

REFERENCE TITLE: **hairstylist licenses; cosmetology**

State of Arizona
Senate
Fifty-third Legislature
First Regular Session
2017

SB 1130

Introduced by
Senators Griffin: Brophy McGee, Farley; Representatives Allen J,
Clodfelter, Grantham, John, Nutt, Shope, Thorpe

AN ACT

AMENDING SECTIONS 32-322, 32-501, 32-504 AND 32-506, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 5, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-512.01; AMENDING SECTIONS 32-513, 32-514, 32-517, 32-531, 32-532, 32-542, 32-543, 32-551, 32-557, 32-572 AND 32-574, ARIZONA REVISED STATUTES; RELATING TO COSMETOLOGY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-322, Arizona Revised Statutes, is amended to
3 read:

4 32-322. Barber license: application: qualifications:
5 reciprocity

6 A. An applicant for a barber license shall file the following with
7 the board:

- 8 1. A written application on a form prescribed by the board.
9 2. Evidence satisfactory to the board that the applicant possesses
10 the necessary qualifications.
11 3. One signed photograph.

12 B. Each applicant shall:

- 13 1. Be at least sixteen years of age.
14 2. Complete and receive appropriate credits for at least two years
15 of high school education or its equivalent as prescribed by the board in
16 its rules and submit satisfactory evidence that the person is at least
17 sixteen years of age.

18 3. Pass an examination given under the direction of the board.

19 4. Pay the prescribed fees.

20 5. Be a graduate of a school that is licensed pursuant to this
21 chapter or a graduate of a school or program in another state that at the
22 time of the applicant's graduation met the barber licensing requirements
23 of that state.

24 C. An applicant who holds a valid license to practice barbering
25 issued by another state that has, in the opinion of the board, licensure
26 requirements that are substantially equivalent to the requirements of this
27 state and that grants similar reciprocal privileges to barbers licensed by
28 this state and who has at least one year's experience as a licensed barber
29 is exempt from subsection B, paragraph 3 of this section.

30 D. Notwithstanding subsection B, paragraph 5 of this section, an
31 applicant for a barber license who holds a cosmetologist license **OR A**
32 **HAIRSTYLIST LICENSE** issued pursuant to chapter 5 of this title shall
33 complete a seven hundred fifty-hour course of study consisting of
34 barbering techniques in a barbering school licensed pursuant to this
35 chapter.

36 Sec. 2. Section 32-501, Arizona Revised Statutes, is amended to
37 read:

38 32-501. Definitions

39 In this chapter, unless the context otherwise requires:

40 1. "Aesthetician" means a person who is licensed to practice skin
41 care pursuant to this chapter.

42 2. "Aesthetics" means any one or a combination of the following
43 practices if they are performed for cosmetic purposes:

1 (a) Massaging, cleansing, stimulating, manipulating, exercising,
2 beautifying or applying oils, creams, antiseptics, clays, lotions or other
3 preparations, either by hand or by mechanical or electrical appliances.

4 (b) Arching eyebrows or tinting eyebrows and eyelashes.

5 (c) Removing superfluous hair by means other than electrolysis or
6 threading.

7 3. "Board" means the board of cosmetology.

8 4. "Cosmetic purposes" means for the purpose of beautifying,
9 preserving or conferring comeliness, excluding therapeutic massage and
10 manipulations.

11 5. "Cosmetologist" means a person who is licensed to practice
12 cosmetology pursuant to this chapter.

13 6. "Cosmetology" means any one or a combination of the following
14 practices if they are performed for cosmetic purposes:

15 ~~(a) Cutting, clipping or trimming hair.~~

16 ~~(b)~~ (a) Massaging, cleansing, stimulating, manipulating,
17 exercising, beautifying or applying oils, creams, antiseptics, clays,
18 lotions or other preparations, either by hand or by mechanical or
19 electrical appliances.

