

HOUSE BILL No. 2384

By Committee on Taxation

2-20

1 AN ACT concerning the Kansas state board of cosmetology; relating to
2 powers, duties and functions thereof; administrative actions; regulation
3 of certain professions; amending K.S.A. 65-1901, 65-1902, 65-1904,
4 65-1904b, 65-1905, 65-1906, 65-1912 and 74-2703 and repealing the
5 existing sections.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 New Section 1. (a) For all professions regulated by the Kansas state
9 board of cosmetology, any action by the board in any administrative
10 proceeding under article 19 of chapter 65 of the Kansas Statutes
11 Annotated, and amendments thereto, shall be conducted in accordance
12 with the Kansas administrative procedure act and reviewable in
13 accordance with the Kansas judicial review act. Judicial review shall be
14 taken if the petitioner files with the clerk of the reviewing court a bond
15 with a sufficient surety, conditioned on the payment of all assessed costs, if
16 the decision of the board is sustained. If appellate review of the district
17 court's decision is sought in accordance with K.S.A. 77-623, and
18 amendments thereto, then the board shall not be required to give a bond on
19 such review.

20 (b) For all professions regulated by the board, if the board's order in
21 any administrative proceeding under article 19 of chapter 65 of the Kansas
22 Statutes Annotated, and amendments thereto, is adverse to the applicant,
23 apprentice or licensee, then the costs incurred by the board in conducting
24 any investigation or proceeding under the Kansas administrative procedure
25 act may be assessed against the parties to the proceeding in such
26 proportion as the board may determine upon consideration of all relevant
27 circumstances, including the nature of the proceeding and the level of
28 participation by the parties. If the board is not the prevailing party in any
29 such action, then such costs shall be paid from the cosmetology fee fund.

30 (c) The board shall include any assessment of costs incurred as part
31 of a final order rendered in a proceeding, and the order shall include
32 findings and conclusions in support of the assessment of costs.

33 (d) For purposes of this section, "costs incurred" include, but are not
34 limited to:

35 (1) Presiding officer fees and expenses, only if the board has
36 designated or retained the services of an independent contractor or the

1 office of administrative hearings to perform presiding officer functions;

2 (2) costs of preparing any transcripts;

3 (3) reasonable investigative costs;

4 (4) witness fees and expenses; and

5 (5) mileage, travel expenses and subsistence allowances of board
6 employees and fees and expenses of agents of the board who provide
7 services under K.S.A. 74-2702, and amendments thereto.

8 (e) All moneys collected by the board following or arising from board
9 proceedings shall be remitted to the state treasurer in accordance with
10 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
11 remittance, the state treasurer shall deposit the entire amount into the state
12 treasury to the credit of the cosmetology fee fund.

13 (f) This section shall be a part of and supplemental to article 19 of
14 chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

15 New Sec. 2. (a) Any person may apply to the Kansas state board of
16 cosmetology for a charitable event permit. Any such application shall be
17 on a form and in a manner approved by the board and accompanied by the
18 fee established under K.S.A. 65-1904 or 65-1950, and amendments
19 thereto.

20 (b) The board may grant a charitable event permit for any event at
21 any location in the state of Kansas where persons licensed by the board to
22 practice any profession regulated under article 19 of chapter 65 of the
23 Kansas Statutes Annotated, and amendments thereto, will provide services
24 authorized under article 19 of chapter 65 of the Kansas Statutes Annotated,
25 and amendments thereto, at no cost to consumers. Any charitable event
26 permit granted under this section shall expire no later than 30 days after
27 issuance by the board.

28 (c) The board shall adopt rules and regulations as necessary to
29 implement and administer this section.

30 (d) This section shall be a part of and supplemental to article 19 of
31 chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

32 New Sec. 3. (a) Any person may apply to the Kansas state board of
33 cosmetology for a demonstration permit. Any such application shall be on
34 a form and in a manner approved by the board and accompanied by the fee
35 established under K.S.A. 65-1904 or 65-1950, and amendments thereto.

36 (b) (1) The board may grant a demonstration permit to a person to
37 provide services authorized under article 19 of chapter 65 of the Kansas
38 Statutes Annotated, and amendments thereto, at a state or national
39 convention, or as a guest artist at an establishment licensed by the Kansas
40 state board of cosmetology, if such person is licensed to practice such
41 profession regulated under article 19 of chapter 65 of the Kansas Statutes
42 Annotated, and amendments thereto, in another state or jurisdiction, and
43 such license has not been revoked, suspended or conditioned from the

1 practice of such profession.

