

STAND. COM. REP. NO. 1041

Honolulu, Hawaii

March 20, 2009

RE: S.B. No. 1263  
S.D. 2  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 1263, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO TATTOO ARTISTS,"

begs leave to report as follows:

The purpose of this bill is to protect consumers of services in the tattooing industry by:

- (1) Requiring a permit issued by the Department of Health (DOH) for the operation of a tattoo shop; and
- (2) Providing for the issuance of temporary licenses for qualified out-of-state tattoo artists participating in events such as educational, trade show, or product demonstration purposes.

The Hawaii Medical Association, Coalition for Safe Tattooing in Hawaii, and several concerned individuals supported this bill. DOH submitted comments.

Your Committee has amended this bill by:

- (1) Clarifying that participating tattoo artists in certain events for monetary gain will require payment of a \$500 fee;

SB1263 HD1 HSCR HLT HMS 2009-3148



- (2) Requiring DOH to notify an applicant for a temporary license of the status of the application within twenty days;
  - (3) Clarifying the types of violations that may subject a tattoo artist to license revocation, including:
    - (A) Reckless behavior or negligence;
    - (B) An arrest or conviction for substance abuse or trafficking of illegal substances;
    - (C) Disability caused by a mental disorder; or
    - (D) Aiding another person in practicing tattooing under false pretenses;
- and
- (4) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1263, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1263, S.D. 2, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Health,



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RYAN J. YAMANE, Chair



State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

HSCR 1041

**Record of Votes of the Committee on Health**

<b>Bill/Resolution No.:</b> SB 1263 SD 2	<b>Committee Referral:</b> HLT, CPC/JUD, FIN	<b>Date:</b> 03-17-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	/			
2. NISHIMOTO, Scott Y. (VC)	/			
3. BELATTI, Della Au				/
4. BERTRAM, Joe, III	/			
5. BROWER, Tom	/			
6. CARROLL, Mele				/
7. MIZUNO, John M.	/			
8. SHIMABUKURO, Maile S.L.	/			
9. FINNEGAN, Lynn				/
<b>TOTAL (9)</b>	6			3
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
<b>Vice Chair's or designee's signature:</b>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				