

**2025 HOUSE HUMAN SERVICES**

**HB 1071**

# **2025 HOUSE STANDING COMMITTEE MINUTES**

## **HUMAN SERVICES COMMITTEE PIONEER ROOM, STATE CAPITOL**

HB 1071  
1/8/2025

Relating to tattooing, body piercing, branding, subdermal implants, and scarification.
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1:00 p.m. Chairman M. Ruby called the meeting to order.

Members present: Chairman M. Ruby, Vice Chairman Frelich, Representatives Anderson, Beltz, Bolinske, Dobervich, Fegley, Hendrix, Holle, Kiefert, Rios, Rohr

Members absent: Representative Davis

### **Discussion Topics:**

- Clarification of definitions
- Licensure and penalties

1:00 p.m. Julie Wagendorf - Food and Lodging Unit Director with the Department of Health and Human Services, testified in favor of and submitted testimony #28139.

1:08 p.m. Chairman Ruby closed the hearing.

*Jackson Toman, Committee Clerk*



Health & Human Services

**Testimony**  
**House Bill No. 1071**  
**House Human Services Committee**  
**Representative Ruby, Chairman**  
January 8, 2025

Chairman Ruby, and members of the House Human Services Committee, I am Julie Wagendorf, the Food and Lodging Unit Director with the Department of Health and Human Services (Department). I appear before you in support of House Bill No.1071, which was introduced at the request of the Department.

The Food and Lodging Unit is designated the lead agency to adopt rules to regulate body art facilities and any person that provides tattooing, body piercing, branding, subdermal implant, and scarification services. These regulations are essential for ensuring that these facilities maintain sanitary practices, meet health standards, and operate safely to prevent the transmission of diseases, injuries, or other health risks to customers.

HB 1071 provides general housekeeping and clarifies procedures for expired licenses and penalties for operating without licensure to be consistent with existing licensure laws and to ensure fair and effective enforcement with fewer legal challenges. You will see that we have moved from referring to "permits" and instead refer to "licenses" throughout the section to remain consistent with the other regulated entities of the food and lodging unit. The proposed changes in Section 1 of this Bill amend section 23-01-35 of the North Dakota Century Code to provide definitions of key terms on page 1, lines 9-21 updating the statute to be consistent with current best practices and model language. These definitions currently exist in administrative code and are being

moved into Century Code to provide clarification to the statute. Page 2, lines 9 through 22, help further clarify the responsibilities of license holders and the procedure for renewing the annual license. These sections are again largely moved from the administrative code and into the Century Code for transparency and consistency with other regulated professions and entities. Subsection b provides for inspection of premises prior to issuance of a license and as needed to ensure compliance with laws and rules. Subsections c through e clarify the expectations of license holders.

The changes made on pages 3, lines 22 through 30, and page 4, lines 1 through 6 are sections of administrative code transitioned to the Century Code where criminal penalty, disciplinary action, and the license holder's right to appeal are transparent and accessible. The penalty for operating without a license remains a class B misdemeanor, which it previously was; that has not changed, we are merely moving the language. Additionally, the language regarding the remedies the Department is authorized to take to protect the public, including disciplinary actions against a license, denial of a license, and issuing cease and desist orders, were brought from the administrative code in the Century Code. The consequences of not having clear language in law create challenges for legal professionals and license holders in understanding and following the law, and enforcing the law. Some recent examples experienced by the Department dealt with body art facilities operating without a license and the lack of a legal framework to achieve compliance.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.

## 2025 HOUSE STANDING COMMITTEE MINUTES

### HUMAN SERVICES COMMITTEE PIONEER ROOM, STATE CAPITOL

HB 1071  
1/15/2025

Relating to tattooing, body piercing, branding, subdermal implants, and scarification.
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2:51 p.m. Chairman M. Ruby opened the meeting.

Members present: Chairman M. Ruby, Vice Chairman Frelich, Representatives Anderson, Beltz, Bolinske, Davis, Dobervich, Fegley, Hendrix, Holle, Kiefert, Rios, Rohr

#### **Discussion Topics:**

- Committee work

2:51 p.m. Representative Beltz moved Do Pass.

2:51 p.m. Representative Holle seconded the motion.

Representatives	Vote
Representative Matthew Ruby	Y
Representative Kathy Frelich	Y
Representative Karen Anderson	Y
Representative Mike Beltz	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	Y
Representative Gretchen Dobervich	Y
Representative Cleyton Fegley	Y
Representative Jared Hendrix	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Nico Rios	Y
Representative Karen Rohr	Y

2:52 p.m. Motion passed 13-0-0.

Representative Dobervich will carry the bill.

2:52 p.m. Chairman M. Ruby closed the meeting.

*Jackson Toman, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**HB 1071 ([25.8089.01000](#))**

**Human Services Committee (Rep. M. Ruby, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1071 was placed on the Eleventh order on the calendar.

**2025 SENATE WORKFORCE DEVELOPMENT**

**HB 1071**

# 2025 SENATE STANDING COMMITTEE MINUTES

## Workforce Development Committee Fort Lincoln Room, State Capitol

HB 1071  
3/6/2025

A BILL for an Act to amend and reenact section 23-01-35 of the North Dakota Century Code, relating to tattooing, body piercing, branding, subdermal implants, and scarification; and to provide a penalty.

10:30 a.m. Chairman Wobbema opened the hearing.

Members Present: Chairman Wobbema, Vice-Chairman Axtman, Senator Boschee, Senator Larson, Senator Powers.

### Discussion Topics:

- Operating without a license
- Patient medical records

10:31 a.m. Julie Wagendorf, Food and Lodging Director with North Dakota Department of Health and Human Services, testified in favor and submitted testimony #38654.

10:44 a.m. Senator Axtman moved Do Pass.

10:44 a.m. Senator Boschee second the motion.

Senators	Vote
Senator Mike Wobbema	Y
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Diane Larson	Y
Senator Michelle Powers	N

Motion passed 4-1-0.

Senator Larson will carry the bill.

10:45 a.m. Chairman Wobbema closed the hearing.

*Andrew Ficek, Committee Clerk*



**REPORT OF STANDING COMMITTEE**  
**HB 1071 ([25.8089.01000](#))**

**Workforce Development Committee (Sen. Wobbema, Chairman)** recommends **DO PASS** (4 YEAS, 1 NAY, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1071 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**Testimony**  
**House Bill No. 1071**  
**Senate Workforce Development Committee**  
**Senator Wobbema, Chairman**  
March 6, 2025

Chairman Wobbema, and members of the Senate Workforce Development Committee, I am Julie Wagendorf, the Food and Lodging Unit Director with the Department of Health and Human Services (Department). I appear before you in support of House Bill No.1071, which was introduced at the request of the Department.

The Food and Lodging Unit is designated the lead agency to adopt rules to regulate body art facilities and any person that provides tattooing, body piercing, branding, subdermal implant, and scarification services. These regulations are essential for ensuring that these facilities maintain sanitary practices, meet health standards, and operate safely to prevent the transmission of diseases, injuries, or other health risks to customers.

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