2 (2) If an application for a demonstration permit is submitted by a
 3 citizen of a foreign country who has not been issued a social security
 4 number and who has not been licensed by any other state, the board shall
 5 not require the applicant to submit a social security number and shall
 6 instead accept a valid visa or passport identification number.

7 (3) Any demonstration permit issued under this section shall expire
 8 no later than 14 days after issuance of the board.

9 (c) The board shall adopt rules and regulations as necessary to
 10 implement and administer this section.

11 (d) This section shall be a part of and supplemental to article 19 of
 12 chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

13 Sec. 4. K.S.A. 65-1901 is hereby amended to read as follows: 65-
 14 1901. As used in K.S.A. 65-1901 through 65-1912, and amendments
 15 thereto, *and section 2, and amendments thereto*:

16 (a) "Apprentice" means any person engaged in learning the practice
 17 of cosmetology, nail technology, esthetics or electrology in a school of
 18 cosmetology, nail technology, esthetics or electrology licensed by the
 19 board, except until such time as an electrology school is established in this
 20 state apprenticeship of electrology will be subject to approval by the board in
 21 a clinic or establishment.

22 (b) "Board" means the *Kansas* state board of cosmetology.

23 (c) "*Charitable event*" means an event conducted for a charitable
 24 purpose, whether indoors or outdoors, that is held at a specified time and
 25 location where services are provided by licensed practitioners at no cost
 26 to recipients, as a charity to recipients, or approved charitable causes
 27 approved by the board.

28 (d) "*Charitable purpose*" means any purpose that promotes, or
 29 purports to promote, directly or indirectly, the well-being, in general or
 30 limited to certain activities, endeavors or projects, of the public at large,
 31 any number of persons or any humane purpose.

32 (e) "Cosmetologist" means any person, other than a manicurist or
 33 esthetician, who practices the profession of cosmetology for
 34 compensation.

35 ~~(d)~~(f) (1) "Cosmetology" means the profession of:

36 (A) Arranging, dressing, permanently curling, curling, waving,
 37 cleansing, temporarily or permanently coloring, bleaching, relaxing,
 38 conditioning or cutting the hair;

39 (B) cleansing, stimulating or performing any other noninvasive
 40 beautifying process on any skin surface by means of hands or mechanical
 41 or electrical appliances, other than electric needles, provided for esthetic
 42 rather than medical purposes;

43 (C) temporary hair removal from the face or any part of the body by

1 use of the hands or mechanical or electrical appliances other than electric
2 needles;

3 (D) using cosmetic preparations, antiseptics, lotions, creams or other
4 preparations in performing any of the practices described in ~~paragraphs~~
5 *subparagraphs (A), (B) and (C) of this subsection (d)(1)*; or

6 (E) manicuring, pedicuring or sculpturing nails.

7 (2) "Cosmetology" shall not include a service that results in tension
8 on hair strands or roots by twisting, wrapping, weaving, extending,
9 locking, or braiding by hand or mechanical device so long as the service
10 does not include the application of dyes, reactive chemicals or other
11 preparations to alter the color of the hair or to straighten, curl or alter the
12 structure of the hair and so long as the requirements of K.S.A. 65-1928,
13 and amendments thereto, are met. Nothing in this paragraph shall be
14 construed to preclude a licensed cosmetologist from performing the
15 service described in this paragraph.

16 ~~(e)~~(g) "*Electrologist*" means any person who, for compensation,
17 removes hair from, or destroys hair on, the human body for beautification
18 by use of an electric needle only.

19 (h) "Esthetician" means any person who, for compensation practices
20 the profession of cosmetology only to the following extent:

21 (1) Eyebrow and eyelash services, cleansing, stimulating or
22 performing any other noninvasive beautifying process on any skin surface
23 by means of hands or mechanical or electrical appliances, other than
24 electric needles, provided for esthetic rather than medical purposes;

25 (2) temporary hair removal from the face or any part of the body by
26 use of the hands or mechanical or electrical appliances other than electric
27 needles; or

28 (3) using cosmetic preparations, antiseptics, lotions, creams or other
29 preparations in performing any of the practices described in this
30 subsection.

