

**HB246 ENROLLED**



1 RBATYM-3  
2 By Representatives Paschal, Hassell  
3 RFD: Boards, Agencies and Commissions  
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1 Enrolled, An Act,

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4 Relating to the licensed practice of cosmetology; to  
5 provide and adopt the Cosmetology Licensure Compact to allow  
6 licensed cosmetologists to practice pursuant to a multistate  
7 license among compact states in a limited manner; to provide  
8 eligibility requirements for licensed cosmetologists to  
9 practice cosmetology pursuant to the compact; to provide for a  
10 coordinated licensure information system, joint  
11 investigations, and disciplinary actions; to establish the  
12 Cosmetology Licensure Compact Commission; to provide for the  
13 membership, powers, duties, and rulemaking functions of the  
14 commission; and to provide for oversight of the compact,  
15 enforcement of the compact, default procedures, dispute  
16 resolution, withdrawal of compact states, and amendments to  
17 the compact.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Purpose.

20 (a) The purpose of this compact is to facilitate the  
21 interstate practice and regulation of cosmetology with the  
22 goal of improving public access to, and the safety of,  
23 cosmetology services and reducing unnecessary burdens related  
24 to cosmetology licensure. Through this compact, the member  
25 states seek to establish a regulatory framework which provides  
26 for a new multistate licensing program. Through this new  
27 licensing program, the member states seek to provide increased  
28 value and mobility to licensed cosmetologists in the member



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29 states, while ensuring the provision of safe, effective, and  
30 reliable services to the public.

31 (b) This compact is designed to achieve the following  
32 objectives, and the member states ratify the same intentions,  
33 by subscribing to all of the following:

34 (1) Provide opportunities for interstate practice by  
35 cosmetologists who meet uniform requirements for multistate  
36 licensure.

37 (2) Enhance the abilities of member states to protect  
38 public health and safety, and prevent fraud and unlicensed  
39 activity within the profession.

40 (3) Ensure and encourage cooperation between member  
41 states in the licensure and regulation of the practice of  
42 cosmetology.

43 (4) Support relocating military members and their  
44 spouses.

45 (5) Facilitate the exchange of information between  
46 member states related to the licensure, investigation, and  
47 discipline of the practice of cosmetology.

48 (6) Provide for the licensure and mobility of the  
49 workforce in the profession, while addressing the shortage of  
50 workers and lessening the associated burdens on the member  
51 states.

52 Section 2. Definitions.

53 As used in this compact, and except as otherwise  
54 provided, the following definitions shall govern the terms  
55 herein:

56 (1) ACTIVE ~~DUTY~~ MILITARY MEMBER. Any individual in



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57 full-time duty status in the ~~active-uniformed-service~~ Armed  
58 Forces of the United States including members of the National  
59 Guard and Reserve.

60 (2) ADVERSE ACTION. Any administrative, civil,  
61 equitable, or criminal action permitted by a member state's  
62 laws which is imposed by a state licensing authority or other  
63 regulatory body against a cosmetologist, including actions  
64 against an individual's license or authorization to practice,  
65 such as revocation, suspension, probation, monitoring of the  
66 licensee, limitation of the licensee's practice, or any other  
67 encumbrance on a license affecting an individual's ability to  
68 participate in the cosmetology industry, including the  
69 issuance of a cease and desist order.

70 (3) ALTERNATIVE PROGRAM. A non-disciplinary monitoring  
71 or prosecutorial diversion program approved by a member  
72 state's state licensing authority.

73 (4) AUTHORIZATION TO PRACTICE. A legal authorization  
74 associated with a multistate license permitting the practice  
75 of cosmetology in that remote state, which shall be subject to  
76 the enforcement jurisdiction of the state licensing authority  
77 in that remote state.

78 (5) BACKGROUND CHECK. The submission of information for  
79 an applicant for the purpose of obtaining that applicant's  
80 criminal history record information, as further defined in 28  
81 C.F.R. § 20.33, from the Federal Bureau of Investigation and  
82 the agency responsible for retaining state criminal or  
83 disciplinary history in the applicant's home state.

84 (6) CHARTER MEMBER STATE. Member states that have



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85 enacted legislation to adopt this compact where the  
86 legislation predates the effective date of this compact as  
87 defined in Section 13.

88 (7) COMMISSION. The government agency whose membership  
89 consists of all states that have enacted this compact, which  
90 is known as the Cosmetology Licensure Compact Commission, as  
91 defined in Section 9, and which shall operate as an  
92 instrumentality of the member states.

93 (8) COSMETOLOGIST. An individual licensed in his or her  
94 home state to practice cosmetology.

95 (9) COSMETOLOGY, COSMETOLOGY SERVICES, and the PRACTICE  
96 OF COSMETOLOGY. The care and services provided by a  
97 cosmetologist as set forth in the member state's statutes and  
98 rules in the state where the services are being provided.

99 (10) CURRENT SIGNIFICANT INVESTIGATIVE INFORMATION:  
100 Either of the following:

101 a. Investigative information that a state licensing  
102 authority, after an inquiry or investigation that complies  
103 with a member state's due process requirements, has reason to  
104 believe is not groundless and, if proved true, would indicate  
105 a violation of that state's laws regarding fraud or the  
106 practice of cosmetology.

107 b. Investigative information that indicates that a  
108 licensee has engaged in fraud or represents an immediate  
109 threat to public health and safety, regardless of whether the  
110 licensee has been notified and had an opportunity to respond.

111 (11) DATA SYSTEM. A repository of information about  
112 licensees including, but not limited to, license status,



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113 investigative information, and adverse actions.

114 (12) DISQUALIFYING EVENT. Any event which shall  
115 disqualify an individual from holding a multistate license  
116 under this compact, which the commission may by rule or order  
117 specify.

118 (13) ENCUMBRANCE. A revocation or suspension of, or any  
119 limitation on, the full and unrestricted practice of  
120 cosmetology by a state licensing authority.

121 (14) EXECUTIVE COMMITTEE. A group of delegates elected  
122 or appointed to act on behalf of, and within the powers  
123 granted to them by, the commission.

124 (15) HOME STATE. The member state which is a licensee's  
125 primary state of residence, and where that licensee holds an  
126 active and unencumbered license to practice cosmetology.

127 (16) INVESTIGATIVE INFORMATION. Information, records,  
128 or documents received or generated by a state licensing  
129 authority pursuant to an investigation or other inquiry.

