

Honolulu, Hawaii

March 16, 2012

RE: S.B. No. 2398  
S.D. 2  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 2398, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to enhance the licensing and regulation of tattoo artists by, among other things:

- (1) Restricting the sale of tattoo supplies;
- (2) Requiring every tattoo artist license applicant to pass a blood borne pathogen test as a prerequisite for licensure;
- (3) Prohibiting body modification or piercing at product or educational demonstrations;
- (4) Prohibiting tattoo trade shows in the State; and
- (5) Establishing a tattoo artist task force to enhance the regulation of tattoo artists and report findings and recommendations to the Legislature prior to the 2013 Regular Session.



The CHOW Project, Hep Free Hawaii, and several individuals testified in support of this measure. The Department of Health and two individuals testified in opposition to this measure. Several individuals commented on this measure.

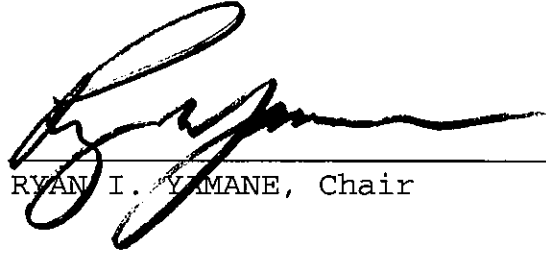
Your Committee has amended this measure by:

- (1) Defining "tattoo supplies";
- (2) Requiring a person holding a tattoo artist license to pass a blood borne pathogen test every two years, instead of every four years, after the initial test for licensure;
- (3) Specifying that the adoption of rules by the Department of Health shall include defining "trade show" and the licensing of trade shows as they relate to tattoo artists;
- (4) Prohibiting tattoo trade shows in the State until rules are adopted by the Department of Health defining "trade shows" and the licensing thereof;
- (5) Deleting the \$500 nonrefundable permit fee for an event featuring not more than 40 participating tattoo artists;
- (6) Having the tattoo artist task force be co-chaired by the chairs of the Senate Committee on Health and the House Committee on Health, rather than the chairs of the Senate Committee on Public Safety, Government Operations, and Military Affairs and the House Committee on Public Safety and Military Affairs;
- (7) Requiring an individual representing Hawaiian cultural practices to serve on the task force;
- (8) Deleting the requirement that the task force hold public meetings not less than four times; and
- (9) Making technical, nonsubstantive amendments 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. 2398, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2398, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

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



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RYAN I. YAMANE, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

*Issue 1052-12*

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

Bill/Resolution No.: <i>SB 2398, SD2</i>	Committee Referral: <i>HLT, CPC, CMG</i>	Date: <i>3/13/12</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <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. MORIKAWA, Dee (VC)	✓			
3. BELATTI, Della Au	✓			
4. HANOHANO, Faye P.	✓			
5. JORDAN, Jo	✓			
6. LEE, Chris	✓			
7. MIZUNO, John M.	✓			
8. WOOLEY, Jessica	✓			
9. CHING, Corinne W.L.	✓			
10. PINE, Kymberly Marcos				✓
TOTAL (10)	<i>9</i>			<i>1</i>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ <i>[Signature]</i>				
Distribution:    Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				