

REFERENCE TITLE: **barbering, cosmetology, massage therapy; consolidation**

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HB 2740

Introduced by
Representative Kavanagh

AN ACT

AMENDING SECTIONS 15-1851 AND 32-301, ARIZONA REVISED STATUTES; REPEALING SECTIONS 32-302 AND 32-303, ARIZONA REVISED STATUTES; AMENDING SECTIONS 32-304, 32-305, 32-321, 32-322, 32-324, 32-325, 32-354, 32-355, 32-501 AND 32-502, ARIZONA REVISED STATUTES; REPEALING SECTION 32-502, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING TITLE 32, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 32-502; AMENDING SECTION 32-503, ARIZONA REVISED STATUTES; AMENDING SECTION 32-503, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTIONS 32-505 AND 32-506, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 5, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-512.02; AMENDING SECTIONS 32-513, 32-514, 32-516, 32-556, 32-573, 32-574 AND 32-4201, ARIZONA REVISED STATUTES; REPEALING SECTIONS 32-4202 AND 32-4204, ARIZONA REVISED STATUTES; AMENDING SECTIONS 32-4205, 32-4228 AND 41-1092, ARIZONA REVISED STATUTES; AMENDING SECTION 41-1092, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; REPEALING SECTIONS 41-3022.23 AND 41-3023.10, ARIZONA REVISED STATUTES; AMENDING SECTION 41-3024.05, ARIZONA REVISED STATUTES; AMENDING SECTION 41-3024.05, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 44-6852, ARIZONA REVISED STATUTES; APPROPRIATING MONIES; RELATING TO OCCUPATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-1851, Arizona Revised Statutes, is amended to
3 read:

4 15-1851. Commission for postsecondary education; purpose;
5 report; members; terms; powers and duties;
6 compensation; quorum; immunity; definition

7 A. The commission for postsecondary education is established and
8 shall administer the applicable programs identified under section 1203 of
9 the higher education act amendments of 1998 (P.L. 105-244), including the
10 leveraging educational assistance partnership program, the federal family
11 education loan program and the Paul Douglas teacher scholarships program,
12 and shall supervise the state guarantee agency under the higher education
13 act amendments of 1998.

14 B. In addition to the responsibilities prescribed in subsection A
15 of this section, the commission shall:

16 1. Provide a forum to public and private postsecondary education
17 institutions for discussion of issues of mutual interest, including the
18 following:

19 (a) The postsecondary needs of unserved and underserved individuals
20 in this state.

21 (b) The resources of public and private institutions, organizations
22 and agencies that are located in this state and that are capable of
23 providing postsecondary education opportunities.

24 (c) Enrollment demand and public policy options to meet statewide
25 needs for postsecondary education services.

26 (d) Cooperative comprehensive instructional and capital planning.

27 2. Provide reports pursuant to this subsection on discussions of
28 issues of mutual interest.

29 3. Coordinate and promote collaborative studies on issues of mutual
30 interest to public and private postsecondary education institutions.

31 4. Compile and disseminate information to the public regarding
32 postsecondary education opportunities in this state.

33 5. Prepare an annual report that summarizes the results of the
34 commission's activities prescribed in this section and section 15-1852.
35 The annual report shall be submitted to the speaker of the house of
36 representatives, the president of the senate, the governor and the ~~Arizona~~
37 ~~state library, archives and public records by~~ SECRETARY OF STATE ON OR
38 BEFORE December 28.

39 6. Administer the Arizona teacher student loan program established
40 by chapter 13, article 11 of this title.

41 C. The commission consists of the executive director of the Arizona
42 board of regents, the executive director of the state board for private
43 postsecondary education and the following additional members who are
44 appointed by the governor pursuant to section 38-211:

1 1. Two members who hold senior executive or managerial positions in
2 a university under the jurisdiction of the Arizona board of regents.

3 2. Two members who hold senior executive or managerial positions in
4 a community college district, one representing a community college
5 district in a county with a population of five hundred thousand persons or
6 more and one representing a community college district in a county with a
7 population of less than five hundred thousand persons.

8 3. Two members who hold senior executive or managerial positions in
9 private postsecondary institutions of higher education that are licensed
10 under title 32, chapter 30, that are located in this state, that offer
11 bachelor's or higher degrees and that are accredited by a regional
12 accreditation agency approved by the United States department of
13 education.

14 4. Two members who hold senior executive or managerial positions in
15 private postsecondary institutions of higher education that are licensed
16 under title 32, chapter 30, that are located in this state, that offer
17 vocational education programs and that are accredited by a national
18 accreditation agency approved by the United States department of
19 education.

20 5. One member who holds a senior executive or managerial position
21 in a private cosmetology school that is licensed under title 32, chapter
22 5, that is located in this state, that offers cosmetology programs
23 approved by the ~~board of~~ cosmetology AND WELLNESS BOARD and that is
24 accredited by a national accreditation agency approved by the United
25 States department of education.

26 6. One member who holds a senior executive or managerial position
27 in an institution that is licensed under title 32, chapter 23 or under 14
28 Code of Federal Regulations part 147, that offers vocational education
29 programs at the postsecondary level, that is located in this state and
30 that is not an institution that is qualified under any other category.

31 7. One member who has held a senior executive or managerial level
32 position in commerce or industry in this state for at least three years
33 before the member's appointment and who is not qualified to serve under
34 any other category.

35 8. Two members who hold senior executive or managerial positions in
36 the high school education system in this state.

37 9. One member who is an owner, operator or administrator of a
38 charter school in this state.

39 D. Members of the commission appointed pursuant to subsection C,
40 paragraphs 1 through 9 of this section shall serve four-year terms.
41 Appointed members of the commission shall be residents of this state.
42 Appointed members of the commission at all times during their terms shall
43 continue to be eligible for appointment under the category that they were
44 appointed to represent. Terms of appointed members of the commission

1 begin on the third Monday in January. No appointed member of the
2 commission may serve more than two consecutive terms.

3 E. The executive director of the Arizona board of regents and the
4 executive director of the state board for private postsecondary education
5 serve as members of the commission during their respective terms of office
6 and are not eligible to vote with respect to the commission's review of
7 any postsecondary institution.

8 F. Members appointed pursuant to subsection C, paragraphs 1 through
9 9 of this section are eligible to receive compensation pursuant to section
10 38-611 for each day spent in the performance of commission duties and may
11 be reimbursed for expenses properly incurred in connection with the
12 attendance at meetings or hearings of the commission.

13 G. The governor shall appoint a chairman from among the members of
14 the commission who shall serve a one-year term that begins on the third
15 Monday in January.

16 H. A majority of the members of the commission constitute a quorum
17 for the transaction of commission business. The vote of a majority of the
18 quorum constitutes authority for the commission to act.

19 I. Members of the commission are immune from personal liability
20 with respect to all actions that are taken in good faith and within the
21 scope of the commission's authority.

22 J. For the purposes of this section, "community college district"
23 means a community college district that is established pursuant to
24 sections 15-1402 and 15-1403 or section 15-1402.01 and that is a political
25 subdivision of this state.

26 Sec. 2. Heading change

27 The article heading of title 32, chapter 3, article 1, Arizona
28 Revised Statutes, is changed from "BOARD OF BARBERS" to "BARBERING".

29 Sec. 3. Section 32-301, Arizona Revised Statutes, is amended to
30 read:

31 32-301. Definitions

32 In this chapter, unless the context otherwise requires:

33 1. "Barber" means a person who is licensed to practice barbering
34 ~~pursuant to this chapter~~ BY THE BOARD.

35 2. "Barbering" means any one or a combination of the following
36 practices if they are performed on a person's head, face, neck or
37 shoulders for cosmetic purposes:

38 (a) Cutting, clipping or trimming hair.

39 (b) Massaging, cleansing, stimulating, manipulating, exercising,
40 beautifying or applying oils, creams, antiseptics, clays, lotions or other
41 preparations, either by hand or by mechanical or electrical appliances.

42 (c) Styling, arranging, dressing, curling, waving, permanent
43 waving, straightening, cleansing, singeing, bleaching, dyeing, tinting,
44 coloring or similarly treating hair.

1 (d) Providing hair attachments, extensions, hairpieces and wigs
2 when performed by a barber.

3 (e) Shaving or trimming a beard.

4 (f) Providing skin care.

5 3. "Board" means the COSMETOLOGY AND WELLNESS board ~~of barbers~~.

6 4. "Instructor" means a person who is licensed to teach barbering
7 pursuant to this chapter.

8 5. "Mentor" means a barber who is approved by the board to train a
9 person in a department of economic security-approved apprenticeship
10 program in barbering in an establishment that is licensed by the board.

11 6. "School" means an establishment that is operated for the purpose
12 of teaching barbering.

13 7. "Shop" or "salon" means an establishment that is operated for
14 the purpose of engaging in the practice of barbering.

