

SUBJECT: Regulation of tattoo studios

COMMITTEE: Public Health — committee substitute recommended

VOTE: 6 ayes — Berlanga, Hirschi, Glaze, Maxey, McDonald, Rodriguez
0 nays

3 absent — Coleman, Delisi, Janek

WITNESSES: *(On original version)*

For — Sandy Prindle, Justice of the Peace of Texas Association

Against — Roxanne Wheelis, Texas Tattoo Association

On — Cynthia Culmo, Texas Department of Health

BACKGROUND: In 1993 the 73rd Legislature enacted HB 1217 by Delisi, which established a program to regulate the Texas tattoo industry.

DIGEST: CSHB 2402 would amend the Health and Safety Code to change the term tattoo parlor to tattoo studio.

A person wishing to operate a tattoo studio would be required to file a signed and verified license statement with the Texas Department of Health. The bill would delete a requirement that the department inspect a tattoo studio before issuing a license. Temporary licenses would be valid for no more than seven days.

Tattooing licensure requirements would not apply to tattooing done at a licensed medical facility and by an office or clinic of a person licensed by the Board of Medical Examiners.

A tattooist would be allowed to tattoo a person under 18 only with written or notarized consent from a parent or guardian who has determined that it is in the best interest of the minor to cover up a tattoo that is obscene, gang

or drug related or considered by a court to be in the best interest of the minor to cover.

**SUPPORTERS
SAY:**

CSHB 2406 would make necessary changes and clarifications to legislation passed by the 73rd Legislature to regulate tattoo parlors. The term "tattoo parlor" would be changed to tattoo studio, a term the tattooing industry prefers.

The bill would remove a requirement for pre-licensure inspection of tattoo studios, which has been expensive and burdensome for the Department of Health.

Licensed medical professionals would be allowed to perform tattoos without a license, aiding plastic surgeons who sometimes use tattoos in their work.

CSHB 2406 would also permit parents and guardians to consent to having a minor tattooed to cover an obscene, gang or drug-related tattoo, which could be considered detrimental to the child. Added by the committee substitute, this provision would allow needed flexibility rather than a blanket prohibition against minors getting tattoos.

**OPPONENTS
SAY:**

No apparent opposition

NOTES:

The substitute added a provision which would allow minors to have tattoos removed that are obscene, drug or gang-related if their parents or guardians give written or notarized consent. The original version would have allowed a temporary location license to be issued for tattooing performed at a site for 7 days or less in conjunction with a specific event.