

CF 7r0706

By: Delegate Minnick

Introduced and read first time: January 27, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Tattooing - Minors - Prohibitions**

3 FOR the purpose of prohibiting the making of a tattoo on a minor except under certain
4 circumstances; providing certain defenses; specifying a penalty; defining a certain
5 term; and generally relating to the tattooing of minors.

6 BY adding to

7 Article 27 - Crimes and Punishments
8 Section 405B to be under the new subheading "Minors - Tattoos"
9 Annotated Code of Maryland
10 (1996 Replacement Volume)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article 27 - Crimes and Punishments**

14 **MINORS - TATTOOS**

15 405B.

16 (A) IN THIS SECTION, "TATTOO" MEANS A DESIGN OR MARK MADE ON THE
17 SKIN BY:

18 (1) PRICKING THE SKIN AND INGRAINING IT IN AN INDELIBLE PIGMENT;
19 OR

20 (2) RAISING SCARS ON THE SKIN.

21 (B) A PERSON MAY NOT MAKE A TATTOO ON A MINOR, UNLESS A PARENT OR
22 GUARDIAN OF THE MINOR IS PRESENT DURING AND CONSENTS TO THE TATTOO.

23 (C) IN THE PROSECUTION FOR A VIOLATION OF THIS SECTION, IT SHALL BE A
24 DEFENSE THAT THE DEFENDANT USED DUE CAUTION TO DETERMINE THAT:

25 (1) THE TATTOO RECIPIENT WAS AT LEAST 18 YEARS OLD AT THE TIME
26 OF THE TATTOO; OR

2

1 (2) THE INDIVIDUAL WHO WAS PRESENT DURING AND CONSENTED TO
2 THE TATTOO WAS A PARENT OR GUARDIAN OF THE TATTOO RECIPIENT.

3 (D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
4 AND SHALL BE SUBJECT TO A FINE OF NOT MORE THAN \$5,000.

5 (E) FOR PURPOSES OF THIS SECTION, EACH SEPARATE AND DISTINCT
6 INCIDENT AT A DIFFERENT TIME AND OCCASION IS A SEPARATE VIOLATION.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 1997.