

HB0531S03 compared with HB0531S01

~~{Omitted text}~~ shows text that was in HB0531S01 but was omitted in HB0531S03
inserted text shows text that was not in HB0531S01 but was inserted into HB0531S03

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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; ~~{and}~~
 - 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:

HB0531S01

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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

24

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

26 Section 1. Section 1 is enacted to read:

27 **26B-7-417. Scarification safety requirements.**

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

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

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

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

33 (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:

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.

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 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.

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- 51 (2) Subsection 26B-1-421(9)(a), regarding a report to the Cannabis Research Review Board, is repealed
July 1, 2025.
- 53 (3) Section 26B-1-423, Rural Physician Loan Repayment Program Advisory Committee -- Membership
-- Compensation -- Duties, is repealed July 1, 2026.
- 55 (4) Section 26B-2-243, Data collection and reporting requirements concerning incidents of 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 genetic
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,
2025.
- 63 (8) Section 26B-4-702, Creation of Utah Health Care Workforce Financial Assistance Program, is
repealed July 1, 2027.
- 65 (9) Subsection 26B-4-703(3)(b), regarding per diem and expenses for the Rural Physician 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 Repayment
Program, is repealed July 1, 2026.
- 69 (11) Subsection 26B-4-703(6)(b), regarding recommendations from the Rural Physician 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 January 2,
2025.
- 73 (13) Section 26B-5-302.5, Study concerning civil commitment and the Utah State Hospital, 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 repealed July 1,
2025.
- 78 (16) Subsection 26B-7-417(3), regarding a review of scarification by the Office of Professional
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:

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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.

98 Section 4. Section 4 is enacted to read:

99 **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)~~ (4), 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.

113 Section 5. **Effective date.**

Effective Date.

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This bill takes effect on May 6, 2026.

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