130 (17) JURISPRUDENCE REQUIREMENT. The assessment of an  
131 individual's knowledge of the laws and rules governing the  
132 practice of cosmetology in a state.

133 (18) LICENSEE. An individual who currently holds a  
134 license from a member state to practice as a cosmetologist.

135 (19) MEMBER STATE. Any state that has adopted this  
136 compact.

137 (20) MULTISTATE LICENSE. A license issued by and  
138 subject to the enforcement jurisdiction of the state licensing  
139 authority in a licensee's home state, which authorizes the  
140 practice of cosmetology in member states and includes



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141 authorizations to practice cosmetology in all remote states  
142 pursuant to this compact.

143 (21) REMOTE STATE. Any member state, other than the  
144 licensee's home state.

145 (22) RULE. Any rule or regulation adopted by the  
146 commission under this compact which has the force of law.

147 (23) SINGLE-STATE LICENSE. A cosmetology license issued  
148 by a member state that authorizes practice of cosmetology only  
149 within the issuing state and does not include any  
150 authorization outside of the issuing state.

151 (24) STATE. A state, territory, or possession of the  
152 United States and the District of Columbia.

153 (25) STATE LICENSING AUTHORITY. A member state's  
154 regulatory body responsible for issuing cosmetology licenses  
155 or otherwise overseeing the practice of cosmetology in that  
156 state.

157 Section 3. Member state requirements.

158 (a) To be eligible to join this compact, and to  
159 maintain eligibility as a member state, a state must do all of  
160 the following:

161 (1) License and regulate cosmetology.

162 (2) Have a mechanism or entity in place to receive and  
163 investigate complaints about licensees practicing in that  
164 state.

165 (3) Require that licensees within the state pass a  
166 cosmetology competency examination prior to being licensed to  
167 provide cosmetology services to the public in that state.

168 (4) Require that licensees satisfy educational or



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169 training requirements in cosmetology prior to being licensed  
170 to provide cosmetology services to the public in that state.

171 (5) Implement procedures for considering one or more of  
172 the following categories of information from applicants for  
173 licensure: Criminal history; disciplinary history; or  
174 background check. The procedures may include the submission of  
175 information by applicants for the purpose of obtaining an  
176 applicant's background check.

177 (6) Participate in the data system, including through  
178 the use of unique identifying numbers.

179 (7) Share information related to adverse actions with  
180 the commission and other member states, both through the data  
181 system and otherwise.

182 (8) Notify the commission and other member states, in  
183 compliance with the terms of the compact and rules of the  
184 commission, of the existence of investigative information or  
185 current significant investigative information in the state's  
186 possession regarding a licensee practicing in that state.

187 (9) Comply with rules adopted by the commission to  
188 administer the compact.

189 (10) Accept licensees from other member states as  
190 established herein.

191 (b) Member states may charge a fee for granting a  
192 license to practice cosmetology.

193 (c) Individuals not residing in a member state shall  
194 continue to be able to apply for a member state's single-state  
195 license as provided under the laws of each member state.  
196 However, the single-state license granted to these individuals





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197 shall not be recognized as granting a multistate license to  
198 provide services in any other member state.

199 (d) Nothing in this compact shall affect the  
200 requirements established by a member state for the issuance of  
201 a single-state license.

202 (e) A multistate license issued to a licensee by a home  
203 state to a resident of that state shall be recognized by each  
204 member state as authorizing a licensee to practice cosmetology  
205 in each member state.

206 (f) At no point shall the commission have the power to  
207 define the educational or professional requirements for a  
208 license to practice cosmetology. The member states shall  
209 retain sole jurisdiction over the provision of these  
210 requirements.

211 Section 4. Multistate license.

212 (a) To be eligible to apply to his or her home state's  
213 state licensing authority for an initial multistate license  
214 under this compact, a licensee must hold an active and  
215 unencumbered single-state license to practice cosmetology in  
216 his or her home state.

217 (b) Upon the receipt of an application for a multistate  
218 license, according to the rules of the commission, a member  
219 state's state licensing authority shall ascertain whether the  
220 applicant meets the requirements for a multistate license  
221 under this compact.

222 (c) If an applicant meets the requirements for a  
223 multistate license under this compact and any applicable rules  
224 of the commission, the state licensing authority in receipt of



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225 the application, within a reasonable time, shall grant a  
226 multistate license to that applicant, and inform all member  
227 states of the grant of the multistate license.

228 (d) A multistate license to practice cosmetology issued  
229 by a member state's state licensing authority shall be  
230 recognized by each member state as authorizing the practice  
231 thereof as though that licensee held a single-state license to  
232 do so in each member state, subject to the restrictions  
233 herein.

234 (e) A multistate license granted pursuant to this  
235 compact may be effective for a definite period of time,  
236 concurrent with the licensure renewal period in the home  
237 state.

238 (f) To maintain a multistate license under this  
239 compact, a licensee shall do all of the following:

240 (1) Agree to abide by the rules of the state licensing  
241 authority, and the state scope of practice laws governing the  
242 practice of cosmetology, of any member state in which the  
243 licensee provides services.

244 (2) Pay all required fees related to the application  
245 and process, and any other fees which the commission may by  
246 rule require.

247 (3) Comply with any and all other requirements  
248 regarding multistate licenses which the commission may by rule  
249 provide.

250 (g) A licensee practicing in a member state is subject  
251 to all scope of practice laws governing cosmetology services  
252 in that state.



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253 (h) The practice of cosmetology under a multistate  
254 license granted pursuant to this compact shall subject the  
255 licensee to the jurisdiction of the state licensing authority,  
256 the courts, and the laws of the member state in which the  
257 cosmetology services are provided.

258 Section 5. Reissuance of a multistate license by a new  
259 home state.

260 (a) A licensee may hold a multistate license, issued by  
261 his or her home state, in only one member state at any given  
262 time.

263 (b) If a licensee changes his or her home state by  
264 moving between two member states:

265 (1) The licensee shall immediately apply for the  
266 reissuance of his or her multistate license in his or her new  
267 home state. The licensee shall pay all applicable fees and  
268 notify the prior home state in accordance with the rules of  
269 the commission.

270 (2) Upon receipt of an application to reissue a  
271 multistate license, the new home state shall verify that the  
272 multistate license is active, unencumbered, and eligible for  
273 reissuance under the terms of the compact and the rules of the  
274 commission. The multistate license issued by the prior home  
275 state shall be deactivated and all member states notified in  
276 accordance with the applicable rules adopted by the  
277 commission.