31 (i) "*Instructor-in-training*" means a person who is a licensed
32 cosmetologist and who has met the board's training requirements for
33 obtaining an instructor-in-training permit.

34 ~~(f)~~(j) "Manicurist" means any person who, for compensation practices
35 the profession of cosmetology only to the extent of:

36 (1) Nail technology;

37 (2) cleansing, stimulating or performing similar work on the arms,
38 hands or ankles and feet by means of hands or mechanical or electrical
39 appliances, other than electric needles; or

40 (3) using cosmetic preparations, antiseptics, lotions, creams or other
41 preparations in performing any practice described in ~~subsection (f)~~
42 *paragraph (2)*.

43 ~~(g)~~(k) "Nail technology" means manicuring, pedicuring and

1 sculpturing nails.

2 ~~(h) "Electrologist" means any person who, for compensation removes~~
 3 ~~hair from, or destroys hair on, the human body for beautification by use of~~
 4 ~~an electric needle only.~~

5 ~~(i)~~(l) "Person" means any individual, corporation, partnership,
 6 association or other entity.

7 ~~(j) "Instructor-in-training" means a person who is a licensed~~
 8 ~~cosmetologist and has met the board's training requirements for obtaining~~
 9 ~~an instructor-in-training permit.~~

10 ~~(k)~~(m) "Physician" means a person licensed to practice medicine and
 11 surgery by the state board of healing arts.

12 (n) "Reciprocity" means *the acceptance of a practitioner applicant*
 13 *for licensure from outside the state or jurisdiction based on a documented*
 14 *prior record of training or experience in work hours from another state or*
 15 *jurisdiction without additional testing, except for an examination required*
 16 *by the board relating to Kansas laws governing practice in the state of*
 17 *Kansas.*

18 Sec. 5. K.S.A. 65-1902 is hereby amended to read as follows: 65-
 19 1902. (a) Except as provided in subsection (b), no person shall:

20 (1) Engage in practice of cosmetology, esthetics, nail technology or
 21 electrology unless the person holds a valid license, issued by the board, to
 22 engage in that practice;

23 (2) engage in the practice of tattooing, cosmetic tattooing or body
 24 piercing unless the person holds a valid license, issued by the board, to
 25 engage in such practice;

26 (3) teach cosmetology in a licensed school unless the person holds a
 27 valid cosmetology instructor's license issued by the board;

28 (4) conduct a school for teaching nail technology unless the person
 29 holds a valid license, issued by the board, to conduct the school;

30 (5) teach nail technology in a licensed school unless the person holds
 31 a valid cosmetology or manicuring instructor's license issued by the board;

32 (6) conduct a school for teaching electrology unless the person holds
 33 a valid license, issued by the board, to conduct the school;

34 (7) teach electrology in a licensed school or clinic unless the person
 35 holds a valid electrology instructor's license issued by the board;

36 (8) conduct a school for teaching esthetics unless the person holds a
 37 valid license, issued by the board, to conduct the school;

38 (9) teach esthetics in a licensed school unless the person holds a valid
 39 cosmetology or esthetics instructor's license issued by the board;

40 (10) own or operate a school, salon or clinic where cosmetology,
 41 esthetics, nail technology or electrology is taught or practiced unless the
 42 person holds a valid school, salon or clinic license issued by the board;

43 (11) teach or practice cosmetology, esthetics, nail technology or

1 electrology in a school, salon or clinic unless the owner or operator of the
 2 school, salon or clinic holds a valid school, salon or clinic license issued
 3 by the board;~~or~~

4 (12) provide a service constituting the practice of cosmetology, nail
 5 technology, esthetics or electrology by use of a medical device registered
 6 with the federal food and drug administration, or as defined in federal or
 7 state law ~~which~~ *that* may be distributed only upon the order of a physician.

8 This act does not prohibit a *Kansas state* board of cosmetology licensee
 9 from providing services using a medical device upon the order and under
 10 the supervision of a physician and in a location maintained by the
 11 physician; *or*

12 (13) *employ an individual or allow any individual to engage in any*
 13 *activity for which a license is required by article 19 of chapter 65 of the*
 14 *Kansas Statutes Annotated, and amendments thereto, unless the individual*
 15 *holds a current valid license issued to the individual.*

16 (b) The provisions of this act shall not apply to:

17 (1) Any person licensed as a barber or apprentice barber;

18 (2) any person licensed to practice medicine and surgery, chiropractic,
 19 optometry, nursing or dentistry, while engaged in that practice;

20 (3) any person who is a licensed physical therapist or certified
 21 physical therapist assistant while engaged in that practice; or

22 (4) any teacher while engaged in instructing elementary or secondary
 23 school students in the proper care of their own persons.

