

FIRST REGULAR SESSION

# HOUSE BILL NO. 71

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TATE.

0646H.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 the definition of tattoo.

*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Section A. Section 324.520, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 324.520, to read as follows: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 or semipermanent pigment under the skin with the aid of needles, blades, or other instruments; [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 or semipermanent pigment under the skin with the aid of needles, blades, or other instruments; or**

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

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           2. No person shall knowingly tattoo, brand or perform body piercing on a minor unless  
19 such person obtains the prior written informed consent of the minor's parent or legal guardian.  
20 The minor's parent or legal guardian shall execute the written informed consent required pursuant  
21 to this subsection in the presence of the person performing the tattooing, branding or body  
22 piercing on the minor, or in the presence of an employee or agent of such person. Any person  
23 who fraudulently misrepresents himself or herself as a parent is guilty of a class B misdemeanor.

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

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

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

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