



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRBa2074/1  
MED:wlj

**ASSEMBLY AMENDMENT 2,  
TO ASSEMBLY BILL 903**

February 13, 2018 - Offered by Representative BALLWEG.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 9: after “boards” insert “and local regulation of tattooing and  
3 body piercing.”.

4 **2.** Page 5, line 5: delete “underground” and substitute “underground”.

5 **3.** Page 5, line 25: after that line insert:

6 “**SECTION 17m.** 440.08 (2) (a) 58m. of the statutes is amended to read:

7 440.08 (2) (a) 58m. Physician who possesses the degree of doctor of osteopathy:

8 March November 1 of each ~~even-numbered~~ odd-numbered year.”.

9 **4.** Page 9, line 5: after that line insert:

10 “**SECTION 30c.** 463.10 (5) of the statutes is amended to read:

11 463.10 (5) EXCEPTION. ~~This section does~~ Subsections (2) to (4m) do not apply

12 to a dentist who is licensed under s. 447.03 (1) or to a physician who tattoos or offers

13 to tattoo a person in the course of the dentist’s or physician’s professional practice.

1           **SECTION 30g.** 463.10 (6) of the statutes is created to read:

2           463.10 **(6)** LOCAL REGULATION. No city, village, town, or county may enact or  
3 enforce an ordinance that does any of the following:

4           (a) Regulates tattoo establishments or the practice of tattooing, except as  
5 permitted under s. 463.16 (6).

6           (b) Requires local licenses, other than licenses issued by local health  
7 departments designated as the department's agent under s. 463.16, for tattoo  
8 establishments or for the practice of tattooing.

9           **SECTION 30n.** 463.12 (5) of the statutes is amended to read:

10           463.12 **(5)** EXCEPTION. ~~This section does~~ Subsections (2) to (4m) do not apply  
11 to a dentist who is licensed under s. 447.03 (1) or to a physician who pierces the body  
12 of or offers to pierce the body of a person in the course of the dentist's or physician's  
13 professional practice.

14           **SECTION 30r.** 463.12 (6) of the statutes is created to read:

15           463.12 **(6)** LOCAL REGULATION. No city, village, town, or county may enact or  
16 enforce an ordinance that does any of the following:

17           (a) Regulates body-piercing establishments or the practice of body piercing,  
18 except as permitted under s. 463.16 (6).

19           (b) Requires local licenses, other than licenses issued by local health  
20 departments designated as the department's agent under s. 463.16, for  
21 body-piercing establishments or for the practice of body piercing.

22           **SECTION 30w.** 463.16 (1) of the statutes is amended to read:

23           463.16 **(1)** In the administration and enforcement of ss. 463.10 and 463.12, the  
24 department may enter into a written agreement with a local health department with  
25 a jurisdictional area that has a population greater than 5,000, ~~which~~ that designates

1 the local health department as the department's agent in issuing licenses to and  
2 making investigations or inspections of tattooists and tattoo establishments and  
3 body piercers and body-piercing establishments. In a jurisdictional area of a local  
4 health department without agent status, the department of safety and professional  
5 services may issue licenses, collect license fees established under s. 440.03 (9), and  
6 make investigations or inspections of tattooists and tattoo establishments and body  
7 piercers and body-piercing establishments. ~~If the department of safety and~~  
8 ~~professional services designates a local health department as its agent, the~~  
9 ~~department of safety and professional services or local health department may~~  
10 ~~require no license for the same operations other than the license issued by the local~~  
11 ~~health department under this subsection.~~ If the designation is made and the services  
12 are furnished, the department of safety and professional services shall reimburse the  
13 local health department furnishing the service at the rate of 80 percent of the net  
14 license fee per license per year issued in the jurisdictional area.

15 **SECTION 30x.** 463.16 (6) of the statutes is amended to read:

16 463.16 (6) ~~A village, If a local health department is designated as the~~  
17 ~~department's agent under this section, a city, village, town, or county may enact or~~  
18 ~~enforce~~ ordinances and a local board of health may adopt regulations regarding the  
19 licensees and premises for which the local health department is the designated agent  
20 under this section, ~~which~~ that are stricter than s. 463.10 or 463.12 or rules  
21 promulgated by the ~~department of health services~~ department of safety and  
22 professional services under s. 463.10 or 463.12. ~~No, but no~~ such provision may  
23 conflict with s. 463.10 or 463.12 or with department rules. A county ordinance  
24 enacted as provided in this subsection applies only in towns within that county that  
25 have not enacted an ordinance as provided in this subsection."

