

HOUSE BILL NO. HB0013

Body art-parental consent.

Sponsored by: Representative(s) Simpson and Childers and
Senator(s) Coe and Northrup

A BILL

for

1 AN ACT relating to children; prohibiting the performance of
2 body-art upon minors without parental consent; providing
3 definitions; and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 14-3-107(a) and (c) is amended to
8 read:

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10 **14-3-107. Performing body-art on persons who have not**
11 **reached the age of majority; penalties; definition.**

12

13 (a) No person shall knowingly ~~place a tattoo~~ perform
14 body-art upon or under the skin of a person who has not
15 reached the age of majority, except with the consent of the
16 person's parent or legal guardian who is present at the

1 time the ~~tattoo~~body-art procedure is performed upon the
2 person. The ~~tattooist~~person performing the body-art
3 procedure shall demand proof of age prior to administering
4 ~~a tattoo~~the body-art procedure upon the person. A motor
5 vehicle driver's license, a registration card issued under
6 the federal Selective Service Act, an identification card
7 issued to a member of the armed forces, a valid United
8 States passport or an identification card issued by the
9 department of transportation is prima facie evidence of the
10 age and identity of the person. Proof that the ~~tattooist~~
11 person performing the body-art procedure demanded, was
12 shown and acted in reasonable reliance upon the information
13 contained in any one (1) of the above documents as
14 identification and proof of age is a defense to any
15 criminal prosecution under this section.

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17 (c) As used in this section:7

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19 (i) "Body-art" means the practice of physical
20 body adornment utilizing body piercing, branding,
21 scarification, sculpting or tattooing. This definition does
22 not include practices conducted under the supervision of a
23 physician licensed to practice medicine under Wyoming law
24 nor does this definition include piercing of the outer

1 perimeter or lobe of the ear by means of sterilized stud-
2 and-clasp ear piercing systems;

3
4 (ii) "Body piercing" means any puncturing or
5 penetration of the skin or mucosa of a person and the
6 insertion of jewelry or other adornment in the opening;

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8 (iii) "Branding" means any invasive procedure in
9 which a permanent mark is burned into or onto the skin
10 using either temperature, mechanical or chemical means;

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12 (iv) "Scarification" means any invasive
13 procedure in which the intended result is the production of
14 scar tissue on the surface of the skin;

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16 (v) "Sculpting" means any modification of the
17 skin, mucosa, cartilage or tissue of the body for
18 nonmedical purposes;

19
20 (vi) "Tattoo" means any indelible design,
21 letter, scroll, figure, symbol or any other mark placed
22 upon or under the skin with ink or colors, by the aid of
23 needles or other instruments.

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1 **Section 2.** This act is effective July 1, 2004.

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(END)