15 Sec. 4. Repeal

16 Sections 32-302 and 32-303, Arizona Revised Statutes, are repealed.

17 Sec. 5. 32-304, Arizona Revised Statutes, is amended to read:

18 32-304. Powers and duties

19 A. The board shall:

20 1. Make and adopt rules that are necessary or proper ~~for the~~
21 ~~administration of~~ TO ADMINISTER this chapter, including sanitary and
22 safety requirements for schools and shops or salons, sanitary and safety
23 standards for the practice of barbering and mobile unit requirements.

24 2. Administer and enforce this chapter and rules adopted pursuant
25 to this chapter.

26 3. Maintain a record of its acts and proceedings, including
27 issuance, refusal, renewal, suspension and revocation of licenses, and a
28 record of the name, address and license date of each licensee.

29 4. Keep the records of the board open to public inspection at all
30 reasonable times.

31 5. Furnish a copy of its rules to a barber or to the owner or
32 manager of each shop or salon on request.

33 6. Have a seal, the imprint of which shall be used to evidence its
34 official acts.

35 7. Prescribe minimum school curriculum requirements.

36 8. Approve a barber as a mentor based on the barber's record of
37 compliance with this chapter. The board may not condition the approval on
38 the barber's payment of an additional fee or completion of an additional
39 requirement.

40 B. The board may ~~:-~~

41 ~~1. Subject to title 41, chapter 4, article 4, employ an executive~~
42 ~~director who has been a licensed barber for at least five years preceding~~
43 ~~employment and other personnel it deems necessary. The board shall~~
44 ~~compensate its executive director and other personnel as determined~~
45 ~~pursuant to section 38-611.~~

1 ~~2-~~ inspect the premises of any school, shop or salon during
2 business hours.

3 Sec. 6. Section 32-305, Arizona Revised Statutes, is amended to
4 read:

5 32-305. Barbers fund

6 A. ~~A board of~~ THE barbers fund is established. Except as provided
7 in subsection C of this section, before the end of each calendar month,
8 pursuant to sections 35-146 and 35-147, the board shall deposit ten ~~per~~
9 ~~cent~~ PERCENT of all monies from whatever source ~~which~~ THAT come into the
10 possession of the board PURSUANT TO THIS CHAPTER in the state general fund
11 and deposit the remaining ninety ~~per cent~~ PERCENT in the ~~board of~~ barbers
12 fund.

13 B. Monies deposited in the ~~board of~~ barbers fund are subject to
14 section 35-143.01.

15 C. Monies from civil penalties received pursuant to section 32-352
16 shall be deposited, pursuant to sections 35-146 and 35-147, in the state
17 general fund.

18 Sec. 7. Section 32-321, Arizona Revised Statutes, is amended to
19 read:

20 32-321. Nonapplicability of chapter

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

23 1. Medical practitioners licensed pursuant to this title who treat
24 physical or mental ailments or disease.

25 2. Persons who perform services without compensation in case of
26 emergency or in domestic administration.

27 3. Commissioned physicians and surgeons serving in the armed forces
28 of the United States or other federal agencies.

29 4. Students attending schools licensed pursuant to this chapter OR
30 CHAPTER 5 OF THIS TITLE while they are on school premises during school
31 hours.

32 5. Persons licensed pursuant to chapter 5 or 12 of this title,
33 EXCEPT FOR PERSONS HOLDING A BARBER AND HAIRSTYLIST LICENSE PURSUANT TO
34 CHAPTER 5 OF THIS TITLE WHILE THE PERSON IS PRACTICING BARBERING.

35 6. Shampoo assistants who shampoo hair under the direction of a
36 barber licensed pursuant to this chapter.

37 7. Persons who are in the custody of the state department of
38 corrections and who perform services for persons in the custody of the
39 state department of corrections.

40 8. Persons who are participating in a department of economic
41 security-approved apprenticeship program in barbering as described in
42 section 32-322 while working with a mentor in an establishment that is
43 licensed by the board.

1 9. PERSONS WHO ARE LICENSED IN ANOTHER STATE, WHO ARE IN THIS STATE
2 FOR NOT MORE THAN TWO WEEKS AND WHO PROVIDE SERVICES FOR PERSONS WHO ARE
3 ATTENDING AN ATHLETIC, CHARITABLE, ARTISTIC OR SOCIAL EVENT IN THIS STATE.

4 Sec. 8. Section 32-322, Arizona Revised Statutes, is amended to
5 read:

6 32-322. Barber license; application; qualifications

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

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

12 3. One signed photograph.

13 B. Each applicant shall:

14 1. Be at least sixteen years of age.

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

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

20 4. Pay the prescribed fees.

21 5. Either:

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

26 (b) Complete a United States department of labor-approved or a
27 department of economic security-approved apprenticeship program in
28 barbering that includes at least two hundred fifty hours of instruction as
29 described in section 32-325, subsection B, paragraph 1. The instruction
30 prescribed by this subdivision shall be completed through either:

31 (i) A school that is licensed pursuant to this chapter or a school
32 or program in another state that has, in the board's opinion, licensure
33 requirements that are substantially equivalent to the requirements of this
34 state.

35 (ii) A department of economic security-approved apprenticeship
36 program.

37 C. An applicant who holds a valid license to practice barbering
38 issued by another state is exempt from subsection B, paragraph 3 of this
39 section if the applicant submits both of the following to the board:

40 1. Proof that the applicant has one year of experience as a barber.

41 2. A document signed by the applicant stating that the applicant
42 has read and understands the laws prescribed by this chapter.

43 D. An applicant who holds a valid license or authorizing document
44 to practice barbering issued by another country and whose presence in the

United States is authorized under federal law is exempt from subsection B, paragraph 5 of this section if all of the following apply:

1. The board determines that the applicant is proficient in barbering.

2. The applicant completes at least three hundred fifty hours of education at a school or program that is licensed pursuant to this chapter.

3. The applicant signs a document stating that the applicant has read and understands the requirements of this chapter.

E. Notwithstanding subsection B, paragraph 5 of this section, an applicant for a barber license who holds a cosmetologist license or a hairstylist license issued pursuant to chapter 5 of this title shall complete a three hundred fifty-hour course of study consisting of barbering techniques in a barbering school licensed pursuant to this chapter.

Sec. 9. Section 32-324, Arizona Revised Statutes, is amended to read:

32-324. Examinations

A. Examinations shall be given at least every three months at times and places determined by the board. ~~AN APPLICANT MAY TAKE AN EXAMINATION BEFORE THE APPLICANT HAS COMPLETED THE REQUIRED HOURS OF COURSE INSTRUCTION PRESCRIBED BY SECTION 32-325.~~

B. Examinations shall contain a written part and a practical demonstration part ~~which~~ THAT may include oral questions.

C. Barber examinations shall test the applicant's knowledge:

1. Of sanitary practices and safety for all barbering procedures.

2. In the use of all instruments, equipment or chemicals permitted in barbering.

D. Instructor examinations shall be limited to the subjects taught in courses that the applicant seeks to teach.

E. A passing grade on an examination is a score of seventy-five ~~per cent~~ PERCENT or better on both the written and practical parts of the examination.

F. If an applicant who is eligible to take an examination fails to do so at either of the next two scheduled examinations, the application is deemed to be ~~cancelled~~ CANCELED and the application fee is forfeited.

G. ~~if~~ An applicant WHO fails an examination ~~he~~ is entitled to a reexamination.

H. ~~if~~ An applicant WHO fails either part of the examination ~~he~~ shall only retake the part of the examination ~~he~~ failed.

I. An applicant desiring to be reexamined shall apply to the board on forms it prescribes and furnishes and pay the prescribed reexamination fee.

1 Sec. 10. Section 32-325, Arizona Revised Statutes, is amended to
2 read:

3 32-325. School license; application; qualifications

4 A. An applicant for a license to operate a school shall file a
5 written application on a form prescribed by the board. The application
6 shall be under oath and accompanied by the prescribed fee.

7 B. A course of instruction in a licensed school ~~which~~ THAT teaches
8 barbering shall consist of at least one thousand ~~five hundred~~ hours of
9 instruction of not more than eight hours in any one working day. The
10 course of instruction shall include:

11 1. At least two hundred fifty hours devoted to the study of the
12 fundamentals of barbering, hygiene, bacteriology, histology of the hair,
13 skin, muscles and nerves, structure of the head, face and neck, elementary
14 chemistry relating to sterilization and antiseptics and diseases of the
15 skin, hair and glands.

16 2. At least one thousand two hundred fifty hours devoted to the
17 practice and study of massaging and manipulating muscles of the scalp,
18 face and neck, hair cutting, shaving and chemical work relating to
19 permanent waves and hair straightening, coloring and bleaching.

20 C. A licensed school shall:

21 1. Be operated under the general supervision of a licensed
22 instructor.

23 2. Have and maintain sufficient equipment to properly train all its
24 students in the use, function and operation of equipment ~~which~~ THAT is at
25 the time in use in barbering.

26 3. Provide:

27 (a) Separate lecture rooms or classrooms.

28 (b) Locker spaces for students.

