

# HB1472



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB1472

by Rep. Michael J. Madigan

### SYNOPSIS AS INTRODUCED:

720 ILCS 5/12C-40

was 720 ILCS 5/12-10.1

Amends the Criminal Code of 2012. Makes a technical change in a Section concerning piercing the body of a minor.

LRB100 03296 RLC 13301 b

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 2012 is amended by changing  
5 Section 12C-40 as follows:

6 (720 ILCS 5/12C-40) (was 720 ILCS 5/12-10.1)

7 Sec. 12C-40. Piercing the body of a minor.

8 (a)(1) A person commits piercing the ~~the~~ body of a minor  
9 when he or she knowingly or recklessly pierces the body of a  
10 person under 18 years of age without written consent of a  
11 parent or legal guardian of that person. Before the oral cavity  
12 of a person under 18 years of age may be pierced, the written  
13 consent form signed by the parent or legal guardian must  
14 contain a provision in substantially the following form:

15 "I understand that the oral piercing of the tongue, lips,  
16 cheeks, or any other area of the oral cavity carries serious  
17 risk of infection or damage to the mouth and teeth, or both  
18 infection and damage to those areas, that could result but is  
19 not limited to nerve damage, numbness, and life threatening  
20 blood clots."

21 A person who pierces the oral cavity of a person under 18  
22 years of age without obtaining a signed written consent form  
23 from a parent or legal guardian of the person that includes the

1 provision describing the health risks of body piercing,  
2 violates this Section.

3 (2) A person who is an owner or employed by a business that  
4 performs body piercing may not permit a person under 18 years  
5 of age to enter or remain on the premises where body piercing  
6 is being performed unless the person under 18 years of age is  
7 accompanied by his or her parent or legal guardian.

8 (b) "Pierce" means to make a hole in the body in order to  
9 insert or allow the insertion of any ring, hoop, stud, or other  
10 object for the purpose of ornamentation of the body. "Piercing"  
11 does not include tongue splitting as defined in Section  
12 12-10.2. The term "body" includes the oral cavity.

13 (c) Exceptions. This Section may not be construed in any  
14 way to prohibit any injection, incision, acupuncture, or  
15 similar medical or dental procedure performed by a licensed  
16 health care professional or other person authorized to perform  
17 that procedure or the presence on the premises where that  
18 procedure is being performed by a health care professional or  
19 other person authorized to perform that procedure of a person  
20 under 18 years of age who is not accompanied by a parent or  
21 legal guardian. This Section does not prohibit ear piercing.  
22 This Section does not apply to a minor emancipated under the  
23 Juvenile Court Act of 1987 or the Emancipation of Minors Act or  
24 by marriage. This Section does not apply to a person under 18  
25 years of age who pierces the body or oral cavity of another  
26 person under 18 years of age away from the premises of any

1 business at which body piercing or oral cavity piercing is  
2 performed.

3 (d) Sentence. A violation of this Section is a Class A  
4 misdemeanor.

5 (Source: P.A. 97-1109, eff. 1-1-13.)