20 ~~(c) Styling, arranging, dressing, curling, waving, permanent~~
21 ~~waving, straightening, cleansing, singeing, bleaching, dyeing, tinting,~~
22 ~~coloring or similarly treating hair.~~

23 ~~(d)~~ (b) Arching eyebrows or tinting eyebrows and eyelashes.

24 ~~(e)~~ (c) Removing superfluous hair by means other than electrolysis
25 or threading.

26 ~~(f)~~ (d) Nail technology.

27 (e) HAIRSTYLING.

28 7. "Electrical appliances" means devices that use electrical
29 current and includes lasers and IPL devices as defined in section 32-516.

30 8. "HAIRSTYLING" MEANS EITHER OF THE FOLLOWING:

31 (a) CUTTING, CLIPPING OR TRIMMING HAIR.

32 (b) STYLING, ARRANGING, DRESSING, CURLING, WAVING, PERMANENT
33 WAVING, STRAIGHTENING, CLEANSING, SINGEING, BLEACHING, DYEING, TINTING,
34 COLORING OR SIMILARLY TREATING HAIR.

35 9. "HAIRSTYLIST" MEANS A PERSON WHO IS LICENSED TO PRACTICE
36 HAIRSTYLING PURSUANT TO THIS CHAPTER.

37 ~~8.~~ 10. "Instructor" means a person who is licensed to teach
38 cosmetology, aesthetics, ~~or~~ nail technology OR HAIRSTYLING, or any
39 combination thereof, pursuant to this chapter.

40 ~~9.~~ 11. "Nail technician" means a person who is licensed to
41 practice nail technology pursuant to this chapter.

42 ~~10.~~ 12. "Nail technology" means ANY OF THE FOLLOWING:

43 (a) Cutting, trimming, polishing, coloring, tinting, cleansing or
44 otherwise treating a person's nails.

45 (b) Applying artificial nails.

1 (c) Massaging and cleaning a person's hands, arms, legs and feet.

2 ~~11:~~ 13. "Salon" means any of the following:

3 (a) An establishment that is operated for the purpose of engaging
4 in the practice of cosmetology, aesthetics, ~~or~~ nail technology OR
5 HAIRSTYLING, or any combination of the listed practices.

6 (b) An establishment together with a retrofitted motor vehicle for
7 exclusive use as a mobile facility for the purpose of engaging in the
8 practice of cosmetology, aesthetics, ~~or~~ nail technology OR HAIRSTYLING, or
9 any combination of the listed practices, that is operated and dispatched
10 through the establishment.

11 (c) A retrofitted motor vehicle exclusively used as a mobile
12 facility for the purpose of engaging in the practice of cosmetology,
13 aesthetics, ~~or~~ nail technology OR HAIRSTYLING, or any combination of the
14 listed practices, that is operated and dispatched from a business that has
15 a physical street address that is on file with the board.

16 ~~12:~~ 14. "School" means an establishment that is operated for the
17 purpose of teaching cosmetology, aesthetics, ~~or~~ nail technology OR
18 HAIRSTYLING, or any combination of the listed practices.

19 ~~13:~~ 15. "Threading" means a service that results in the removal of
20 hair from its follicle from around the eyebrows and from other parts of
21 the face with the use of a single strand of cotton thread and an
22 over-the-counter astringent, if the service does not use chemicals of any
23 kind, wax or any implements, instruments or tools to remove hair.

24 Sec. 3. Section 32-504, Arizona Revised Statutes, is amended to
25 read:

26 32-504. Powers and duties

27 A. The board shall:

28 1. Adopt rules that are necessary and proper for the administration
29 of this chapter, including sanitary and safety requirements for salons and
30 schools and sanitary and safety standards for the practice of cosmetology,
31 aesthetics, ~~and~~ nail technology AND HAIRSTYLING.

32 2. Administer and enforce this chapter and rules adopted pursuant
33 to this chapter.

34 3. Either prepare, administer and grade practical and written
35 examinations or contract with a national professional organization for
36 cosmetology selected by the board to prepare, administer and grade
37 practical and written examinations.