29 (c) An area appropriate in size for ~~the placement of~~ PLACING the
30 training equipment.

31 4. Require that a student pass examinations in all phases of
32 barbering before ~~he graduates~~ GRADUATING.

33 5. Pass an inspection by the board before a school license is
34 issued.

35 6. Furnish to the board and maintain in force a bond in the sum of
36 ~~twenty-five thousand dollars~~ \$25,000 approved by the board and executed by
37 a corporate bonding company authorized to do business in this state. The
38 bond shall be for the benefit of and subject to the claims of ~~the~~ THIS
39 state for failure to comply with the requirements of this chapter and
40 conditioned that the school licensed pursuant to this chapter shall afford
41 to its students the full course of instruction required pursuant to this
42 chapter, in default of which the full amount of the tuition paid by the
43 student shall be refunded.

1 D. The student to instructor ratio in a school shall be not more
2 than twenty to one.

3 E. Instructors shall not apply their time to private practice with
4 or without compensation in a school or during school hours.

5 F. Students shall not teach other students.

6 G. Students shall be under the constant supervision of an
7 instructor.

8 Sec. 11. Section 32-354, Arizona Revised Statutes, is amended to
9 read:

10 32-354. Procedure for disciplinary action: appeal

11 A. The board on its own motion may investigate any information
12 ~~which~~ THAT appears to show the existence of any of the causes set forth in
13 section 32-353. The board shall investigate the report of any person
14 ~~which~~ THAT appears to show the existence of any of the causes set forth in
15 section 32-353. A person reporting pursuant to this section who provides
16 the information in good faith is not subject to liability for civil
17 damages as a result.

18 B. If, after completing its investigation, the board finds that the
19 evidence is not of sufficient seriousness to merit direct action against a
20 license, it may take either of the following actions:

21 1. Dismiss if, in the opinion of the board, the evidence is without
22 merit.

23 2. File a letter of concern if, in the opinion of the board, while
24 there is insufficient evidence to support direct action against the
25 license there is sufficient evidence for the board to notify the licensee
26 that continuation of the activities ~~which~~ THAT led to the information or
27 report being made to the board may result in action against ~~his~~ THE
28 license.

29 C. If, in the opinion of the board, it appears the information or
30 report is or may be true, the board shall request an informal interview
31 with the licensee concerned. The interview shall be requested by the
32 board in writing, stating the reasons for the interview and setting a date
33 ~~not less than~~ AT LEAST ten days ~~from~~ AFTER the date of the notice for
34 conducting the interview.

35 D. If, after an informal interview, the board finds that the
36 evidence warrants suspension or revocation of a license issued pursuant to
37 this chapter, ~~OR, IF THE ACTION INVOLVES BARBERING, OF A BARBER AND~~
38 ~~HAIRSTYLIST LICENSE ISSUED PURSUANT TO CHAPTER 5 OF THIS TITLE WARRANTS~~
39 imposition of a civil penalty or ~~WARRANTS~~ public reproof or if the
40 licensee under investigation refuses to attend the informal interview, a
41 complaint shall be issued and formal proceedings shall be initiated. All
42 proceedings pursuant to this subsection shall be conducted in accordance
43 with title 41, chapter 6, article 10.

1 E. If, after an informal interview, the board finds that the
2 evidence is not of sufficient seriousness to merit suspension or
3 revocation of a license issued pursuant to this chapter, ~~OR, IF THE~~
4 ~~ACTION INVOLVES BARBERING, OF A BARBER AND HAIRSTYLIST LICENSE ISSUED~~
5 ~~PURSUANT TO CHAPTER 5 OF THIS TITLE OR TO WARRANT~~ imposition of a civil
6 penalty or public reproof, ~~IT~~ ~~THE BOARD~~ may take the following actions:

7 1. Dismiss if, in the opinion of the board, the evidence is without
8 merit.

9 2. File a letter of concern if, in the opinion of the board, while
10 there is insufficient evidence to support direct action against the
11 license there is sufficient evidence for the board to notify the licensee
12 that continuation of the activities ~~which~~ ~~THAT~~ led to the information or
13 report being made to the board may result in action against the licensee's
14 license.

15 3. Impose probation requirements.

16 F. Except as provided in section 41-1092.08, subsection H, final
17 decisions of the board are subject to judicial review pursuant to title
18 12, chapter 7, article 6.

19 Sec. 12. Section 32-355, Arizona Revised Statutes, is amended to
20 read:

21 32-355. Unlawful acts; violation; classification

22 A. A person shall not:

23 1. Practice or attempt to practice barbering without a current
24 barber license issued ~~pursuant to this chapter~~ BY THE BOARD.

25 2. Practice or teach in or operate a school or operate a shop or
26 salon ~~which~~ ~~THAT~~ does not have a current license issued ~~pursuant to this~~
27 ~~chapter~~ BY THE BOARD.

28 3. Operate a shop or salon unless it is under the direct
29 supervision of a barber.

30 4. Display a sign or in any way advertise or hold oneself out as a
31 barber or as being engaged in the practice or business of barbering
32 without being licensed ~~pursuant to this chapter~~ BY THE BOARD.

33 5. Knowingly make a false statement on an application for a license
34 pursuant to this chapter OR CHAPTER 5 OF THIS TITLE.

35 6. ~~Permit~~ ~~ALLOW~~ an employee or another person under ~~his~~ ~~THE~~
36 ~~PERSON'S~~ supervision or control to practice barbering without a ~~BARBER~~
37 ~~license~~ OR A BARBER AND HAIRSTYLIST LICENSE issued ~~pursuant to this~~
38 ~~chapter~~ BY THE BOARD.

39 7. Practice barbering in any place other than in a shop or salon
40 licensed ~~pursuant to this chapter~~ BY THE BOARD unless ~~he~~ ~~THE PERSON~~ is
41 requested by a customer to go to a place other than a shop or salon
42 licensed ~~pursuant to this chapter~~ BY THE BOARD and is sent to the customer
43 from the shop or salon.

1 8. Obtain or attempt to obtain a license by the use of ~~money~~ MONIES
2 other than the prescribed fees or any other thing of value or by
3 fraudulent misrepresentation.

4 9. Violate any provision of this chapter or any rule adopted
5 pursuant to this chapter.

6 B. An instructor shall not render barbering services in a school
7 unless the services are directly incidental to the instruction of
8 students.

9 C. A school shall clearly indicate to the public that all services
10 are performed by students under the direct supervision of an instructor.

11 D. A person who violates this section is guilty of a class 1
12 misdemeanor.

13 Sec. 13. Section 32-501, Arizona Revised Statutes, is amended to
14 read:

15 32-501. Definitions

16 In this chapter, unless the context otherwise requires:

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

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

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

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

25 (c) Removing superfluous hair by means other than electrolysis or
26 threading.

27 3. "BARBERING" HAS THE SAME MEANING PRESCRIBED IN SECTION 32-301.

28 ~~3.~~ 4. "Board" means the ~~board of~~ cosmetology AND WELLNESS BOARD.

29 ~~4.~~ 5. "Cosmetic purposes" means for the purpose of beautifying,
30 preserving or conferring comeliness, excluding therapeutic massage and
31 manipulations.

32 ~~5.~~ 6. "Cosmetologist" means a person who is licensed to practice
33 cosmetology pursuant to this chapter.

34 ~~6.~~ 7. "Cosmetology" means any one or a combination of the
35 following practices if they are performed for cosmetic purposes:

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

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

40 (c) Removing superfluous hair by means other than electrolysis or
41 threading.

42 (d) Nail technology.

43 (e) Hairstyling.

~~7-~~ 8. "Electrical appliances" means devices that use electrical current and includes lasers and IPL devices as defined in section 32-516.

~~8-~~ 9. "Hairstyling" means ~~either~~ ANY of the following:

(a) Cutting, clipping or trimming hair.

(b) Styling, arranging, dressing, curling, waving, permanent waving, straightening, cleansing, singeing, bleaching, dyeing, tinting, coloring or similarly treating hair.

(c) REMOVING SUPERFLUOUS HAIR FROM THE NECK UP BY MEANS OTHER THAN ELECTROLYSIS OR THREADING.

~~9-~~ 10. "Hairstylist" means a person who is licensed to practice hairstyling pursuant to this chapter.

~~10-~~ 11. "Instructor" means a person who is licensed to teach cosmetology, aesthetics, nail technology or hairstyling, or any combination thereof, pursuant to this chapter.

~~11-~~ 12. "Mentor" means a cosmetologist who is approved by the board to train a person in a department of economic security-approved apprenticeship program in cosmetology in an establishment that is licensed by the board.

~~12-~~ 13. "Nail technician" means a person who is licensed to practice nail technology pursuant to this chapter.

~~13-~~ 14. "Nail technology" means any of the following:

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

(b) Applying artificial nails.

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

~~14-~~ 15. "Salon" means any of the following:

(a) An establishment that is operated for the purpose of engaging in the practice of cosmetology, aesthetics, nail technology or hairstyling, or any combination of the listed practices.

