



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa2317/1
MED:wlj

**SENATE AMENDMENT 1,
TO SENATE BILL 751**

February 23, 2018 - Offered by Senator KAPENGA.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 9: after “boards” insert “and local regulation of tattooing and
3 body piercing.”.

4 **2.** Page 5, line 5: delete “underground” and substitute “underground”.

5 **3.** Page 5, line 25: after that line insert:

6 “**SECTION 17m.** 440.08 (2) (a) 58m. of the statutes is amended to read:

7 440.08 (2) (a) 58m. Physician who possesses the degree of doctor of osteopathy:

8 March November 1 of each even-numbered odd-numbered year.”.

9 **4.** Page 9, line 5: after that line insert:

10 “**SECTION 30c.** 463.10 (5) of the statutes is amended to read:

11 463.10 (5) EXCEPTION. ~~This section does~~ Subsections (2) to (4m) do not apply

12 to a dentist who is licensed under s. 447.03 (1) or to a physician who tattoos or offers

13 to tattoo a person in the course of the dentist’s or physician’s professional practice.

1 **SECTION 30g.** 463.10 (6) of the statutes is created to read:

2 463.10 **(6)** LOCAL REGULATION. No city, village, town, or county may enact or
3 enforce an ordinance that does any of the following:

4 (a) Regulates tattoo establishments or the practice of tattooing, except as
5 permitted under s. 463.16 (6).

6 (b) Requires local licenses, other than licenses issued by local health
7 departments designated as the department's agent under s. 463.16, for tattoo
8 establishments or for the practice of tattooing.

9 **SECTION 30n.** 463.12 (5) of the statutes is amended to read:

10 463.12 **(5)** EXCEPTION. ~~This section does~~ Subsections (2) to (4m) do not apply
11 to a dentist who is licensed under s. 447.03 (1) or to a physician who pierces the body
12 of or offers to pierce the body of a person in the course of the dentist's or physician's
13 professional practice.

14 **SECTION 30r.** 463.12 (6) of the statutes is created to read:

15 463.12 **(6)** LOCAL REGULATION. No city, village, town, or county may enact or
16 enforce an ordinance that does any of the following:

17 (a) Regulates body-piercing establishments or the practice of body piercing,
18 except as permitted under s. 463.16 (6).

19 (b) Requires local licenses, other than licenses issued by local health
20 departments designated as the department's agent under s. 463.16, for
21 body-piercing establishments or for the practice of body piercing.

22 **SECTION 30w.** 463.16 (1) of the statutes is amended to read:

23 463.16 **(1)** In the administration and enforcement of ss. 463.10 and 463.12, the
24 department may enter into a written agreement with a local health department with
25 a jurisdictional area that has a population greater than 5,000, ~~which~~ that designates

1 the local health department as the department's agent in issuing licenses to and
2 making investigations or inspections of tattooists and tattoo establishments and
3 body piercers and body-piercing establishments. In a jurisdictional area of a local
4 health department without agent status, the department of safety and professional
5 services may issue licenses, collect license fees established under s. 440.03 (9), and
6 make investigations or inspections of tattooists and tattoo establishments and body
7 piercers and body-piercing establishments. ~~If the department of safety and
8 professional services designates a local health department as its agent, the
9 department of safety and professional services or local health department may
10 require no license for the same operations other than the license issued by the local
11 health department under this subsection.~~ If the designation is made and the services
12 are furnished, the department of safety and professional services shall reimburse the
13 local health department furnishing the service at the rate of 80 percent of the net
14 license fee per license per year issued in the jurisdictional area.

15 **SECTION 30x.** 463.16 (6) of the statutes is amended to read:

16 463.16 (6) ~~A village, If a local health department is designated as the~~
17 ~~department's agent under this section, a city, village, town, or county may enact or~~
18 ~~enforce~~ ordinances and a local board of health may adopt regulations regarding the
19 licensees and premises for which the local health department is the designated agent
20 under this section, ~~which~~ that are stricter than s. 463.10 or 463.12 or rules
21 promulgated by the ~~department of health services~~ department of safety and
22 professional services under s. 463.10 or 463.12. ~~No, but no~~ such provision may
23 conflict with s. 463.10 or 463.12 or with department rules. A county ordinance
24 enacted as provided in this subsection applies only in towns within that county that
25 have not enacted an ordinance as provided in this subsection.".