278 (3) If required for initial licensure, the new home  
279 state may require a background check as specified in the laws  
280 of that state, or the compliance with any jurisprudence



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281 requirements of the new home state.

282 (4) Notwithstanding any other provision of this  
283 compact, if a licensee does not meet the requirements set  
284 forth in this compact for the reissuance of a multistate  
285 license by the new home state, then the licensee shall be  
286 subject to the new home state requirements for the issuance of  
287 a single-state license in that state.

288 (c) If a licensee changes his or her primary state of  
289 residence by moving from a member state to a non-member state,  
290 or from a non-member state to a member state, then the  
291 licensee shall be subject to the state requirements for the  
292 issuance of a single-state license in the new home state.

293 (d) Nothing in this compact shall interfere with a  
294 licensee's ability to hold a single-state license in multiple  
295 states; however, for the purposes of this compact, a licensee  
296 shall have only one home state, and only one multistate  
297 license.

298 (e) Nothing in this compact shall interfere with the  
299 requirements established by a member state for the issuance of  
300 a single-state license.

301 Section 6. Authority of the compact commission and  
302 member state licensing authorities.

303 (a) Nothing in this compact, nor any rule of the  
304 commission, shall be construed to limit, restrict, or in any  
305 way reduce the ability of a member state to enact and enforce  
306 laws, regulations, or other rules related to the practice of  
307 cosmetology in that state, where those laws, regulations, or  
308 other rules are not inconsistent with this compact.



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309 (b) Insofar as practical, a member state's state  
310 licensing authority shall cooperate with the commission and  
311 with each entity exercising independent regulatory authority  
312 over the practice of cosmetology according to this compact.

313 (c) Discipline shall be the sole responsibility of the  
314 state in which cosmetology services are provided. Accordingly,  
315 each member state's state licensing authority shall be  
316 responsible for receiving complaints about individuals  
317 practicing cosmetology in that state, and for communicating  
318 all relevant investigative information about any adverse  
319 action to the other member states through the data system in  
320 addition to any other methods the commission may by rule  
321 require.

322 Section 7. Adverse actions.

323 (a) A licensee's home state shall have exclusive power  
324 to impose an adverse action against a licensee's multistate  
325 license issued by the home state.

326 (b) A home state may take adverse action on a  
327 multistate license based on the investigative information,  
328 current significant investigative information, or adverse  
329 action of a remote state.

330 (c) In addition to the powers conferred by state law,  
331 each remote state's state licensing authority shall have the  
332 power to do all of the following:

333 (1) Take adverse action against a licensee's  
334 authorization to practice cosmetology through the multistate  
335 license in that member state, provided that:

336 a. Only the licensee's home state shall have the power



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337 to take adverse action against the multistate license issued  
338 by the home state; and

339 b. For the purposes of taking adverse action, the home  
340 state's state licensing authority shall give the same priority  
341 and effect to reported conduct received from a remote state as  
342 it would if the conduct had occurred within the home state. In  
343 so doing, the home state shall apply its own state laws to  
344 determine the appropriate action.

345 (2) Issue cease and desist orders or impose an  
346 encumbrance on a licensee's authorization to practice within  
347 that member state.

348 (3) Complete any pending investigations of a licensee  
349 who changes his or her primary state of residence during the  
350 course of an investigation. The state licensing authority  
351 shall also be empowered to report the results of an  
352 investigation to the commission through the data system as  
353 described herein.

354 (4) Issue subpoenas for both hearings and  
355 investigations that require the attendance and testimony of  
356 witnesses, as well as the production of evidence. Subpoenas  
357 issued by a state licensing authority in a member state for  
358 the attendance and testimony of witnesses or the production of  
359 evidence from another member state shall be enforced in the  
360 latter state by any court of competent jurisdiction, according  
361 to the practice and procedure of that court applicable to  
362 subpoenas issued in proceedings before the court. The issuing  
363 state licensing authority shall pay any witness fees, travel  
364 expenses, mileage, and other fees required by the service



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365 statutes of the state in which the witnesses or evidence are  
366 located.

367 (5) If otherwise permitted by state law, recover from  
368 the affected licensee the costs of investigations and  
369 disposition of cases resulting from any adverse action taken  
370 against that licensee.

371 (6) Take adverse action against the licensee's  
372 authorization to practice in that state based on the factual  
373 findings of another remote state.

374 (d) A licensee's home state shall complete any pending  
375 investigation of a cosmetologist who changes his or her  
376 primary state of residence during the course of the  
377 investigation. The home state shall also have the authority to  
378 take appropriate action and shall promptly report the  
379 conclusions of the investigations to the data system.

380 (e) If an adverse action is taken by the home state  
381 against a licensee's multistate license, the licensee's  
382 authorization to practice in all other member states shall be  
383 deactivated until all encumbrances have been removed from the  
384 home state license. All home state disciplinary orders that  
385 impose an adverse action against a licensee's multistate  
386 license shall include a statement that the cosmetologist's  
387 authorization to practice is deactivated in all member states  
388 during the pendency of the order.

389 (f) Nothing in this compact shall override a member  
390 state's authority to accept a licensee's participation in an  
391 alternative program in lieu of adverse action. A licensee's  
392 multistate license shall be suspended for the duration of the



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393 licensee's participation in any alternative program.

394 (g) Joint investigations.

395 (1) In addition to the authority granted to a member  
396 state by its respective scope of practice laws or other  
397 applicable state law, a member state may participate with  
398 other member states in joint investigations of licensees.

399 (2) Member states shall share any investigative,  
400 litigation, or compliance materials in furtherance of any  
401 joint or individual investigation initiated under the compact.

402 Section 8. Active ~~duty~~ military members and their  
403 spouses.

404 Active ~~duty military personnel~~ military members, or  
405 their spouses, shall designate a home state where the  
406 individual has a current license to practice cosmetology in  
407 good standing. The individual may retain his or her home state  
408 designation during any period of service when that individual  
409 or his or her spouse is on active duty assignment.

410 Section 9. Establishment and operation of the  
411 Cosmetology Licensure Compact Commission.

412 (a) The compact member states hereby create and  
413 establish a joint government agency whose membership consists  
414 of all member states that have enacted the compact known as  
415 the Cosmetology Licensure Compact Commission. The commission  
416 is an instrumentality of the compact member states acting  
417 jointly and not an instrumentality of any one state. The  
418 commission shall come into existence on or after the effective  
419 date of the compact as set forth in Section 13.

