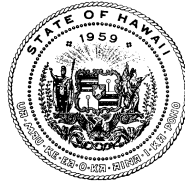


SB2190

Measure Title: RELATING TO TATTOOS.
Report Title: Tattoo Supplies; Restrictions on Sale
Description: Restricts sale of tattoo supplies to certain persons or tattoo shops.
Defines tattoo supplies.
Companion:
Package: None
Current Referral: CPH
Introducer(s): ESPERO, CHUN OAKLAND, Baker, Kidani, Nishihara



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
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Testimony in OPPOSITION to SB 2190
RELATING TO TATTOOS

SENATOR ROSALYN H. BAKER, CHAIR
SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION & HEALTH

Hearing Date: February 24, 2016

Room Number: 229

Time: 10:00 AM

1 **Fiscal Implications:** This bill will require resources that are not currently included in the
2 executive budget.

3 **Department Testimony:** The department opposes the bill as it would require resources
4 currently unavailable to the department. The bill requests that the department regulate and
5 control the sales of tattoo supplies to minors, unlicensed tattoo artists and shops. This would be
6 very difficult to accomplish without substantial resources, as enforcement of these sales would
7 certainly require clandestine “under cover” purchases by the department along with the tracking
8 and enforcing internet sales of these items in Hawaii. The sale of tattoo supplies has no direct
9 impact on communicable disease transmission. Public health is protected through the regulating
10 of aseptic practices by the tattoo artist within the licensed tattoo shop, and not by whom or what
11 supplies were purchased.

12 The department’s focus with its limited resources should be to regulate the activities of
13 industry or persons that have a direct impact on public health protection.

14 **Offered Amendments:** No amendments offered at this time, however, should the measure
15 move forward, it is recommended that the responsibility of prohibiting and enforcing the sale of
16 tattoo supplies to authorized entities be assigned to local law enforcement.

17 Thank you for the opportunity to testify on this measure.



SB2190
RELATING TO TATTOOS

Senate Committee on Commerce, Consumer Protection, and Health

February 24, 2016

10:00 a.m.

Room 229

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on SB2190, which may unreasonably inhibit the perpetuation of traditional Hawaiian tattoo practices, by prohibiting the sale of tattoo supplies except under a narrow set of circumstances.

Traditional Hawaiian tattoos can have important spiritual and cultural significance. Tattoos can recognize an individual's genealogy and geographic heritage, thereby preserving and perpetuating Native Hawaiians' cultural and ancestral connections. They can also be used to memorialize events of significance, such as the death or loss of an important individual in one's life. Traditional tattoo practitioners undergo many years of rigorous training to develop the skills to practice this custom using traditional tools and methods. Notably, recognition as a Native Hawaiian traditional tattoo practitioner can only be bestowed upon an individual who has completed their training under a master artist.

OHA notes that this measure would regulate the sale of supplies commonly used by Native Hawaiian cultural tattoo practitioners, such as pigment. OHA is concerned that this bill does not include exemptions for recognized Native Hawaiian cultural tattoo practitioners, who engage in traditional tattooing and may need to purchase pigment or other supplies. Without such exemptions, this measure could inadvertently hinder the ability of Native Hawaiians to perpetuate important cultural traditions and protocols. Accordingly, should the Committee choose to move this measure forward, OHA urges the addition of an additional subsection (c) to the proposed new statute, to read as follows:

"(c) This section shall not apply to the sale of tattoo supplies for the exercise of Native Hawaiian traditional and customary practices."

Mahalo nui loa for the opportunity to testify on this measure.

From: [antone hall](#)
To: [CPH Testimony](#)
Subject: testimony for bill sb2190
Date: Tuesday, February 23, 2016 11:14:55 AM

Aloha! My name is Antone Tama Hall - partner with the Hawaii Tattoo Expo. I would like to share my **Full support of Bill SB2190**. It is a very crucial and an important step in approving this standard for the industry. Thank you.

ANTONE "TAMA" HALL (partner)
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From: mailinglist@capitol.hawaii.gov
To: [CPH Testimony](#)
Cc: tattoo@lava.net
Subject: *Submitted testimony for SB2190 on Feb 24, 2016 10:00AM*
Date: Tuesday, February 23, 2016 7:52:16 AM

SB2190

Submitted on: 2/23/2016

Testimony for CPH on Feb 24, 2016 10:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tricia Allen	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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