WEST VIRGINIA CODE: §16-38-7

§16-38-7. Violations and penalties.

Any owner of a tattoo studio who does not obtain a West Virginia business registration certificate, who does not register with their local or regional board of health or who fails to request an inspection pursuant to section six of this article shall be guilty of a misdemeanor and, upon conviction thereof, for a first offense, may have all of the tattoo equipment and paraphernalia confiscated and shall be fined $100. For a second offense, which is a misdemeanor, the owner may have all of the tattoo equipment and paraphernalia confiscated and shall be fined not less than $500 nor more than $1,000 or confined in a county or regional jail not less than ten days nor more than one year, or both fined and imprisoned. For a third offense, which is a misdemeanor, the owner shall have all the tattoo equipment and paraphernalia confiscated, shall be fined not less than $1,000 nor more than $5,000, or confined in a county or regional jail not less than thirty days nor more than one year, or both fined and imprisoned.

WV Legislature