38 4. Make and maintain a record of its acts and proceedings,
39 including the issuance, denial, renewal, suspension or revocation of
40 licenses and public reproofs of licensees.

41 5. Evidence its official acts by the signature of the chairman or
42 vice-chairman of the board or a representative designated by the board.

43 6. Keep records of the board open to public inspection at all
44 reasonable times.

1 7. Make an annual report to the governor on or before October 1 of
2 each year covering its official acts and financial transactions during the
3 preceding fiscal year and making recommendations it deems necessary.

4 8. Prescribe minimum school curriculum requirements for
5 cosmetologists, aestheticians, nail technicians, HAIRSTYLISTS and
6 instructors.

7 9. Prescribe standards and requirements for the provision of salon
8 services through mobile units and in customer locations.

9 B. The board may:

10 1. Inspect the premises of any salon or school during business
11 hours.

12 2. Delegate authority to its executive director to issue licenses
13 to applicants who meet the requirements of this chapter.

14 Sec. 4. Section 32-506, Arizona Revised Statutes, is amended to
15 read:

16 32-506. Nonapplicability of chapter

17 This chapter does not apply to the following persons while in the
18 proper discharge of their professional duties:

19 1. Practices for the treatment of physical or mental ailments or
20 disease by medical practitioners licensed pursuant to this title.

21 2. Commissioned physicians and surgeons who are serving in the
22 armed forces of the United States or other federal agencies.

23 3. Persons who are licensed pursuant to chapter 3 or 12 of this
24 title.

25 4. Students who are attending schools licensed pursuant to this
26 chapter while they are on school premises during school hours.

27 5. Persons employed by theatrical groups who apply makeup, oils and
28 cosmetics.

29 6. Persons who sell makeup, oils and cosmetics and who apply such
30 products during the process of selling such products.

31 7. Shampoo assistants who shampoo hair under the direction of a
32 cosmetologist OR HAIRSTYLIST licensed pursuant to this chapter.

33 8. Services performed by and for persons in the custody of the
34 state department of corrections.

35 9. Persons who apply makeup, oils and cosmetics to patients in a
36 hospital, nursing home or residential care institution with the consent of
37 the patient and the hospital, nursing home or residential care
38 institution.

39 10. Persons who provide a service that results in tension on hair
40 strands or roots by twisting, wrapping, weaving, extending, locking or
41 braiding, if the service does not include the application of dyes,
42 reactive chemicals or other preparations to alter the color of the hair or
43 to straighten, curl or alter the structure of the hair.

44 11. Persons who provide threading.

1 12. Persons who provide tanning services by means of airbrushing,
2 tanning beds or spray tanning.

3 13. Persons who apply makeup, including eyelash enhancements. This
4 paragraph does not apply if a person is engaging in the practice of
5 aesthetics or cosmetology. A person who is exempt pursuant to this
6 paragraph shall ~~conspicuously~~ post a sign **IN A CONSPICUOUS LOCATION** in the
7 person's place of business notifying the public that the person's services
8 are not regulated by the board.

9 Sec. 5. Heading change

10 The article heading of title 32, chapter 5, article 2, Arizona
11 Revised Statutes, is changed from "COSMETOLOGISTS, AESTHETICIANS AND NAIL
12 TECHNICIANS" to "COSMETOLOGISTS, AESTHETICIANS, NAIL TECHNICIANS AND
13 HAIRSTYLISTS".

