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HOUSE BILL 1856

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State of Washington

66th Legislature

2019 Regular Session

By Representatives Tharinger, Caldier, Cody, Kloba, Wylie, Corry, Sutherland, Ybarra, Steele, Peterson, Klippert, DeBolt, Stanford, Doglio, Mead, Ryu, and Macri

Read first time 02/01/19. Referred to Committee on Health Care & Wellness.

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

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

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

6 (1)(a) Except as provided in (b) of this subsection, a person may  
7 not perform or offer to perform scleral tattooing on another person.

8 (b) This subsection does not apply to an act of a physician  
9 licensed under chapter 18.71 RCW when the act is performed in the  
10 scope of the physician's practice.

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

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

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

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

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

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

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

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