

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING TATTOO AND BODY PIERCING LAWS TO MAKE IT
5 ILLEGAL TO TATTOO OR PIERCE ANYONE UNDER THE AGE OF MAJORITY, WITH THE EXCEPTION OF
6 EAR PIERCING; AND AMENDING SECTION 45-5-623, MCA."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9
10 **Section 1.** Section 45-5-623, MCA, is amended to read:

11 **"45-5-623. Unlawful transactions with children.** (1) Except as provided for in 16-6-305, a person
12 commits the offense of unlawful transactions with children if the person knowingly:

13 (a) sells or gives explosives to a child under the age of majority except as authorized under appropriate
14 city ordinances;

15 (b) sells or gives intoxicating substances other than alcoholic beverages to a child under the age of
16 majority;

17 (c) sells or gives an alcoholic beverage to a person under 21 years of age;

18 (d) being a junk dealer, pawnbroker, or secondhand dealer, receives or purchases goods from a child
19 under the age of majority without authorization of the parent or guardian; or

20 (e) tattoos or provides a body piercing, with the exception of ear piercing, on a child under the age of
21 majority ~~without the explicit in-person consent of the child's parent or guardian~~. For purposes of this subsection,
22 "tattoo" and "body piercing" have the meaning provided in 50-48-102. ~~Failure to adequately verify the identity~~
23 ~~of a parent or guardian is not an excuse for violation of this subsection.~~

24 (2) A person convicted of the offense of unlawful transactions with children shall be fined an amount not
25 to exceed \$500 or be imprisoned in the county jail for any term not to exceed 6 months, or both. A person
26 convicted of a second offense of unlawful transactions with children shall be fined an amount not to exceed
27 \$1,000 or be imprisoned in the county jail for any term not to exceed 6 months, or both. (See compiler's comments
28 for contingent termination of certain text.)"

29 - END -