

HB0531S02 compared with HB0531S01

~~{Omitted text}~~ shows text that was in HB0531S01 but was omitted in HB0531S02
inserted text shows text that was not in HB0531S01 but was inserted into HB0531S02

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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;}~~
- ▶ creates a moratorium on scarification procedures;
- ▶ establishes the criminal offense of unlawful scarification of a minor; and
- ▶ defines terms.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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18 ENACTS:

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

20 **76-9-2004**, Utah Code Annotated 1953

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

23 Section 1. Section 1 is enacted to read:

24 **26B-7-417. Scarification** ~~{safety requirements}~~ moratorium.

25 ~~{(1) {A body art facility that practices or instructs scarification shall:}}~~

26 ~~{(a) {practice scarification procedures in a dedicated enclosed room that is not used for any other purpose;}}~~

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

29 ~~{(c) {provide a client, in writing, with:}}~~

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

30 ~~(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~~

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

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

33 ~~(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.~~

36 ~~{(a) {clothing;}}~~

37 ~~{(b) {personal protective equipment;}}~~

38 ~~{(c) {use of single-use instruments;}}~~

39 ~~{(d) {sanitization and disposal of tools; and}}~~

40 ~~{(e) {cleaning and bandaging a client's skin.}}~~

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

33 **76-9-2001. Definitions.**

As used in this part:

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- 44 (1) "Body piercing" means the creation of an opening in the body, excluding the ear, for the purpose of
inserting jewelry or other decoration.
- 46 (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:
- 49 (a) reasonable proof of personal identity and familial relationship; and
- 50 (b) written permission signed by the parent or legal guardian authorizing the performance of tattooing
or body piercing upon the minor.
- 52 (3) "Minor" means a person younger than 18 years old who:
- 53 (a) is not married; and
- 54 (b) has not been declared emancipated by a court of law.
- 55 (4) "Scarification" means the process in which a mark is cut into human skin tissue with the intent of
leaving a permanent mark.
- 57 [(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.**

- 61 (1) Terms defined in Sections 76-1-101.5 and 76-9-2001 apply to this section.
- 62 (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:
- 64 (a) upon a minor; and
- 65 (b) for remuneration or in the course of a business or profession.
- 66 (3) A violation of Subsection (2) is a class B misdemeanor with a mandatory fine of not less than
\$1,000.
- 68 {(4) {~~An actor is not guilty of violating Subsection (2) if the actor:~~} }
- 69 {(a) {~~has no actual knowledge of the minor's age; and~~} }
- 70 {(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.

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This bill takes effect on May 6, 2026.

2-27-26 10:50 AM