

1 HB81
2 145971-1
3 By Representatives Gaston and Sanderford
4 RFD: Boards, Agencies and Commissions
5 First Read: 05-FEB-13
6 PFD: 01/24/2013

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8 SYNOPSIS: Under existing law, termination dates are
9 established for enumerated state agencies. The
10 agencies are periodically reviewed by the Alabama
11 Sunset Committee. After the review process is
12 completed, the committee prepares its
13 recommendations for the agencies to the Legislature
14 in the form of sunset bills which either continue,
15 terminate, or continue with modification each
16 agency reviewed.

17 This bill would provide for the continuance
18 of the Alabama Board of Cosmetology until October
19 1, 2017, with the following change: To provide
20 further for the instructional credit hours required
21 for licensure.

22
23 A BILL
24 TO BE ENTITLED
25 AN ACT
26

1 Relating to the Alabama Sunset Law; to continue the
2 existence and functioning of the Alabama Board of Cosmetology
3 until October 1, 2017, with certain modifications; to amend
4 Section 34-7A-22, Code of Alabama 1975, so as to provide
5 further for the instructional credit hours required for
6 licensure.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Pursuant to the Alabama Sunset Law, the
9 Sunset Committee recommends the continuance of the Alabama
10 Board of Cosmetology until October 1, 2017, with the
11 additional recommendation for statutory change as set out in
12 Section 3.

13 Section 2. The existence and functioning of the
14 Alabama Board of Cosmetology, created and functioning pursuant
15 to Sections 34-7A-1 to 34-7A-25, inclusive, Code of Alabama
16 1975, is continued, and those code sections are expressly
17 preserved.

18 Section 3. Section 34-7A-22 of the Code of Alabama
19 1975, is amended to read as follows:

20 "§34-7A-22.

21 "No person may be admitted to examination,
22 registered, licensed, or issued a certificate by the board
23 unless he or she possesses the following applicable
24 qualifications:

25 "(1) APPRENTICE. A cosmetologist, esthetician, or
26 manicurist apprentice shall be registered with the board upon
27 beginning an apprenticeship in a licensed shop or salon and

1 paying the original registration fee. An apprentice shall be
2 at least 16 years of age at the time of registration and shall
3 have an education equivalent to the completion of 10 grades in
4 school. Any salon or shop which trains an apprentice shall
5 immediately file with the board the name and age of the
6 apprentice, and the board shall retain that information in a
7 register kept for that purpose. An apprentice shall not be
8 concurrently enrolled in a school licensed pursuant to this
9 chapter except for six hours of theory training per week. An
10 esthetician salon may only train an apprentice esthetician for
11 license under the direction of a master or instructor
12 esthetician. A manicurist salon may only train an apprentice
13 manicurist for license under the direction of a master or
14 instructor manicurist.

15 "(2) COSMETOLOGIST. Except as otherwise provided in
16 this chapter, no person may be licensed as a cosmetologist in
17 any one or a combination of the practices of cosmetology
18 unless he or she pays the original licensing fee, has an
19 education equivalent to the completion of 10 grades in school,
20 has passed the applicable examination to the satisfaction of
21 the board, and has successfully completed either of the
22 following:

23 "a. A complete course of cosmetology, instruction
24 consisting of ~~all or a majority of the practices thereof, at~~
25 least 1,500 clock hours in a licensed or registered school of
26 cosmetology, ~~consisting of not less than 1,200 credit unit~~
27 ~~hours nor more than 1,700 actual clock hours of continuous~~

1 ~~training, not exceeding eight hours a day, or a course of~~
2 ~~study in a public school or trade school consisting of not~~
3 ~~less than 1,200 credit unit hours nor more than 1,700 actual~~
4 ~~clock hours of training~~ or on courses reported in credit
5 hours. Credit hour programs shall be reviewed and approved by
6 the board as satisfying licensure requirements.

7 "b. An apprenticeship in a cosmetology salon for not
8 less than 3,000 hours of training over a maximum three-year
9 period, not exceeding eight hours a day.

10 "(3) COSMETOLOGIST INSTRUCTOR.

11 "a. Except as otherwise provided in this chapter, no
12 person may be licensed as an instructor in any one or a
13 combination of the practices of cosmetology unless he or she
14 pays the original licensing fee, is a licensed cosmetologist,
15 and, to be eligible for admission to examination, has
16 successfully completed either of the following:

17 "1. Not less than 1,250 credit unit hours nor more
18 than 1,700 actual clock hours in a teacher's training course
19 in cosmetology in a school of cosmetology, or a course of
20 study in a public school or trade school consisting of not
21 less than 1,250 credit unit hours nor more than 1,700 actual
22 clock hours of training.