14 Sec. 6. Title 32, chapter 5, article 2, Arizona Revised Statutes,
15 is amended by adding section 32-512.01, to read:

16 **32-512.01. Hairstylists; applications; qualifications**

17 **A PERSON IS ENTITLED TO RECEIVE A LICENSE TO PRACTICE HAIRSTYLING IF**
18 **THE PERSON DOES ALL OF THE FOLLOWING:**

19 1. **SUBMITS TO THE BOARD AN APPLICATION FOR A HAIRSTYLIST LICENSE ON**
20 **A FORM SUPPLIED BY THE BOARD.**

21 2. **EITHER:**

22 (a) **COMPLETES AND RECEIVES APPROPRIATE CREDITS FOR AT LEAST TWO**
23 **YEARS OF HIGH SCHOOL EDUCATION OR ITS EQUIVALENT AS PRESCRIBED BY THE**
24 **BOARD IN ITS RULES AND SUBMITS SATISFACTORY EVIDENCE THAT THE PERSON IS AT**
25 **LEAST SIXTEEN YEARS OF AGE.**

26 (b) **SUBMITS TO THE BOARD SATISFACTORY EVIDENCE THAT THE PERSON IS**
27 **AT LEAST EIGHTEEN YEARS OF AGE.**

28 3. **SUBMITS TO THE BOARD SATISFACTORY EVIDENCE THAT THE PERSON**
29 **EITHER:**

30 (a) **GRADUATED FROM A HAIRSTYLING SCHOOL IN ANOTHER STATE OR COUNTRY**
31 **THAT HAD AT THE TIME OF THE PERSON'S GRADUATION SUBSTANTIALLY THE SAME**
32 **REQUIREMENTS AS THIS STATE FOR SCHOOLS LICENSED PURSUANT TO THIS CHAPTER.**

33 (b) **COMPLETED A HAIRSTYLIST COURSE CONSISTING OF AT LEAST ONE**
34 **THOUSAND HOURS OF TRAINING IN A SCHOOL LICENSED PURSUANT TO THIS CHAPTER.**

35 4. **PAYS THE PRESCRIBED FEES FOR A HAIRSTYLIST LICENSE.**

36 5. **PASSES THE EXAMINATION FOR A HAIRSTYLIST LICENSE.**

37 Sec. 7. Section 32-513, Arizona Revised Statutes, is amended to
38 read:

39 **32-513. Reciprocity**

40 Notwithstanding sections 32-510, 32-511, ~~and~~ 32-512 **AND 32-512.01**, a
41 person is entitled to receive a cosmetologist, aesthetician, ~~or~~ nail
42 technician **OR HAIRSTYLIST** license if the person **DOES ALL OF THE FOLLOWING:**

43 1. **Submits to the board an application for a cosmetologist,**
44 **aesthetician, ~~or~~ nail technician OR HAIRSTYLIST** license on a form supplied
45 by the board.

1 2. Submits to the board satisfactory evidence that the person is
2 licensed in another state or country.

3 3. Takes and completes a class relating to infection protection and
4 law review that is provided by the board or its designee. The board shall
5 determine the amount of the fees for the class. The applicant shall pay
6 the fees directly to the board or its designee.

7 4. Pays the prescribed reciprocity license fees.

8 Sec. 8. Section 32-514, Arizona Revised Statutes, is amended to
9 read:

10 32-514. Examinations

11 A. The board or a national professional organization for
12 cosmetology selected by the board shall administer written and practical
13 examinations for a cosmetologist, aesthetician, nail technician,
14 HAIRSTYLIST or instructor license. The examinations shall test for
15 requisite knowledge and skills in the technical application of cosmetology
16 services.

17 B. The board or a national professional organization for
18 cosmetology selected by the board shall inform each applicant of the
19 examination results.

20 C. The board shall make an accurate record of each examination.

21 Sec. 9. Section 32-517, Arizona Revised Statutes, is amended to
22 read:

23 32-517. License renewal

24 A. Except as provided in section 32-4301, a cosmetologist, AN
25 aesthetician, ~~OR~~ A nail technician OR A HAIRSTYLIST shall renew the
26 person's license on or before the person's ~~birth-date~~ BIRTHDAY once
27 every two years.

28 B. A cosmetologist, AN aesthetician, ~~OR~~ A nail technician OR A
29 HAIRSTYLIST shall submit an application for renewal accompanied by the
30 prescribed renewal fee in order to renew the person's license.

