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

BILL ANALYSIS

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

Senate Bill 51 (Substitute S-2 as reported)
Sponsor: Senator Christopher D. Dingell
Committee: Health Policy and Senior Citizens

CONTENT

The bill would amend the Public Health Code to add a provision that would make it a misdemeanor for a person to tattoo, brand, or perform body piercing on a minor unless the person obtained the prior written informed consent of the minor's parent or legal guardian. The minor's parent or legal guardian would have to execute the written consent in the presence of the person performing the tattooing, branding, or body-piercing on the minor, or in the presence of an employee or agent of the person. Further, the bill would make it a misdemeanor for a person to tattoo, brand, or perform body-piercing on any other person if the other person were under the influence of intoxicating liquor or a controlled substance.

The misdemeanor would be punishable by imprisonment for up to 90 days, a fine of up to $500, or both, per violation. A person who committed a violation also would be liable for a civil action for the greater of actual damages or $1,000, plus reasonable court costs and attorney fees.

Under the bill, "body piercing" would be the perforation of human tissue, other than an ear, for nonmedical purposes. A "tattoo" would be an indelible mark made on the body of another person by the insertion of a pigment under the skin, or an indelible design made by the production of scars other than by branding. "Branding" would be a permanent mark made on human tissue by burning with a hot iron or other instrument.

Proposed MCL 333.13101-333.13103 Legislative Analyst: G. Towne

FISCAL IMPACT

The bill would have an indeterminate, yet likely small fiscal impact on local government, and no fiscal impact on State government.

There is no reliable way to predict how many violations of the bill's new provision would occur. To the extent that violators would be prosecuted and sanctioned, local units of government could incur additional costs, the extent of which is indeterminate, yet likely relatively small.

Date Completed: 2-29-96 Fiscal Analyst: M. Hansen

floor\sb51