420 (b) Membership, voting, and meetings.





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421 (1) Each member state shall have and be limited to one  
422 delegate selected by that member state's state licensing  
423 authority.

424 (2) The delegate shall be an administrator of the state  
425 licensing authority of the member state or his or her  
426 designee.

427 (3) The commission shall by rule or bylaw establish a  
428 term of office for delegates and may by rule or bylaw  
429 establish term limits.

430 (4) The commission may recommend removal or suspension  
431 of any delegate from office.

432 (5) A member state's state licensing authority shall  
433 fill any vacancy of its delegate occurring on the commission  
434 within 60 days of the vacancy.

435 (6) Each delegate shall be entitled to one vote on all  
436 matters that are voted on by the commission.

437 (7) The commission shall meet at least once during each  
438 calendar year. Additional meetings may be held as set forth in  
439 the bylaws. The commission may meet by telecommunication,  
440 video conference or other similar electronic means.

441 (c) The commission shall do all of the following:

442 (1) Establish the fiscal year of the commission.

443 (2) Establish code of conduct and conflict of interest  
444 policies.

445 (3) Adopt rules and bylaws.

446 (4) Maintain its financial records in accordance with  
447 the bylaws.

448 (5) Meet and take actions consistent with this compact,



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449 the commission's rules, and the bylaws.

450 (6) Initiate and conclude legal proceedings or actions  
451 in the name of the commission; provided that the standing of  
452 any state licensing authority to sue or be sued under  
453 applicable law shall not be affected.

454 (7) Maintain and certify records and information  
455 provided to a member state as the authenticated business  
456 records of the commission, and designate an agent to do so on  
457 the commission's behalf.

458 (8) Purchase and maintain insurance and bonds.

459 (9) Borrow, accept, or contract for services of  
460 personnel including, but not limited to, employees of a member  
461 state.

462 (10) Conduct an annual financial review.

463 (11) Hire employees, elect or appoint officers, fix  
464 compensation, define duties, grant individuals appropriate  
465 authority to carry out the purposes of the compact, and  
466 establish the commission's personnel policies and programs  
467 relating to conflicts of interest, qualifications of  
468 personnel, and other related personnel matters.

469 (12) As set forth in the commission rules, charge a fee  
470 to a licensee for the grant of a multistate license and  
471 thereafter, as may be established by commission rule, charge  
472 the licensee a multistate license renewal fee for each renewal  
473 period. Nothing herein shall be construed to prevent a home  
474 state from charging a licensee a fee for a multistate license  
475 or renewals of a multistate license, or a fee for the  
476 jurisprudence requirement if the member state imposes a



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477 requirement for the grant of a multistate license.

478 (13) Assess and collect fees.

479 (14) Accept any and all appropriate gifts, donations,  
480 grants of money, other sources of revenue, equipment,  
481 supplies, materials, and services, and receive, utilize, and  
482 dispose of the same; provided that the commission shall avoid  
483 any appearance of impropriety or conflict of interest.

484 (15) Lease, purchase, retain, own, hold, improve, or  
485 use any property, real, personal, or mixed, or any undivided  
486 interest therein.

487 (16) Sell, convey, mortgage, pledge, lease, exchange,  
488 abandon, or otherwise dispose of any property real, personal,  
489 or mixed.

490 (17) Establish a budget and make expenditures.

491 (18) Borrow money.

492 (19) Appoint committees, including standing committees,  
493 composed of members, state regulators, state legislators or  
494 their representatives, and consumer representatives, and other  
495 interested individuals as may be designated in this compact  
496 and the bylaws.

497 (20) Provide and receive information from, and  
498 cooperate with, law enforcement agencies.

499 (21) Elect a chair, vice chair, secretary, treasurer,  
500 and other officers of the commission as provided in the  
501 commission's bylaws.

502 (22) Establish and elect an executive committee,  
503 including a chair and a vice chair.

504 (23) Adopt and provide to the ~~participating~~ member



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505 states an annual report.

506 (24) Determine whether a state's adopted language is  
507 materially different from the model compact language such that  
508 the state would not qualify for participation in the compact.

509 (25) Perform other functions as may be necessary or  
510 appropriate to achieve the purposes of this compact.

511 (d) The executive committee.

512 (1) The executive committee shall have the power to act  
513 on behalf of the commission according to the terms of this  
514 compact. The powers, duties, and responsibilities of the  
515 executive committee shall include all of the following:

516 a. Overseeing the day-to-day activities of the  
517 administration of the compact including compliance with the  
518 compact, the commission's rules and bylaws, and other duties  
519 as deemed necessary.

520 b. Recommending to the commission changes to the rules  
521 or bylaws, changes to this compact legislation, fees charged  
522 to compact member states, fees charged to licensees, and other  
523 fees.

524 c. Ensuring compact administration services are  
525 appropriately provided, including by contract.

526 d. Preparing and recommending the budget.

527 e. Maintaining financial records on behalf of the  
528 commission.

529 f. Monitoring compact compliance of member states and  
530 providing compliance reports to the commission.

531 g. Establishing additional committees as necessary.

532 h. Exercising the powers and duties of the commission



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533 during the interim between commission meetings, except for  
534 adopting or amending rules, adopting or amending bylaws, and  
535 exercising any other powers and duties expressly reserved to  
536 the commission by rule or bylaw.

537 i. Other duties as provided in the rules or bylaws of  
538 the commission.

539 (2) The executive committee shall be composed of up to  
540 seven voting members:

541 a. The chair and vice chair of the commission and any  
542 other members of the commission who serve on the executive  
543 committee shall be voting members of the executive committee.

544 b. Other than the chair, vice chair, secretary, and  
545 treasurer, the commission shall elect three voting members  
546 from the current membership of the commission.

547 c. The commission may elect ex officio, nonvoting  
548 members from a recognized national cosmetology professional  
549 association as approved by the commission. The commission's  
550 bylaws shall identify qualifying organizations and the manner  
551 of appointment if the number of organizations seeking to  
552 appoint an ex officio member exceeds the number of members  
553 specified in this section.

554 (3) The commission may remove any member of the  
555 executive committee as provided in the commission's bylaws.

