

BILL ANALYSIS

Senate Research Center
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S.B. 1317
By: Van de Putte
Health & Human Services
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DIGEST AND PURPOSE

Current Texas law requires tattoo artists to have training in aseptic techniques, but does not set forth a minimum standard to ensure that such persons actually comply with the requirement. As proposed, S.B. 1317 requires tattoo artists and persons who perform body piercing to receive initial and recurring training regarding bloodborne pathogens, infection control, and aseptic techniques from trainers certified by the Occupational Safety and Health Administration. In addition, S.B. 1317 makes proof of such training a prerequisite for acquiring or renewing a license for a tattoo or body piercing studio or temporary location.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 146, Health and Safety Code, by adding Section 146.0085, as follows:

Sec. 146.0085. O.S.H.A TRAINING PROGRAM. (a) Requires a tattooist or person who performs body piercing to complete a 10-hour Occupational Safety and Health Administration (OSHA) outreach training course that includes six hours related to bloodborne pathogens, infection control, and aseptic technique before performing a tattoo or body piercing at a tattoo or body piercing studio, except as provided by Subsection (e). Requires a tattooist or person who performs body piercing to annually complete at least four hours of training related to bloodborne pathogens, infection control, and aseptic technique.

- (b) Requires a training program under this section to be conducted by an OSHA trainer who is knowledgeable in tattoos and body piercing.
- (c) Requires a trainer to issue a course completion card from OSHA to a tattooist or person who performs body piercing who completes the 10-hour training course and a training certificate to such a person who completes the training under Subsection (a)(2).
- (d) Requires a tattooist or person who performs body piercing to display the course completion card in the studio or temporary location.
- (e) Exempts a tattooist or person who performs body piercing who is an authorized OSHA trainer from completing a training program under this section. Requires the trainer to display a current diploma from the OSHA Training Institute.

SECTION 2. Amends Section 146.003(a), Health and Safety Code, by creating Subdivision (1) from existing text and adding Subdivision (2) to require a person applying for a tattoo studio license, body piercing studio license, or temporary location license to submit a copy of certain certification earned

under Section 146.0085 for each tattooist or person who performs body piercing at the studio.

SECTION 3. Amends Section 146.004(b), Health and Safety Code, to require a studio to submit, upon renewal of the studio's license, a copy of certain certification earned under Section 146.0085 for each tattooist or person who performs body piercing at the studio.

SECTION 4. Exempts a tattooist or person who performs body piercing who has performed at least 50 body piercing procedures from being required to complete the training program required under Section 146.0085, Health and Safety Code, before January 31, 2004.

SECTION 5. Effective date: September 1, 2003.