



# HB0531 compared with HB0531S02

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 HB0531S02

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} moratorium.**

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){(1) {obtain proof of age before performing } A person may not perform a scarification procedure{;~~  
~~and } in a commercial setting unless:~~

64 ~~{(e) {provide a client, in writing, with:}}~~

26 (a) the Office of Professional Licensure Review has evaluated the practice and made licensing recommendations;

65 ~~(i){(b) {instructions regarding proper care for the skin during the healing process after } the~~  
~~Legislature has established a scarification {procedure, including warning signs of infection} license;~~  
~~and~~

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

29 (c) the person has qualified for and obtained a scarification license.

68 (2) ~~{The } A local health department shall {establish rules to ensure that } revoke or suspend the license~~  
~~of a body art facility {that practices or instructs scarification has adequate policies and procedures }~~  
~~in {place for client safety, including rules that address:} which a violation of Subsection (1) occurs.~~

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.}}~~

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

## HB0531 compared with HB0531S02

33           **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       (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.

50           Section 3. Section 3 is enacted to read:

51           **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 }~~ 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)}~~ } ←~~ñ~~ }~~ 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) {An actor is not guilty of violating Subsection (2) if the actor:} }~~
- 106       ~~{(a) {has no actual knowledge of the minor's age; and} }~~

## HB0531 compared with HB0531S02

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.}~~}

59        Section 4. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

2-27-26 10:50 AM