

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

ENROLLED, An Act,

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

"§34-7A-22.

"No person may be admitted to examination, registered, licensed, or issued a certificate by the board

1 unless he or she possesses the following applicable qualifications:

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

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

1 the board, and has successfully completed either of the
2 following:

3 "a. A complete course of cosmetology, instruction
4 consisting of ~~all or a majority of the practices thereof, at~~
5 least 1,500 clock hours in a licensed or registered school of
6 cosmetology, ~~consisting of not less than 1,200 credit unit~~
7 ~~hours nor more than 1,700 actual clock hours of continuous~~
8 ~~training, not exceeding eight hours a day, or a course of~~
9 ~~study in a public school or trade school consisting of not~~
10 ~~less than 1,200 credit unit hours nor more than 1,700 actual~~
11 ~~clock hours of training~~ or on courses reported in credit
12 hours. Credit hour programs shall be reviewed and approved by
13 the board as satisfying licensure requirements.

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

17 "(3) COSMETOLOGIST INSTRUCTOR.

18 "a. Except as otherwise provided in this chapter, no
19 person may be licensed as an instructor in any one or a
20 combination of the practices of cosmetology unless he or she
21 pays the original licensing fee, is a licensed cosmetologist,
22 and, to be eligible for admission to examination, has
23 successfully completed either of the following:

24 "1. Not less than 1,250 credit unit hours nor more
25 than 1,700 actual clock hours in a teacher's training course

1 in cosmetology in a school of cosmetology, or a course of
2 study in a public school or trade school consisting of not
3 less than 1,250 credit unit hours nor more than 1,700 actual
4 clock hours of training.

5 "2. At least one year of experience as an active
6 practicing cosmetologist before enrollment as a student
7 instructor, supplemented by not less than 650 hours in a
8 teacher's training course in cosmetology in a school of
9 cosmetology.

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

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

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

21 "(5) ESTHETICIAN. Except as otherwise provided in
22 this chapter, no person may be licensed as an esthetician
23 unless he or she pays the original licensing fee, has an
24 education equivalent to the completion of 10 grades in school,
25 has passed the applicable examination to the satisfaction of

1 the board, and has successfully completed either of the
2 following:

3 "a. A complete course of skin care, instruction
4 consisting of ~~all or a majority of the practices thereof, at~~
5 least 1,500 clock hours in a licensed or registered school of
6 cosmetology or school for estheticians, ~~consisting of not less~~
7 ~~than 1,200 credit unit hours nor more than 1,700 actual clock~~
8 ~~hours of continuous training, not exceeding eight hours a day,~~
9 ~~or a course of study in a public school or trade school~~
10 ~~consisting of not less than 1,200 credit unit hours nor more~~
11 ~~than 1,700 actual clock hours of training~~ or on courses
12 reported in credit hours. Credit hour programs shall be
13 reviewed and approved by the board as satisfying licensure
14 requirements.

15 "b. An apprenticeship in a cosmetology salon or
16 esthetician salon for not less than 3,000 hours of training
17 over a maximum three-year period, not exceeding eight hours a
18 day.

19 "(6) ESTHETICIAN INSTRUCTOR. Except as otherwise
20 provided in this chapter, no person may be licensed as an
21 esthetician instructor unless he or she pays the original
22 licensing fee, is a licensed cosmetologist or esthetician,
23 and, to be eligible for admission to examination, has
24 successfully completed not less than 1,250 credit unit hours
25 nor more than 1,700 actual clock hours in a teacher's training

1 course in skin care in a school of cosmetology or school for
2 estheticians. To be eligible to enroll in a teacher's training
3 course, an esthetician shall have an education equivalent to
4 the completion of 12 grades in school. An esthetician
5 instructor shall complete 16 hours of course study in
6 continuing education from a board-approved seminar during each
7 licensing period.

