

HOUSE BILL NO. 2075

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TATE.

4552H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 324.520, RSMo, and to enact in lieu thereof one new section relating to tattooing, with penalty provisions and a delayed effective date.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 324.520, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 324.520, to read as follows:

324.520. 1. As used in sections 324.520 to 324.524, the following terms mean:

(1) "Body piercing", the perforation of human tissue other than an ear for a nonmedical purpose;

(2) "Branding", a permanent mark made on human tissue by burning with a hot iron or other instrument;

(3) "Controlled substance", any substance defined in section 195.010;

(4) "Minor", a person under the age of eighteen;

(5) "Tattoo", one or more of the following:

(a) ~~[An indelible]~~ **A mark made on the body of another person by the insertion of a permanent pigment under the skin with the aid of needles; ~~[or]~~**

(b) **A mark made on the face or body of another person for cosmetic purposes or to any part of the body for scar coverage or other corrective purposes by the insertion of a permanent pigment under the skin with the aid of needles; or**

(c) An indelible design made on the body of another person by production of scars other than by branding.

2. No person shall knowingly tattoo, brand or perform body piercing on a minor unless such person obtains the prior written informed consent of the minor's parent or legal

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 guardian. The minor's parent or legal guardian shall execute the written informed consent
19 required pursuant to this subsection in the presence of the person performing the tattooing,
20 branding or body piercing on the minor, or in the presence of an employee or agent of such
21 person. Any person who fraudulently misrepresents himself or herself as a parent is guilty of
22 a class B misdemeanor.

23 3. A person shall not tattoo, brand or perform body piercing on another person if the
24 other person is under the influence of intoxicating liquor or a controlled substance.

25 4. A person who violates any provisions of sections 324.520 to 324.526 is guilty of a
26 misdemeanor and shall be fined not more than five hundred dollars. If there is a subsequent
27 violation within one year of the initial violation, such person shall be fined not less than five
28 hundred dollars or more than one thousand dollars.

29 5. No person under the age of eighteen shall tattoo, brand or perform body piercing
30 on another person.

31 **6. Any person performing microblading prior to August 28, 2023, who has**
32 **registered with the division of professional registration as an apprentice to engage in**
33 **learning the practice of tattooing, body piercing, or branding under the supervision of a**
34 **Missouri licensed practitioner may apply to the division for a waiver to continue**
35 **performing microblading until such person obtains his or her license to practice**
36 **tattooing, body piercing, or branding; except that, no such waiver shall remain in effect**
37 **beyond August 28, 2024. For the purposes of this subsection, "microblading" means a**
38 **tattooing technique in which a small hand-held tool made of several tiny needles is used**
39 **to add pigment to the skin.**

Section B. Section A of this act shall become effective on August 28, 2023.

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