

§4204. Penalties

1. Administrative penalty. A person who fails to be licensed as required by this chapter, violates the sterilization, sanitation or safety standards adopted by the department under section 4251 or performs tattooing on a minor is subject to an administrative penalty, imposed by the department, of not less than \$500 nor more than \$1,000 for each violation. Each day the violation remains uncorrected may be counted as a separate offense.

[PL 2023, c. 113, §5 (AMD).]

2. Enforcement. A person who fails to pay a penalty imposed pursuant to this chapter:

A. May be referred to the Attorney General for appropriate enforcement action; and [PL 2013, c. 264, §14 (NEW).]

B. In addition to all fines and penalties imposed pursuant to this chapter, is liable for any interest, costs and fees incurred by the Department of Health and Human Services, including attorney's fees. [PL 2013, c. 264, §14 (NEW).]

[PL 2013, c. 264, §14 (NEW).]

3. Grounds for refusal, suspension or revocation. The department may revoke, suspend or refuse to issue or renew a license under this chapter or place a licensee on probation if:

A. The applicant or licensee has been convicted of a crime related to the practice of tattooing; [PL 2021, c. 125, §24 (NEW).]

B. The applicant or licensee has engaged in any deception or misrepresentation to the department or the public in applying for a license or license renewal under this chapter or in the advertising or practice of tattooing; [PL 2021, c. 125, §24 (NEW).]

C. The applicant or licensee has demonstrated negligence or incompetence or has endangered the public in the practice of tattooing; or [PL 2021, c. 125, §24 (NEW).]

D. The applicant or licensee has violated a rule adopted by the department under this chapter. [PL 2021, c. 125, §24 (NEW).]

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4. Schedule of penalties. The department shall adopt major substantive rules in accordance with Title 5, chapter 375, subchapter 2-A establishing a schedule of penalties according to the nature and duration of the violation of this section.

[PL 2023, c. 113, §6 (NEW).]

SECTION HISTORY

PL 2013, c. 264, §14 (RPR). PL 2021, c. 125, §24 (AMD). PL 2023, c. 113, §§5, 6 (AMD).

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