

**FIRST ENGROSSMENT
with Conference Committee Amendments**

ENGROSSED HOUSE BILL NO. 1505

Introduced by

Representatives Ruby, Bellew, Price

Senators Erbele, Warner

1 A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota
2 Century Code, relating to the regulation of tattooing, body piercing, branding, subdermal
3 implants, and scarification.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 23-01 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Tattooing, body piercing, branding, subdermal implants, and scarification -**
8 **Permit - Fee - Adoption of rules.**

9 1. A person may not operate a facility providing tattooing, body piercing, branding,
10 subdermal implant, and scarification services without a permit issued by the
11 department under this section. The holder of a permit shall display the permit in a
12 conspicuous place at the facility for which the permit is issued. A permit issued
13 under this section expires annually. An applicant for a permit shall submit an
14 application for a permit to the department, on a form provided by the department,
15 with a permit fee established by the department. The application must include the
16 name and complete mailing address and street address of the facility and any
17 other information reasonably required by the department for the administration of
18 this section.

19 2. The health council shall adopt rules to regulate any person that receives
20 compensation for engaging in the practice of tattooing, body piercing, branding,
21 subdermal implants, or scarification. The rules must establish health and safety
22 requirements and limitations with respect to the age of an individual who may
23 receive a tattoo, body piercing, or scarification and may prohibit any practice that
24 the health council deems unsafe or a threat to public health.

1 3. The fees established by the department must be based on the cost of conducting
2 routine and complaint inspections and enforcement actions and preparing and
3 sending license renewals. Fees collected under this section must be deposited in
4 the department's operating fund in the state treasury and any expenditure from the
5 fund is subject to appropriation by the legislative assembly. The department shall
6 waive all or a portion of the fee for any facility that is subject to local jurisdiction.