31 C. A cosmetologist, AN aesthetician, ~~OR~~ A nail technician OR A
32 HAIRSTYLIST who fails to renew the person's license on or before the
33 person's ~~birth-date~~ BIRTHDAY shall also pay the prescribed delinquent
34 renewal penalty in order to renew the license.

35 Sec. 10. Section 32-531, Arizona Revised Statutes, is amended to
36 read:

37 32-531. Instructors; applications; qualifications

38 A person is entitled to receive a license to teach cosmetology,
39 aesthetics, ~~OR~~ nail technology OR HAIRSTYLING in a school if the person
40 does all of the following:

41 1. Submits to the board an application for an instructor license on
42 a form prescribed by the board.

- 1 2. Either:
- 2 (a) Holds a diploma from a high school or its equivalent as
- 3 prescribed by the board in its rules and submits to the board satisfactory
- 4 evidence that the person is at least sixteen years of age.
- 5 (b) Submits to the board satisfactory evidence that the person is
- 6 at least eighteen years of age.
- 7 3. Is a licensed cosmetologist, aesthetician, ~~or~~ nail technician **OR**
- 8 **HAIRSTYLIST, IS APPLYING FOR AN INSTRUCTOR LICENSE TO TEACH A SUBJECT IN**
- 9 **WHICH THE PERSON IS LICENSED** and ~~complies with either of the following:~~
- 10 ~~(a)~~ has practiced for at least one year, ~~has passed the school~~
- 11 ~~examination~~ **IN THE PROFESSION FOR WHICH THE PERSON IS APPLYING FOR AN**
- 12 **INSTRUCTOR LICENSE** and has received the following hours of instructor
- 13 training:
- 14 ~~(i)~~ (a) For a cosmetologist instructor, ~~six~~ **THREE** hundred fifty
- 15 hours.
- 16 ~~(ii)~~ (b) For an aesthetics instructor, ~~five~~ **THREE** hundred **FIFTY**
- 17 hours.
- 18 ~~(iii)~~ (c) For a nail technician instructor, three hundred fifty
- 19 hours.
- 20 (d) **FOR A HAIRSTYLIST INSTRUCTOR, THREE HUNDRED FIFTY HOURS.**
- 21 ~~(b) Has five years of licensed industry experience within the ten~~
- 22 ~~years preceding the application and meets requirements as prescribed by~~
- 23 ~~the board in its rules.~~
- 24 4. Passes the examination for an instructor license.
- 25 5. Pays the prescribed fees.
- 26 Sec. 11. Section 32-532, Arizona Revised Statutes, is amended to
- 27 read:
- 28 32-532. Instructor reciprocity
- 29 Notwithstanding section 32-531, a person is entitled to receive a
- 30 license to teach cosmetology, aesthetics, ~~or~~ nail technology **OR**
- 31 **HAIRSTYLING** in a school if the person submits to the board an application
- 32 for an instructor license on a form prescribed by the board, pays the
- 33 prescribed fees and complies with one of the following:
- 34 1. Is a current licensed cosmetologist, aesthetician, ~~or~~ nail
- 35 technician **OR HAIRSTYLIST** instructor in another state or country.
- 36 2. Does all of the following:
- 37 (a) Either:
- 38 (i) Submits to the board satisfactory evidence that the person is
- 39 at least eighteen years of age.
- 40 (ii) Holds a diploma from a high school or its equivalent as
- 41 prescribed by the board in its rules and submits to the board satisfactory
- 42 evidence that the person is at least sixteen years of age.
- 43 (b) Is a licensed cosmetologist, aesthetician, ~~or~~ nail technician
- 44 **OR HAIRSTYLIST** in another state or country.

1 (c) Completes instructor training in another state or country that
2 has instructor education requirements that are at least substantially
3 equivalent to those of this state.

4 (d) Passes the examination for an instructor license.

5 (e) Has five years of licensed industry experience within the ten
6 years preceding application.

