

By: Uresti

H.B. No. 2535

A BILL TO BE ENTITLED

AN ACT

1
2 relating to bloodborne pathogens training for a tattooist or person
3 who performs body piercing.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 146, Health and Safety Code, is amended
6 by adding Section 146.0085 to read as follows:

7 Sec. 146.0085. O.S.H.A. TRAINING PROGRAM. (a) Except as
8 provided by Subsection (e), a tattooist or person who performs body
9 piercing shall:

10 (1) complete a 10-hour Occupational Safety and Health
11 Administration general industry outreach training course for
12 tattooists and body piercing artists that includes six hours
13 related to bloodborne pathogens, infection control, and aseptic
14 technique before performing a tattoo or body piercing at a tattoo or
15 body piercing studio; and

16 (2) annually complete at least four hours of training
17 related to bloodborne pathogens, infection control, and aseptic
18 technique.

19 (b) A training program under this section must be conducted
20 by an Occupational Safety and Health Administration trainer who is
21 knowledgeable in tattoos and body piercing.

22 (c) A trainer shall issue a course completion card from the
23 Occupational Safety and Health Administration to a tattooist or
24 person who performs body piercing who completes the 10-hour

1 training course and a training certificate to a tattooist or person
2 who performs body piercing who completes the training under
3 Subsection (a)(2).

4 (d) A tattooist or person who performs body piercing shall
5 display the course completion card in a prominent location in the
6 studio or temporary location.

7 (e) A tattooist or person who performs body piercing who is
8 an authorized Occupational Safety and Health Administration
9 trainer is not required to complete a training program under this
10 section. The trainer shall display a current diploma from the
11 Occupational Safety and Health Administration Training Institute.

12 SECTION 2. Section 146.003(a), Health and Safety Code, is
13 amended to read as follows:

14 (a) To receive a tattoo studio license, body piercing studio
15 license, or temporary location license, a person must submit a
16 signed, verified license application to the department on a form
17 prescribed by the department and must submit an application fee. In
18 addition, the person must submit:

19 (1) evidence from the appropriate zoning officials in
20 the municipality or county in which the studio is proposed to be
21 located that confirms that the studio is in compliance with
22 existing zoning codes applicable to the studio; and

23 (2) for each tattooist or person who performs body
24 piercing at the studio or temporary location, a copy of the
25 tattooist's or person's two most recent annual training
26 certificates received under Section 146.0085 and a copy of the
27 tattooist's or person's:

1 (A) course completion card; or

2 (B) if applicable, current diploma from the
3 Occupational Safety and Health Administration Training Institute.

4 SECTION 3. Section 146.004(b), Health and Safety Code, is
5 amended to read as follows:

6 (b) A tattoo studio or body piercing studio license may be
7 renewed annually on payment of the required renewal fee. On renewal
8 of the studio license, the studio must submit, for each tattooist or
9 person who performs body piercing at the studio, a copy of the
10 tattooist's or person's two most recent annual training
11 certificates received under Section 146.0085 and a copy of the
12 tattooist's or person's:

13 (1) course completion card; or

14 (2) if applicable, current diploma from the
15 Occupational Safety and Health Administration Training Institute.

16 SECTION 4. A tattooist or person who performs body piercing
17 who has performed 50 or more body piercing procedures is not
18 required to complete the training program required under Section
19 146.0085, Health and Safety Code, as added by this Act, before
20 January 31, 2004.

21 SECTION 5. This Act takes effect September 1, 2003.