



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 593 (Substitute S-1 as reported)
Sponsor: Senator John J. Gleason
Committee: Health Policy

CONTENT

The bill would amend Part 131 (Tattoo Parlors) of the Public Health Code to:

- Prohibit a person from tattooing, branding, or performing body-piercing on another individual unless the service occurred at a body art facility licensed under Part 131, beginning January 1, 2009.
- Require the Department of Community Health (DCH) to enforce Part 131 and rules promulgated under it.
- Prescribe the following fees: \$500 for an initial three-year license; \$300 for a three-year renewal; and \$100 for a license to operate a facility at a fixed site for up to two weeks.
- Require the local health department to inspect a body art facility before it was licensed, convey inspection results to the DCH, and inspect each licensed facility at least yearly.
- Require a licensed facility to ensure that the facility and its employees complied with Federal bloodborne pathogen safety standards; ensure that services were performed in a sterile field; maintain a confidential record of each customer; and perform other duties.
- Allow a person alleging a violation to bring a civil action for appropriate injunctive relief.
- Prescribe a misdemeanor penalty for a violation of Part 131.
- Prohibit a person from providing a minor with a body-piercing kit or device, and prescribe a civil fine for a violation.
- Eliminate an exception for an emancipated minor from a prohibition against performing tattooing, branding, or body-piercing on a minor without parental consent.
- Allow the governing entity of a local health department to adopt and enforce local codes, ordinances, or regulations that were more stringent than the minimum applicable standards under Part 131.
- Change the title of Part 131 to "Body Art Facilities".

MCL 333.13101 et al.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would lead to an indeterminate increase in administrative expense for the Department of Community Health. The DCH would have to devote additional staff to the enforcement and processing of applications for licensure and the creation and enforcement of standards for the safe application of tattoos, brands, and body piercing. The extent of cost would be determined by revenue generated by licensing fees.

Local governments would see an increase in administrative cost associated with the requirement that local health departments inspect body art facilities to ensure compliance with State standards. This increase in expense is indeterminate at this time and could be affected by the number of counties that already inspect tattoo facilities.

The bill would have an indeterminate fiscal impact on local government corrections costs. There are no data to indicate how many offenders would be convicted of violating Part 131. Local governments would incur the costs of misdemeanor probation and incarceration in local facilities, which vary by county. Additional penal fine revenue would benefit public libraries.

Date Completed: 9-14-07

Fiscal Analyst: David Fosdick
Lindsay Hollander

floor\sb593

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.