
SUBSTITUTE HOUSE BILL 1856

State of Washington

67th Legislature

2021 Regular Session

By House Health Care & Wellness (originally sponsored by Representative Tharinger)

1 AN ACT Relating to prohibiting scleral tattooing; amending RCW
2 18.300.100; adding a new section to chapter 70.54 RCW; and
3 prescribing penalties.

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

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

7 (1) A person may not perform or offer to perform scleral
8 tattooing on another person.

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

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

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

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

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

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

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

11 **Sec. 2.** RCW 18.300.100 and 2009 c 412 s 11 are each amended to
12 read as follows:

13 In addition to the unprofessional conduct described in RCW
14 18.235.130, the director may take disciplinary action against any
15 applicant or licensee under this chapter if the licensee or
16 applicant:

17 (1) Has been found to have violated any provisions of chapter
18 19.86 RCW;

19 (2) Has engaged in a practice prohibited under RCW 18.300.030
20 without first obtaining, and maintaining in good standing, the
21 license required by this chapter;

22 (3) Has failed to display licenses required in this chapter;
23 ((~~or~~))

24 (4) Has violated any provision of this chapter or any rule
25 adopted under it; or

26 (5) Has been found to have violated section 1 of this act.

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