

ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT
LB449

Hearing Date: Thursday February 14, 2019
Committee On: Health and Human Services
Introducer: Walz
One Liner: Prohibit scleral tattooing

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 7 Senators Arch, Cavanaugh, Hansen, B., Howard, Murman, Walz, Williams

Nay:

Absent:

Present Not Voting:

Oral Testimony:

Proponents:

Senator Lynne Walz
David Ingvaldstad

Patty Terp
Marie Nordboe

Opponents:

Neutral:

Matthew Bavougian

Representing:

Introducer
Nebraska Medical Association; Nebraska Academy of Eye Physicians
Nebraska Academy of Eye Physicians
Nebraska Board of Cosmetology, Electrology, Esthetics, Nail Technology and Body Art

Representing:

Representing:

Nebraska Body Artists; Body Art Education Alliance

Summary of purpose and/or changes:

LB 449 amends the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act to prohibit scleral tattooing.

Section 2(1) of LB 449 defines scleral tattooing as the practice of using needles, scalpels, or other related equipment to produce an indelible mark or figure on the human eye by scarring or inserting a pigment on, in, or under various parts of the "conjunctiva" (meaning the mucus membrane that covers the whites of the eye) or another ocular surface. (Page 2, lines 6-13.)

LB 449 prohibits a person from performing or offering to perform scleral tattooing on another person (Sec 2(2), page 2, lines 14-16), unless it is an act of a health care professional when performed in the scope of the health care professional's practice. (Sec. 2(3), page 2, lines 17-19.)

LB 449 creates civil penalties not to exceed \$10,000 for each violation of this Act. Penalties collected are to be remitted to the State Treasurer for distribution in accordance with the state Constitution. (Sec. 2(4), page 2, lines 20-23.)

Sara Howard, Chairperson