**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3891**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Guffey, Beach, T. Moore, Sessions, Bauer, King, Guest, Leber, Mitchell, Pedalino, B.L. Cox, Pope, Brewer, Murphy and Lawson

Companion/Similar bill(s): 3229

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Introduced in the House on February 7, 2023

Currently residing in the House

Summary: Tattoo Facilities

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/7/2023 House Introduced and read first time ([House Journal‑page 21](h:\hj\20230207.docx))

2/7/2023 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 21](h:\hj\20230207.docx))

2/14/2024 House Member(s) request name added as sponsor: Pope,
Brewer, Murphy

2/15/2024 House Member(s) request name added as sponsor: Lawson

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**VERSIONS OF THIS BILL**

[02/07/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3891_20230207.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44‑34‑20, RELATING TO THE OPERATION OF TATTOO FACILITIES, SO AS TO ELIMINATE CERTAIN RESTRICTIONS; BY AMENDING SECTION 44‑34‑100, RELATING TO UNLAWFUL TATTOOING, SO AS TO ELIMINATE CERTAIN PROHIBITIONS; AND BY AMENDING SECTION 44‑34‑110, RELATING TO THE PROHIBITION OF LICENSING TATTOO FACILITIES WITHIN A CERTAIN PROXIMITY TO CHURCHES, SCHOOLS, OR PLAYGROUNDS, SO AS TO ALLOW ISSUANCE OF A LICENSE WITH THE EXPRESS APPROVAL OF ANY SUCH CHURCH, SCHOOL, OR PLAYGROUND.

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

SECTION 1. Section 44‑34‑20(C) of the S.C. Code is amended to read:

(C) A tattoo facility may only provide tattooing and may not engage in any other retail business including, but not limited to, the sale of goods or performing any form of body piercing other than tattooing.

SECTION 2. Section 44‑34‑100 (E), (F), and (G) of the S.C. Code is amended to read:

(E) It is unlawful for a tattoo artist to tattoo any part of the head, face, or neck of another person.

(F) A person who violates a provision of this chapter is guilty of a misdemeanor and, upon conviction, must be fined up to two thousand five hundred dollars or imprisoned up to one year, or both.

(GF) All licensing fees and monetary penalties collected must be remitted to the Department of Health and Environmental Control in a separate and distinct account to be used solely to carry out and enforce the provisions of this chapter.

SECTION 3. Section 44‑34‑110 of the S.C. Code is amended by adding:

(D)(1) Notwithstanding the provisions of subsection (A), the department may issue a license so long as any church, school, or playground located within the parameters affirmatively states that it does not object to the issuance of a license.

(2)(a) Any applicant seeking to utilize the provisions of this subsection must provide a statement declaring the church, playground, or school does not object to the issuance of the specific license sought, as follows:

(i) if a church, from the decision‑making body of the local church;

(ii) if a playground, from the decision‑making body of the owner of the playground;

(iii) if a school, from the local school district board of trustees of the local public school, governing board of the charter school, or governing authority of the private school.

(b) If more than one church, school, or playground is located within the parameters set forth in subsection (A), the applicant must provide the statement from all churches, schools, or playgrounds.

(c) At the time of any renewal period for the specific license, a school, from the local school district board of trustees of the local public school, governing board of the charter school, or governing authority of the private school, may withdraw its statement declaring it does not object to the issuance of the specific license sought by notifying the department of its withdrawal.

(3) The department may promulgate regulations necessary to implement the provisions of this subsection.

SECTION 4. This act takes effect upon approval by the Governor.

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