
A BILL FOR AN ACT

RELATING TO TATTOO ARTISTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 321, Hawaii Revised Statutes, is
2 amended by adding two new sections to part XXX to be
3 appropriately designated and to read as follows:

4 **"§321- Restrictions on sale of tattoo supplies. (a)**

5 No tattoo supplies shall be sold to any person under the age of
6 eighteen years.

7 (b) No tattoo supplies shall be sold to:

8 (1) Any person not licensed under this chapter as a tattoo
9 artist; or

10 (2) Any tattoo shop without a permit issued by the
11 department pursuant to section 321-373.5 and any rules
12 adopted pursuant to chapter 321.

13 **§321- Blood test required for licensure.** In addition to

14 other requirements as may be imposed by the department for

15 licensure as a tattoo artist, beginning on January 1, 2013,

16 every applicant for a license shall pass a blood borne pathogen

17 test developed specifically for the tattoo industry and approved

18 by the director as a prerequisite for licensure. A person who



1 holds a license under this part shall pass the blood borne
2 pathogen test every four years after the initial test for
3 licensure in order to continue to hold a license under this
4 chapter."

5 SECTION 2. Section 321-373.5, Hawaii Revised Statutes, is
6 amended by amending subsection (d) to read as follows:

7 "(d) The department may issue a temporary permit valid for
8 a maximum of seven consecutive days per calendar year for
9 locations other than a permitted tattoo shop for the purpose of
10 a trade show, product demonstration, or educational
11 demonstration; provided that the show or demonstration shall
12 meet all safety and hygiene standards as specified by the
13 director and in this chapter[-]; provided that no body
14 modifications or body piercing shall be conducted. The
15 temporary permit application shall be made in writing to the
16 department at least sixty days prior to the scheduled event,
17 shall include specific measures to meet specified health and
18 safety standards, and may be subject to a site inspection.
19 Temporary permit applicants shall pay a \$50 nonrefundable
20 application fee in addition to:

- 21 (1) A \$500 nonrefundable permit fee for an event featuring
22 not more than forty participating tattoo artists; or



1 (2) A \$50 nonrefundable permit fee for an event featuring
2 less than three participating tattoo artists
3 demonstrating for educational purposes only, without
4 compensation, consideration, or donation by the
5 public;
6 provided that the department may annually increase the fees
7 specified in paragraphs (1) and (2) by not more than \$100 and
8 \$10 per year, respectively."

9 SECTION 3. (a) There is established a tattoo artist task
10 force to review chapter 17, Hawaii Administrative Rules,
11 relating to tattoo artists, with the goal of enhancing the
12 regulation of tattoo artists. The tattoo artist task force
13 shall be co-chaired by the chair of the senate committee on
14 public safety, government operations, and military affairs and
15 the chair of the house committee on public safety and military
16 affairs. In addition to the chairs, the governor, senate
17 president, and speaker of the house of representatives shall
18 each select three members to the tattoo artist task force;
19 provided that one member selected by each appointing authority
20 shall be a person licensed under chapter 321, Hawaii Revised
21 Statutes, as a tattoo artist.



1 (b) The tattoo artist task force shall hold a public
2 meeting not less than four times for the purpose of receiving
3 input from members of the general public.

4 (c) The tattoo artist task force shall report to the
5 legislature no later than twenty days prior to the convening of
6 the regular session of 2013 its findings and recommendations,
7 including proposed legislation to enhance the regulation of
8 tattoo artists. The legislative reference bureau shall assist
9 the task force in preparing its report and any proposed
10 legislation; provided that the task force submits a draft of the
11 task force's proposals to the legislative reference bureau no
12 later than November 1, 2012.

13 SECTION 4. Every person licensed as a tattoo artist under
14 chapter 321, Hawaii Revised Statutes, as of the effective date
15 of this Act shall be required to pass a blood borne pathogen
16 test developed specifically for the tattoo industry and approved
17 by the director of health, no later than , as a
18 requirement to continue to be licensed as a tattoo artist.

19 SECTION 5. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Tattoo Artists; Regulation

Description:

Restricts the sale of tattoo supplies. Requires blood borne pathogen test as a prerequisite for licensure beginning 1/1/2013 and every four years after initial test to continue to hold a license. Prohibits body piercing or body modifications at tattoo trade shows. Creates a tattoo artist task force. Reports to legislature. (SD1)

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