7 (f) Meets requirements as prescribed by the board in its rules.

8 Sec. 12. Section 32-542, Arizona Revised Statutes, is amended to
9 read:

10 32-542. Salon inspections

11 ~~A. The board shall inspect all proposed salons to determine if all~~
12 ~~of the requirements are met. The board may issue a license to a salon~~
13 ~~pending inspection of the salon as it deems appropriate.~~

14 ~~B.~~ The board shall inspect salons on a regular basis as it deems
15 necessary.

16 Sec. 13. Section 32-543, Arizona Revised Statutes, is amended to
17 read:

18 32-543. Required display

19 Salons shall display the following in a conspicuous location ~~which~~
20 ~~THAT~~ is readily observable by any patron:

21 1. The current salon license.

22 2. The current licenses for cosmetologists, aestheticians, ~~or~~ nail
23 technicians ~~OR HAIRSTYLISTS~~ practicing in the salon.

24 3. The latest inspection sheet.

25 Sec. 14. Section 32-551, Arizona Revised Statutes, is amended to
26 read:

27 32-551. School licenses; applications; requirements

28 ~~A.~~ A person is entitled to a license to operate a school if:

29 1. ~~He~~ **THE PERSON** pays the prescribed fee.

30 2. ~~He~~ **THE PERSON** furnishes a surety bond in the amount of ten
31 thousand dollars approved by the board and executed by a corporate bonding
32 company authorized to do business in this state. The bond shall be for
33 the benefit of and subject to the claims of the state for failure to
34 comply with the requirements of this chapter and any student who fails to
35 receive the full course of instruction required under this chapter.

36 3. ~~He~~ **THE PERSON** submits to the board under oath an application for
37 a school license on a form supplied by the board and other documentation
38 required by the board in its rules.

39 4. The proposed school passes an inspection by the board before it
40 opens.

41 ~~B. An incomplete application shall be returned to an applicant~~
42 ~~within thirty days after the board receives it with the causes for the~~
43 ~~return.~~

1 Sec. 15. Section 32-557, Arizona Revised Statutes, is amended to
2 read:

3 32-557. Services for the public; restrictions

4 A. Students may render services to the public only under the direct
5 supervision of an instructor.

6 B. The following notice shall be posted in a conspicuous place
7 within the school in letters large enough to be read across the length of
8 the room, "school of cosmetology - work done exclusively by students."

9 C. A student in a school shall not receive a salary or commission
10 from the school for any cosmetology, aesthetics, ~~or~~ nail technology **OR**
11 **HAIRSTYLING** services while ~~he is~~ enrolled in the school as a student.

12 D. A school shall post a price list for services rendered to the
13 public ~~which~~ **THAT** is large enough to be easily read from a distance of ten
14 feet.

15 Sec. 16. Section 32-572, Arizona Revised Statutes, is amended to
16 read:

17 32-572. Grounds for disciplinary action or refusal to issue
18 or renew license; definition

19 A. The board may take disciplinary action or refuse to issue or
20 renew a license for any of the following causes:

21 1. Continued performance of cosmetology, aesthetics, ~~or~~ nail
22 technology **OR HAIRSTYLING** services by a person knowingly having an
23 infectious or communicable disease.

24 2. Conviction of a crime.

25 3. Commission of an act involving dishonesty, fraud or deceit with
26 the intent to substantially benefit oneself or another or substantially
27 injure another.

28 4. Malpractice or incompetency.

29 5. Knowingly advertising by means of false, misleading, deceptive
30 or fraudulent statements through communication media.

31 6. Violating any provision of this chapter or any rule adopted
32 pursuant to this chapter.

33 7. Making oral or written false statements to the board.

34 8. Repeated failure to correct infractions of safety and sanitary
35 requirements prescribed by the board in its rules.

36 9. Failing to comply with an order of the board.

