

1 HB622  
2 168421-2  
3 By Representatives Faulkner, Daniels, Hill (J), Hill (M),  
4 Weaver, Sanderford, Whorton (R), Ledbetter, Pettus, Scott,  
5 Robinson, Pringle, Millican, Johnson (R), Tuggle, Hurst,  
6 Farley, Harbison, Butler, Shedd, Gaston, Williams (JD),  
7 Wadsworth, Faust, Wilcox, Boothe, Lee, Carns, Drake, Collins,  
8 Garrett, Ainsworth, Mooney, Martin and Fincher  
9 RFD: Judiciary  
10 First Read: 07-MAY-15

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8 SYNOPSIS: Under existing law, there is no prohibition  
9 against tattooing a minor.

10 This bill would prohibit a person from  
11 tattooing a minor under the age of 16 except for  
12 medical purposes.

13 This bill would prohibit a person from  
14 tattooing a minor who is 16 or 17 years of age  
15 unless the minor is accompanied by a parent or  
16 legal guardian who provides written consent.

17 This bill would create the crime of  
18 tattooing a minor child and makes the crime a Class  
19 B misdemeanor for first violations and a Class A  
20 misdemeanor for second or subsequent violations.

21 This bill would provide for civil fines.

22 This bill would define tattoo.

23 Amendment 621 of the Constitution of Alabama  
24 of 1901, now appearing as Section 111.05 of the  
25 Official Recompilation of the Constitution of  
26 Alabama of 1901, as amended, prohibits a general  
27 law whose purpose or effect would be to require a

1 new or increased expenditure of local funds from  
2 becoming effective with regard to a local  
3 governmental entity without enactment by a 2/3 vote  
4 unless: it comes within one of a number of  
5 specified exceptions; it is approved by the  
6 affected entity; or the Legislature appropriates  
7 funds, or provides a local source of revenue, to  
8 the entity for the purpose.

9 The purpose or effect of this bill would be  
10 to require a new or increased expenditure of local  
11 funds within the meaning of the amendment. However,  
12 the bill does not require approval of a local  
13 governmental entity or enactment by a 2/3 vote to  
14 become effective because it comes within one of the  
15 specified exceptions contained in the amendment.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT  
20

21 Relating to tattoos; to prohibit a person from  
22 tattooing a minor child under the age of 16 except for medical  
23 purposes; to prohibit a person from tattooing a minor child  
24 who is 16 or 17 years of age without parental consent; to  
25 provide criminal penalties; to define tattoo; and in  
26 connection therewith would have as its purpose or effect the  
27 requirement of a new or increased expenditure of local funds

1 within the meaning of Amendment 621 of the Constitution of  
2 Alabama of 1901, now appearing as Section 111.05 of the  
3 Official Recompilation of the Constitution of Alabama of 1901,  
4 as amended.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. (a) As used in this section, "tattoo" and  
7 "tattooing" mean a procedure designed primarily to insert a  
8 permanent color or pigment in or under the skin.

9 (b) A person may not tattoo the body of a minor  
10 child younger than 16 years of age unless the tattooing is  
11 performed for medical purposes by a person licensed to  
12 practice medicine under Title 34, Chapter 24, Code of Alabama  
13 1975.

14 (c) A person may not tattoo the body of a minor  
15 child who is at least 16 years of age, but younger than 18  
16 years of age, unless the minor child is accompanied by his or  
17 her parent or legal guardian and the parent or legal guardian  
18 provides written consent at the time of the tattooing.

19 (d) A first violation of this section is a Class B  
20 misdemeanor and the violator shall pay a fine of not less than  
21 five hundred dollars (\$500). A second or subsequent violation  
22 of this section is a Class A misdemeanor and the violator  
23 shall pay a fine of not less than one thousand dollars  
24 (\$1,000).

25 Section 2. Although this bill would have as its  
26 purpose or effect the requirement of a new or increased  
27 expenditure of local funds, the bill is excluded from further

1 requirements and application under Amendment 621, now  
2 appearing as Section 111.05 of the Official ReCompilation of  
3 the Constitution of Alabama of 1901, as amended, because the  
4 bill defines a new crime or amends the definition of an  
5 existing crime.

6 Section 3. This act shall become effective on the  
7 first day of the third month following its passage and  
8 approval by the Governor, or its otherwise becoming law.