556 (4) The executive committee shall meet at least  
557 annually.

558 a. Annual executive committee meetings, as well as any  
559 executive committee meeting at which the executive committee  
560 does not take or intend to take formal action on a matter for



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561 which a commission vote would otherwise be required, shall be  
562 open to the public, except that the executive committee may  
563 meet in a closed, non-public session of a public meeting when  
564 dealing with any of the matters covered under subdivision (4)  
565 of subsection (f).

566           b. The executive committee shall give five business  
567 days' advance notice of its public meetings, posted on its  
568 website and as determined to provide notice to individuals  
569 with an interest in the public matters the executive committee  
570 intends to address at those meetings.

571           (5) The executive committee may hold an emergency  
572 meeting when acting for the commission to do any of the  
573 following:

574           a. Meet an imminent threat to public health, safety, or  
575 welfare.

576           b. Prevent a loss of commission or ~~participating member~~  
577 state funds.

578           c. Protect public health and safety.

579           (e) The commission shall adopt and provide to the  
580 member states an annual report.

581           (f) Meetings of the commission.

582           (1) All meetings of the commission that are not closed  
583 pursuant to subdivision (4) shall be open to the public.

584 Notice of public meetings shall be posted on the commission's  
585 website at least 30 days prior to the public meeting.

586           (2) Notwithstanding subdivision (1), the commission may  
587 convene an emergency public meeting by providing at least 24  
588 hours' prior notice on the commission's website, and any other



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589 means as provided in the commission's rules, for any of the  
590 reasons it may dispense with notice of proposed rulemaking  
591 under subsection (1) of Section 11. The commission's legal  
592 counsel shall certify that one of the reasons justifying an  
593 emergency public meeting has been met.

594 (3) Notice of all commission meetings shall provide the  
595 time, date, and location of the meeting, and if the meeting is  
596 to be held or accessible via telecommunication, video  
597 conference, or other electronic means, the notice shall  
598 include the mechanism for access to the meeting.

599 (4) The commission may convene in a closed, non-public  
600 meeting for the commission to discuss any of the following:

601 a. Non-compliance of a member state with its  
602 obligations under the compact.

603 b. The employment, compensation, discipline, or other  
604 matters, practices, or procedures related to specific  
605 employees or other matters related to the commission's  
606 internal personnel practices and procedures.

607 c. Current or threatened discipline of a licensee by  
608 the commission or by a member state's licensing authority.

609 d. Current, threatened, or reasonably anticipated  
610 litigation.

611 e. Negotiation of contracts for the purchase, lease, or  
612 sale of goods, services, or real estate.

613 f. Accusing any individual of a crime or formally  
614 censuring any individual.

615 g. Trade secrets or commercial or financial information  
616 that is privileged or confidential.



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617           h. Information of a personal nature where disclosure  
618 would constitute a clearly unwarranted invasion of personal  
619 privacy.

620           i. Investigative records compiled for law enforcement  
621 purposes.

622           j. Information related to any investigative reports  
623 prepared by or on behalf of or for use of the commission or  
624 other committee charged with responsibility of investigation  
625 or determination of compliance issues pursuant to the compact.

626           k. Legal advice.

627           l. Matters specifically exempted from disclosure to the  
628 public by federal or member state law.

629           m. Other matters as adopted by the commission by rule.

630           (5) If a meeting, or portion of a meeting, is closed,  
631 the presiding officer shall state that the meeting will be  
632 closed and reference each relevant exempting provision, and  
633 the reference shall be recorded in the minutes.

634           (6) The commission shall keep minutes that fully and  
635 clearly describe all matters discussed in a meeting and shall  
636 provide a full and accurate summary of actions taken, and the  
637 reasons therefore, including a description of the views  
638 expressed. All documents considered in connection with an  
639 action shall be identified in the minutes. All minutes and  
640 documents of a closed meeting shall remain under seal, subject  
641 to release only by a majority vote of the commission or order  
642 of a court of competent jurisdiction.

643           (g) Financing of the commission.

644           (1) The commission shall pay, or provide for the





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645 payment of, the reasonable expenses of its establishment,  
646 organization, and ongoing activities.

647 (2) The commission may accept any and all appropriate  
648 sources of revenue, donations, and grants of money, equipment,  
649 supplies, materials, and services.

650 (3) The commission may levy on and collect an annual  
651 assessment from each member state and impose fees on licensees  
652 of member states to whom it grants a multistate license to  
653 cover the cost of the operations and activities of the  
654 commission and its staff, which shall be in a total amount  
655 sufficient to cover its annual budget as approved each year  
656 for which revenue is not provided by other sources. The  
657 aggregate annual assessment amount for member states shall be  
658 allocated based upon a formula that the commission shall adopt  
659 by rule.

660 (4) The commission shall not incur obligations of any  
661 kind prior to securing the funds adequate to meet the same;  
662 nor shall the commission pledge the credit of any member  
663 states, except by and with the authority of the member state.

664 (5) The commission shall keep accurate accounts of all  
665 receipts and disbursements. The receipts and disbursements of  
666 the commission shall be subject to the financial review and  
667 accounting procedures established under its bylaws. All  
668 receipts and disbursements of funds handled by the commission  
669 shall be subject to an annual financial review by a certified  
670 or licensed public accountant, and the report of the financial  
671 review shall be included in and become part of the annual  
672 report of the commission.



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673 (h) Qualified immunity, defense, and indemnification.

674 (1) The members, officers, executive director,  
675 employees, and representatives of the commission shall be  
676 immune from suit and liability, ~~both personally and~~ in their  
677 official capacity, for any claim for damage to or loss of  
678 property or personal injury or other civil liability caused by  
679 or arising out of any actual or alleged act, error, or  
680 omission that occurred, or that the individual against whom  
681 the claim is made had a reasonable basis for believing  
682 occurred within the scope of commission employment, duties, or  
683 responsibilities; provided that nothing in this subdivision  
684 shall be construed to protect any individual from suit or  
685 liability for any damage, loss, injury, or liability caused by  
686 the intentional or willful or wanton misconduct of that  
687 individual. The procurement of insurance of any type by the  
688 commission shall not in any way compromise or limit the  
689 immunity granted hereunder.