37 B. A conviction of a crime or act shall not be a cause of refusal
38 to issue or renew a license unless the crime or act is substantially
39 related to the qualifications, functions or duties of the license for
40 which application is made.

41 C. The expiration, cancellation, suspension or revocation of a
42 license or a licensee's voluntary surrender of a license does not deprive
43 the board of jurisdiction to do any of the following:

44 1. Proceed with an investigation of a licensee.

1 2. Proceed with an action or disciplinary proceeding against a
2 licensee.

3 3. Suspend or revoke a license.

4 4. Deny the renewal or right of renewal of a license.

5 D. For the purposes of this section, "conviction" means a plea or
6 verdict of guilty or a conviction following a plea of no contest.

7 Sec. 17. Section 32-574, Arizona Revised Statutes, is amended to
8 read:

9 32-574. Unlawful acts; violation; classification

10 A. A person shall not:

11 1. Perform or attempt to perform cosmetology, aesthetics, ~~or~~ nail
12 technology OR HAIRSTYLING without a license in that category issued
13 pursuant to this chapter, or practice in a category in which the person
14 does not hold a license.

15 2. Display a sign or in any way advertise or hold oneself out as a
16 cosmetologist, aesthetician, ~~or~~ nail technician OR HAIRSTYLIST or as being
17 engaged in the practice or business of cosmetology, aesthetics, ~~or~~ nail
18 technology OR HAIRSTYLING without being licensed pursuant to this chapter.

19 3. Knowingly make a false statement on an application for a license
20 pursuant to this chapter.

21 4. Permit an employee or another person under the person's
22 supervision or control to perform cosmetology, aesthetics, ~~or~~ nail
23 technology OR HAIRSTYLING without a license issued pursuant to this
24 chapter.

25 5. Practice or attempt to practice cosmetology, aesthetics, ~~or~~ nail
26 technology OR HAIRSTYLING in any place other than in a salon licensed
27 pursuant to this chapter unless the person is requested by a customer to
28 go to a place other than a salon licensed pursuant to this chapter and is
29 sent to the customer from the salon, except that a person who is licensed
30 pursuant to this chapter may practice, without the salon's request,
31 cosmetology, aesthetics, ~~or~~ nail technology OR HAIRSTYLING in a health
32 care facility, hospital, residential care institution, nursing home or
33 residence of a person requiring home care because of an illness, infirmity
34 or disability.

35 6. Obtain or attempt to obtain a license by the use of money other
36 than the prescribed fees or any other thing of value or by fraudulent
37 misrepresentation.

38 7. Provide any service to a person having a visible disease,
39 pediculosis or open sores suggesting a communicable disease until the
40 person furnishes a statement signed by a physician WHO IS licensed
41 pursuant to chapter 13 or 17 of this title stating that the disease or
42 condition is not in an infectious, contagious or communicable stage.

43 8. Operate a salon or school without being licensed pursuant to
44 this chapter.

- 1 9. Violate any provision of this chapter or any rule adopted
2 pursuant to this chapter.
- 3 10. Ignore or fail to comply with a board subpoena.
- 4 11. Use the title of "aesthetician", "cosmetologist", ~~or~~ "nail
5 technician" OR "HAIRSTYLIST" or any other title or term likely to be
6 confused with "aesthetician", "cosmetologist", ~~or~~ "nail technician" OR
7 "HAIRSTYLIST" in any advertisement, statement or publication unless that
8 person is licensed pursuant to this chapter.
- 9 12. Teach cosmetology, aesthetics, ~~or~~ nail technology OR
10 HAIRSTYLING in this state unless the person is licensed as an instructor
11 pursuant to article 3 of this chapter.
- 12 B. An instructor shall not render cosmetology, aesthetics, ~~or~~ nail
13 technology OR HAIRSTYLING services in a school unless the services are
14 directly incidental to the instruction of students.
- 15 C. A person who violates this section is guilty of a class 1
16 misdemeanor.
- 17 Sec. 18. Effective date
- 18 This act is effective from and after December 31, 2017.