

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 203  
Committee Substitute Favorable 4/7/93

Short Title: Tattooing Regulated.

(Public)

Sponsors:

Referred to:

February 18, 1993

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THAT INDIVIDUALS AND BUSINESSES ENGAGED IN  
3 THE PRACTICE OF TATTOOING OBTAIN A PERMIT FROM THE  
4 DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL  
5 RESOURCES.

6 The General Assembly of North Carolina enacts:

7 Section 1. Chapter 130A is amended by adding the following new Part to  
8 read:

9 **"PART 11. TATTOOING.**

10 **"§ 130A-283. Definitions.**

11 As used in this Part, the term 'tattooing' means the inserting of permanent markings  
12 or coloration, or the producing of scars, upon or under human skin through puncturing  
13 by use of a needle or other instrument or equipment, or by any other means or method.

14 **"§ 130A-284. Tattooing regulated.**

15 (a) No person shall engage in the business, practice, or art of tattooing upon the  
16 body of another human being without first obtaining a valid permit from the  
17 Department. Individuals licensed to practice medicine, and licensed physician assistants  
18 and nurse practitioners, working under the supervision of a licensed physician, who  
19 perform tattooing within the normal course of their professional practice are exempt  
20 from the requirements of this Part.

21 (b) The Commission shall adopt rules governing the sanitation of premises,  
22 utensils, equipment, and procedures used by applicants for tattoo permits.

1 (c) Upon receipt of an application for issuance or renewal of a permit to engage  
2 in the business, practice, or art of tattooing, the Department shall inspect the premises,  
3 instruments, utensils, equipment, and procedures of the applicant to ensure compliance  
4 with rules adopted by the Commission governing tattooing.

5 (d) After inspection and upon determining that the applicant for a permit under  
6 this Part has complied with the rules of the Commission governing tattooing, the  
7 Department shall issue a permit to the applicant which shall be valid for not more than  
8 one year, and shall be renewable annually, thereafter.

9 (e) If during the permit period or upon application for renewal, the Department  
10 determines upon inspection that tattooing is being performed in violation of  
11 Commission rules governing tattooing, the Department may suspend, revoke, or refuse  
12 to renew the permit until such time as the applicant has complied with the Commission  
13 rules.

14 **"§ 130A-285. Limitations.**

15 (a) Compliance with this Part shall not be a bar to prosecution for violation of  
16 G.S. 14-400.

17 (b) A permit issued pursuant to this Part does not authorize a person to remove a  
18 tattoo from the body of a human being."

19 Sec. 2. G.S. 130A-39(g) reads as rewritten:

20 "(g) A local board of health may impose a fee for services to be rendered by a  
21 local health department, except where the imposition of a fee is prohibited by statute or  
22 where an employee of the local health department is performing the services as an agent  
23 of the State. Notwithstanding any other provisions of law, a local board of health may  
24 impose cost-related fees for services performed pursuant to Article 11 of this Chapter,  
25 'Wastewater Systems,' ~~and for services~~ performed pursuant to Part 10, Article 8 of this  
26 Chapter, 'Public Swimming Pools.' ~~Pools', and for services performed pursuant to Part~~  
27 11, Article 8 of this Chapter, 'Tattooing'. Fees shall be based upon a plan recommended  
28 by the local health director and approved by the local board of health and the  
29 appropriate county board or boards of commissioners. The fees collected under the  
30 authority of this subsection are to be deposited to the account of the local health  
31 department so that they may be expended for public health purposes in accordance with  
32 the provisions of the Local Government Budget and Fiscal Control Act."

33 Sec. 3. This act becomes effective January 1, 1994.