690 (2) The commission shall defend any member, officer,  
691 executive director, employee, and representative of the  
692 commission in any civil action seeking to impose liability  
693 arising out of any actual or alleged act, error, or omission  
694 that occurred within the scope of commission employment,  
695 duties, or responsibilities, or as determined by the  
696 commission that the individual against whom the claim is made  
697 had a reasonable basis for believing occurred within the scope  
698 of commission employment, duties, or responsibilities;  
699 provided that nothing herein shall be construed to prohibit  
700 that individual from retaining his or her own counsel at his



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701 or her own expense; and provided further, that the actual or  
702 alleged act, error, or omission did not result from that  
703 individual's intentional or willful or wanton misconduct.

704 (3) The commission shall indemnify and hold harmless  
705 any member, officer, executive director, employee, and  
706 representative of the commission for the amount of any  
707 settlement or judgment obtained against that individual  
708 arising out of any actual or alleged act, error, or omission  
709 that occurred within the scope of commission employment,  
710 duties, or responsibilities, or that the individual had a  
711 reasonable basis for believing occurred within the scope of  
712 commission employment, duties, or responsibilities, provided  
713 that the actual or alleged act, error, or omission did not  
714 result from the intentional or willful or wanton misconduct of  
715 that individual.

716 (4) Nothing herein shall be construed as a limitation  
717 on the liability of any licensee for professional malpractice  
718 or misconduct, which shall be governed solely by any other  
719 applicable state laws.

720 (5) Nothing in this compact shall be interpreted to  
721 waive or otherwise abrogate a member state's state action  
722 immunity or state action affirmative defense with respect to  
723 antitrust claims under the Sherman Act, Clayton Act, or any  
724 other state or federal antitrust or anticompetitive law or  
725 regulation.

726 (6) Nothing in this compact shall be construed to be a  
727 waiver of sovereign immunity by the member states or by the  
728 commission.



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729 Section 10. Data system.

730 (a) The commission shall provide for the development,  
731 maintenance, operation, and utilization of a coordinated  
732 database and reporting system.

733 (b) The commission shall assign each applicant for a  
734 multistate license a unique identifier, as determined by the  
735 rules of the commission.

736 (c) Notwithstanding any other provision of state law to  
737 the contrary, a member state shall submit a uniform data set  
738 to the data system on all individuals to whom this compact is  
739 applicable as required by the rules of the commission,  
740 including:

741 (1) Identifying information.

742 (2) Licensure data.

743 (3) Adverse actions against a license and information  
744 related thereto.

745 (4) Non-confidential information related to alternative  
746 program participation, the beginning and ending dates of  
747 participation, and other information related to participation.

748 (5) Any denial of application for licensure, and the  
749 reasons for the denial, excluding the reporting of any  
750 criminal history record information where prohibited by law.

751 (6) The existence of investigative information.

752 (7) The existence of current significant investigative  
753 information.

754 (8) Other information that may facilitate the  
755 administration of this compact or the protection of the  
756 public, as determined by the rules of the commission.



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757 (d) The records and information provided to a member  
758 state pursuant to this compact or through the data system,  
759 when certified by the commission or an agent thereof, shall  
760 constitute the authenticated business records of the  
761 commission, and shall be entitled to any associated hearsay  
762 exception in any relevant judicial, quasi-judicial, or  
763 administrative proceedings in a member state.

764 (e) The existence of current significant investigative  
765 information and the existence of investigative information  
766 pertaining to a licensee in any member state shall only be  
767 available to other member states.

768 (f) It is the responsibility of the member states to  
769 monitor the database to determine whether adverse action has  
770 been taken against a licensee or license applicant. Adverse  
771 action information pertaining to a licensee or license  
772 applicant in any member state shall be available to any other  
773 member state.

774 (g) Member states contributing information to the data  
775 system may designate information that may not be shared with  
776 the public without the express permission of the contributing  
777 state.

778 (h) Any information submitted to the data system that  
779 is subsequently expunged pursuant to federal law or the laws  
780 of the member state contributing the information shall be  
781 removed from the data system.

782 Section 11. Rulemaking.

783 (a) The commission shall adopt reasonable rules in  
784 order to effectively and efficiently implement and administer



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785 the purposes and provisions of this compact. A rule shall be  
786 invalid and have no force or effect only if a court of  
787 competent jurisdiction holds that the rule is invalid because  
788 the commission exercised its rulemaking authority in a manner  
789 that is beyond the scope and purposes of the compact, or the  
790 powers granted hereunder, or based upon another applicable  
791 standard of review.

792 (b) The rules of the commission shall have the force of  
793 law in each member state. Where the rules of the commission  
794 conflict with the laws of the member state that establish the  
795 member state's scope of practice laws governing the practice  
796 of cosmetology as held by a court of competent jurisdiction,  
797 the rules of the commission shall be ineffective in that state  
798 to the extent of the conflict.

799 (c) The commission shall exercise its rulemaking powers  
800 pursuant to the criteria set forth in this section and the  
801 rules adopted thereunder. Rules shall become binding as of the  
802 date specified by the commission for each rule.

803 (d) If a majority of the legislatures of the member  
804 states rejects a rule or portion of a rule, by enactment of a  
805 statute or resolution in the same manner used to adopt the  
806 compact within four years of the date of adoption of the rule,  
807 then the rule shall have no further force and effect in any  
808 member state or to any state applying to participate in the  
809 compact.

810 (e) Rules shall be adopted at a regular or special  
811 meeting of the commission.

812 (f) Prior to adoption of a proposed rule, the



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813 commission shall hold a public hearing and allow individuals  
814 to provide oral and written comments, data, facts, opinions,  
815 and arguments.

816 (g) Prior to adoption of a proposed rule by the  
817 commission, and at least 30 days in advance of the meeting at  
818 which the commission shall hold a public hearing on the  
819 proposed rule, the commission shall provide a notice of  
820 proposed rulemaking to all of the following:

821 (1) On the website of the commission or other publicly  
822 accessible platform.

823 (2) To individuals who have requested notice of the  
824 commission's notices of proposed rulemaking.

825 (3) In other ways as the commission may by rule  
826 specify.

827 (h) The notice of proposed rulemaking shall include all  
828 of the following:

829 (1) The time, date, and location of the public hearing  
830 at which the commission will hear public comments on the  
831 proposed rule and, if different, the time, date, and location  
832 of the meeting where the commission will consider and vote on  
833 the proposed rule.

834 (2) If the hearing is held via telecommunication, video  
835 conference, or other electronic means, the commission shall  
836 include the mechanism for access to the hearing in the notice  
837 of proposed rulemaking.

