

AN ACT

ENTITLED, An Act to provide for the regulation of saline tattoo removal by municipalities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 9-34-17 be amended to read:

9-34-17. Any municipality may regulate the practice of tattooing, saline tattoo removal, and body piercing by licensing practitioners of tattooing, saline tattoo removal, or body piercing; inspecting tattoo, saline tattoo removal, and body piercing establishments; and establishing standards for sanitation that are at least as stringent as those adopted by the Department of Health under § 34-1-17.

Terms used in this section mean:

- (1) "Tattooing," to make marks or designs into the skin by puncturing it and inserting indelible colors. The term includes microblading and similar techniques used to partially or fully simulate natural hair;
- (2) "Saline tattoo removal," inserting a saline solution in skin to lighten or remove an existing tattoo. The term does not include the use of other acids or of lasers as described in § 36-4-8.2;
- (3) "Body piercing," to place a permanent or temporary foreign object in a person's body for a decorative or other nonmedical purpose by a person not directly under the supervision of a licensed physician as defined by § 36-4-11.

Section 2. That § 34-1-17 be amended to read:

34-1-17. The Department of Health may adopt and enforce, subject to chapter 1-26, orders and rules necessary to preserve and protect the public health and may regulate, by requiring licenses or other appropriate means, control, and, in proper cases, prohibit and suppress any of the following matters:

- (1) The manufacture into articles of commerce, other than food, of diseased, tainted, or

- decayed animal or vegetable matter;
- (2) The location of cemeteries and the removal and burial of the dead;
 - (3) The management of lying-in houses and boarding places for infants, and the treatment of infants therein;
 - (4) The construction and equipment, in respect to sanitary conditions, of schools, hospitals, prisons, and other public institutions;
 - (5) The treatment in hospitals and elsewhere of persons suffering from any communicable disease, the disinfection and quarantine of persons and places in case of disease, and the reporting of sickness and deaths from disease;
 - (6) The distribution of biological products to be used for the prevention and treatment of communicable diseases;
 - (7) The diagnosis, control, and treatment of tuberculosis; and
 - (8) The minimum sanitation requirements for tattooing, saline tattoo removal, and body piercing as defined in § 9-34-17, including premises, equipment, methods of operation, and freedom from communicable disease.

An Act to provide for the regulation of saline tattoo removal by municipalities.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1176

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1176

File No. _____

Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,

20__ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20__

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State