

HB0531 compared with HB0531S03

17 **Utah Code Sections Affected:**

18 AMENDS:

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

19 **63I-2-226 , as last amended by Laws of Utah 2025, Chapters 277, 414**

20 **76-9-2001** , as enacted by Laws of Utah 2025, Chapter 173

21 ENACTS:

22 **26B-7-417** , Utah Code Annotated 1953

23 **76-9-2004** , Utah Code Annotated 1953

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25 *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:

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48 ~~[(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);

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.

26 Section 1. Section 1 is enacted to read:

27 **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.

44 (3) The Office of Professional Licensure Review shall:

45 (a) review the practice and instruction of scarification; and

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(b) report findings and recommendations to the Health and Human Services Interim 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 Board, is repealed
52 July 1, 2025.
- 53 (3) Section 26B-1-423, Rural Physician Loan Repayment Program Advisory Committee -- Membership
54 -- Compensation -- Duties, is repealed July 1, 2026.
- 55 (4) Section 26B-2-243, Data collection and reporting requirements concerning incidents of abuse,
56 neglect, or exploitation, is repealed July 1, 2027.
- 57 (5) Subsection 26B-3-215(5), regarding reporting on coverage for in vitro fertilization and genetic
58 testing, is repealed July 1, 2030.
- 59 (6) Subsection 26B-4-201(5), regarding the Cannabis Research Review Board, is repealed July 1, 2025.
- 61 (7) Subsection 26B-4-212(1)(b), regarding the Cannabis Research Review Board, is repealed July 1,
62 2025.
- 63 (8) Section 26B-4-702, Creation of Utah Health Care Workforce Financial Assistance Program, is
64 repealed July 1, 2027.
- 65 (9) Subsection 26B-4-703(3)(b), regarding per diem and expenses for the Rural Physician Loan
66 Repayment Program Advisory Committee, is repealed July 1, 2026.
- 67 (10) Subsection 26B-4-703(3)(c), regarding expenses for the Rural Physician Loan Repayment
68 Program, is repealed July 1, 2026.
- 69 (11) Subsection 26B-4-703(6)(b), regarding recommendations from the Rural Physician Loan
70 Repayment Program Advisory Committee, is repealed July 1, 2026.
- 71 (12) Section 26B-5-117, Early childhood mental health support grant program, is repealed January 2,
72 2025.
- 73 (13) Section 26B-5-302.5, Study concerning civil commitment and the Utah State Hospital, is repealed
74 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 repealed July 1,
2025.

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78 (16) Subsection 26B-7-417(3), regarding a review of scarification by the Office of Professional
80 Licensure Review, is repealed January 1, 2027.

80 Section 3. Section **76-9-2001** is amended to read:

81 **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.

98 Section 4. Section **4** is enacted to read:

99 **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)} (4), 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 misdemeanor with a mandatory fine of not less than
\$1,000.

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{~~(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.

113 Section 5. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

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