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SENATE BILL 81

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Rod Adair

AN ACT

RELATING TO HEALTH; PROHIBITING THE ADMINISTRATION OF BODY ART
UPON A MINOR.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Public Health Act is
enacted to read:

"~~[NEW MATERIAL]~~ BODY ART--PROHIBITION.--"

A. It is unlawful for a person to administer or
offer to administer body art upon a minor.

B. As used in this section:

(1) "body art" means tattooing, the practice
of depositing pigment that is either permanent, semipermanent
or temporary into the epidermis using needles and includes
permanent cosmetics, dermography, micropigmentation, permanent
color technology and micropigment implantation, by someone

underscored material = new
~~[bracketed material] = delete~~

1 other than a state-licensed physician or a person under the
2 supervision of a state-licensed physician; and scarification,
3 the practice of cutting into the skin with a sharp instrument
4 or branding the skin with a heated instrument to produce a
5 permanent mark or design on the skin. "Body art" does not
6 include practices that are considered medical procedures by the
7 New Mexico medical board; and

8 (2) "minor" means a person younger than
9 eighteen years of age who is not married, is not on active duty
10 in the armed forces and has not been declared emancipated by a
11 court of law."

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