educational loans or scholarships.

**Hearing Date:** 2/4/11

**Staff:** Parker Howell (786-5793) and Alison Hellberg (786-7152).

**Background:**

To practice body art, body piercing, or tattooing in Washington, a person must receive a license from the Department of Licensing (Department). Licenses may be issued to individual practitioners and to shops or businesses that provide these services.

"Body art" means the practice of invasive cosmetic adornment, including the use of branding and scarification, but does not include health-related procedures performed by licensed health care practitioners under their scope of practice. "Body piercing" is the process of penetrating the skin or mucous membrane to insert an object, including jewelry, for cosmetic purposes, excluding the

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practice of medicine. "Tattooing" means piercing or puncturing the human skin with a needle or other instrument to make indelible marks on the skin.

Department rules require the issuance of an individual license to any person who is at least 18 years old, provides proof of bloodborne pathogen certification, and pays a fee. The Department sets fees for obtaining or renewing a license at \$250 for individual licenses and \$300 for a shop license.

**Summary of Bill:**

The Department may issue individual operator licenses to people who perform body art, body piercing, or tattooing and location licenses to shops or businesses that provide those services.

Prior to July 1, 2013, a person qualifies for an individual operator license if he or she: (1) completes an application and pays a licensing fee; (2) is at least 18 years old; (3) provides proof of bloodborne pathogen training; and (4) meets applicable industry-specific requirements set by the Department. After that date, a person qualifies if he or she meets those qualifications and completes an internship program during the three years before the date of the application.

The internship must consist of 12 consecutive months of training in the body art, body piercing, or tattooing profession. The internship training must be conducted by an individual operator licensee who has seven consecutive years of documented experience in the profession.

The Department may issue a 30-day guest artist license to a nonresident of Washington who intends to practice body art, body piercing, or tattooing in the state. Guest artists must meet the requirements set for people to receive operator licenses prior to July 1, 2013.

A person whose license is not renewed within a year after expiration no longer must have the license canceled and resubmit an application, pay a license fee, meet current requirements, and pass any examination in order to be reinstated.

The Department must suspend the license of a person who has been reported to the Department for nonpayment or default on a federal- or state-guaranteed education loan or service-conditional scholarship. Prior to suspension, the Department must provide the person with an opportunity for a brief adjudicative proceeding and issue a finding of nonpayment or default. The license may not be reissued until the person provides a written release issued by the lending agency stating the person is making payments in accordance with a repayment agreement. If the person has continued to meet all other requirements for licensure during the suspension, he or she must be automatically reinstated when the Department receives notice of the release and payment of any reinstatement fee.

The procedures by which the Department of Social and Health Services certifies that a person is not in compliance with a support order is changed.

Other technical changes are made.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.