

Effective 5/7/2025

Part 20
Unlawful Tattooing or Body Piercing of a Minor

76-9-2001 Definitions.

As used in this part:

- (1) "Body piercing" means the creation of an opening in the body, excluding the ear, for the purpose of inserting jewelry or other decoration.
- (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:
 - (a) reasonable proof of personal identity and familial relationship; and
 - (b) written permission signed by the parent or legal guardian authorizing the performance of tattooing or body piercing upon the minor.
- (3) "Minor" means a person younger than 18 years old who:
 - (a) is not married; and
 - (b) has not been declared emancipated by a court of law.
- (4) "Scarification" means the process in which a mark is cut into human skin tissue with the intent of leaving a permanent mark.
- (5) "Tattoo" means to fix an indelible mark or figure upon the body by inserting a pigment under the skin or by producing scars.

Amended by Chapter 209, 2026 General Session

76-9-2002 Unlawful tattooing of a minor.

- (1) Terms defined in Sections 76-1-101.5 and 76-9-2001 apply to this section.
- (2) Except as provided in Subsection (5), an actor commits unlawful tattooing of a minor if the actor performs or offers to perform a tattooing:
 - (a) upon a minor;
 - (b) without receiving the consent of the minor's parent or legal guardian; and
 - (c) for remuneration or in the course of a business or profession.
- (3) A violation of Subsection (2) is a class B misdemeanor.
- (4) The owner or operator of a business in which a violation of Subsection (2) occurs is subject to a civil penalty of \$1,000 for each violation.
- (5) An actor is not guilty of violating Subsection (2) if the actor:
 - (a) has no actual knowledge of the minor's age; and
 - (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 tattooing.

Renumbered and Amended by Chapter 173, 2025 General Session

76-9-2003 Unlawful body piercing of a minor.

- (1) Terms defined in Sections 76-1-101.5 and 76-9-2001 apply to this section.
- (2) Except as provided in Subsection (5), an actor commits unlawful body piercing of a minor if the actor performs or offers to perform a body piercing:
 - (a) upon a minor;

- (b) without receiving the consent of the minor's parent or legal guardian; and
- (c) for remuneration or in the course of a business or profession.
- (3) A violation of Subsection (2) is a class B misdemeanor.
- (4) The owner or operator of a business in which a violation of Subsection (2) occurs is subject to a civil penalty of \$1,000 for each violation.
- (5) An actor is not guilty of violating Subsection (2) if the actor:
 - (a) has no actual knowledge of the minor's age; and
 - (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 body piercing.

Enacted by Chapter 173, 2025 General Session

76-9-2004 Unlawful scarification of a minor.

- (1) Terms defined in Sections 76-1-101.5 and 76-9-2001 apply to this section.
- (2) Except as provided in Subsection (4), an actor commits unlawful scarification of a minor if the actor performs or offers to perform scarification:
 - (a) upon a minor; and
 - (b) for remuneration or in the course of a business or profession.
- (3) A violation of Subsection (2) is a class B misdemeanor with a mandatory fine of not less than \$1,000.
- (4) An actor is not guilty of violating Subsection (2) if the actor:
 - (a) has no actual knowledge of the minor's age; and
 - (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.

Enacted by Chapter 209, 2026 General Session