

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3843

By: Pittman

AS INTRODUCED

An Act relating to professions and occupations; amending 59 O.S. 2021, Sections 199.7 and 199.8 which relate to the Oklahoma Cosmetology and Barbering Act; modifying provisions regarding curriculum hours; clarifying eligibility to provide instruction; permitting students to complete apprenticeships under certain circumstances; permitting student apprentices to receive compensation for work performed; directing the State Board of Cosmetology and Barbering to promulgate rules for compensation of student apprentices; permitting student apprentices to take the examination for licensure under certain circumstances; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2021, Section 199.7, is amended to read as follows:

Section 199.7 A. Each cosmetology and barber school shall be licensed annually by the State Board of Cosmetology and Barbering. Application for the first year's license for a cosmetology and barber school shall be accompanied by a fee of Four Hundred Dollars (\$400.00), which shall be retained by the Board if the application is approved and a license is issued. The annual renewal license fee

1 for cosmetology or barber schools shall be One Hundred Twenty-five
2 Dollars (\$125.00).

3 B. 1. No license or renewal thereof for a cosmetology or
4 barber school shall be issued unless the owner thereof furnishes to
5 the Board a good and sufficient surety bond in the principal sum of
6 Two Thousand Dollars (\$2,000.00) for the first instructor and an
7 additional One Thousand Dollars (\$1,000.00) for each additional
8 instructor, executed by a surety company authorized to do business
9 in this state, and conditioned on the faithful performance of the
10 terms and conditions of all contracts entered into between the owner
11 of the cosmetology or barber school and all persons enrolling
12 therein.

13 2. The surety bond shall be in a form approved by the Attorney
14 General and filed in the Office of the Secretary of State. Suit may
15 be brought on the bond by any person injured by reason of the breach
16 of the conditions thereof.

17 C. It shall be the duty of the owner or manager of a
18 cosmetology or barber school to enter into a written contract with
19 all students before permitting students to attend any classes.
20 Contracts shall be made out in triplicate, the original copy to be
21 retained by the school, the duplicate to be given to the student,
22 and the triplicate to be filed with the executive director of the
23 Board.

1 D. A school licensed or applying for licensure shall maintain
2 recognition as an institution of postsecondary study by meeting the
3 following conditions:

4 1. The school shall admit as a regular student only an
5 individual who has earned a recognized high school diploma, or who
6 is beyond the age of compulsory high school attendance;

7 2. The school shall be licensed by name, or in the case of an
8 applicant, shall apply for licensure by name, to offer one or more
9 training programs beyond the secondary level.

10 E. No license for a cosmetology or barber school shall be
11 issued unless the owner thereof presents evidence satisfactory to
12 the Board that the school has satisfactory facilities and equipment
13 and has instructors qualified to give a course of study as provided
14 in the Oklahoma Cosmetology and Barbering Act.

15 F. There shall be included in the curriculum for cosmetology
16 and barber schools, courses of study in the theory of cosmetology
17 and barbering related theory, studies in manipulative practices,
18 sterilization and sanitation, shop management, and such other
19 related subjects as may be approved by the Board.

20 G. 1. The Board shall adopt a curriculum of required courses
21 of instruction in theory and training ~~of either one thousand five~~
22 ~~hundred (1,500) clock hours or an equivalent number of credit hours~~
23 ~~as recognized by the United States Department of Education or a~~
24 ~~regional or national accreditation entity recognized by the United~~
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1 ~~States Department of Education in a basic course~~ to be taught in all
2 cosmetology or barbering schools in the state. The basic
3 cosmetology or barbering course shall be designed to qualify
4 students completing the course to take the examination for a
5 license. The required courses shall include:

6 a. one thousand five hundred (1,500) clock hours,

7 b. an equivalent number of credit hours as recognized by
8 the United States Department of Education or a
9 regional or national accreditation entity recognized
10 by the United States Department of Education in a
11 basic course, or

12 c. one thousand (1,000) clock hours for students who wish
13 to complete their instruction as a student apprentice
14 as provided for in Section 2 of this act.

15 2. Cosmetology and barber students in vocational, trade, and
16 industrial cosmetology and barbering classes in public schools,
17 parochial, private schools or home schools shall qualify by
18 completing one thousand (1,000) hours in a basic course of
19 cosmetology or barbering and either five hundred (500) hours of
20 approved related subjects to be selected from, but not limited to,
21 the following high school courses in a public school, parochial,
22 private or home school: psychology, biology, general science,
23 American history, art, typing I, typing II, business arithmetic,
24 salesmanship, bookkeeping I, bookkeeping II, related mathematics,

1 English II, English III and English IV or five hundred (500) hours
2 of instruction as a student apprentice as provided for in Section 2
3 of this act.