24 (c) A person holding a license as a cosmetology technician on the day
 25 immediately preceding the effective date of this act shall continue to be a
 26 licensed cosmetology technician and perform the functions of a
 27 cosmetology technician, as such term was defined immediately prior to the
 28 effective date of this act, and may renew such license subject to the
 29 payment of fees and other conditions and limitations on the renewal of
 30 licenses under article 19 of chapter 65 of the Kansas Statutes Annotated,
 31 ~~and acts amendatory of the provisions thereof~~ *amendments thereto.*

32 (d) If the board determines that an individual has violated subsection
 33 (a), in addition to any other penalties imposed by law, the board, in
 34 accordance with the Kansas administrative procedure act, may issue a
 35 cease and desist order against such individual or may assess such
 36 individual a fine of not to exceed \$1,500, or may issue such order and
 37 assess such fine. In determining the amount of fine to be assessed, the
 38 board may consider the following factors: (1) Willfulness of the violation;,
 39 (2) repetitions of the violation; and (3) risk of harm to the public caused by
 40 the violation.

41 (e) A violation of subsection (a) ~~of this section~~ is a class ~~C~~ A
 42 misdemeanor.

43 Sec. 6. K.S.A. 65-1904 is hereby amended to read as follows: 65-

1 1904. (a) Unless revoked for cause, all licenses of cosmetologists,
2 cosmetology technicians, estheticians, electrologists and manicurists
3 issued or renewed by the board shall expire on the expiration dates
4 established by rules and regulations adopted by the board under this
5 section. Subject to the other provisions of this subsection, each such
6 license shall be renewable on a biennial basis upon the filing of a renewal
7 application prior to the expiration of the license, payment of the
8 nonrefundable license renewal fee established under this section and the
9 filing of a successfully completed written renewal examination prescribed
10 by the board under this subsection. For renewal applications, the board
11 shall prescribe a written renewal examination for each classification of
12 licensee under this subsection that will test the applicant's understanding of
13 the laws relating to the practice for which the applicant holds a license,
14 will test the applicant's understanding of health and sanitation matters
15 relating to the practice for which the applicant holds a license and will test
16 the understanding of the applicant about safety matters relating to the
17 practice for which the applicant holds a license. The board shall fix the
18 score for the successful completion of a written renewal examination. At
19 least 30 days prior to the expiration of a license, the board shall provide to
20 the licensee notice of the date of expiration of the license.

21 (b) (1) Any cosmetologist's, cosmetology technician's, esthetician's,
22 electrologist's or manicurist's license may be renewed by the applicant
23 within six months after the date of expiration of the applicant's last license
24 upon submission of proof, satisfactory to the board, of the applicant's
25 qualifications to practice as a cosmetologist, cosmetology technician,
26 esthetician, electrologist or manicurist, successfully completing the
27 renewal exam and payment of the applicable nonrefundable renewal fee
28 and delinquent fee prescribed pursuant to this section.

29 (2) Any applicant whose license as a cosmetologist, cosmetology
30 technician, esthetician, electrologist or manicurist has been expired for
31 more than six months may obtain reinstatement of such license upon
32 application to the board, upon filing with the board a successfully
33 completed written renewal examination and upon payment of the
34 applicable nonrefundable ~~delinquent renewal fee and a nonrefundable~~
35 ~~renewal penalty fee of \$100~~ *reinstatement fee of \$125.*

36 (c) Any applicant for a license other than a renewal license shall
37 make a verified application to the board on such forms as the board may
38 require and, upon payment of the ~~license application fee and the~~
39 ~~examination fee, shall be examined by the board or the board's appointees~~
40 *applicable fee* and shall be issued a license, if found to be duly qualified to
41 practice the profession of cosmetologist, esthetician, electrologist or
42 manicurist.

