

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: S2/11/03

A Bill

Act 266 of 2003
SENATE BILL 128

5 By: Senator Horn
6 *By: Representative Bennett*
7

For An Act To Be Entitled

10 AN ACT CONCERNING LICENSES FOR TATTOO AND
11 PIERCING BUSINESSES; FOR TATTOO AND PIERCING
12 ARTISTS; AND FOR OTHER PURPOSES.
13

Subtitle

15 AN ACT CONCERNING LICENSES FOR TATTOO
16 AND PIERCING BUSINESSES AND TATTOO AND
17 PIERCING ARTISTS.
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 20-27-1503 is amended to read as follows:

23 § 20-27-1503. Department of Health to inspect for health hazards.

24 (a)(1) ~~Beginning January 1, 2002, body~~ Body piercing, branding, and
25 tattooing studios, ~~and businesses, and artists~~ which perform body piercing,
26 branding, or tattooing shall be licensed by the Department of Health.

27 (2) The business premises, equipment, procedures, techniques,
28 and conditions of those businesses shall be subject to periodic inspection by
29 the department.

30 (b)(1) The department is authorized to adopt appropriate rules and
31 regulations regarding the artist, premises, equipment, procedures,
32 techniques, and conditions of studios and businesses which perform procedures
33 subject to the provisions of this subchapter to assure that the premises,
34 equipment, procedures, techniques, and conditions are aseptic and do not
35 constitute a health hazard.

36 (2) Any rule or regulation affecting tattoo artists or studios



1 in effect on August 13, 2001, shall remain in effect until the State Board of
2 Health adopts rules and regulations pursuant to this subchapter.

3 (c) Applicants for a license shall file applications upon forms
4 prescribed by the department.

5 (d) A license shall be issued only for the premises and persons in the
6 application and shall not be transferable.

7 (e)(1)(A) The department ~~is authorized to~~ shall levy and collect an
8 annual fee of ~~two hundred fifty dollars (\$250)~~ one hundred fifty dollars
9 (\$150) per facility for issuance of a license to a studio or business that
10 performs body piercing, branding, or tattooing.

11 (B) The department shall levy and collect an annual fee of
12 one hundred dollars (\$100) per artist for issuance of a license to an artist
13 that performs body piercing, branding, or tattooing.

14 (2) The annual fee shall be based upon the calendar year,
15 January 1 through December 31, with fees for any given year due by December
16 31 of the previous year.

17 (3) ~~License applications~~ If the annual fee for existing
18 ~~businesses received after that date shall be subject to a penalty of two~~
19 ~~dollars (\$2.00) per day~~ licensed businesses has not been paid by March 1st of
20 the calendar year, the business shall be closed until a new license has been
21 issued by the department and the annual fee has been paid.

22 (4)(A) If the annual fee for a licensed artist has not been paid
23 by March 1st of the calendar year, the artist shall have his or her license
24 revoked.

25 (B) If an artist has his or her license revoked, he or she
26 must be retested and complete a new apprenticeship under a licensed artist
27 before a license may be reissued.

28 ~~(4)~~(5) In addition to the penalty provisions found in this
29 subsection, any studio or business owner operating without a current license
30 is subject to the penalties and fines allowed by § 20-7-101.

31 (f) All fees levied and collected under the provisions of this
32 subchapter are declared to be special revenues and shall be deposited in the
33 State Treasury, there to be credited to the Public Health Fund to be used
34 exclusively for the Department of Health's Tattoo and Piercing Program.

35 (g) Subject to any rules and regulations as may be implemented by the
36 Chief Fiscal Officer of the State, the disbursing officer for the department

1 is authorized to transfer all unexpended funds relative to the health
2 facility services that pertain to fees collected, as certified by the Chief
3 Fiscal Officer of the State, to be carried forward and made available for
4 expenditures for the same purpose for any following fiscal year.

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/s/ Horn

APPROVED: 2/28/2003