838 (3) The text of the proposed rule and the reason  
839 therefor.

840 (4) A request for comments on the proposed rule from



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841 any interested individual.

842 (5) The manner in which interested individuals may  
843 submit written comments.

844 (i) All hearings shall be recorded. A copy of the  
845 recording and all written comments and documents received by  
846 the commission in response to the proposed rule shall be  
847 available to the public.

848 (j) Nothing in this section shall be construed as  
849 requiring a separate hearing on each rule. Rules may be  
850 grouped for the convenience of the commission at hearings  
851 required by this section.

852 (k) The commission, by majority vote of all members,  
853 shall take final action on the proposed rule based on the  
854 rulemaking record and the full text of the rule.

855 (1) The commission may adopt changes to the proposed  
856 rule provided the changes do not enlarge the original purpose  
857 of the proposed rule.

858 (2) The commission shall provide an explanation of the  
859 reasons for substantive changes made to the proposed rule as  
860 well as reasons for substantive changes not made that were  
861 recommended by commenters.

862 (3) The commission shall determine a reasonable  
863 effective date for the rule. Except for an emergency as  
864 provided in subsection (1), the effective date of the rule  
865 shall be no sooner than 45 days after the commission issuing  
866 the notice that it adopted or amended the rule.

867 (1) Upon determination that an emergency exists, the  
868 commission may consider and adopt an emergency rule with five





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869 days' notice, with opportunity to comment, provided that the  
870 usual rulemaking procedures provided in this compact and in  
871 this section shall be retroactively applied to the rule as  
872 soon as reasonably possible, in no event later than 90 days  
873 after the effective date of the rule. For the purposes of this  
874 subsection, an emergency rule is one that shall be adopted  
875 immediately to do any of the following:

876 (1) Meet an imminent threat to public health, safety,  
877 or welfare.

878 (2) Prevent a loss of commission or member state funds.

879 (3) Meet a deadline for the adoption of a rule that is  
880 established by federal law or rule.

881 (4) Protect public health and safety.

882 (m) The commission or an authorized committee of the  
883 commission may direct revisions to a previously adopted rule  
884 for purposes of correcting typographical errors, errors in  
885 format, errors in consistency, or grammatical errors. Public  
886 notice of any revisions shall be posted on the website of the  
887 commission. The revision shall be subject to challenge by any  
888 individual for a period of 30 days after posting. The revision  
889 may be challenged only on grounds that the revision results in  
890 a material change to a rule. A challenge shall be made in  
891 writing and delivered to the commission prior to the end of  
892 the notice period. If no challenge is made, the revision shall  
893 take effect without further action. If the revision is  
894 challenged, the revision may not take effect without the  
895 approval of the commission.

896 (n) No member state's rulemaking requirements shall



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897 apply under this compact.

898 Section 12. Oversight, dispute resolution, and  
899 enforcement.

900 (a) Oversight.

901 (1) The executive and judicial branches of state  
902 government in each member state shall enforce this compact and  
903 take all actions necessary and appropriate to implement this  
904 compact.

905 (2) Venue is proper and judicial proceedings by or  
906 against the commission shall be brought solely and exclusively  
907 in a court of competent jurisdiction where the principal  
908 office of the commission is located. The commission may waive  
909 venue and jurisdictional defenses to the extent it adopts or  
910 consents to participate in alternative dispute resolution  
911 proceedings. Nothing herein shall affect or limit the  
912 selection or propriety of venue in any action against a  
913 licensee for professional malpractice, misconduct or any  
914 similar matter.

915 (3) The commission may receive service of process in  
916 any proceeding regarding the enforcement or interpretation of  
917 the compact and shall have standing to intervene in any  
918 proceeding for all purposes. Failure to provide the commission  
919 service of process shall render a judgment or order void as to  
920 the commission, this compact, or adopted rules.

921 (b) Default, technical assistance, and termination.

922 (1) If the commission determines that a member state  
923 has defaulted in the performance of its obligations or  
924 responsibilities under this compact or the adopted rules, the



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925 commission shall provide written notice to the defaulting  
926 state. The notice of default shall describe the default, the  
927 proposed means of curing the default, and any other action  
928 that the commission may take, and shall offer training and  
929 specific technical assistance regarding the default.

930 (2) The commission shall provide a copy of the notice  
931 of default to the other member states.

932 (3) If a state in default fails to cure the default,  
933 the defaulting state may be terminated from the compact upon  
934 an affirmative vote of a majority of the delegates of the  
935 member states, and all rights, privileges and benefits  
936 conferred on that state by this compact may be terminated on  
937 the effective date of termination. A cure of the default does  
938 not relieve the offending state of obligations or liabilities  
939 incurred during the period of default.

940 (4) Termination of membership in the compact shall be  
941 imposed only after all other means of securing compliance have  
942 been exhausted. Notice of intent to suspend or terminate shall  
943 be given by the commission to the governor, the majority and  
944 minority leaders of the defaulting state's legislature, the  
945 defaulting state's state licensing authority and each of the  
946 member states' state licensing authority.

947 (5) A state that has been terminated is responsible for  
948 all assessments, obligations, and liabilities incurred through  
949 the effective date of termination, including obligations that  
950 extend beyond the effective date of termination.

951 (6) Upon the termination of a state's membership from  
952 this compact, that state shall immediately provide notice to



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953 all licensees who hold a multistate license within that state  
954 of the termination. The terminated state shall continue to  
955 recognize all licenses granted pursuant to this compact for a  
956 minimum of 180 days after the date of the notice of  
957 termination.

958 (7) The commission shall not bear any costs related to  
959 a state that is found to be in default or that has been  
960 terminated from the compact, unless agreed upon in writing  
961 between the commission and the defaulting state.

962 (8) The defaulting state may appeal the action of the  
963 commission by petitioning the United States District Court for  
964 the District of Columbia or the federal district where the  
965 commission has its principal offices. The prevailing party  
966 shall be awarded all costs of the litigation, including  
967 reasonable attorney's fees.

968 (c) Dispute resolution.

969 (1) Upon request by a member state, the commission  
970 shall attempt to resolve disputes related to the compact that  
971 arise among member states and between member and non-member  
972 states.

973 (2) The commission shall adopt a rule providing for  
974 both mediation and binding dispute resolution for disputes as  
975 appropriate.

976 (d) Enforcement.