43 (d) The board is hereby authorized to adopt rules and regulations

1 fixing the amount of nonrefundable fees for the following items and to
 2 charge and collect the amounts so fixed, subject to the following
 3 limitations:

4	Cosmetologist license application fee, for two years—	
5	not more than.....	\$60
6	Cosmetologist license renewal fee.....	60
7	Delinquent cosmetologist renewal fee.....	25
8	Cosmetology technician license renewal fee, for two	
9	years—not more than	60
10	Delinquent cosmetology technician renewal fee.....	25
11	Electrologist license application fee, for two years—not	
12	more than	60
13	Electrologist license renewal fee.....	60
14	Delinquent electrologist renewal fee.....	25
15	Manicurist license application fee, for two years—not	
16	more than	60
17	Manicurist license renewal fee.....	60
18	Delinquent manicurist renewal fee.....	25
19	Esthetician license application fee, for two years—not	
20	more than.....	60
21	Esthetician license renewal fee	60
22	Delinquent esthetician renewal fee.....	25
23	Any apprentice license application fee—not more than.....	15
24	<i>Delinquent apprentice application fee—not more than.....</i>	<i>50</i>
25	New school license application fee.....	150
26	School license renewal fee—not more than.....	75
27	Delinquent school license fee—not more than.....	50
28	New cosmetology services salon or electrology clinic	
29	license application fee—not more than.....	100
30	Cosmetology services salon or electrology clinic license	
31	renewal fee—not more than	50
32	Delinquent cosmetology services salon or electrology	
33	clinic renewal fee.....	30
34	Cosmetologist's examination—not more than.....	75
35	Electrologist's examination—not more than.....	75
36	Manicurist's examination—not more than.....	75
37	Esthetician examination—not more than.....	75
38	Instructor's examination—not more than.....	75
39	Reciprocity application fee—not more than.....	75
40	Senior status license fee.....	30
41	Verification of licensure.....	20
42	Any duplicate of license.....	25
43	Instructor's license application fee, for two years—not	

1 more than.....100
2 Renewal of instructor's license fee.....75
3 Delinquent instructor's renewal fee—not more than.....75
4 Temporary permit fee.....15
5 Statutes and regulations book.....5
6 Instructor-in-training permit.....50
7 *Reinstatement fee*.....125
8 *Charitable event permit—not more than*.....70
9 *Demonstration permit—not more than*.....150

10 (e) Whenever the board determines that the total amount of revenue
11 derived from the fees collected pursuant to this section is insufficient to
12 carry out the purposes for which the fees are collected, the board may
13 amend its rules and regulations to increase the amount of the fee, except
14 that the amount of the fee for any item shall not exceed the maximum
15 amount authorized by this subsection. Whenever the amount of fees
16 collected pursuant to this section provides revenue in excess of the amount
17 necessary to carry out the purposes for which such fees are collected, it
18 shall be the duty of the board to decrease the amount of the fee for one or
19 more of the items listed in this subsection by amending the rules and
20 regulations ~~which~~ *that* fix the fees.

21 (f) Any person who has held a license issued by the board for at least
22 10 years and is 60 years or more of age and not regularly engaged in
23 cosmetology practice in Kansas shall be entitled to a senior status license
24 upon application and payment of the one-time senior status license fee.
25 The holder of the senior status license shall not be required to renew the
26 license and shall not be entitled to practice cosmetology.

27 (g) Any person who failed to obtain a renewal license while in the
28 armed forces of the United States shall be entitled to a renewal license
29 upon filing application, paying the nonrefundable renewal fee for the
30 current year during which the person has been discharged and successfully
31 completing the renewal exam.

32 Sec. 7. K.S.A. 65-1904b is hereby amended to read as follows: 65-
33 1904b. (a) Upon application to the Kansas state board of cosmetology on a
34 form provided ~~for application~~ for a cosmetologist, esthetician, *manicurist*
35 or electrologist license, accompanied by the application fee, a person
36 practicing as a cosmetologist, esthetician or electrologist under the laws of
37 another state or jurisdiction shall be granted a license entitling the person
38 to practice in this state if:

39 (1) The person is not less than 17 years of age ~~and a graduate of an~~
40 ~~accredited high school, or equivalent thereof, or the person has held a~~
41 ~~current license in another state or jurisdiction in the area of practice in~~
42 ~~which the person seeks a license for not less than 10 years prior to the date~~
43 ~~of application;~~

1 (2) the person submits to the board verification of date of birth; and
2 (3) the person holds a current license in another state in the area of
3 practice in which the person seeks a license and meets at least one of the
4 following criteria:

