

Ashlee Matthews proposes the following substitute bill:

Scarification Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ashlee Matthews

Senate Sponsor:

LONG TITLE

General Description:

This bill addresses scarification.

Highlighted Provisions:

This bill:

- requires a body art facility that offers scarification to comply with certain requirements;
- establishes the criminal offense of unlawful scarification of a minor; and
- defines terms.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-9-2001, as enacted by Laws of Utah 2025, Chapter 173

ENACTS:

26B-7-417, Utah Code Annotated 1953

76-9-2004, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26B-7-417** is enacted to read:

26B-7-417 . Scarification safety requirements.

(1) A body art facility that practices or instructs scarification shall:

- (a) practice scarification procedures in a dedicated enclosed room that is not used for any other purpose;
- (b) obtain proof of age before performing a scarification procedure; and
- (c) provide a client, in writing, with:

30 (i) instructions regarding proper care for the skin during the healing process after a
31 scarification procedure, including warning signs of infection; and

32 (ii) information about how to report an injury to the department.

33 (2) The department shall establish rules to ensure that a body art facility that practices or
34 instructs scarification has adequate policies and procedures in place for client safety,
35 including rules that address:

36 (a) clothing;

37 (b) personal protective equipment;

38 (c) use of single-use instruments;

39 (d) sanitization and disposal of tools; and

40 (e) cleaning and bandaging a client's skin.

41 Section 2. Section **76-9-2001** is amended to read:

42 **76-9-2001 . Definitions.**

43 As used in this part:

44 (1) "Body piercing" means the creation of an opening in the body, excluding the ear, for the
45 purpose of inserting jewelry or other decoration.

46 (2) "Consent of a minor's parent or legal guardian" means the presence of a parent or legal
47 guardian during the performance of tattooing or body piercing upon the minor after the
48 parent or legal guardian has provided:

49 (a) reasonable proof of personal identity and familial relationship; and

50 (b) written permission signed by the parent or legal guardian authorizing the
51 performance of tattooing or body piercing upon the minor.

52 (3) "Minor" means a person younger than 18 years old who:

53 (a) is not married; and

54 (b) has not been declared emancipated by a court of law.

55 (4) "Scarification" means the process in which a mark is cut into human skin tissue with the
56 intent of leaving a permanent mark.

57 [(4)] (5) "Tattoo" means to fix an indelible mark or figure upon the body by inserting a
58 pigment under the skin or by producing scars.

59 Section 3. Section **76-9-2004** is enacted to read:

60 **76-9-2004 . Unlawful scarification of a minor.**

61 (1) Terms defined in Sections 76-1-101.5 and 76-9-2001 apply to this section.

62 (2) Except as provided in Subsection (5), an actor commits unlawful scarification of a
63 minor if the actor performs or offers to perform scarification:

- 64 (a) upon a minor; and
- 65 (b) for remuneration or in the course of a business or profession.
- 66 (3) A violation of Subsection (2) is a class B misdemeanor with a mandatory fine of not less
- 67 than \$1,000.
- 68 (4) An actor is not guilty of violating Subsection (2) if the actor:
- 69 (a) has no actual knowledge of the minor's age; and
- 70 (b) reviews, photocopies, and retains the photocopy of an apparently valid driver license
- 71 or other government-issued picture identification for the minor that expressly
- 72 purports that the minor is 18 years old or older before the actor performs the
- 73 scarification.
- 74 Section 4. **Effective Date.**
- 75 This bill takes effect on May 6, 2026.