



HOUSE BILL 250: Body Art Regulation Changes.

2017-2018 General Assembly

Committee:	House Finance	Date:	April 25, 2017
Introduced by:	Reps. Corbin, Bert Jones, Murphy	Prepared by:	Greg Roney Committee Counsel
Analysis of:	PCS to Second Edition H250-CSTMf-5		

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 250 would apply the current regulation of tattooing and scarification to a broader range of activity, called body art, that includes body piercing.*

The existing regulations are expanded by:

- *Making a violation of the body art regulations a Class A1 misdemeanor*
- *Broadening the list of unauthorized activities by a person holding a body art permit to forbid the insertion of an object under the skin (subdermal implants), treatment of injuries or disorders of the body, and the practice of medicine.*

The finance component of the PCS for House Bill 250 is the license fee paid to local boards of health for a body art permit. The annual fee amount is set by the local board of health and is not affected by the bill. The PCS would require body piercers to pay the fee.

CURRENT LAW: Part 11 of Article 8 of Chapter 130A of the General Statutes sets out public health sanitation and permit requirements for tattooing and scarification. This Part specifically applies to the practice of tattooing and the requirements for obtaining and renewing a permit from the Department of Health and Human Services or local health department in order to engage in tattooing. The Commission for Public Health adopted a suite of rules to implement this Part (15A NCAC 18A .3200 et seq.).

BILL ANALYSIS: The PCS for House Bill 250 would expand Part 11 of Article 8 of Chapter 130A of the General Statutes to define and regulate "body art," to mean procedures conducted for aesthetic purposes to the human body that include body piercing, branding, scarification, and tattooing. The term "body piercing" does not include the puncturing of the external part of the earlobe.

The PCS would add a new criminal offense for any violations of the Part as a Class A1 misdemeanor.

The PCS would provide that this Part does not authorize a person holding a body art permit to remove a tattoo, insert an object under the skin, treat injuries or disorders of the body, or otherwise practice medicine as defined in Article 1 of Chapter 90 of the General Statutes (Practice of Medicine).

The PCS would make conforming changes to the statutes governing the powers and duties of both the Commission for Public Health and local boards of health to reflect the amendments to this Part.

EFFECTIVE DATE: The PCS for House Bill 250 would be effective July 1, 2018. Permits for tattooing issued before July 1, 2018, remain valid until expiration.

Karen Cochrane-Brown
Director



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Legislative Analysis
Division
919-733-2578