

House Research Act Summary

CHAPTER: 27 (HF 1650/SF 1559)

SESSION: 2005 Regular Session

TOPIC: Cosmetology regulation

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Analyst: Thomas R. Pender

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Overview

This act deals with miscellaneous technical details involved in the transfer of cosmetology regulation from the Department of Commerce to the newly expanded Board of Barber and Cosmetologist Examiners, formerly named the Board of Barber Examiners. The transfer was accomplished by 2004 legislation. This act primarily fixes things overlooked in the 2004 legislation.

Section

- 1 **Fees.** Eliminates a provision requiring that license renewal fees be paid by September 1 for licenses that must be renewed by December 31. (This language being eliminated was added in 2004.) Eliminates language allowing the executive secretary of the Board to disburse money directly from the general fund to pay Board expenses. (The language being eliminated is inconsistent with the 2004 change requiring that the license fees be deposited in the general fund.)
- 2 **Board of barbers and cosmetologist examiners created; terms.** Clarifies 2004 language changes involving board membership.
- 3 **Licensed practice.** Clarifies the status of estheticians who do not practice in a licensed salon, but instead in a physician's office in connection with medical care. The effect is to permit practice in that setting.
- 4 **Administration.** Makes changes in authority needed to make the law consistent with the 2004 transfer of regulatory authority of cosmetology regulation.
- 5 **Schedule.** Eliminates the concept of the Board separately licensing the physician office in which a licensed esthetician practices. (The esthetician is licensed by the Board.) Eliminates the September 1 due date for renewal fees and the ability of the executive

secretary to disburse money directly from the general fund, which are the same changes made in section 1 to a different section of law.

6 **Licensing.** Makes a change to conform with section 3.

7 **Enforcement.** Provides that the Board uses its own enforcement authority and not the enforcement authority of the Department of Commerce, which regulated cosmetologists prior to 2004.

8 **Transfer of powers.** Adds the standard language used to totally transfer all regulatory authority for a specific function from one agency to another.

9 **Revisor instruction.** Instructs the revisor of statutes to make the necessary technical changes in numbering and terminology in statutes and rules to conform to the transfer of authority.

10 **Repealer.** Repeals: (1) a law designating the commissioner of commerce as cosmetology regulator; (2) the Cosmetology Advisory Council to the commissioner of commerce; and (3) a Board of Barber Examiners rule setting the license fee schedule, which is now in statute.