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**Business & Financial Services Committee**

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**HB 2162**

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

**Sponsors:** Representatives Ryu, Kirby and Moscoso.

**Brief Summary of Bill**

- Creates a license for permanent cosmetics.
- Establishes individual licensing requirements for practitioners of body art, body piercing, tattooing, and permanent cosmetics.
- Allows the Department of Licensing to issue 30-day guest licenses to out-of-state practitioners.
- Establishes requirements for internship training programs.

**Hearing Date:** 1/22/14

**Staff:** David Rubenstein (786-7153).

**Background:**

Practitioners of body art, body piercing, and tattooing make generally permanent changes to the bodies of their clients for cosmetic purposes. Practitioners in these fields and shops or businesses providing such services are regulated by the Department of Licensing (DOL).

Licensing Requirements.

Applicants for licensing in body art, body piercing, and tattooing must be over 18 years old, provide information requested by DOL, provide certification of insurance and blood-borne pathogen training, and a fee. There are two kinds of licenses: shop or business and individual. Shop or business license applicants must also meet other requirements, such as providing toilet facilities and separating any residential areas. Individual applicants are not subject to special additional requirements.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

No training other than blood-borne pathogen training is expressly required by statute or rule.

### Permanent Cosmetics.

The DOL defines permanent cosmetics as the application of permanent eyeliner, eyebrows, lip liner, lip color, and repigmentation using tattooing techniques. Currently, practitioners of permanent cosmetics are licensed through the general tattooing, body piercing, and body art statute.

### **Summary of Bill:**

"Permanent cosmetics" is defined as a technique that includes tattoos to resemble makeup, such as eyelining.

Professional licensing procedures and requirements for permanent cosmetics are created in line with existing licensing procedures for practitioners of body art, body piercing, and tattooing.

The requirement that the DOL cancel a non-renewed license and that the licensee submit an application, pay a fee, and meet current licensing requirements is eliminated.

Minimum requirements for individual licensure for body art, body piercing, tattooing, and permanent cosmetics include:

- at least 18 years of age;
- completion of an internship training program or one year experience in another jurisdiction;
- current blood-borne pathogen training certification;
- license fee; and
- passage of an examination by the DOL.

The DOL may issue 30-day guest licenses to practitioners meeting the requirements for licensure in Washington or proving licensure in good standing in another state or foreign country.

Examinations for initial licensure must measure the applicant's knowledge of safe and sanitary practices and may test the applicant's knowledge of the law.

Shops or businesses participating in an internship training program must notify customers of their participation.

If a court determines that a licensee has failed to pay child support, or if a lending agency certifies that a licensee is in nonpayment or default on student loans, the DOL must suspend the license. Licensees are given an opportunity to challenge the suspension and may seek reinstatement.

Excludes internship training programs approved by the DOL for body art, body piercing, tattooing, and permanent cosmetics from the law governing private vocational schools.

The DOL is granted rulemaking authority with respect to internship training programs, guest artists, and examinations.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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