977 (1) The commission, in the reasonable exercise of its  
978 discretion, shall enforce this compact and the commission's  
979 rules.

980 (2) By majority vote as provided by commission rule,



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981 the commission may initiate legal action against a member  
982 state in default in the United States District Court for the  
983 District of Columbia or the federal district where the  
984 commission has its principal office to enforce compliance with  
985 this compact and its adopted rules. The relief sought may  
986 include both injunctive relief and damages. In the event  
987 judicial enforcement is necessary, the prevailing party shall  
988 be awarded all costs of the litigation, including reasonable  
989 attorney's fees. The remedies herein shall not be the  
990 exclusive remedies of the commission. The commission may  
991 pursue any other remedies available under federal or the  
992 defaulting member state's law.

993 (3) A member state may initiate legal action against  
994 the commission in the United States District Court for the  
995 District of Columbia or the federal district where the  
996 commission has its principal office to enforce compliance with  
997 this compact and its adopted rules. The relief sought may  
998 include both injunctive relief and damages. In the event  
999 judicial enforcement is necessary, the prevailing party shall  
1000 be awarded all costs of the litigation, including reasonable  
1001 attorney's fees.

1002 (4) No individual or entity other than a member state  
1003 may enforce this compact against the commission.

1004 Section 13. Effective date, withdrawal, and amendment.

1005 (a) The compact shall come into effect on the date on  
1006 which the compact statute is enacted into law in the seventh  
1007 member state.

1008 (1) On or after the effective date of the compact, the



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1009 commission shall convene and review the enactment of each of  
1010 the charter member states to determine if the statute enacted  
1011 by each charter member state is materially different than the  
1012 model compact statute.

1013 a. A charter member state whose enactment is found to  
1014 be materially different from the model compact statute shall  
1015 be entitled to the default process set forth in Section 12.

1016 b. If any member state is later found to be in default,  
1017 or is terminated or withdraws from the compact, the commission  
1018 shall remain in existence and the compact shall remain in  
1019 effect even if the number of member states should be less than  
1020 seven.

1021 (2) Member states enacting the compact subsequent to  
1022 the charter member states shall be subject to the process set  
1023 forth in subdivision (c)(24) of Section 9 to determine if  
1024 their enactments are materially different from the model  
1025 compact statute and whether they qualify for participation in  
1026 the compact.

1027 (3) All actions taken for the benefit of the commission  
1028 or in furtherance of the purposes of the administration of the  
1029 compact prior to the effective date of the compact or the  
1030 commission coming into existence shall be considered to be  
1031 actions of the commission unless specifically repudiated by  
1032 the commission.

1033 (4) Any state that joins the compact shall be subject  
1034 to the commission's rules and bylaws as they exist on the date  
1035 on which the compact becomes law in that state. Any rule that  
1036 has been previously adopted by the commission shall have the



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1037 full force and effect of law on the day the compact becomes  
1038 law in that state.

1039 (b) Any member state may withdraw from this compact by  
1040 enacting a statute repealing that state's enactment of the  
1041 compact.

1042 (1) A member state's withdrawal shall not take effect  
1043 until 180 days after enactment of the repealing statute.

1044 (2) Withdrawal shall not affect the continuing  
1045 requirement of the withdrawing state's state licensing  
1046 authority to comply with the investigative and adverse action  
1047 reporting requirements of this compact prior to the effective  
1048 date of withdrawal.

1049 (3) Upon the enactment of a statute withdrawing from  
1050 this compact, a state shall immediately provide notice of the  
1051 withdrawal to all licensees within that state. Notwithstanding  
1052 any subsequent statutory enactment to the contrary, the  
1053 withdrawing state shall continue to recognize all licenses  
1054 granted pursuant to this compact for a minimum of 180 days  
1055 after the date of notice of withdrawal.

1056 (c) Nothing contained in this compact shall be  
1057 construed to invalidate or prevent any licensure agreement or  
1058 other cooperative arrangement between a member state and a  
1059 non-member state that does not conflict with this compact.

1060 (d) This compact may be amended by the member states.  
1061 No amendment to this compact shall become effective and  
1062 binding upon any member state until it is enacted into the  
1063 laws of all member states.

1064 Section 14. Construction and severability.



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1065           (a) This compact and the commission's rulemaking  
1066 authority shall be liberally construed so as to effectuate the  
1067 purposes, and the implementation and administration of the  
1068 compact. Provisions of the compact expressly authorizing or  
1069 requiring the adoption of rules shall not be construed to  
1070 limit the commission's rulemaking authority solely for those  
1071 purposes.

1072           (b) The provisions of this compact shall be severable  
1073 and if any phrase, clause, sentence, or provision of this  
1074 compact is held by a court of competent jurisdiction to be  
1075 contrary to the constitution of any member state, a state  
1076 seeking participation in the compact, or of the United States,  
1077 or the applicability thereof to any government, agency,  
1078 individual, or circumstance is held to be unconstitutional by  
1079 a court of competent jurisdiction, the validity of the  
1080 remainder of this compact and the applicability thereof to any  
1081 other government, agency, individual, or circumstance shall  
1082 not be affected thereby.

1083           (c) Notwithstanding subsection (b), the commission may  
1084 deny a state's participation in the compact or, in accordance  
1085 with the requirements of Section 12, terminate a member  
1086 state's participation in the compact, if it determines that a  
1087 constitutional requirement of a member state is a material  
1088 departure from the compact. Otherwise, if this compact shall  
1089 be held to be contrary to the constitution of any member  
1090 state, the compact shall remain in full force and effect as to  
1091 the remaining member states and in full force and effect as to  
1092 the member state affected as to all severable matters.





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1093           Section 15. Consistent effect and conflict with other  
1094 state laws.

1095           (a) Nothing herein shall prevent or inhibit the  
1096 enforcement of any other law of a member state that is not  
1097 inconsistent with this compact.

1098           (b) Any laws, statutes, regulations, or other legal  
1099 requirements in a member state in conflict with this compact  
1100 are superseded to the extent of the conflict.

1101           (c) All permissible agreements between the commission  
1102 and the member states are binding in accordance with their  
1103 terms.

1104           Section 16. This act shall become effective on the  
1105 first day of the third month following its passage and  
1106 approval by the Governor, or its otherwise becoming law.



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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 25-May-23, as amended.

John Treadwell  
Clerk

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Senate

**06-Jun-23**

Passed