

HB0531S01 compared with HB0531

~~{Omitted text}~~ shows text that was in HB0531 but was omitted in HB0531S01

inserted text shows text that was not in HB0531 but was inserted into HB0531S01

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

1

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



2

3 **LONG TITLE**

4 **General Description:**

5 This bill addresses scarification.

6 **Highlighted Provisions:**

7 This bill:

- 8
 - ▶ ~~{requires the Department of Health and Human Services to create rules related to scarification to ensure client safety;}~~
 - ▶ requires a body art facility that offers scarification to comply with certain requirements;
 - ▶ establishes the criminal offense of unlawful scarification of a minor; and
 - ▶ defines terms.

11 **Money Appropriated in this Bill:**

12 None

13 **Other Special Clauses:**

14 None

15 **Utah Code Sections Affected:**

16 AMENDS:

HB0531 compared with HB0531S01

19 ~~{26B-7-402, as last amended by Laws of Utah 2024, Chapter 282}~~

17 76-9-2001 , as enacted by Laws of Utah 2025, Chapter 173

18 ENACTS:

19 26B-7-417 , Utah Code Annotated 1953

20 76-9-2004 , Utah Code Annotated 1953

21

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

26 ~~{Section 1. Section 26B-7-402 is amended to read: }~~

27 **26B-7-402. Minimum rules of sanitation established by department.**

28 (1) The department shall establish and enforce, or provide for the enforcement of minimum rules
of sanitation necessary to protect the public health, including rules necessary for the design,
construction, operation, maintenance, or expansion of:

31 [(1)] (a) a restaurant or a place where food or drink is handled, sold, or served to the public;

33 [(2)] (b) a public swimming pool;

34 [(3)] (c) a public bath, including a sauna, spa, or massage facility;

35 [(4)] (d) a public bathing beach;

36 [(5)] (e) a public or private school;

37 [(6)] (f) a recreational resort, camp, or other vehicle park;

38 [(7)] (g) an amusement park or other center or place used for public gatherings;

39 [(8)] (h) a mobile home park and highway rest stop;

40 [(9)] (i) a construction or labor camp;

41 [(10)] (j) a jail, prison, or other place of incarceration or confinement;

42 [(11)] (k) a hotel or motel;

43 [(12)] (l) a lodging house or boarding house;

44 [(13)] (m) a service station;

45 [(14)] (n) a barber shop or beauty shop, including a facility in which one or more individuals are
engaged in:

47 [(a)] (i) any of the practices licensed under Title 58, Chapter 11a, Cosmetology and Associated
Professions Licensing Act; or

49 [(b)] (ii) styling hair in accordance with the exemption from licensure described in Subsection
58-11a-304(13);

HB0531 compared with HB0531S01

51 [(15)] (o) an office of a physician, physician assistant, or dentist;

52 [(16)] (p) a public building or ground;

53 [(17)] (q) a public conveyance or terminal;

54 [(18)] (r) a commercial tanning facility; and

55 [(19)] (s) a body art facility.

56 (2) Rules established by the department for a body art facility shall include a requirement for a body art facility to obtain a permit from the local health department.

23 Section 1. Section 1 is enacted to read:

24 **26B-7-417. Scarification safety requirements.**

60 (1) A body art facility that practices or instructs scarification shall:

61 (a) practice scarification procedures in a dedicated enclosed room that is not used for any other purpose;

63 (b) obtain proof of age before performing a scarification procedure; and

64 (c) provide a client, in writing, with:

65 (i) instructions regarding proper care for the skin during the healing process after a scarification procedure, including warning signs of infection; and

67 (ii) information about how to report an injury to the department.

68 (2) The department shall establish rules to ensure that a body art facility that practices or instructs scarification has adequate policies and procedures in place for client safety, including rules that address:

71 (a) clothing;

72 (b) personal protective equipment;

73 (c) use of single-use instruments;

74 (d) sanitization and disposal of tools; and

75 (e) cleaning and bandaging a client's skin.

41 Section 2. Section **76-9-2001** is amended to read:

42 **76-9-2001. Definitions.**

As used in this part:

79 (1) "Body piercing" means the creation of an opening in the body, excluding the ear, for the purpose of inserting jewelry or other decoration.

81

HB0531 compared with HB0531S01

(2) "Consent of a minor's parent or legal guardian" means the presence of a parent or legal guardian during the performance of tattooing or body piercing upon the minor after the parent or legal guardian has provided:

84 (a) reasonable proof of personal identity and familial relationship; and

85 (b) written permission signed by the parent or legal guardian authorizing the performance of tattooing or body piercing upon the minor.

87 (3) "Minor" means a person younger than 18 years old who:

88 (a) is not married; and

89 (b) has not been declared emancipated by a court of law.

90 (4) "Scarification" means the process in which a mark is cut into human skin tissue with the intent of leaving a permanent mark.

92 [(4)] (5) "Tattoo" means to fix an indelible mark or figure upon the body by inserting a pigment under the skin or by producing scars.

59 Section 3. Section 3 is enacted to read:

60 **76-9-2004. Unlawful scarification of a minor.**

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

97 (2) Except as provided in Subsection (5), an actor commits unlawful scarification of a minor if the actor performs or offers to perform scarification:

99 (a) upon a minor; and

100 ~~{(b) without receiving the consent of the minor's parent or legal guardian; and}~~

101 ~~(b) ~~{(e)}~~ ~~{(b)}~~ ←H } for remuneration or in the course of a business or profession.~~

102 (3) A violation of Subsection (2) is a class B misdemeanorwith a mandatory fine of not less than
\$1,000.

103 ~~{(4) {The owner or operator of a business in which a violation of Subsection (2) occurs is subject to a civil penalty of \$1,000 for each violation.}~~

105 (5){(4)} An actor is not guilty of violating Subsection (2) if the actor:

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

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

74 Section 4. **Effective date.**

HB0531 compared with HB0531S01

Effective Date.

This bill takes effect on May 6, 2026.

2-20-26 2:20 PM