

PUBLIC HEALTH CODE (EXCERPT)

Act 368 of 1978

PART 131

TATTOO PARLORS

333.13101 Definitions.

Sec. 13101. As used in this part:

- (a) "Body-piercing" means the perforation of human tissue other than an ear for a nonmedical purpose.
- (b) "Branding" means a permanent mark made on human tissue by burning with a hot iron or other instrument.
- (c) "Controlled substance" means that term as defined in section 7104.
- (d) "Minor" means an individual under 18 years of age who is not emancipated under section 4 of Act No. 293 of the Public Acts of 1968, being section 722.4 of the Michigan Compiled Laws.
- (e) "Tattoo" means 1 or more of the following:
 - (i) An indelible mark made upon the body of another individual by the insertion of a pigment under the skin.
 - (ii) An indelible design made upon the body of another individual by production of scars other than by branding.

History: Add. 1996, Act 223, Eff. Sept. 1, 1996.

Popular name: Act 368

333.13102 Tattoo, brand, or body piercing on minor; consent of parent or guardian required; individual under influence of intoxicating liquor or controlled substance.

Sec. 13102. (1) An individual shall not tattoo, brand, or perform body-piercing on a minor unless the individual obtains the prior written informed consent of the minor's parent or legal guardian. The minor's parent or legal guardian shall execute the written, informed consent required under this subsection in the presence of the individual performing the tattooing, branding, or body-piercing on the minor or in the presence of an employee or agent of that individual. For purposes of this section, "minor" does not include a minor who is emancipated pursuant to section 4 of Act No. 293 of the Public Acts of 1968, being section 722.4 of the Michigan Compiled Laws.

(2) An individual shall not tattoo, brand, or perform body-piercing on another individual if the other individual is under the influence of intoxicating liquor or a controlled substance.

History: Add. 1996, Act 223, Eff. Sept. 1, 1996.

Popular name: Act 368

333.13103 Violation as misdemeanor; penalty; liability in civil action; damages, court costs, and attorney fees.

Sec. 13103. (1) A person who violates section 13102 is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both, for each violation.

(2) A person who violates section 13102 is liable in a civil action for actual damages or \$1,000.00, whichever is greater, plus reasonable court costs and attorney fees.

History: Add. 1996, Act 223, Eff. Sept. 1, 1996.

Popular name: Act 368