5 (A) The person passes a written and a practical examination
6 administered by the board relating to the area of practice in which the
7 person seeks a license; ~~or~~

8 (B) the person has the number of hours of training required for
9 licensure in this state and passes the written examination administered for
10 license renewal under ~~subsection (a) of~~ K.S.A. 65-1904(a), and
11 amendments thereto;

12 (C) *the person has held a current license in good standing for five or*
13 *more consecutive years and passes the written examination administered*
14 *for license renewal in accordance with K.S.A. 65-1904(a), and*
15 *amendments thereto; or*

16 (D) *the person's license was issued by a state approved by the board*
17 *in rules and regulations, and the person passes the written examination*
18 *administered for license renewal in accordance with K.S.A. 65-1904(a),*
19 *and amendments thereto.*

20 (b) The renewal of a license issued pursuant to this section shall be in
21 the manner provided in K.S.A. 65-1904, and amendments thereto.

22 Sec. 8. K.S.A. 65-1905 is hereby amended to read as follows: 65-
23 1905. (a) All examinations held or conducted by the board shall be in
24 accordance with rules and regulations adopted by the board. The
25 examinations shall include a written test administered at the completion of
26 1,000 hours of training. If the applicant has attended a licensed school
27 electing to base the course of instruction and practice on credit hours as
28 provided in K.S.A. 65-1903, and amendments thereto, the written test shall
29 be administered at the completion of the credit hours ~~which~~ *that* are the
30 equivalent of 1,000 clock hours under the formula for conversion used by
31 the licensed school. A practical test may be administered prior to licensure.
32 Examinations to qualify for an instructor's license shall be limited to
33 written tests.

34 (b) Each applicant for licensure by examination shall:

35 (1) Be at least 17 years of age;

36 (2) be a graduate of an accredited high school, or equivalent thereof.

37 The provisions of this paragraph shall not apply to any applicant who was
38 at least 25 years of age and licensed as an apprentice on May 21, 1998;

39 (3) submit to the board verification of date of birth; and

40 (4) have served as an apprentice for the period of time provided by
41 K.S.A. 65-1912, and amendments thereto.

42 (c) (I) Any person making application who possesses the necessary
43 qualifications to take an examination provided herein *and who is*

1 *scheduled to take an examination, upon application and payment of the*
2 *nonrefundable temporary permit fee, may be issued a temporary permit by*
3 *the board to practice cosmetology—until the next regular examination—*
4 *conducted by the board.*

5 *(2) Any temporary permit issued under this subsection shall expire*
6 *six weeks after the originally scheduled examination date.*

7 Sec. 9. K.S.A. 65-1906 is hereby amended to read as follows: 65-
8 1906. (a) Each licensed cosmetologist, cosmetology technician,
9 esthetician, manicurist, electrologist and instructor shall display such
10 person's license in a conspicuous place in the salon, clinic or school where
11 the holder thereof is employed or working.

12 (b) *Each licensed school and electrology school, clinic and*
13 *establishment shall display each apprentice's license in a conspicuous*
14 *location in the school, clinic or establishment.*

15 (c) Each holder of a salon, clinic or school license shall display the
16 license and most recent inspection report and the sanitation standards
17 prescribed by the secretary of health and environment pursuant to K.S.A.
18 65-1,148, and amendments thereto, in a conspicuous place in the salon,
19 clinic or school.

20 Sec. 10. K.S.A. 65-1912 is hereby amended to read as follows: 65-
21 1912. (a) ~~Any person desiring to practice as an apprentice shall be required~~
22 ~~to pay to the board the fee required pursuant to K.S.A. 65-1904, and~~
23 ~~amendments thereto, and obtain an apprentice license from the board.~~
24 ~~Application for an apprentice license allowing a person to practice in a~~
25 ~~licensed school shall be submitted to the board not more than 15 days after~~
26 ~~the person's enrollment in the school. Any school licensed by the board~~
27 ~~enrolling a student to practice as an apprentice shall be required to pay to~~
28 ~~the board the fee required under K.S.A. 65-1904, and amendments thereto,~~
29 ~~and obtain an apprentice license from the board for the student.~~
30 ~~Application for an apprentice license allowing a student to practice in a~~
31 ~~licensed school shall be submitted to the board by the school not more~~
32 ~~than 15 days after the student's enrollment in the school. The school shall~~
33 ~~pay to the board a delinquent fee required under K.S.A. 65-1904, and~~
34 ~~amendments thereto, for apprentice applications submitted to the board~~
35 ~~more than 15 days after the student's enrollment in the school.~~

36 (b) (1) An applicant for examination and licensure as a cosmetologist
37 shall be required to have practiced as an apprentice in a licensed school for
38 not less than 1,500 clock hours or, if the applicant has attended a licensed
39 school electing to base the course of instruction and practice on credit
40 hours as provided in K.S.A. 65-1903, and amendments thereto, the
41 applicant shall have practiced as an apprentice for not less than those
42 credit hours ~~which~~ *that* are the equivalent of 1,500 clock hours under the
43 formula for conversion used by the licensed school.

