

State of Misconsin 2003 - 2004 LEGISLATURE

LRB-0079/2 DAK:cjs:jf

2003 ASSEMBLY BILL 381

June 5, 2003 – Introduced by Representatives LADWIG, JENSEN, TURNER, ALBERS, BIES, HAHN, M. LEHMAN, NASS, OWENS, PETROWSKI, TAYLOR, TOWNSEND and VRAKAS, cosponsored by Senator KEDZIE. Referred to Committee on Family Law.

1 AN ACT to amend 252.24 (title) and 252.25; and to create 252.24 (3m) of the

- 2 statutes; **relating to:** requiring informed consent by a minor's parent or
- 3 guardian for the minor's ear piercing.

Analysis by the Legislative Reference Bureau

Under current law, body piercing, body piercers, and body-piercing establishments are regulated by the Department of Health and Family Services (DHFS). "Body piercing" is defined as perforating any human body part or human tissue, except an ear, and placing a foreign object in the perforation in order to prevent the perforation from closing. Current DHFS rules prohibit the body piercing of persons under 16 years; the rules also prohibit the body piercing of persons aged 16 or 17 years unless an informed consent form is signed by the person's parent or legal guardian in the presence of the owner or other person responsible for the operation of the establishment.

This bill prohibits an establishment that employs or contracts with a licensed body piercer or a person who exclusively engages in piercing ears from permitting the employee or contractor to pierce the ear of a minor, for a fee, unless an informed consent for the piercing is signed by the minor's parent or legal guardian in the presence of the piercer.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 252.24 (title) of the statutes is amended to read: $\mathbf{2}$ **252.24** (title) Regulation of body piercing and body-piercing 3 establishments; ear piercing of a minor without parental consent 4 prohibited. 5 **SECTION 2.** 252.24 (3m) of the statutes is created to read: 6 252.24 (3m) EAR PIERCING OF A MINOR; PARENTAL CONSENT REQUIRED. No 7 establishment that employs or contracts with a person who is licensed as a body 8 piercer under sub. (3) or a person who exclusively engages in piercing ears may 9 permit the employee or contractor to pierce the ear of or attempt to pierce the ear of 10 a minor for a fee unless an informed consent form for the minor has been signed by 11 the minor's parent or guardian in the presence of the piercer. 12**SECTION 3.** 252.25 of the statutes is amended to read: 13 **252.25** Violation of law relating to health. Any Except as provided in s. 252.24 (3m), any person who willfully violates or obstructs the execution of any state 14statute or rule, county, city or village ordinance or departmental order under this 1516chapter and relating to the public health, for which no other penalty is prescribed, 17shall be imprisoned for not more than 30 days or fined not more than \$500 or both.

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(END)