

Introduced by: Legislator Yatauro

Local Law 11 -2007

A LOCAL LAW to amend Local Law No. 10-2001, in relation to body-piercing and tattooing.

BE IT ENACTED by the County Legislature of the County of Nassau, as follows:

Section 1. Section 2 of Local Law No. 10-2001 is amended to read as follows:

Section 2. Definitions.

- a) "Tattoo" means any indelible design, letter, scroll, figure, symbol, or other mark placed with the aid of needles or other instruments; or any design, letter, scroll, figure, or symbol done by scarring upon or under the skin.
- b) "Apply a tattoo" means any modification, cutting, scarification, piercing or branding of the mucous membranes or the skin through which needles or other items are inserted or applied for temporary or permanent placement of a tattoo upon a person.
- c) "Body piercing" means the perforation of any human body part other than an ear lobe for the purpose of inserting jewelry or other decoration or for some other non medical purpose.
- d) "Entity" means any individual, association, corporation, joint stock company, estate, general partnership (including any registered limited liability partnership or foreign limited liability partnership), limited association, limited liability company (including a professional service limited liability company), foreign limited liability company (including a foreign professional service limited liability company), joint venture, limited partnership, real estate investment trust, business trust or other trust, custodian, nominee or any other similar organization or individual in its own or any representative capacity.
- e) "Department" means the Nassau County Department of Health.
- f) "Minor" means a person under the age of eighteen (18) years.

§ 2. Section 4 of such local law is amended to read as follows:

Section 4. Prohibition.

- a) In accordance with §260.21 of the New York State Penal Law, no entity shall knowingly apply a tattoo to a minor.
- b) No entity shall perform body piercing upon the body of any person without first obtaining the signed written consent of such person, or in the case of a minor, the notarized written consent of such minor’s parent or legal guardian. Such written consent shall be kept on file by every entity performing body piercing and include, but not be limited to the following warning and consent language:

Body Piercing Risks

Body piecing is an invasive procedure and carries with it risks and healing periods. Risks associated with body piercing may include:

- Infection and potential for permanent scarring and/or disfigurement
- Allergic Reaction
- Nerve Damage
- Excessive Bleeding
- Risk of Cross-Contamination from a virus or other blood-borne pathogen
- Keloids (toughened knots of scar tissue that look like cysts that sometimes form at the site of a piercing)
- Dental risks from oral piercing

I have received and read the above warning and understand what it means before undergoing any body piercing.

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Signature of body piercing establishment

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Signature of consumer

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Print name of consumer

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Date

§ 3. This Local Law shall take effect sixty days after it shall have become law.