1 (2) (A) Before July 1, 2009, an applicant for examination and
2 licensure as an esthetician shall be required to have practiced as an
3 apprentice in a licensed school for not less than 650 clock hours or, if the
4 applicant has attended a licensed school electing to base the course of
5 instruction and practice on credit hours as provided in K.S.A. 65-1903, and
6 amendments thereto, the applicant shall have practiced as an apprentice for
7 not less than those credit hours ~~which~~ *that* are the equivalent of 650 clock
8 hours under the formula for conversion used by the licensed school.

9 (B) On and after July 1, 2009, an applicant for examination and
10 licensure as an esthetician shall be required to have practiced as an
11 apprentice in a licensed school for not less than 1,000 clock hours, or, if
12 the applicant has attended a licensed school electing to base the course of
13 instruction and practice on credit hours as provided in K.S.A. 65-1903, and
14 amendments thereto, the applicant shall have practiced as an apprentice for
15 not less than those credit hours ~~which~~ *that* are the equivalent of 1,000
16 clock hours under the formula for conversion used by the licensed school.

17 (3) An applicant for examination and licensure as a manicurist shall
18 be required to have practiced as an apprentice in a licensed school of
19 cosmetology or nail technology for not less than 350 clock hours or, if the
20 applicant has attended a licensed school electing to base the course of
21 instruction and practice on credit hours as provided in K.S.A. 65-1903, and
22 amendments thereto, the applicant shall have practiced as an apprentice for
23 not less than those credit hours ~~which~~ *that* are the equivalent of 350 clock
24 hours under the formula for conversion used by the licensed school.

25 (4) An applicant for examination and licensure as an electrologist
26 shall be required to have practiced as an apprentice: (A) In a licensed
27 school of cosmetology or electrology for not less than 500 clock hours or,
28 if the applicant has attended a licensed school electing to base the course
29 of instruction and practice on credit hours as provided in K.S.A. 65-1903,
30 and amendments thereto, the applicant shall have practiced as an
31 apprentice for not less than those credit hours ~~which~~ *that* are the equivalent
32 of 500 clock hours under the formula for conversion used by the licensed
33 school; or (B) in a licensed clinic or establishment for not less than 1,000
34 clock hours of training. The duration of practice as an apprentice in a clinic
35 or establishment must be in the clinic or establishment ~~in which~~ *where*
36 practice was commenced, except that the board may permit, upon written
37 application and for good cause, the transfer of the apprentice to another
38 clinic or establishment for completion of the term of apprenticeship. Any
39 licensed cosmetologist who is practicing electrology in a licensed clinic or
40 establishment on July 1, 1987, may apply for and be issued an
41 electrologist's license without examination.

42 (c) No apprentice shall make any charge for the apprentice's services,
43 but a licensed school of cosmetology, electrology or nail technology or a

1 proprietor of a licensed clinic or establishment ~~in which~~ *where* an
2 apprentice of electrology practices may charge for services of the
3 apprentice.

4 (d) For purposes of subsection (b), a person is not required to have
5 practiced as an apprentice continuously or without interruption in
6 obtaining the required number of hours.

7 Sec. 11. K.S.A. 74-2703 is hereby amended to read as follows: 74-
8 2703. It shall be the duty of such board to meet at least twice each year,
9 and at such times and places as it may deem advisable, ~~and shall at such~~
10 ~~times hold examinations of such applicants as shall have applied for~~
11 ~~licensure.~~

12 Sec. 12. K.S.A. 65-1901, 65-1902, 65-1904, 65-1904b, 65-1905, 65-
13 1906, 65-1912 and 74-2703 are hereby repealed.

14 Sec. 13. This act shall take effect and be in force from and after its
15 publication in the statute book.