

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

# A Bill

SENATE BILL 648

By: Senator Irvin  
By: Representative D. Ferguson

## For An Act To Be Entitled

AN ACT TO AMEND THE REGULATION OF BODY PIERCING,  
BRANDING, AND TATTOOING BY GRANTING ALL AUTHORITY OF  
EDUCATION STANDARDS FOR LICENSING TO THE DEPARTMENT  
OF HEALTH; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE REGULATION OF BODY PIERCING,  
BRANDING, AND TATTOOING BY GRANTING ALL  
AUTHORITY OF EDUCATION STANDARDS FOR  
LICENSING TO THE DEPARTMENT OF HEALTH.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 20-27-1501(3), concerning the definition of "artist trainer", is amended to read as follows:

(3) "Artist trainer" means an artist who:

(A) Has been licensed by the Department of Health as an artist for at least five (5) years in the specified field of body art in which he or she will offer training;

(B) Has worked in a body art establishment licensed by the department for at least five (5) years and been in compliance with department rules governing body artists;

(C) Has completed the course required under § 20-27-1506;

and

(D) Is a registered instructor for the specified field of body art with the ~~Department of Higher Education~~ department;



SECTION 2. Arkansas Code § 20-27-1503(a)(2), concerning licensing, regulating, and inspecting body art establishments and artists by the Department of Health, is amended to read as follows:

(2) A body art training facility shall be licensed by the Department of Health as an establishment and ~~by the Department of Higher Education~~ as an approved body art training facility.

SECTION 3. Arkansas Code § 20-27-1507(a) and (b), concerning the education of an artist in training, are amended to read as follows:

(a) An artist trainer shall be a registered instructor in a school licensed by the ~~Department of Higher Education under § 6-51-601 et seq.~~ Department of Health.

(b) ~~In consultation with the State Board of Private Career Education, the Department of Higher Education~~ The department shall develop standards to determine:

(1) The maximum number of artists in training in a training facility at one time; and

(2) The length of the program in hours and across a range of months.

SECTION 4. Arkansas Code § 20-27-1507(c)(2)(A), concerning the education of an artist in training, is amended to read as follows:

(2)(A) The artist trainer shall maintain a training log of the clock hours completed by the artist in training on forms approved by the ~~Department of Higher Education~~ department.

SECTION 5. Arkansas Code § 20-27-1507(c)(2)(D), concerning the education of an artist in training, is amended to read as follows:

(D) The completed training log shall be submitted to the ~~Department of Health~~ department at the time of the practical examination under § 20-27-1508.

SECTION 6. Arkansas Code § 20-27-1507(d) and (e), concerning the education of an artist in training, are amended to read as follows:

(d) An artist trainer may offer training only in the area in which the

artist trainer holds a current license from the ~~Department of Health~~  
department.

(e) The ~~Department of Higher Education~~ department shall adopt a minimum curriculum for each area of body art training that shall be followed by all artist trainers, artists in training, and body art training facilities.

SECTION 7. DO NOT CODIFY. Transformation and Efficiencies Act of 2019  
- Effect.

(a) The General Assembly finds that:

(1) House Bill 1763 of 2019, to create the Transformation and Efficiencies Act of 2019, is a pending bill before the Ninety-Second General Assembly at the time of the filing of this bill; and

(2) The provisions of this bill present a potential conflict with the provisions of House Bill 1763 of 2019.

(b) To resolve a potential conflict in the event that this bill and House Bill 1763 of 2019 each become acts, the Code Revision Commission shall use its authority under § 1-2-303 to give effect to both acts to the extent possible, by replacing the name "Division of Higher Education" as used in House Bill 1763 of 2019 with the name "Department of Health" or "department" in the sections of Arkansas Code amended by this act.

(c) This section shall only be effective if both this bill and House Bill 1763 of 2019 become acts.