

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 203

Short Title: Tattooing Regulated.

(Public)

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Sponsors: Representatives Ives; Colton, Dickson, Esposito, Gray, Joye, Mavretic, McCombs, Mitchell, Weatherly, and P. Wilson.

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Referred to: Judiciary III.

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February 18, 1993

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THAT INDIVIDUALS OR BUSINESSES ENGAGED IN  
3 THE PRACTICE OF TATTOOING OBTAIN A PERMIT FROM THE LOCAL  
4 HEALTH DEPARTMENT.

5 The General Assembly of North Carolina enacts:

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

8 **"PART 11. TATTOOING.**

9 **"§ 130A-283. Definitions.**

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

13 **"§ 130A-284. Tattooing regulated.**

14 No person shall engage in the business, practice, or art of tattooing upon the body of  
15 another human being without first obtaining a valid permit from the local health  
16 department.

17 Permits obtained under this section shall be renewable annually upon inspection and  
18 determination by the local health department that the premises, utensils, equipment, and  
19 procedures where the tattooing is conducted meet the sanitation requirements  
20 established by the Commission for Health Services.

21 **"§ 130A-285. Commission to adopt rules.**

22 The Commission for Health Services shall adopt rules governing the sanitation of  
23 premises, utensils, equipment, and procedures used by applicants for tattoo permits.

1 Rules adopted pursuant to this section shall be in accordance with Chapter 150B of the  
2 General Statutes.

3 **"§ 130A-286. Local health department to inspect; permits; fees.**

4 (a) Upon receipt of an application for issuance or renewal of a permit to engage  
5 in the business, practice, or art of tattooing, the local health department shall inspect the  
6 premises, utensils, equipment, and procedures of the applicant to ensure compliance  
7 with rules adopted by the Commissioner for Health Services governing tattooing.

8 (b) After inspection and upon determining that the applicant for a permit under  
9 this Part has complied with the rules of the Commission governing tattooing, the local  
10 health department shall issue a permit to the applicant which shall be valid for not more  
11 than one year, and shall be renewable annually, thereafter.

12 (c) If during the permit period or upon application for renewal, the local  
13 department determines upon inspection that tattooing is being performed in violation of  
14 Commission rules governing tattooing, the department may suspend, revoke, or refuse  
15 to renew the permit until such time as the applicant has complied with the Commission  
16 rules.

17 (d) The local health department may charge a fee for services rendered pursuant  
18 to this section in accordance with G.S. 130A-39(g).

19 **"§ 130A-287. Penalties.**

20 A person who violates the provisions of G.S. 130A-284 shall be guilty of a  
21 misdemeanor punishable by a fine not to exceed five hundred dollars (\$500.00),  
22 imprisonment for not more than six months, or both.

23 **"§ 130A-288. Effect of this part upon prosecution for violation of G.S. 14-400.**

24 Compliance with this Part shall not be a bar to prosecution for violation of G.S. 14-  
25 400."

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

27 "(g) A local board of health may impose a fee for services to be rendered by a  
28 local health department, except where the imposition of a fee is prohibited by statute or  
29 where an employee of the local health department is performing the services as an agent  
30 of the State. Notwithstanding any other provisions of law, a local board of health may  
31 impose cost-related fees for services performed pursuant to Article 11 of this Chapter,  
32 'Wastewater Systems,' ~~and for~~ services performed pursuant to Part 10, Article 8 of this  
33 Chapter, 'Public Swimming Pools.' 'Pools', and for services performed pursuant to Part  
34 11, Article 8 of this Chapter, 'Tattooing'. Fees shall be based upon a plan recommended  
35 by the local health director and approved by the local board of health and the  
36 appropriate county board or boards of commissioners. The fees collected under the  
37 authority of this subsection are to be deposited to the account of the local health  
38 department so that they may be expended for public health purposes in accordance with  
39 the provisions of the Local Government Budget and Fiscal Control Act."

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