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

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

~~15-~~ 16. "School" means an establishment that is operated for the purpose of teaching cosmetology, aesthetics, nail technology or hairstyling, or any combination of the listed practices.

~~16-~~ 17. "Threading" means a service that results in the removal of hair from its follicle from around the eyebrows and from other parts of

1 the face with the use of a single strand of cotton thread and an
2 over-the-counter astringent, if the service does not use chemicals of any
3 kind, wax or any implements, instruments or tools to remove hair.

4 Sec. 14. Section 32-502, Arizona Revised Statutes, is amended to
5 read:

6 32-502. Cosmetology and wellness board; members; appointment;
7 qualifications; terms

8 A. The COSMETOLOGY AND WELLNESS board ~~of cosmetology~~ is established
9 consisting of the following ~~seven~~ TWELVE members who are appointed by the
10 governor:

11 1. Two cosmetologists who have ~~been~~ actively ~~practicing~~ PRACTICED
12 in this state for at least three years immediately preceding appointment.

13 2. One nail technician who has ~~been~~ actively ~~practicing~~ PRACTICED
14 in this state for at least three years immediately preceding appointment.

15 3. One instructor who has ~~been~~ actively ~~practicing~~ PRACTICED in
16 this state for at least three years immediately preceding appointment.

17 4. One school owner WHO SERVES AS CHAIRMAN OF THE BOARD.

18 5. Two public members who are not and have never been associated
19 with the cosmetology or nail technology industry, licensed as a
20 cosmetologist or nail technician or involved in the manufacture of
21 cosmetology or nail technology products.

22 6. ONE BARBER WHO HAS ACTIVELY PRACTICED BARBERING IN THIS STATE
23 FOR AT LEAST FIVE YEARS.

24 7. ONE MEMBER WHO IS A HOLDER OF A BARBER SCHOOL LICENSE AND WHO IS
25 A BARBER, WHO IS A HOLDER OF A SHOP OR SALON LICENSE AND WHO IS A BARBER,
26 OR WHO IS A BARBER WHO HAS ACTIVELY PRACTICED BARBERING IN THIS STATE FOR
27 AT LEAST FIVE YEARS. PREFERENCE MUST BE GIVEN TO A HOLDER OF A BARBER
28 SCHOOL LICENSE, THEN TO A HOLDER OF A BARBER SHOP OR SALON LICENSE, AND
29 THEN TO A BARBER.

30 8. ONE HOLDER OF A BARBER SHOP OR SALON LICENSE WHO IS A BARBER.

31 9. TWO PUBLIC MEMBERS, PREFERABLY ONE OF WHOM IS AN EDUCATOR. THE
32 PUBLIC MEMBERS MEMBER MAY NOT BE ASSOCIATED, DIRECTLY OR INDIRECTLY, WITH
33 THE MANUFACTURE OF BARBER APPLIANCES OR SUPPLIES OR THEIR RENTAL, SALE OR
34 DISTRIBUTION TO LICENSEES OR REPRESENT THE BARBERING INDUSTRY IN ANY
35 MANNER.

36 B. The term of office for members is three years beginning and
37 ending June 22.

38 C. The governor may remove board members for neglect of duty,
39 malfeasance or misfeasance.

40 Sec. 15. Delayed repeal

41 Section 32-502, Arizona Revised Statutes, as amended by section 14
42 of this act, is repealed from and after December 31, 2021.

1 Sec. 16. Title 32, chapter 5, article 1, Arizona Revised Statutes,
2 is amended by adding a new section 32-502, to read:

3 32-502. Cosmetology and wellness board; members; appointment;
4 qualifications; terms

5 A. THE COSMETOLOGY AND WELLNESS BOARD IS ESTABLISHED CONSISTING OF
6 THE FOLLOWING ELEVEN MEMBERS WHO ARE APPOINTED BY THE GOVERNOR:

7 1. FIVE PUBLIC MEMBERS WHO ARE NOT AND HAVE NEVER BEEN ANY OF THE
8 FOLLOWING:

9 (a) ASSOCIATED WITH THE COSMETOLOGY, BARBER OR MASSAGE THERAPY
10 INDUSTRY.

11 (b) LICENSED AS A COSMETOLOGIST, BARBER OR MASSAGE THERAPIST.

12 (c) INVOLVED IN THE MANUFACTURE OF COSMETOLOGY, BARBER OR MASSAGE
13 THERAPY PRODUCTS.

14 2. ONE MASSAGE THERAPIST WHO HAS ACTIVELY PRACTICED IN THIS STATE
15 FOR AT LEAST THREE YEARS.

16 3. ONE COSMETOLOGIST WHO HAS ACTIVELY PRACTICED IN THIS STATE FOR
17 AT LEAST THREE YEARS.

18 4. ONE BARBER WHO HAS ACTIVELY PRACTICED IN THIS STATE FOR AT LEAST
19 THREE YEARS.

20 5. ONE MASSAGE THERAPY SCHOOL OWNER.

21 6. ONE COSMETOLOGY SCHOOL OWNER.

22 7. ONE BARBER SCHOOL OWNER.

23 B. THE TERMS OF OFFICE OF BOARD MEMBERS ARE THREE YEARS BEGINNING
24 AND ENDING JUNE 30.

25 C. THE GOVERNOR MAY REMOVE A BOARD MEMBER FOR NEGLIGENCE OF DUTY,
26 MALFEASANCE OR MISFEASANCE.

27 Sec. 17. Section 32-503, Arizona Revised Statutes, is amended to
28 read:

29 32-503. Officers; meetings; personnel; compensation

30 A. The board shall annually elect a ~~chairman, vice-chairman~~ VICE
31 CHAIRMAN and secretary-treasurer from among its membership.

32 B. The board shall hold at least one regular meeting monthly and
33 may hold other meetings at times and places it designates.

34 C. Subject to title 41, chapter 4, article 4, the board may employ
35 the following personnel as it deems necessary to carry out the purposes of
36 this chapter AND CHAPTER 3 OF THIS TITLE and designate their duties:

37 1. An executive director.

38 2. A supervisor of examinations who is an instructor licensed
39 pursuant to this chapter OR CHAPTER 3 OF THIS TITLE and WHO has worked at
40 least two of the five years immediately preceding employment as an
41 instructor in a school licensed pursuant to this chapter.

42 3. Examiners who are not employed as instructors in any school
43 licensed pursuant to this chapter OR CHAPTER 3 OF THIS TITLE.

44 4. Persons to provide investigative, professional and clerical
45 assistance.

1 5. Consultants to assist the board in the performance of its
2 duties.

3 6. Other personnel.

4 D. Members of the board are eligible to receive compensation as
5 determined pursuant to section 38-611 for each day of actual service in
6 the business of the board. The board shall compensate its executive
7 director and other personnel as determined pursuant to section 38-611.

8 Sec. 18. Section 32-503, Arizona Revised Statutes, as amended by
9 section 17 of this act, is amended to read:

10 32-503. Organization; meetings; personnel; compensation

11 A. The board shall annually elect a vice chairman and
12 secretary-treasurer from among its membership.

13 B. The board shall hold at least one regular meeting monthly and
14 may hold other meetings at times and places it designates.

15 C. Subject to title 41, chapter 4, article 4, the board may employ
16 the following personnel as it deems necessary to carry out the purposes of
17 this chapter and ~~chapter~~ CHAPTERS 3 AND 42 of this title and designate
18 their duties:

19 1. An executive director.

20 2. A supervisor of examinations who is an instructor licensed
21 pursuant to this chapter or chapter 3 of this title and who has worked at
22 least two of the five years immediately preceding employment as an
23 instructor in a school licensed pursuant to this chapter.

24 3. Examiners who are not employed as instructors in any school
25 licensed pursuant to this chapter or chapter 3 of this title.

26 4. Persons to provide investigative, professional and clerical
27 assistance.

28 5. Consultants to assist the board in the performance of its
29 duties.

30 6. Other personnel.

31 D. Members of the board are eligible to receive compensation as
32 determined pursuant to section 38-611 for each day of actual service in
33 the business of the board. The board shall compensate its executive
34 director and other personnel as determined pursuant to section 38-611.

35 Sec. 19. Section 32-505, Arizona Revised Statutes, is amended to
36 read:

37 32-505. Cosmetology fund

38 A. The ~~board of~~ cosmetology fund is established. Except as
39 provided in subsection C of this section, before the end of each calendar
40 month ~~THE BOARD SHALL DEPOSIT~~, pursuant to sections 35-146 and 35-147, ~~the~~
41 ~~board shall deposit~~ ten ~~per cent~~ PERCENT of all monies from whatever
42 source ~~which~~ THAT come into the possession of the board ~~PURSUANT TO THIS~~
43 ~~CHAPTER~~ in the state general fund and deposit the remaining ninety ~~per~~
44 ~~cent~~ PERCENT in the ~~board of~~ cosmetology fund.

1 B. Except as provided in section 32-573, subsection G, monies
2 deposited in the ~~board of~~ cosmetology fund are subject to section
3 35-143.01.

