~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 24, 2009

**S. 188**

Introduced by Senators McConnell and Ford

S. Printed 3/24/09--S.

Read the first time January 13, 2009.

**THE COMMITTEE ON MEDICAL AFFAIRS**

To whom was referred a Bill (S. 188) to amend Section 44‑34‑60 and Section 44‑34‑100, Code of Laws of South Carolina, 1976, relating to age restrictions on tattooing, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

HARVEY S. PEELER, JR. for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The Department of Health & Environmental Control regulates tattoo facilities. The department reports that since the bill does not increase the frequency of inspections, there is no impact on the department or on the state general fund or on federal and/or other funds.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND SECTION 44‑34‑60 AND SECTION 44‑34‑100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AGE RESTRICTIONS ON TATTOOING, SO AS TO PROVIDE THAT PERSONS EIGHTEEN OR OLDER ARE ELIGIBLE TO RECEIVE A TATTOO.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 44‑34‑60(C) of the 1976 Code is amended to read:

“(C) A tattoo artist must verify by means of a picture identification that a recipient is ~~at least twenty‑one years of age or, if the person is at least eighteen years of age, has parental consent~~ at least eighteen years of age. For purposes of this section, ‘picture identification’ means:

(1) a valid driver’s license; or

(2) an official photographic identification card issued by the South Carolina Department of Revenue, a federal or state law enforcement agency, an agency of the United States Department of Defense, or the United States Department of State. Proof that the defendant demanded, was shown, and reasonably relied upon proof of age is a defense to an action brought pursuant to this section.”

SECTION 2. Section 44‑34‑100(A) of the 1976 Code is amended to read:

“(A) It is unlawful for a person to perform or offer to perform tattooing upon a person under the age of ~~twenty‑one years or, if the person is at least eighteen, does not have parental consent~~ eighteen years.”

SECTION 3. This act takes effect upon approval by the Governor.

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