

**65-1940. Licensure of tattooing and body piercing; definitions.** As used in this act, unless the context otherwise requires:

- (a) "Board" means the Kansas state board of cosmetology or its designee.
- (b) "Director" means the executive director of the board.
- (c) "Department" means the department of health and environment.
- (d) "Secretary" means the secretary of health and environment.
- (e) "Tattoo artist" and "cosmetic tattoo artist" mean a person who practices tattooing or cosmetic tattooing or both pursuant to this act.
- (f) "Body piercer" means a person engaged in the practice of body piercing pursuant to this act.
- (g) "Body piercing" means puncturing the skin of a person by aid of needles designed or used to puncture the skin for the purpose of inserting removable jewelry through the human body, except puncturing the external part of the human earlobe shall not be included in this definition. This act shall not be construed to authorize a licensed body piercer to implant or embed foreign objects into the human body or otherwise to engage in the practice of medicine and surgery.
- (h) "Physician" means a person licensed to practice medicine and surgery by the state board of healing arts.
- (i) "Tattooing" means the process by which the skin is marked or colored by insertion of nontoxic dyes or pigments by use of a needle into or under the subcutaneous portion of the skin so as to form indelible marks for cosmetic or figurative purposes.
- (j) "Tattoo establishment" means any room or space or any part thereof where tattooing is practiced or where the business of tattooing is conducted.
- (k) "Body piercing establishment" means any room space, or any part thereof, where body piercing is practiced or where the business of body piercing is conducted.
- (l) "Cosmetic tattooing" means the process by which the skin is marked or colored by insertion of nontoxic dyes or pigments into or under the subcutaneous portion of the skin, by use of a needle, so as to form indelible marks for cosmetic or figurative purposes.
- (m) "Cosmetic tattooing establishment" means any room, space, or any part thereof, where cosmetic tattooing is practiced or where the business of cosmetic tattooing is conducted.
- (n) "Court appointed guardian" means one who is appointed by a court and has legal authority and duty to care for another person, especially because of the other's infancy, incapacity or disability.
- (o) "Needle" means a sharp, pointed implement used for the purpose of tattooing, cosmetic tattooing or body piercing. The term "needle" does not include any implements or objects altered to be used as needles.
- (p) "Trainer" means a licensed individual who guides another in tattooing, cosmetic tattooing or body piercing.
- (q) "Apprentice" means any person licensed by the board to engage in learning the practice of tattooing, cosmetic tattooing or body piercing.

**History:** L. 1996, ch. 138, § 1; L. 2001, ch. 193, § 2; L. 2008, ch. 108, § 11; July 1.