4 C. Monies from civil penalties received pursuant to section 32-571
5 shall be deposited, pursuant to sections 35-146 and 35-147, in the state
6 general fund.

7 Sec. 20. Section 32-506, Arizona Revised Statutes, is amended to
8 read:

9 32-506. Nonapplicability of chapter; barbering and
10 hairstyling licensee exceptions

11 A. EXCEPT AS PROVIDED IN SUBSECTION B OF THIS SECTION, this chapter
12 does not apply to the following persons while in the proper discharge of
13 their professional duties:

14 1. Medical practitioners who are licensed pursuant to this title if
15 the practices treat physical or mental ailments or disease.

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

18 3. Persons who are licensed pursuant to chapter 3 or 12 of this
19 title.

20 4. Students who are attending schools licensed pursuant to this
21 chapter while they are on school premises during school hours OR OFF
22 CAMPUS AT A SCHOOL-SPONSORED EVENT.

23 5. Persons employed by theatrical groups who apply makeup, oils and
24 cosmetics.

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

27 7. Shampoo assistants who shampoo hair under the direction of a
28 cosmetologist or hairstylist licensed pursuant to this chapter.

29 8. Services performed by and for persons who are in the custody of
30 the state department of corrections.

31 9. Persons who apply makeup, oils and cosmetics to patients in a
32 hospital, nursing home or residential care institution with the consent of
33 the patient and the hospital, nursing home or residential care
34 institution.

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

40 11. Persons who provide threading.

41 12. Persons who provide tanning services by means of airbrushing,
42 tanning beds or spray tanning.

43 13. Persons who apply makeup, including eyelash enhancements. This
44 paragraph does not apply if a person is engaging in the practice of
45 aesthetics or cosmetology. A person who is exempt pursuant to this

paragraph shall post a sign in a conspicuous location in the person's place of business notifying the public that the person's services are not regulated by the board.

14. Persons who dry, style, arrange, dress, curl, hot iron or shampoo and condition hair if the service does not include applying reactive chemicals to permanently straighten, curl or alter the structure of the hair and if the person takes and completes a class relating to sanitation, infection protection and law review that is provided by the board or its designee. This paragraph does not apply if a person is engaging in the practice of aesthetics or cosmetology. A person who is exempt pursuant to this paragraph shall post a sign in a conspicuous location in the person's place of business notifying the public that the person's services are not regulated by the board.

15. Persons who are participating in a department of economic security-approved apprenticeship program in cosmetology as described in section 32-511 while working with a mentor in an establishment that is licensed by the board.

16. PERSONS WHO ARE LICENSED IN ANOTHER STATE AND WHO ARE WORKING IN THIS STATE AT A CHARITABLE EVENT THAT BENEFITS A NONPROFIT ORGANIZATION.

17. PERSONS WHO ARE LICENSED IN ANOTHER STATE, WHO ARE IN THIS STATE FOR NOT MORE THAN TWO WEEKS AND WHO PROVIDE SERVICES FOR PERSONS WHO ARE ATTENDING AN ATHLETIC, CHARITABLE, ARTISTIC OR SOCIAL EVENT IN THIS STATE.

B. A BARBER AND HAIRSTYLIST LICENSEE:

1. WHILE PRACTICING BARBERING IS SUBJECT TO CHAPTER 3 OF THIS TITLE.

2. WHILE PRACTICING HAIRSTYLING IS SUBJECT TO THIS CHAPTER.

Sec. 21. Title 32, chapter 5, article 2, Arizona Revised Statutes, is amended by adding section 32-512.02, to read:

32-512.02. Barber and hairstylist license; applications; qualifications

A PERSON IS ENTITLED TO RECEIVE A BARBER AND HAIRSTYLIST LICENSE IF THE PERSON DOES ALL OF THE FOLLOWING:

1. SUBMITS TO THE BOARD AN APPLICATION FOR A BARBER AND HAIRSTYLIST LICENSE ON A FORM SUPPLIED BY THE BOARD.

2. EITHER:

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

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

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

1 (a) GRADUATED FROM A BARBERING OR HAIRSTYLING SCHOOL IN ANOTHER
2 STATE OR COUNTRY THAT, AT THE TIME OF THE PERSON'S GRADUATION, HAD
3 SUBSTANTIALLY THE SAME REQUIREMENTS AS THIS STATE FOR SCHOOLS LICENSED
4 PURSUANT TO THIS CHAPTER OR CHAPTER 3 OF THIS TITLE.

5 (b) COMPLETED A BARBERING AND HAIRSTYLING COURSE CONSISTING OF AT
6 LEAST ONE THOUSAND THREE HUNDRED HOURS OF TRAINING IN A SCHOOL LICENSED
7 PURSUANT TO THIS CHAPTER OR CHAPTER 3 OF THIS TITLE.

8 Sec. 22. Section 32-513, Arizona Revised Statutes, is amended to
9 read:

10 32-513. Reciprocity

11 Notwithstanding sections 32-510, 32-511, 32-512, ~~and~~ 32-512.01 AND
12 32-512.02, a person is entitled to receive a cosmetologist, aesthetician,
13 nail technician, ~~or~~ hairstylist OR BARBER AND HAIRSTYLIST license if the
14 person does all of the following:

15 1. Submits to the board an application for a cosmetologist,
16 aesthetician, nail technician, ~~or~~ hairstylist OR BARBER AND HAIRSTYLIST
17 license on a form supplied by the board.

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

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

24 4. Pays the prescribed reciprocity license fees.

25 Sec. 23. Section 32-514, Arizona Revised Statutes, is amended to
26 read:

27 32-514. Examinations

28 A. The board or a national professional organization for
29 cosmetology selected by the board shall administer written and practical
30 examinations for a cosmetologist, aesthetician, nail technician,
31 hairstylist or instructor license. The examinations shall test for
32 requisite knowledge and skills in the technical application of cosmetology
33 services. AN APPLICANT MAY TAKE AN EXAMINATION BEFORE THE APPLICANT HAS
34 COMPLETED THE REQUIRED HOURS OF COURSE INSTRUCTION PRESCRIBED BY THIS
35 ARTICLE.

36 B. The board or a national professional organization for
37 cosmetology selected by the board shall inform each applicant of the
38 examination results.

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

40 Sec. 24. Section 32-516, Arizona Revised Statutes, is amended to
41 read:

42 32-516. Aestheticians; cosmetologists; cosmetic laser and IPL
43 device use; certification; fees; definitions

44 A. An aesthetician or a cosmetologist who wishes to perform
45 cosmetic laser procedures and procedures using IPL devices must:

- 1 1. Apply for and receive a certificate from the department.
- 2 2. Comply with the requirements of this section and department
- 3 rules.
- 4 3. Successfully complete forty hours of didactic training as
- 5 required by department rules at a department-certified training program.
- 6 The program shall provide a provisional certificate to the applicant
- 7 verifying the successful completion of the didactic training.
- 8 4. For hair removal, complete hands-on training that is supervised
- 9 by a health professional who is acting within the health professional's
- 10 scope of practice or by a laser technician who has a minimum of one
- 11 hundred hours of hands-on experience per procedure. The health
- 12 professional or laser technician must be present in the room during
- 13 twenty-four hours of hands-on use of lasers or IPL devices. The
- 14 supervising health professional or laser technician shall verify that the
- 15 aesthetician or cosmetologist has completed the training and supervision
- 16 as prescribed by this section.
- 17 5. For other cosmetic laser and IPL device procedures, complete a
- 18 minimum of an additional twenty-four hours of hands-on training of at
- 19 least ten cosmetic procedures for each type of specific procedure that is
- 20 supervised by a health professional who is acting within the health
- 21 professional's scope of practice or by a laser technician who has a
- 22 minimum of one hundred hours of hands-on experience per procedure. The
- 23 health professional or laser technician must be present in the room during
- 24 twenty-four hours of hands-on use of lasers or IPL devices. The
- 25 supervising health professional or laser technician shall verify that the
- 26 aesthetician or cosmetologist has completed the training and supervision
- 27 as prescribed by this section.
- 28 6. Submit to the department the provisional certificate from the
- 29 training program and certification by the health professional or laser
- 30 technician who directly supervised the applicant in the room during the
- 31 hands-on training.
- 32 B. The department shall issue a laser technician certificate
- 33 authorizing the aesthetician or cosmetologist to use lasers and IPL
- 34 devices if the applicant has completed the training for hair removal or
- 35 lasers and IPL devices for other cosmetic procedures, as applicable, and
- 36 shall maintain a current register of those laser technicians in good
- 37 standing and whether certification is for hair removal only or other
- 38 cosmetic procedures as well. The department may establish a fee for the
- 39 registration of aestheticians or cosmetologists as laser technicians and
- 40 the issuance of certificates pursuant to this subsection. The department
- 41 shall deposit monies collected pursuant to this subsection in the laser
- 42 safety fund established by section 32-3234.
- 43 C. An aesthetician or a cosmetologist who has been certified as a
- 44 laser technician by the department may use a laser or IPL device:

1 1. For hair removal under the indirect supervision of a health
2 professional whose scope of practice permits the supervision.

