

SANITATION AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

LONG TITLE

General Description:

This bill requires the Department of Health to create minimum sanitation rules for body art facilities.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the Department of Health to create minimum sanitation rules relating to body art facilities; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-15-1, as last amended by Laws of Utah 2020, Chapter 311

26-15-2, as last amended by Laws of Utah 2021, Chapter 227

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

Section 1. Section **26-15-1** is amended to read:

26-15-1. Definitions.

As used in this chapter:

(1) "Body art facility" means a facility where an individual practices or instructs:

(a) body piercing;

(b) branding;

(c) permanent cosmetics;

(d) scarification; or

33 (e) tattooing.

34 (2) (a) "Body piercing" means any method of piercing the skin or mucosa to place
 35 jewelry through the skin or mucosa.

36 (b) "Body piercing" does not include ear piercing.

37 (3) "Branding" means the process in which a mark is burned, with or without heated
 38 metal, into human skin tissue with the intention of leaving a permanent mark.

39 (4) "Ear piercing" means the puncturing of the lobe of the ear with piercing equipment
 40 to insert stud-and-clasp jewelry according to the directions provided by the piercing
 41 equipment's manufacturer.

42 ~~(1)~~ (5) (a) "Food handler" means any [person] individual working part-time or
 43 full-time in a food service establishment who:

44 (i) moves food or food containers, prepares, stores, or serves food;

45 (ii) comes in contact with any food, utensil, tableware or equipment; or

46 (iii) washes the same.

47 (b) "Food handler" includes:

48 (i) owners, supervisors, and management [~~persons~~] individuals, and any other [~~person~~]
 49 individual working in a food-service establishment; or

50 (ii) an operator or [~~person~~] individual:

51 (A) employed by one who handles food dispensed through vending machines;

52 (B) who comes into contact with food contact surfaces or containers, equipment,
 53 utensils, or packaging materials used in connection with vending machine operations; or

54 (C) who otherwise services or maintains one or more vending machines.

55 (c) "Food handler" does not include a producer of food products selling food at a
 56 farmers market as defined in Section 4-5-102.

57 (6) "Microblading" means a procedure where a hand tool with a blade formed of tiny
 58 needles implants permanent or semi-permanent pigment, resembling hair, into the skin of the
 59 eyebrow area with fine and short strokes.

60 (7) (a) "Permanent cosmetics" means a permanent or semi-permanent tattoo:

61 (i) to the eyebrows, eyelids, lips, or other parts of the body for beauty marks, hair
 62 imitation, lash enhancement, or areola repigmentation; and

63 (ii) performed by an individual not licensed under under Title 58, Chapter 67, Utah

64 Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act.

65 (b) "Permanent cosmetics" includes permanent makeup, micropigmentation,
66 micropigment implantation, microblading, dermagraphics, or cosmetic tattooing.

67 ~~[(2)]~~ (8) "Pest" means a noxious, destructive, or troublesome organism whether plant
68 or animal, that threatens the public health or well-being of the people within the state when
69 found in and around places of human occupancy, habitation, or use [~~which threatens the public~~
70 ~~health or well-being of the people within the state~~].

71 (9) "Scarification" means the process in which a mark is cut into human skin tissue
72 with the intent of leaving a permanent mark.

73 ~~[(3)]~~ (10) "Vector" means any organism, such as [~~insects or rodents~~] an insect or a
74 rodent, that transmits a pathogen that can affect public health.

75 Section 2. Section **26-15-2** is amended to read:

76 **26-15-2. Minimum rules of sanitation established by department.**

77 The department shall establish and enforce, or provide for the enforcement of,
78 minimum rules of sanitation necessary to protect the public health [~~Such rules shall include,~~
79 ~~but not be limited to~~], including rules necessary for the design, construction, operation,
80 maintenance, or expansion of:

81 (1) [~~restaurants and all places~~] a restaurant or a place where food or drink is handled,
82 sold, or served to the public;

83 (2) [~~public swimming pools~~] a public swimming pool;

84 (3) [~~public baths including saunas, spas, massage parlors, and suntan parlors~~] a public
85 bath, including a sauna, a spa, or a massage facility;

86 (4) [~~public bathing beaches~~] a public bathing beach;

87 (5) [~~schools which are publicly or privately owned or operated~~] a public or private
88 school;

89 (6) [~~recreational resorts, camps, and vehicle parks~~] a recreational resort, camp, or
90 vehicle park;

91 (7) [~~amusement parks and all other centers and places~~] an amusement park or other
92 center or place used for public gatherings;

93 (8) [~~mobile home parks and highway rest stops~~] a mobile home park or a highway rest
94 stop;

- 95 (9) [~~construction or labor camps~~] a construction or labor camp;
- 96 (10) [~~jails, prisons and other places of incarceration or confinement~~] a jail, a prison, or
97 other place of incarceration or confinement;
- 98 (11) [~~hotels and motels~~] a hotel or a motel;
- 99 (12) [~~lodging houses and boarding houses~~] a lodging house or a boarding house;
- 100 (13) [~~service stations~~] a service station;
- 101 (14) [~~barbershops and beauty shops, including~~] a facility in which one or more
102 individuals are engaged in:
- 103 (a) any of the practices licensed under Title 58, Chapter 11a, Cosmetology and
104 Associated Professions Licensing Act; or
- 105 (b) styling hair in accordance with the exemption from licensure described in Section
106 58-11a-304(13);
- 107 (15) [~~physician and dentist offices~~] a physician office or a dentist office;
- 108 (16) [~~public buildings and grounds~~] a public building or ground;
- 109 (17) [~~public conveyances and terminals; and~~] a public conveyance or terminal;
- 110 (18) [~~commercial tanning facilities;~~] a commercial tanning facility; and
- 111 (19) a body art facility.