23 "2. At least one year of experience as an active
24 practicing cosmetologist before enrollment as a student
25 instructor, supplemented by not less than 650 hours in a
26 teacher's training course in cosmetology in a school of
27 cosmetology.

1 "b. To be eligible to enroll in a teacher's training
2 course, a cosmetologist shall have an education equivalent to
3 the completion of 12 grades in school.

4 "c. A cosmetologist instructor shall complete 16
5 hours of course study in continuing education from a
6 board-approved seminar during each licensing period.

7 "(4) DEMONSTRATOR. A demonstrator shall obtain a
8 license from the board before conducting a demonstration. The
9 requirements for a demonstrator's license include, but are not
10 limited to, submission to the board of a health card, two
11 photographs, a notarized application, and the applicable fee.

12 "(5) ESTHETICIAN. Except as otherwise provided in
13 this chapter, no person may be licensed as an esthetician
14 unless he or she pays the original licensing fee, has an
15 education equivalent to the completion of 10 grades in school,
16 has passed the applicable examination to the satisfaction of
17 the board, and has successfully completed either of the
18 following:

19 "a. A complete course of skin care, instruction
20 consisting of ~~all or a majority of the practices thereof, at~~
21 least 1,500 clock hours in a licensed or registered school of
22 cosmetology or school for estheticians, ~~consisting of not less~~
23 ~~than 1,200 credit unit hours nor more than 1,700 actual clock~~
24 ~~hours of continuous training, not exceeding eight hours a day,~~
25 ~~or a course of study in a public school or trade school~~
26 ~~consisting of not less than 1,200 credit unit hours nor more~~
27 ~~than 1,700 actual clock hours of training~~ or on courses

1 reported in credit hours. Credit hour programs shall be
2 reviewed and approved by the board as satisfying licensure
3 requirements.

4 "b. An apprenticeship in a cosmetology salon or
5 esthetician salon for not less than 3,000 hours of training
6 over a maximum three-year period, not exceeding eight hours a
7 day.

8 "(6) ESTHETICIAN INSTRUCTOR. Except as otherwise
9 provided in this chapter, no person may be licensed as an
10 esthetician instructor unless he or she pays the original
11 licensing fee, is a licensed cosmetologist or esthetician,
12 and, to be eligible for admission to examination, has
13 successfully completed not less than 1,250 credit unit hours
14 nor more than 1,700 actual clock hours in a teacher's training
15 course in skin care in a school of cosmetology or school for
16 estheticians. To be eligible to enroll in a teacher's training
17 course, an esthetician shall have an education equivalent to
18 the completion of 12 grades in school. An esthetician
19 instructor shall complete 16 hours of course study in
20 continuing education from a board-approved seminar during each
21 licensing period.

22 "(7) MANAGING COSMETOLOGIST. Except as otherwise
23 provided in this chapter, no person may be licensed as a
24 managing cosmetologist unless he or she pays the original
25 licensing fee, is a licensed cosmetologist, and has held an
26 active license for at least one year before application.

1 "(8) MANAGING ESTHETICIAN. Except as otherwise
2 provided in this chapter, no person may be licensed as a
3 managing esthetician unless he or she pays the original
4 licensing fee, is a licensed esthetician, and has held an
5 active license for at least one year before application.

6 "(9) MANAGING MANICURIST. Except as otherwise
7 provided in this chapter, no person may be licensed as a
8 managing manicurist unless he or she pays the original
9 licensing fee, is a licensed manicurist, and has held an
10 active license for at least one year before application.

11 "(10) MANICURIST. Except as otherwise provided in
12 this chapter, no person may be licensed as a manicurist unless
13 he or she pays the original licensing fee, has an education
14 equivalent to the completion of 10 grades in school, has
15 passed the applicable examination to the satisfaction of the
16 board, and has successfully completed either of the following:

17 "a. A complete course of manicuring, instruction
18 consisting of ~~all or a majority of the practices thereof, not~~
19 less than 750 clock hours in a licensed or registered school
20 of cosmetology or school of manicuring, ~~consisting of not less~~
21 ~~than 600 credit unit hours of continuous training, not~~
22 ~~exceeding eight hours a day, or a course of study in a public~~
23 ~~school or trade school consisting of not less than 600 credit~~
24 ~~unit hours of training~~ or on courses reported in credit hours.
25 Credit hour programs shall be reviewed and approved by the
26 board as satisfying licensure requirements.

