

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1971

STATE OF NEW JERSEY

DATED: JUNE 10, 2010

The Assembly Regulated Professions Committee reports favorably on Assembly Bill No. 1971.

The bill, which is designated as the "Tattooing and Body Piercing Practice Act," provides for the licensing of tattoo artists and body piercing artists.

The bill directs the Commissioner of Health and Senior Services to establish standards of practice, licensing qualifications, tattooing and body piercing education programs and inspections of the offices of tattoo and body piercing artists.

To be eligible for a tattoo artist or body piercing artist license, an applicant must:

- be at least 18 years old and possess good moral character;
- successfully complete a tattoo or body piercing education program, as appropriate; and
- pass an examination administered or approved by the Commissioner of Health and Senior Services.

The bill defines:

-- "tattooing" to mean the insertion of pigment under the surface of the skin of a person by pricking with a needle or otherwise, to produce an indelible mark or figure visible through the skin; and

-- "body piercing" to mean the creation of an opening in the body of a human being for the purpose of inserting jewelry or other decoration, including, but not limited to, piercing of an ear, lip, tongue, nose or eyebrow (but excluding the piercing of an ear lobe with a disposable single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear).

The bill prohibits anyone from practicing tattooing or body piercing or using the titles "licensed tattoo artist" or "licensed body piercing artist" or any other title, designation, words, letters, abbreviations or insignia indicating the practice of tattooing or body piercing unless duly licensed; however, nothing in the bill is to be construed to prohibit any person licensed to practice in this State under any other law from engaging in the practice for which the person is licensed.

No person is permitted to operate a tattooing or body piercing office without obtaining an office license under the bill. The bill directs the Commissioner of Health and Senior Services to set

minimum criteria for the operation and physical premises of offices, including the approval of instruments and procedures used in tattooing and body piercing, and the commissioner may inspect offices.

The bill provides that an applicant who has been actively engaged in practice of body piercing or tattooing and who applies for licensure within 180 days of the effective date of the bill may, under certain circumstances, be granted a license without sitting for an examination.