

Keith Grover proposes the following substitute bill:

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:

- 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

ENACTS:

26B-7-417, Utah Code Annotated 1953

76-9-2004, Utah Code Annotated 1953

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 moratorium.

(1) A person may not perform a scarification procedure in a commercial setting unless:

- (a) the Office of Professional Licensure Review has evaluated the practice and made licensing recommendations;
- (b) the Legislature has established a scarification license; and
- (c) the person has qualified for and obtained a scarification license.

30 (2) A local health department shall revoke or suspend the license of a body art facility in
31 which a violation of Subsection (1) occurs.

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

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

34 As used in this part:

- 35 (1) "Body piercing" means the creation of an opening in the body, excluding the ear, for the
36 purpose of inserting jewelry or other decoration.
- 37 (2) "Consent of a minor's parent or legal guardian" means the presence of a parent or legal
38 guardian during the performance of tattooing or body piercing upon the minor after the
39 parent or legal guardian has provided:
- 40 (a) reasonable proof of personal identity and familial relationship; and
41 (b) written permission signed by the parent or legal guardian authorizing the
42 performance of tattooing or body piercing upon the minor.
- 43 (3) "Minor" means a person younger than 18 years old who:
- 44 (a) is not married; and
45 (b) has not been declared emancipated by a court of law.
- 46 (4) "Scarification" means the process in which a mark is cut into human skin tissue with the
47 intent of leaving a permanent mark.
- 48 [(4)] (5) "Tattoo" means to fix an indelible mark or figure upon the body by inserting a
49 pigment under the skin or by producing scars.

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

51 **76-9-2004 . Unlawful scarification of a minor.**

- 52 (1) Terms defined in Sections 76-1-101.5 and 76-9-2001 apply to this section.
- 53 (2) An actor commits unlawful scarification of a minor if the actor performs or offers to
54 perform scarification:
- 55 (a) upon a minor; and
56 (b) for remuneration or in the course of a business or profession.
- 57 (3) A violation of Subsection (2) is a class B misdemeanor with a mandatory fine of not less
58 than \$1,000.

59 Section 4. **Effective Date.**

60 This bill takes effect on May 6, 2026.