



C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment.

April 1, 2010

MEMORANDUM

TO: Administrators, Tattoo Facilities

FROM: Nancy Maertens, Director
Division of Health Licensing

SUBJECT: Tattoo Law Changes

Regulation 61-111, *Standards for Licensing Tattoo Facilities*, Section 901. B requires that "A tattoo artist shall verify by means of a picture identification that a client is at least 21 years of age and shall not perform or offer to perform tattooing upon a person under the age of 21 years, unless the person is at least 18 and has parental consent."

Effective March 30, 2010, Sections 44-34-60 (C) and 44-34-100 (A) of the 1976 Code, as added by Act 250 of 2004, are amended effecting the age requirements for tattooing a facility client. In summary, facility client age of "21" has been changed to age "18". Below is the exact wording of the changes to these Codes:

SECTION 1. Section 44-34-60 (C) of the 1976 Code, as added by Act 250 of 2004, is amended to read:

"(C) A tattoo artist must verify by means of a picture identification that a recipient is at least **eighteen years of age**. For purposes of this section, 'picture identification' means:

(1) a valid driver's license; or

Page 2
April 1, 2010
Tattoo Law – Client Age Change

(2) an official photographic identification card issued by the South Carolina Department of Revenue, a federal or state law enforcement agency, an agency of the United States Department of Defense, or the United States Department of State. Proof that the defendant demanded, was shown, and reasonably relied upon proof of age is a defense to an action brought pursuant to this section."

SECTION 2. Section 44-34-100 (A) of the 1976 Code, as added by Act 250 of 2004, is amended to read:

"(A) It is unlawful for a person to perform or offer to perform tattooing upon a person under the age of **eighteen years**."

Therefore, as of March 30, 2010, it is lawful for tattoo facility artists to tattoo clients 18 years old or older.

Should you have any questions regarding these changes, please call Chris Stephens at (803) 545-4228.

Pamela Dukes, DHEC
Ken Moore, DHEC

Dennis L. Gibbs, DHEC
Carl Roberts, DHEC