

HOUSE BILL No. 4689

May 1, 2001, Introduced by Rep. Callahan and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 13101 and 13102 (MCL 333.13101 and
333.13102), as added by 1996 PA 223.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 13101. As used in this part:

2 (a) "Body-piercing" means the perforation of human tissue
3 other than an ear for a nonmedical purpose. BODY-PIERCING DOES
4 NOT INCLUDE TONGUE-PIERCING.

5 (b) "Branding" means a permanent mark made on human tissue
6 by burning with a hot iron or other instrument.

7 (c) "Controlled substance" means that term as defined in
8 section 7104.

9 (d) "Minor" means an individual under 18 years of age who is
10 not emancipated under section 4 of ~~Act No. 293 of the Public~~

1 ~~Acts of 1968, being section 722.4 of the Michigan Compiled Laws~~
2 1968 PA 293, MCL 722.4.

3 (e) "Tattoo" means 1 or more of the following:

4 (i) An indelible mark made upon the body of another individ-
5 ual by the insertion of a pigment under the skin.

6 (ii) An indelible design made upon the body of another indi-
7 vidual by production of scars other than by branding.

8 (F) "TONGUE-PIERCING" MEANS THE PERFORATION OF A HUMAN
9 TONGUE FOR A NONMEDICAL PURPOSE.

10 Sec. 13102. (1) An individual shall not tattoo, brand, or
11 perform body-piercing on a minor unless the individual obtains
12 the prior written informed consent of the minor's parent or legal
13 guardian. The minor's parent or legal guardian shall execute the
14 written, informed consent required under this subsection in the
15 presence of the individual performing the tattooing, branding, or
16 body-piercing on the minor or in the presence of an employee or
17 agent of that individual. ~~For purposes of this section, "minor"~~
18 ~~does not include a minor who is emancipated pursuant to section 4~~
19 ~~of Act No. 293 of the Public Acts of 1968, being section 722.4 of~~
20 ~~the Michigan Compiled Laws.~~

21 (2) An individual shall not tattoo, brand, or perform
22 body-piercing on another individual if the other individual is
23 under the influence of intoxicating liquor or a controlled
24 substance.

25 (3) AN INDIVIDUAL SHALL NOT PERFORM TONGUE-PIERCING ON
26 ANOTHER INDIVIDUAL UNLESS THE INDIVIDUAL PERFORMING THE
27 TONGUE-PIERCING IS A HEALTH PROFESSIONAL LICENSED UNDER ARTICLE

1 15 WHOSE LICENSE ALLOWS HIM OR HER TO PERFORM A SURGICAL
2 PROCEDURE IN THE HUMAN MOUTH.