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Scarification Amendments
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Ashlee Matthews
Senate Sponsor: Karen Kwan

LONG TITLE

General Description:

This bill addresses scarification.

Highlighted Provisions:

This bill:

- requires a body art facility that offers scarification to comply with certain requirements;
- establishes the criminal offense of unlawful scarification of a minor;
- requires the Office of Professional Licensure Review to review the practice of scarification; and
- defines terms.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63I-2-226, as last amended by Laws of Utah 2025, Chapters 277, 414

76-9-2001, as enacted by Laws of Utah 2025, Chapter 173

ENACTS:

26B-7-417, Utah Code Annotated 1953

76-9-2004, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26B-7-417** is enacted to read:

26B-7-417 . Scarification safety requirements.

- 28 (1) A body art facility that practices or instructs scarification shall:
29 (a) practice scarification procedures in a dedicated enclosed room that is not used for
30 any other purpose;
31 (b) obtain proof of age before performing a scarification procedure; and
32 (c) provide a client, in writing, with:
33 (i) instructions regarding proper care for the skin during the healing process after a
34 scarification procedure, including warning signs of infection; and
35 (ii) information about how to report an injury to the department.
36 (2) The department shall establish rules to ensure that a body art facility that practices or
37 instructs scarification has adequate policies and procedures in place for client safety,
38 including rules that address:
39 (a) clothing;
40 (b) personal protective equipment;
41 (c) use of single-use instruments;
42 (d) sanitization and disposal of tools; and
43 (e) cleaning and bandaging a client's skin.
44 (3) The Office of Professional Licensure Review shall:
45 (a) review the practice and instruction of scarification; and
46 (b) report findings and recommendations to the Health and Human Services Interim
47 Committee on or before November 1, 2026.

48 Section 2. Section **63I-2-226** is amended to read:

49 **63I-2-226 . Repeal dates: Titles 26 through 26B.**

- 50 (1) Section 26B-1-420, Cannabis Research Review Board, is repealed July 1, 2025.
51 (2) Subsection 26B-1-421(9)(a), regarding a report to the Cannabis Research Review
52 Board, is repealed July 1, 2025.
53 (3) Section 26B-1-423, Rural Physician Loan Repayment Program Advisory Committee --
54 Membership -- Compensation -- Duties, is repealed July 1, 2026.
55 (4) Section 26B-2-243, Data collection and reporting requirements concerning incidents of
56 abuse, neglect, or exploitation, is repealed July 1, 2027.
57 (5) Subsection 26B-3-215(5), regarding reporting on coverage for in vitro fertilization and
58 genetic testing, is repealed July 1, 2030.
59 (6) Subsection 26B-4-201(5), regarding the Cannabis Research Review Board, is repealed
60 July 1, 2025.
61 (7) Subsection 26B-4-212(1)(b), regarding the Cannabis Research Review Board, is

- 62 repealed July 1, 2025.
- 63 (8) Section 26B-4-702, Creation of Utah Health Care Workforce Financial Assistance
64 Program, is repealed July 1, 2027.
- 65 (9) Subsection 26B-4-703(3)(b), regarding per diem and expenses for the Rural Physician
66 Loan Repayment Program Advisory Committee, is repealed July 1, 2026.
- 67 (10) Subsection 26B-4-703(3)(c), regarding expenses for the Rural Physician Loan
68 Repayment Program, is repealed July 1, 2026.
- 69 (11) Subsection 26B-4-703(6)(b), regarding recommendations from the Rural Physician
70 Loan Repayment Program Advisory Committee, is repealed July 1, 2026.
- 71 (12) Section 26B-5-117, Early childhood mental health support grant program, is repealed
72 January 2, 2025.
- 73 (13) Section 26B-5-302.5, Study concerning civil commitment and the Utah State Hospital,
74 is repealed July 1, 2025.
- 75 (14) Section 26B-6-414, Respite care services, is repealed July 1, 2025.
- 76 (15) Section 26B-7-120, Invisible condition alert program education and outreach, is
77 repealed July 1, 2025.
- 78 (16) Subsection 26B-7-417(3), regarding a review of scarification by the Office of
79 Professional Licensure Review, is repealed January 1, 2027.
- 80 Section 3. Section **76-9-2001** is amended to read:
- 81 **76-9-2001 . Definitions.**
- 82 As used in this part:
- 83 (1) "Body piercing" means the creation of an opening in the body, excluding the ear, for the
84 purpose of inserting jewelry or other decoration.
- 85 (2) "Consent of a minor's parent or legal guardian" means the presence of a parent or legal
86 guardian during the performance of tattooing or body piercing upon the minor after the
87 parent or legal guardian has provided:
- 88 (a) reasonable proof of personal identity and familial relationship; and
- 89 (b) written permission signed by the parent or legal guardian authorizing the
90 performance of tattooing or body piercing upon the minor.
- 91 (3) "Minor" means a person younger than 18 years old who:
- 92 (a) is not married; and
- 93 (b) has not been declared emancipated by a court of law.
- 94 (4) "Scarification" means the process in which a mark is cut into human skin tissue with the
95 intent of leaving a permanent mark.

96 [(4)] (5) "Tattoo" means to fix an indelible mark or figure upon the body by inserting a
97 pigment under the skin or by producing scars.

98 Section 4. Section **76-9-2004** is enacted to read:

99 **76-9-2004 . Unlawful scarification of a minor.**

100 (1) Terms defined in Sections 76-1-101.5 and 76-9-2001 apply to this section.

101 (2) Except as provided in Subsection (4), an actor commits unlawful scarification of a
102 minor if the actor performs or offers to perform scarification:

103 (a) upon a minor; and

104 (b) for remuneration or in the course of a business or profession.

105 (3) A violation of Subsection (2) is a class B misdemeanor with a mandatory fine of not less
106 than \$1,000.

107 (4) An actor is not guilty of violating Subsection (2) if the actor:

108 (a) has no actual knowledge of the minor's age; and

109 (b) reviews, photocopies, and retains the photocopy of an apparently valid driver license
110 or other government-issued picture identification for the minor that expressly
111 purports that the minor is 18 years old or older before the actor performs the
112 scarification.

113 Section 5. **Effective Date.**

114 This bill takes effect on May 6, 2026.