

Ashlee Matthews proposes the following substitute bill:

**Scarification Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ashlee Matthews**

Senate Sponsor: Karen Kwan

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**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
- 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

ENACTS:

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

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

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

Section 1. Section **26B-7-417** is enacted to read:

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

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

- (a) practice scarification procedures in a dedicated enclosed room that is not used for any other purpose;
- (b) obtain proof of age before performing a scarification procedure; and
- (c) provide a client, in writing, with:

30 (i) instructions regarding proper care for the skin during the healing process after a  
31 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  
34 instructs scarification has adequate policies and procedures in place for client safety,  
35 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.

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

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

43 As used in this part:

44 (1) "Body piercing" means the creation of an opening in the body, excluding the ear, for the  
45 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  
47 guardian during the performance of tattooing or body piercing upon the minor after the  
48 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  
51 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  
56 intent of leaving a permanent mark.

57 [(4)] (5) "Tattoo" means to fix an indelible mark or figure upon the body by inserting a  
58 pigment under the skin or by producing scars.

59 Section 3. Section **76-9-2004** is enacted to read:

60 **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 actor commits unlawful scarification of a  
63 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
- 67           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
- 71               or other government-issued picture identification for the minor that expressly
- 72               purports that the minor is 18 years old or older before the actor performs the
- 73               scarification.
- 74           Section 4. **Effective Date.**
- 75           This bill takes effect on May 6, 2026.