



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5858

by Rep. John D. Anthony

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12C-35

was 720 ILCS 5/12-10

Amends the Criminal Code of 2012. Provides that the prohibitions of the statute concerning tattooing the body of a minor do not apply to the removal of a tattoo from a person under 18 years of age, who is a victim of trafficking in persons, involuntary sexual servitude of a minor, or involuntary servitude or who is or has been a streetgang member as defined in the Illinois Streetgang Terrorism Omnibus Prevention Act, if the removal of the tattoo is performed in an establishment or multi-type establishment which has received a certificate of registration from the Department of Public Health or its agent under the Tattoo and Body Piercing Establishment Registration Act and the removal of the tattoo is performed by the operator or an authorized employee of the operator of the establishment or multi-type establishment. Effective immediately.

LRB098 18887 RLC 54033 b

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 2012 is amended by changing
5 Section 12C-35 as follows:

6 (720 ILCS 5/12C-35) (was 720 ILCS 5/12-10)

7 Sec. 12C-35. Tattooing the body of a minor.

8 (a) A person, other than a person licensed to practice
9 medicine in all its branches, commits tattooing the body of a
10 minor when he or she knowingly or recklessly tattoos or offers
11 to tattoo a person under the age of 18.

12 (b) A person who is an owner or employee of a business that
13 performs tattooing, other than a person licensed to practice
14 medicine in all its branches, may not permit a person under 18
15 years of age to enter or remain on the premises where tattooing
16 is being performed unless the person under 18 years of age is
17 accompanied by his or her parent or legal guardian.

18 (c) "Tattoo" means to insert pigment under the surface of
19 the skin of a human being, by pricking with a needle or
20 otherwise, so as to produce an indelible mark or figure visible
21 through the skin.

22 (d) Subsection (a) of this Section does not apply to a
23 person under 18 years of age who tattoos or offers to tattoo

1 another person under 18 years of age away from the premises of
2 any business at which tattooing is performed.

3 (d-5) Subsections (a) and (b) of this Section do not apply
4 to the removal of a tattoo from a person under 18 years of age,
5 who is a victim of a violation of Section 10-9 of this Code or
6 who is or has been a streetgang member as defined in Section 10
7 of the Illinois Streetgang Terrorism Omnibus Prevention Act, if
8 the removal of the tattoo is performed in an establishment or
9 multi-type establishment which has received a certificate of
10 registration from the Department of Public Health or its agent
11 under the Tattoo and Body Piercing Establishment Registration
12 Act and the removal of the tattoo is performed by the operator
13 or an authorized employee of the operator of the establishment
14 or multi-type establishment. For the purposes of this
15 subsection (d-5), "tattoo" also means the indelible mark or
16 figure visible through the skin created by tattooing.

17 (e) Sentence. A violation of this Section is a Class A
18 misdemeanor.

19 (Source: P.A. 97-1109, eff. 1-1-13.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.