3 2. For cosmetic purposes other than hair removal if the
4 aesthetician or cosmetologist is directly supervised by a health
5 professional whose scope of practice permits the supervision and the
6 aesthetician or cosmetologist has been certified in those procedures.

7 D. The board shall investigate any complaint from the public or
8 from another board or agency regarding a licensed aesthetician or
9 cosmetologist who performs cosmetic laser procedures or procedures using
10 IPL devices pursuant to this section. The board shall report to the
11 department any complaint it receives about the training or performance of
12 an aesthetician or a cosmetologist who is certified as a laser technician.

13 E. An aesthetician or a cosmetologist who used laser and IPL
14 devices before November 24, 2009 may continue to do so if the aesthetician
15 or cosmetologist received a certificate pursuant to this section before
16 October 1, 2010.

17 F. For the purposes of this section:

18 1. "Department" means the department of health services.

19 2. "Directly supervised" means **THAT** a health professional who is
20 licensed in this state and whose scope of practice allows the supervision
21 **OR A LASER SAFETY OFFICER** supervises the use of a laser or IPL device for
22 cosmetic purposes while the health professional **OR LASER SAFETY OFFICER** is
23 present at the facility where and when the device is being used.

24 3. "Health professional" means a person who is licensed pursuant to
25 either:

26 (a) Chapter 11, article 2 of this title and who specializes in oral
27 and maxillofacial surgery.

28 (b) Chapter 13, 14, 15, 17 or 25 of this title.

29 4. "Indirect supervision" means supervision by a health
30 professional who is licensed in this state, whose scope of practice allows
31 the supervision and who is readily accessible by telecommunication.

32 5. "IPL device" means an intense pulse light class II surgical
33 device certified in accordance with the standards of the department for
34 cosmetic procedures.

35 6. "Laser" means any device that can produce or amplify
36 electromagnetic radiation with wavelengths in the range of one hundred
37 eighty nanometers to one millimeter primarily by the process of controlled
38 stimulated emission and certified in accordance with the standards for the
39 department for cosmetic procedures.

40 7. **"LASER SAFETY OFFICER" MEANS A PERSON WHO BOTH:**

41 (a) **HAS THE AUTHORITY AND RESPONSIBILITY TO MONITOR AND CONTROL**
42 **LASER HAZARDS AND TO KNOWLEDGEABLY EVALUATE AND CONTROL LASER HAZARDS.**

43 (b) **IS REGULATED BY THE DEPARTMENT BY RULE.**

1 ~~7.~~ 8. "Laser technician" means a person who is or has been
2 certified by the department pursuant to its rules and chapter 32, article
3 2 of this title.

4 Sec. 25. Section 32-556, Arizona Revised Statutes, is amended to
5 read:

6 32-556. Schools; programs; sale of products

7 A school of any type, including a cosmetology school, ~~or otherwise,~~
8 ~~shall not be conducted with any other business, including~~ MAY INCLUDE
9 PROGRAMS RELATED TO A SUBJECT THAT IS SIMILAR TO COSMETOLOGY BUT MAY NOT
10 INCLUDE a salon. ~~A school of any type, including a cosmetology school or~~
11 ~~otherwise, and another business shall be separated by walls of permanent~~
12 ~~construction and not have doors or openings between them.~~ A cosmetology
13 school may offer for sale cosmetology products and related articles.

14 Sec. 26. Section 32-573, Arizona Revised Statutes, is amended to
15 read:

16 32-573. Procedure for disciplinary action; appeal

17 A. The board on its own motion may investigate any information that
18 appears to show the existence of any of the causes set forth in section
19 32-572. The board shall investigate the report of any person that appears
20 to show the existence of any of the causes set forth in section 32-572. A
21 person who reports pursuant to this section and who provides the
22 information in good faith is not subject to liability for civil damages as
23 a result.

24 B. If, after completing its investigation, the board finds that the
25 evidence is not of sufficient seriousness to merit direct action against a
26 license, it may take either of the following actions:

27 1. Dismiss if, in the opinion of the board, the evidence is without
28 merit.

29 2. File a letter of concern if, in the opinion of the board, while
30 there is insufficient evidence to support direct action against the
31 license there is sufficient evidence for the board to notify the licensee
32 that continuation of the activities that led to the information or report
33 being made to the board may result in action against the licensee's
34 license.

35 C. If, in the opinion of the board, it appears the information or
36 report is or may be true, the board shall request an informal interview
37 with the licensee concerned. The interview shall be requested by the
38 board in writing, stating the reasons for the interview and setting a date
39 ~~not less than~~ AT LEAST ten days ~~from~~ AFTER the date of the notice for
40 conducting the interview.

41 D. If, after an informal interview, the board finds that the
42 evidence warrants suspension or revocation of a license issued pursuant to
43 this chapter, imposition of a civil penalty or public reproof or if the
44 licensee under investigation refuses to attend the informal interview, a
45 complaint shall be issued and formal proceedings shall be initiated. All

proceedings pursuant to this subsection shall be conducted in accordance with title 41, chapter 6, article 10.

E. A licensee who has been notified pursuant to subsection D of this section of charges pending against the licensee shall file with the board an answer in writing to the charges not more than thirty days after the licensee receives the complaint. If the licensee fails to answer in writing within this time, it is deemed an admission by the licensee of the acts charged in the complaint and the board may take disciplinary action allowed by this chapter without a hearing.

F. If the board finds that the evidence is not of sufficient seriousness to merit suspension or revocation of a license issued pursuant to this chapter, imposition of a civil penalty or public reproof, ~~the~~ **THE BOARD** may take the following actions:

1. Dismiss if, in the opinion of the board, the evidence is without merit.

2. File a letter of concern if, in the opinion of the board, while there is insufficient evidence to support direct action against the license there is sufficient evidence for the board to notify the licensee that continuation of the activities which led to the information or report being made to the board may result in action against the licensee's license.

3. Impose probation requirements.

G. If a licensee violates this chapter or a rule adopted pursuant to this chapter, the board may assess the licensee with the board's reasonable costs and expenses, including attorney fees, incurred in conducting the investigation and administrative hearing. All monies collected pursuant to this subsection shall be deposited, pursuant to sections 35-146 and 35-147, in a separate account in the **COSMETOLOGY board of cosmetology** fund established by section 32-505. The board may only use these monies to defray its expenses in connection with investigation related training and education, disciplinary investigations and all costs related to administrative hearings. Notwithstanding section 35-143.01, the separate account monies may be spent without legislative appropriation.

H. Except as provided in section 41-1092.08, subsection H, final decisions of the board are subject to judicial review pursuant to title 12, chapter 7, article 6.

Sec. 27. Section 32-574, Arizona Revised Statutes, is amended to read:

32-574. Unlawful acts; violation; classification

A. A person shall not:

1. Perform or attempt to perform cosmetology, aesthetics, nail technology or hairstyling without a license in that category issued pursuant to this chapter, or practice in a category in which the person does not hold a license.

1 2. Display a sign or in any way advertise or hold oneself out as a
2 cosmetologist, aesthetician, nail technician or hairstylist or as being
3 engaged in the practice or business of cosmetology, aesthetics, nail
4 technology or hairstyling without being licensed pursuant to this chapter.

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

7 4. ~~Permit~~ ALLOW an employee or another person under the person's
8 supervision or control to perform cosmetology, aesthetics, nail technology
9 or hairstyling without a license issued pursuant to this chapter.

10 5. Practice or attempt to practice cosmetology, aesthetics, nail
11 technology or hairstyling in any place other than in a salon licensed
12 ~~pursuant to this chapter~~ BY THE BOARD unless the person is requested by a
13 customer to go to a place other than a salon licensed pursuant to this
14 chapter and is sent to the customer from the salon, except that a person
15 who is licensed pursuant to this chapter may practice, without the salon's
16 request, cosmetology, aesthetics, nail technology or hairstyling in a
17 health care facility, hospital, residential care institution, nursing home
18 or residence of a person requiring home care because of an illness,
19 infirmity or disability.

20 6. Obtain or attempt to obtain a license by the use of ~~money~~ MONIES
21 other than the prescribed fees or any other thing of value or by
22 fraudulent misrepresentation.

23 7. Provide any service to a person having a visible disease,
24 pediculosis or open sores suggesting a communicable disease until the
25 person furnishes a statement signed by a physician who is licensed
26 pursuant to chapter 13 or 17 of this title stating that the disease or
27 condition is not in an infectious, contagious or communicable stage.

28 8. Operate a salon or school without being licensed ~~pursuant to~~
29 ~~this chapter~~ BY THE BOARD.

30 9. Violate any provision of this chapter or any rule adopted
31 pursuant to this chapter.

32 10. Ignore or fail to comply with a board subpoena.

