S T A T E O F N E W Y O R K

4797

2013-2014 Regular Sessions

I N S E N A T E

April 24, 2013

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to requiring tattoo studios and body piercing studios to use single use needles and inks, to obtain consent forms from customers and to maintain customer consent forms for a period of not less than seven years

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 460 of the public health law is amended by adding two new subdivisions 10 and 11 to read as follows:

10. "SINGLE USE INK" SHALL MEAN A SEALED AND PRE-FILLED PACKAGE OF INK THAT IS ONLY INTENDED FOR A SINGLE USE.

11. "SINGLE USE NEEDLE" SHALL MEAN A SEALED AND STERILE PACKAGE OF A DISPOSABLE NEEDLE.

S 2. The public health law is amended by adding a new section 467 to read as follows:

S 467. SINGLE USE TATTOO AND BODY PIERCING EQUIPMENT. 1. ALL TATTOO STUDIOS AND BODY PIERCING STUDIOS MUST ENSURE THAT SINGLE USE INKS AND SINGLE USE NEEDLES ARE USED IN ALL TATTOO AND BODY PIERCING PROCEDURES PERFORMED IN SUCH ESTABLISHMENTS.

2. PRIOR TO A PERSON RECEIVING A TATTOO OR BODY PIERCING FROM A LICENSED TATTOOIST OR BODY PIERCING SPECIALIST, SUCH PERSON AND LICENSED TATTOOIST OR BODY PIERCING SPECIALIST MUST SIGN A FORM CONFIRMING THAT THE TATTOOIST OR BODY PIERCING SPECIALIST:

A. PRESENTED ALL SINGLE USE MATERIALS IN A STERILE AND SEALED PACKAGE, THAT ARE TO BE USED DURING THE TATTOO OR BODY PIERCING PROCEDURE, TO THE PERSON RECEIVING SUCH TATTOO OR BODY PIERCING; AND

B. OPENED ALL SINGLE USE MATERIALS THAT ARE TO BE USED DURING THE TATTOO OR BODY PIERCING PROCEDURE INCLUDING NEEDLES, INKS AND OTHER INSTRUMENTS IN THE PRESENCE OF THE PERSON RECEIVING SUCH TATTOO OR BODY PIERCING.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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3. A COPY OF THE CONSENT FORM SHALL BE GIVEN TO THE PERSON RECEIVING A TATTOO OR BODY PIERCING. THE TATTOO STUDIO OR BODY PIERCING STUDIO SHALL RETAIN A COPY OF SUCH CONSENT FORM FOR A PERIOD NOT LESS THAN SEVEN YEARS.

S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law.