**44:12:01:01.  Definitions.** As used in this chapter:

 (1)  "Autoclave" means a device for sterilization by steam, usually at 250 degrees Fahrenheit, for a specified length of time as determined by the manufacturer's instructions;

 (2)  "Communicable disease" means a disease which is capable of being transmitted from person to person;

 (3)  "Department" means the state Department of Health;

 (4)  "Disposable setup" means a setup that consists of one liner tube, one shade tube, and a needle bar setup for the liner tube and the shade tube;

 (5)  "Minor" means a person who is under the age of 18 years;

 (6)  "Patron" means a person who receives a tattoo or saline tattoo removal;

 (7)  "Permanent tattoo establishment" means a building where tattooing is practiced on a year-round basis;

 (8)  "Saline tattoo removal" means the insertion of a saline solution in skin to lighten or remove an existing tattoo. The term does not include the use of other acids or of lasers as described in SDCL 36-4-8.2;

 (9)  "Saline tattoo removal area" means, within a saline tattoo removal establishment, the immediate vicinity where saline tattoo removal is performed;

 (10)  "Saline tattoo removal artist" means a person engaged in the practice of saline tattoo removal;

 (11)  "Saline tattoo removal establishment" means the building or structure where saline tattoo removal is practiced;

 (12)  "Tattoo artist" means a person engaged in the practice of tattooing or microblading, or both;

 (13)  "Tattoo establishment" means the building or structure where tattooing is practiced;

 (14)  "Tattooing" means to make marks or designs into the skin by puncturing it and inserting indelible colors. The term includes microblading and similar techniques used to partially or fully simulate natural hair;

 (15)  "Tattooing area" means within a tattoo establishment, the immediate vicinity where tattooing is performed; and

 (16)  "Temporary tattoo establishment" means a building or structure where tattooing is practiced for not more than 30 days.

 **Source:** 19 SDR 64, effective November 3, 1992; 39 SDR 119, effective January 8, 2013; 45 SDR 31, effective September 10, 2018; 46 SDR 65, effective November 26, 2019.

 **General Authority:** SDCL 34-1-17(8).

 **Law Implemented:** SDCL 9-34-17, 34-1-17(8).