33 11. Use the title of "aesthetician", "cosmetologist", "nail
34 technician" or "hairstylist" or any other title or term likely to be
35 confused with "aesthetician", "cosmetologist", "nail technician" or
36 "hairstylist" in any advertisement, statement or publication unless that
37 person is licensed ~~pursuant to this chapter~~ BY THE BOARD.

38 12. Teach cosmetology, aesthetics, nail technology or hairstyling
39 in this state unless the person is licensed as an instructor pursuant to
40 article 3 of this chapter.

41 B. An instructor shall not render cosmetology, aesthetics, nail
42 technology or hairstyling services in a school unless the services are
43 directly incidental to the instruction of students.

44 C. A person who violates this section is guilty of a class 1
45 misdemeanor.

1 Sec. 28. Section 32-4201, Arizona Revised Statutes, is amended to
2 read:

3 32-4201. Definitions

4 In this chapter, unless the context otherwise requires:

5 1. "Board" means the ~~board of massage therapy~~ COSMETOLOGY AND
6 WELLNESS BOARD ESTABLISHED BY SECTION 32-502.

7 2. "Board recognized school" means a school that is any of the
8 following:

9 (a) Accredited to offer massage therapy education by an agency
10 recognized by the secretary of the United States department of education.

11 (b) If located in this state, offered by a community college or
12 approved by the state board for private postsecondary education.

13 (c) If located in another state or a Canadian province, approved by
14 an agency similar to the state board for private postsecondary education.

15 (d) A career technical education district program that is offered
16 by a career technical education district as defined in section 15-391.

17 3. "Bodywork therapy" means massage therapy.

18 4. "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE BOARD
19 WHO IS EMPLOYED PURSUANT TO SECTION 32-503.

20 ~~4.~~ 5. "Massage therapist" means a person who is licensed under
21 this chapter to engage in the practice of massage therapy.

22 ~~5.~~ 6. "Massage therapy" means the following that are undertaken to
23 increase wellness, relaxation, stress reduction, pain relief and postural
24 improvement or provide general or specific therapeutic benefits:

25 (a) The manual application of compression, stretch, vibration or
26 mobilization of the organs and tissues beneath the dermis, including the
27 components of the musculoskeletal system, peripheral vessels of the
28 circulatory system and fascia, when applied primarily to parts of the body
29 other than the hands, feet and head.

30 (b) The manual application of compression, stretch, vibration or
31 mobilization using the forearms, elbows, knees or feet or handheld
32 mechanical or electrical devices.

33 (c) Any combination of range of motion, directed, assisted or
34 passive movements of the joints.

35 (d) Hydrotherapy, including the therapeutic applications of water,
36 heat, cold, wraps, essential oils, skin brushing, salt glows and similar
37 applications of products to the skin.

38 ~~6.~~ 7. "Practice of massage therapy" means the application of
39 massage therapy to any person for a fee or other consideration. Practice
40 of massage therapy does not include the diagnosis of illness or disease,
41 medical procedures, naturopathic manipulative medicine, osteopathic
42 manipulative medicine, chiropractic adjustive procedures, homeopathic
43 neuromuscular integration, electrical stimulation, ultrasound,
44 prescription of medicines or the use of modalities for which a license to

1 practice medicine, chiropractic, nursing, occupational therapy, athletic
2 training, physical therapy, acupuncture or podiatry is required by law.

3 Sec. 29. Delayed repeal

4 Sections 32-4202 and 32-4204, Arizona Revised Statutes, are repealed
5 from and after December 31, 2021.

6 Sec. 30. Section 32-4205, Arizona Revised Statutes, is amended to
7 read:

8 32-4205. Massage therapy fund

9 A. The ~~board of~~ massage therapy fund is established. The board
10 shall administer the fund. The board shall deposit, pursuant to sections
11 35-146 and 35-147, ten ~~per cent~~ PERCENT of all monies collected pursuant
12 to this chapter in the state general fund and deposit the remaining ninety
13 ~~per cent~~ PERCENT of the monies in the ~~board of~~ massage therapy fund.

14 B. Monies deposited in the ~~board of~~ massage therapy fund are
15 subject to section 35-143.01.

16 Sec. 31. Section 32-4228, Arizona Revised Statutes, is amended to
17 read:

18 32-4228. Massage therapy schools; recognition

19 A. The COSMETOLOGY AND WELLNESS board shall recognize a school of
20 massage therapy located in this state if it is approved by the state board
21 for private postsecondary education, is accredited to offer massage
22 therapy education by an agency recognized by the secretary of the United
23 States department of education or is a career technical education district
24 program that is offered by a career technical education district as
25 defined in section 15-391.

26 B. The COSMETOLOGY AND WELLNESS board shall recognize a school of
27 massage therapy located in another state or a Canadian province if it is
28 accredited or approved by an agency similar to the state board for private
29 postsecondary education or it is accredited to offer massage therapy
30 education by an agency recognized by the secretary of the United States
31 department of education.

32 C. Each school of massage therapy that is located in this state and
33 that receives approval from the state board for private postsecondary
34 education shall report to the COSMETOLOGY AND WELLNESS board ~~of massage~~
35 ~~therapy~~:

36 1. The physical address of the school and each instructional
37 facility maintained or operated by the school.

38 2. All faculty and instructional staff, and all additions to or
39 deletions from the faculty and staff.

40 D. The COSMETOLOGY AND WELLNESS board shall maintain a list of
41 recognized schools.

42 Sec. 32. Section 41-1092, Arizona Revised Statutes, is amended to
43 read:

44 41-1092. Definitions

45 In this article, unless the context otherwise requires:

1 1. "Administrative law judge" means an individual or an agency
2 head, board or commission that sits as an administrative law judge, that
3 conducts administrative hearings in a contested case or an appealable
4 agency action and that makes decisions regarding the contested case or
5 appealable agency action.

6 2. "Administrative law judge decision" means the findings of fact,
7 conclusions of law and recommendations or decisions issued by an
8 administrative law judge.

9 3. "Appealable agency action" means an action that determines the
10 legal rights, duties or privileges of a party and that is not a contested
11 case. Appealable agency actions do not include interim orders by
12 self-supporting regulatory boards, rules, orders, standards or statements
13 of policy of general application issued by an administrative agency to
14 implement, interpret or make specific the legislation enforced or
15 administered by it or clarifications of interpretation, nor does it mean
16 or include rules concerning the internal management of the agency that do
17 not affect private rights or interests. For the purposes of this
18 paragraph, administrative hearing does not include a public hearing held
19 for the purpose of receiving public comment on a proposed agency action.

20 4. "Director" means the director of the office of administrative
21 hearings.

22 5. "Final administrative decision" means a decision by an agency
23 that is subject to judicial review pursuant to title 12, chapter 7,
24 article 6.

25 6. "Office" means the office of administrative hearings.

26 7. "Self-supporting regulatory board" means any one of the
27 following:

- 28 (a) The Arizona state board of accountancy.
- 29 (b) The COSMETOLOGY AND WELLNESS board ~~of barbers~~.
- 30 (c) The board of behavioral health examiners.
- 31 (d) The Arizona state boxing and mixed martial arts commission.
- 32 (e) The state board of chiropractic examiners.
- 33 ~~(f) The board of cosmetology.~~
- 34 ~~(g)~~ (f) The state board of dental examiners.
- 35 ~~(h)~~ (g) The state board of funeral directors and embalmers.
- 36 ~~(i)~~ (h) The Arizona game and fish commission.
- 37 ~~(j)~~ (i) The board of homeopathic and integrated medicine
38 examiners.
- 39 ~~(k)~~ (j) The Arizona medical board.
- 40 ~~(l)~~ (k) The naturopathic physicians medical board.
- 41 ~~(m)~~ (l) The ARIZONA state board of nursing.
- 42 ~~(n)~~ (m) The board of examiners of nursing care institution
43 administrators and ~~adult care home~~ ASSISTED LIVING FACILITY managers.
- 44 ~~(o)~~ (n) The board of occupational therapy examiners.
- 45 ~~(p)~~ (o) The state board of dispensing opticians.