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

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

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

23 "(10) MANICURIST. Except as otherwise provided in
24 this chapter, no person may be licensed as a manicurist unless
25 he or she pays the original licensing fee, has an education

1 equivalent to the completion of 10 grades in school, has
2 passed the applicable examination to the satisfaction of the
3 board, and has successfully completed either of the following:

4 "a. A complete course of manicuring, instruction
5 consisting of ~~all or a majority of the practices thereof, not~~
6 less than 750 clock hours in a licensed or registered school
7 of cosmetology or school of manicuring, ~~consisting of not less~~
8 ~~than 600 credit unit hours of continuous training, not~~
9 ~~exceeding eight hours a day, or a course of study in a public~~
10 ~~school or trade school consisting of not less than 600 credit~~
11 ~~unit hours of training~~ or on courses reported in credit hours.
12 Credit hour programs shall be reviewed and approved by the
13 board as satisfying licensure requirements.

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

18 "(11) MANICURIST INSTRUCTOR.

19 "a. Except as otherwise provided in this chapter, no
20 person may be licensed as a manicurist instructor unless he or
21 she pays the original licensing fee, is a licensed
22 cosmetologist or manicurist, and, to be eligible for admission
23 to examination, has successfully completed either of the
24 following:

1 "1. Not less than 1,250 actual clock hours in a
2 teacher's training course in manicuring in a school of
3 cosmetology or school of manicuring, or a course of study in a
4 public school or trade school consisting of not less than
5 1,250 actual clock hours of training.

6 "2. At least one year of experience as an active
7 practicing cosmetologist or manicurist before enrollment as a
8 student instructor, supplemented by not less than 650 hours in
9 a teacher's training course in cosmetology or manicuring in a
10 school of cosmetology or school of manicuring.

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

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

17 "(12) MASTER COSMETOLOGIST or MASTER ESTHETICIAN or
18 MASTER MANICURIST. Any person licensed as a managing
19 cosmetologist, managing esthetician, or managing manicurist,
20 who pays the original licensing fee and completes a course of
21 study in continuing education approved by the board within a
22 licensing period, may be issued a master license. The master
23 license is an optional license available upon renewal to those
24 licensees who voluntarily complete the continuing education
25 requirements.

1 "(13) STUDENT COSMETOLOGIST.

2 "a. Upon certification of enrollment by a school of
3 cosmetology, the name and birth date of each student
4 cosmetologist shall be entered by the board in a register kept
5 for that purpose. A student cosmetologist shall be at least 16
6 years of age at the time of registration and shall have an
7 education equivalent to the completion of 10 grades in school.
8 Registration with the board shall be on forms provided by the
9 board.

10 "b. A student who has completed 70 percent of the
11 required school instructional hours may, when school is not in
12 session, work in a cosmetology salon. One student trainee
13 shall be allowed for the first master or managing
14 cosmetologist and one additional student trainee shall be
15 allowed for each three additional cosmetologists on staff.

16 "c. Within 90 days after a student completes the
17 required school instructional hours and training, the
18 appropriate instructor shall schedule an examination of the
19 student with the board. If application for examination is not
20 received within the 90-day period, the applicable
21 instructional hours and training shall be invalidated.

22 "(14) STUDENT ESTHETICIAN. Upon certification of
23 enrollment by a school of cosmetology, or school for
24 estheticians, the name and birth date of each student
25 esthetician shall be entered by the board in a register kept

1 for that purpose. A student esthetician shall be at least 16
2 years of age at the time of registration and shall have an
3 education equivalent to the completion of 10 grades in school.

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

22 "(16) STUDENT MANICURIST. Upon certification of
23 enrollment by a school of cosmetology or school of manicuring,
24 the name and birth date of each student manicurist shall be
25 entered by the board in a register kept for that purpose. A

1 student manicurist shall be at least 16 years of age at the
2 time of registration and shall have an education equivalent to
3 the completion of 10 grades in school."

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

7 Section 5. This act shall become effective
8 immediately upon its passage and approval by the Governor, or
9 its otherwise becoming law.

