

# SENATE BILL NO. 605

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

2305S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 324.520, RSMo, and to enact in lieu thereof one new section relating to tattooing, with existing penalty provisions.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 324.520, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 324.520, to read as follows:

324.520. 1. As used in sections 324.520 to 324.524, the following terms mean:

(1) "Body piercing", the perforation of human tissue other than an ear for a nonmedical purpose;

(2) "Branding", a permanent mark made on human tissue by burning with a hot iron or other instrument;

(3) "Controlled substance", any substance defined in section 195.010;

(4) "Minor", a person under the age of eighteen;

(5) "Tattoo", one or more of the following:

(a) An indelible mark made on the body of another person by the insertion of a pigment under the skin; **[or]**

(b) An indelible design made on the body of another person by production of scars other than by branding; **or**

**(c) A semi-permanent mark made on the body of another person through the use of a small handheld tool made of several tiny needles or blades that deposit pigment into the upper region of the dermis.**

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

19           2. No person shall knowingly tattoo, brand or perform  
20 body piercing on a minor unless such person obtains the  
21 prior written informed consent of the minor's parent or  
22 legal guardian. The minor's parent or legal guardian shall  
23 execute the written informed consent required pursuant to  
24 this subsection in the presence of the person performing the  
25 tattooing, branding or body piercing on the minor, or in the  
26 presence of an employee or agent of such person. Any person  
27 who fraudulently misrepresents himself or herself as a  
28 parent is guilty of a class B misdemeanor.

29           3. A person shall not tattoo, brand or perform body  
30 piercing on another person if the other person is under the  
31 influence of intoxicating liquor or a controlled substance.

32           4. A person who violates any provisions of sections  
33 324.520 to 324.526 is guilty of a misdemeanor and shall be  
34 fined not more than five hundred dollars. If there is a  
35 subsequent violation within one year of the initial  
36 violation, such person shall be fined not less than five  
37 hundred dollars or more than one thousand dollars.

38           5. No person under the age of eighteen shall tattoo,  
39 brand or perform body piercing on another person.

✓