- 1 ~~(q)~~ (p) The state board of optometry.
- 2 ~~(r)~~ (q) The Arizona board of osteopathic examiners in medicine and
- 3 surgery.
- 4 ~~(s)~~ (r) The Arizona peace officer standards and training board.
- 5 ~~(t)~~ (s) The Arizona state board of pharmacy.
- 6 ~~(u)~~ (t) The board of physical therapy.
- 7 ~~(v)~~ (u) The state board of podiatry examiners.
- 8 ~~(w)~~ (v) The state board for private postsecondary education.
- 9 ~~(x)~~ (w) The state board of psychologist examiners.
- 10 ~~(y)~~ (x) The board of respiratory care examiners.
- 11 ~~(z)~~ (y) The state board of technical registration.
- 12 ~~(aa)~~ (z) The Arizona state veterinary medical examining board.
- 13 ~~(bb)~~ (aa) The acupuncture board of examiners.
- 14 ~~(cc)~~ (bb) The Arizona regulatory board of physician assistants.
- 15 ~~(dd)~~ (cc) The board of athletic training.
- 16 ~~(ee)~~ (dd) ~~The board of massage therapy.~~

17 Sec. 33. Section 41-1092, Arizona Revised Statutes, as amended by
18 section 32 of this act, is amended to read:

19 41-1092. Definitions

20 In this article, unless the context otherwise requires:

- 21 1. "Administrative law judge" means an individual or an agency
22 head, board or commission that sits as an administrative law judge, that
23 conducts administrative hearings in a contested case or an appealable
24 agency action and that makes decisions regarding the contested case or
25 appealable agency action.
- 26 2. "Administrative law judge decision" means the findings of fact,
27 conclusions of law and recommendations or decisions issued by an
28 administrative law judge.
- 29 3. "Appealable agency action" means an action that determines the
30 legal rights, duties or privileges of a party and that is not a contested
31 case. Appealable agency actions do not include interim orders by
32 self-supporting regulatory boards, rules, orders, standards or statements
33 of policy of general application issued by an administrative agency to
34 implement, interpret or make specific the legislation enforced or
35 administered by it or clarifications of interpretation, nor does it mean
36 or include rules concerning the internal management of the agency that do
37 not affect private rights or interests. For the purposes of this
38 paragraph, administrative hearing does not include a public hearing held
39 for the purpose of receiving public comment on a proposed agency action.
- 40 4. "Director" means the director of the office of administrative
41 hearings.
- 42 5. "Final administrative decision" means a decision by an agency
43 that is subject to judicial review pursuant to title 12, chapter 7,
44 article 6.
- 45 6. "Office" means the office of administrative hearings.

7. "Self-supporting regulatory board" means any one of the following:

- (a) The Arizona state board of accountancy.
- (b) The cosmetology and wellness board.
- (c) The board of behavioral health examiners.
- (d) The Arizona state boxing and mixed martial arts commission.
- (e) The state board of chiropractic examiners.
- (f) The state board of dental examiners.
- (g) The state board of funeral directors and embalmers.
- (h) The Arizona game and fish commission.
- (i) The board of homeopathic and integrated medicine examiners.
- (j) The Arizona medical board.
- (k) The naturopathic physicians medical board.
- (l) The Arizona state board of nursing.
- (m) The board of examiners of nursing care institution administrators and assisted living facility managers.
- (n) The board of occupational therapy examiners.
- (o) The state board of dispensing opticians.
- (p) The state board of optometry.
- (q) The Arizona board of osteopathic examiners in medicine and surgery.
- (r) The Arizona peace officer standards and training board.
- (s) The Arizona state board of pharmacy.
- (t) The board of physical therapy.
- (u) The state board of podiatry examiners.
- (v) The state board for private postsecondary education.
- (w) The state board of psychologist examiners.
- (x) The board of respiratory care examiners.
- (y) The state board of technical registration.
- (z) The Arizona state veterinary medical examining board.
- (aa) The acupuncture board of examiners.
- (bb) The Arizona regulatory board of physician assistants.
- (cc) The board of athletic training.

~~(dd) The board of massage therapy.~~

Sec. 34. Repeal

A. Section 41-3022.23, Arizona Revised Statutes, is repealed.

B. Section 41-3023.10, Arizona Revised Statutes, is repealed from and after December 31, 2021.

Sec. 35. Section 41-3024.05, Arizona Revised Statutes, is amended to read:

41-3024.05. Cosmetology and wellness board; termination July 1, 2024

A. The COSMETOLOGY AND WELLNESS board ~~of cosmetology~~ terminates on July 1, 2024.

1 B. Title 32, ~~chapter~~ CHAPTERS 3 AND 5 AND THIS SECTION ~~is~~ ARE
2 repealed on January 1, 2025.

3 Sec. 36. Section 41-3024.05, Arizona Revised Statutes, as amended
4 by section 35 of this act, is amended to read:

5 41-3024.05. Cosmetology and wellness board; termination July
6 1, 2024

7 A. The cosmetology and wellness board terminates on July 1, 2024.

8 B. Title 32, chapters 3, ~~and~~ 5 AND 42 and this section are repealed
9 on January 1, 2025.

10 Sec. 37. Section 44-6852, Arizona Revised Statutes, is amended to
11 read:

12 44-6852. Dishonored checks; service fee

13 Notwithstanding any other law AND EXCEPT AS PROVIDED IN SECTIONS
14 32-328 AND 32-507, the holder, payee or assignee of the holder or payee of
15 a dishonored check, draft, order or note may charge and collect from the
16 maker or drawer a service fee of not more than ~~twenty-five dollars~~ \$25
17 plus any actual charges assessed by the financial institution of the
18 holder, payee or assignee of the holder or payee as a result of the
19 dishonored instrument.

20 Sec. 38. Transfer; effect; succession

21 A. As provided by this act, the cosmetology and wellness board
22 succeeds to the authority, powers, duties and responsibilities of the
23 board of barbers on the effective date of this act and, from and after
24 December 31, 2021, the board of massage therapy.

25 B. This act does not alter the effect of any actions that were
26 taken or impair the valid obligations of the board of barbers in existence
27 before the effective date of this act or the board of massage therapy in
28 existence before January 1, 2022.

29 C. All administrative matters, contracts and judicial and
30 quasi-judicial actions, whether completed, pending or in process, of the
31 board of barbers on the effective date of this act and the board of
32 massage therapy on January 1, 2022 are transferred to and retain the same
33 status with the cosmetology and wellness board.

34 D. All certificates, licenses, registrations, permits and other
35 indicia of qualification and authority that were issued by the board of
36 barbers or the board of massage therapy retain their validity for the
37 duration of their terms of validity as provided by law.

38 E. All equipment, records, furnishings and other property and all
39 data and investigative findings:

40 1. Of the board of barbers are transferred to the cosmetology and
41 wellness board on the effective date of this act.

42 2. Of the board of massage therapy are transferred to the
43 cosmetology and wellness board from and after December 31, 2021.

1 Sec. 39. Initial terms of members of the cosmetology and
2 wellness board

3 A. Notwithstanding section 32-502, Arizona Revised Statutes, as
4 added by this act, the initial terms of members of the cosmetology and
5 wellness board are:

- 6 1. Two terms ending June 30, 2023.
- 7 2. Two terms ending June 30, 2024.
- 8 3. Three terms ending June 30, 2025.
- 9 4. Four terms ending June 30, 2026.

10 B. The governor shall make all subsequent appointments as
11 prescribed by statute.

12 Sec. 40. Retention of members

13 All persons serving as members of the former board of cosmetology or
14 the former board of barbers on the effective date of this act may continue
15 to serve on the cosmetology and wellness board established by section 32-
16 502, Arizona Revised Statutes, as amended by this act, until the
17 expiration of their normal terms. The governor shall make all subsequent
18 appointments as prescribed by statute.

19 Sec. 41. Cosmetology and wellness board; licensing and fees
20 study; report; use of monies

21 A. The cosmetology and wellness board established by section
22 32-502, Arizona Revised Statutes, as added by this act, shall study
23 licenses and fees that are issued and imposed by the board under title 32,
24 chapters 3, 5 and 42, Arizona Revised Statutes. The cosmetology and
25 wellness board shall:

- 26 1. Identify what is unique to each profession that the board
27 regulates and determine whether any licenses should be consolidated.
- 28 2. Study the fee structure for each profession that the board
29 regulates and determine whether changes are needed.

30 B. The cosmetology and wellness board shall submit a report of its
31 findings and recommendations to the governor, the president of the senate
32 and the speaker of the house of representatives on or before November 1,
33 2022 and shall provide a copy of this report to the secretary of state.

34 C. Notwithstanding any other law, the board may use the following
35 monies to assist in the study and report required by this section:

- 36 1. Up to \$500,000 from the barbers fund established by section
37 32-305, Arizona Revised Statutes, as amended by this act.
- 38 2. Up to \$500,000 from the cosmetology fund established by section
39 32-505, Arizona Revised Statutes, as amended by this act.
- 40 3. Up to \$500,000 from the massage therapy fund established by
41 section 32-4205, Arizona Revised Statutes, as amended by this act.

42 Sec. 42. Appropriation; cosmetology and wellness board

43 The sum of \$_____ and ____ FTE positions are appropriated
44 from the state general fund in fiscal year 2020-2021 to the cosmetology
45 and wellness board for the purposes of this act.

1 Sec. 43. Effective date

2 Section 32-502, Arizona Revised Statutes, as added by section 16 of
3 this act, section 32-503, Arizona Revised Statutes, as amended by section
4 18 of this act, sections 32-4201, 32-4205 and 32-4228, Arizona Revised
5 Statutes, as amended by this act, section 41-1092, Arizona Revised
6 Statutes, as amended by section 33 of this act, section 41-3024.05,
7 Arizona Revised Statutes, as amended by section 36 of this act, and
8 section 41 of this act are effective from and after December 31, 2021.