

House Bill 183 (COMMITTEE SUBSTITUTE)

By: Representative Borders of the 142nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to
2 offenses against public health and morals, so as to expand the exception to the misdemeanor
3 of tattooing near the eye when performed by an osteopath or a person under the general
4 supervision of a licensed physician or osteopath who is within a certain location at the time
5 of the procedure; to establish a misdemeanor offense of a high and aggravated nature for
6 subsequent violations; to provide for related matters; to provide an effective date; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against
11 public health and morals, is amended by striking Code Section 16-12-5, relating to tattooing
12 any person near his or her eye, in its entirety and inserting in its place the following:

13 "16-12-5.

14 (a) As used in this Code section, the term 'tattoo' means to mark or color the skin of any
15 person by pricking in, inserting, or implanting pigments, ~~except when performed by a~~
16 ~~physician licensed as such pursuant to Chapter 34 of Title 43.~~

17 (b) It shall be unlawful for any person, except a physician or osteopath licensed under
18 Chapter 34 of Title 43 or a person acting under the general supervision of such licensed
19 physician or osteopath who is located within the facility or an adjacent facility where the
20 procedure is being performed at the time the procedure is being performed, to tattoo the
21 body of any person within any area within one inch of the nearest part of the eye socket of
22 such person. Any person who violates this Code section shall be guilty of a misdemeanor
23 for a first offense and shall, upon a subsequent violation, be guilty of a misdemeanor of a
24 high and aggravated nature."

1 **SECTION 2.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.