1 "b. An apprenticeship in a cosmetology salon or
2 manicurist salon for not less than 1,200 hours of training
3 over a maximum three-year period, not exceeding eight hours a
4 day.

5 "(11) MANICURIST INSTRUCTOR.

6 "a. Except as otherwise provided in this chapter, no
7 person may be licensed as a manicurist instructor unless he or
8 she pays the original licensing fee, is a licensed
9 cosmetologist or manicurist, and, to be eligible for admission
10 to examination, has successfully completed either of the
11 following:

12 "1. Not less than 1,250 actual clock hours in a
13 teacher's training course in manicuring in a school of
14 cosmetology or school of manicuring, or a course of study in a
15 public school or trade school consisting of not less than
16 1,250 actual clock hours of training.

17 "2. At least one year of experience as an active
18 practicing cosmetologist or manicurist before enrollment as a
19 student instructor, supplemented by not less than 650 hours in
20 a teacher's training course in cosmetology or manicuring in a
21 school of cosmetology or school of manicuring.

22 "b. To be eligible to enroll in a teacher's training
23 course, a manicurist shall have an education equivalent to the
24 completion of 12 grades in school.

25 "c. A manicurist instructor shall complete 16 hours
26 of course study in continuing education from a board-approved
27 seminar during each licensing period.

1 "(12) MASTER COSMETOLOGIST or MASTER ESTHETICIAN or
2 MASTER MANICURIST. Any person licensed as a managing
3 cosmetologist, managing esthetician, or managing manicurist,
4 who pays the original licensing fee and completes a course of
5 study in continuing education approved by the board within a
6 licensing period, may be issued a master license. The master
7 license is an optional license available upon renewal to those
8 licensees who voluntarily complete the continuing education
9 requirements.

10 "(13) STUDENT COSMETOLOGIST.

11 "a. Upon certification of enrollment by a school of
12 cosmetology, the name and birth date of each student
13 cosmetologist shall be entered by the board in a register kept
14 for that purpose. A student cosmetologist shall be at least 16
15 years of age at the time of registration and shall have an
16 education equivalent to the completion of 10 grades in school.
17 Registration with the board shall be on forms provided by the
18 board.

19 "b. A student who has completed 70 percent of the
20 required school instructional hours may, when school is not in
21 session, work in a cosmetology salon. One student trainee
22 shall be allowed for the first master or managing
23 cosmetologist and one additional student trainee shall be
24 allowed for each three additional cosmetologists on staff.

25 "c. Within 90 days after a student completes the
26 required school instructional hours and training, the
27 appropriate instructor shall schedule an examination of the

1 student with the board. If application for examination is not
2 received within the 90-day period, the applicable
3 instructional hours and training shall be invalidated.

4 "(14) STUDENT ESTHETICIAN. Upon certification of
5 enrollment by a school of cosmetology, or school for
6 estheticians, the name and birth date of each student
7 esthetician shall be entered by the board in a register kept
8 for that purpose. A student esthetician shall be at least 16
9 years of age at the time of registration and shall have an
10 education equivalent to the completion of 10 grades in school.

11 "(15) STUDENT INSTRUCTOR. Upon certification of
12 enrollment by a school of cosmetology, school for
13 estheticians, or school of manicuring, the name, birth date,
14 and qualifications of each student instructor shall be entered
15 by the board in a register kept for that purpose. At the time
16 of enrollment, a student instructor shall be licensed as a
17 cosmetologist, esthetician, or manicurist and shall have an
18 education equivalent to the completion of 12 grades in school.
19 Upon completing the instructional course prescribed for
20 student instructors, a student instructor may apply to the
21 board for examination, on a form provided by the board, and
22 pay any applicable examination fee. Any applicant who passes
23 the examination to the satisfaction of the board and pays the
24 original licensing fee of an instructor shall be issued an
25 instructor's license by the board. A school for estheticians
26 may only train esthetician student instructors for licensure.

1 A school of manicuring may only train manicurist student
2 instructors for licensure.

3 "(16) STUDENT MANICURIST. Upon certification of
4 enrollment by a school of cosmetology or school of manicuring,
5 the name and birth date of each student manicurist shall be
6 entered by the board in a register kept for that purpose. A
7 student manicurist shall be at least 16 years of age at the
8 time of registration and shall have an education equivalent to
9 the completion of 10 grades in school."

10 Section 4. The Legislature concurs in the
11 recommendations of the Sunset Committee as provided in
12 Sections 1, 2, and 3.

13 Section 5. This act shall become effective
14 immediately upon its passage and approval by the Governor, or
15 its otherwise becoming law.