

# HOUSE BILL REPORT

## ESSB 5190

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**As Reported By House Committee On:**  
Law & Justice

**Title:** An act relating to tattooing of minors.

**Brief Description:** Making it a crime to tattoo a person under age eighteen without parental consent.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Roach, Pelz, Smith and Heavey).

**Brief History:**

**Committee Activity:**

Law & Justice: 3/21/95, 3/22/95 [DPA].

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### HOUSE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass as amended. Signed by 12 members: Representatives Padden, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Campbell; Carrell; Chappell; Lambert; McMahan; Morris; Robertson; Sheahan and Smith.

**Minority Report:** Do not pass. Signed by 5 members: Representatives Appelwick, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Cody; Thibaudeau and Veloria.

**Staff:** Edie Adams (786-7180).

**Background:** A tattoo is a permanent mark placed on the body by inserting pigment or indelible ink below the surface of the skin. Current law does not restrict the ability of minors to obtain a tattoo.

**Summary of Amended Bill:** It is a misdemeanor for any person to apply a tattoo to any minor under the age of 18. It is not a defense that the person applying the tattoo did not know the minor's age, unless the person applying the tattoo made an effort to ascertain the age of the minor by requiring production of a driver's license or other picture identification card or paper. A tattoo includes any permanent marking or coloring of the skin with any pigment, ink, or dye, or any procedure that leaves a visible scar on the skin. Medical procedures performed by a licensed physician are exempt.

**Amended Bill Compared to Engrossed Substitute Bill:** The engrossed substitute bill applied only to the application of tattoos to minors under the age of 16. The engrossed substitute bill did not provide the defense that the person applying the tattoo did not know the true age of the minor after making reasonable efforts to ascertain the true age of the minor by requiring production of a driver's license or other picture identification card or paper.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Amended Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** There are many unprofessional tattoo shops in the state that do not adequately protect customers from potential blood borne diseases and other health risks associated with this invasive procedure. Most minors who get tattoos regret it later because they are responding to peer pressure and are not thinking long-term. A tattoo is a permanent, life-long decision and most minors are not able to understand this.

**Testimony Against:** None.

**Testified:** D.R. Seaver, Alliance of Professional Tattooists (pro); and B. Lyn Seaver, citizen (pro).