4 H. 1. No person shall be eligible to give instruction in
5 cosmetology or barbering unless the person is the holder of a
6 current unrevoked instructor's license issued by the Board or is
7 supervising a student apprentice as provided for in Section 2 of
8 this act.

9 2. Each cosmetology or barber school shall employ at least one
10 instructor for the first fifteen students registered therein, and at
11 least one additional instructor shall be employed for each
12 additional group of fifteen students, or major fraction thereof.

13 3. Students utilizing hybrid learning programs are included in
14 the total student number as referenced in the ratio in paragraph 2
15 of subsection G H of this section.

16 I. A cosmetology or barbering school may be operated in and as
17 part of an accredited high school.

18 J. No cosmetology or barber school owner or an establishment
19 owner shall charge students or apprentices for cosmetic materials,
20 supplies, apparatus, or machines used by them in practice work. A
21 reasonable charge may be made by a cosmetology or barber school for
22 clinical work performed by students upon persons who are not
23 students therein. No instructor shall be permitted to do
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1 professional or clinical work in a cosmetology or barber school at
2 any time.

3 K. No cosmetology or barber establishment shall ever be
4 operated in or as a part of a cosmetology school.

5 L. 1. Students shall:

6 a. have an eighth-grade education or the equivalent
7 thereof, and

8 b. be at least sixteen (16) years of age unless they are
9 public or private school students who will be sixteen
10 (16) years of age by November 1 of the year in which
11 cosmetology or barbering instruction begins.

12 2. Credit shall not be given to any person by the Board or by a
13 cosmetology or barber school for hours spent in attending a
14 cosmetology or barber school unless the person has registered with
15 the Board as a student prior to the attendance, except that a
16 student who has attended a cosmetology or barber school out of state
17 may receive credit for such attendance for transfer upon proper
18 certification as provided by rule of the Board.

19 3. No student shall be credited with more than eight (8) hours'
20 attendance in a cosmetology or barber school in any one (1) day.

21 4. No person shall be eligible to take the Board-issued
22 examination for a license unless such person is at least seventeen
23 (17) years of age or a high school graduate.
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1 M. 1. No student shall be eligible to take the examination for
2 a Board-issued license without furnishing to the Board the affidavit
3 of the owner of the cosmetology or barber school that the student
4 has satisfactorily completed the requirements specified in paragraph
5 1 of subsection ~~F~~ G of this section, except public and private
6 school students who will complete the requirements specified in
7 paragraph 2 of subsection ~~F~~ G of this section by the close of the
8 current school year may take the examination next preceding the end
9 of the school year.

10 2. Students who are eligible to take the examination shall be
11 given an oral examination if requested by their instructor and proof
12 of qualifying disability is proven.

13 N. No person shall be eligible to register for the examination
14 for an instructor's license unless such person is a high school
15 graduate, or has obtained a General Equivalency Diploma (GED) as to
16 which the applicant shall qualify by tests to be prescribed by the
17 Board and conducted by qualified examiners selected by the Board,
18 and has:

19 1. Satisfactorily completed all hours required for the
20 appropriate specialty course and an additional one thousand (1,000)
21 instructor training hours or equivalent number of credit hours as
22 recognized by the United States Department of Education or as
23 recognized by a national accreditation entity prescribed by the
24 Board in a cosmetology school in this state; or
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1 2. Completed all hours required for the appropriate specialty
2 course, three hundred (300) instructor training hours, prescribed by
3 the Board in a cosmetology school in this state and has been engaged
4 in the practice of cosmetology for at least the preceding two (2)
5 years.

6 O. The Board shall have the power to conduct examinations
7 around the state at public locations including, but not limited to,
8 technology center schools.

9 P. Each cosmetology or barber school shall prominently display
10 in a conspicuous place above or to the side of the entrance thereto
11 a sign identifying it as an institute of learning. Wording on sign
12 shall be in plain letters at least three (3) inches high and at
13 least one (1) inch wide.

14 SECTION 2. AMENDATORY 59 O.S. 2021, Section 199.8, is
15 amended to read as follows:

16 Section 199.8 A. Each person training as an apprentice shall
17 be required to have the same qualifications as a student for
18 admission into a cosmetology or barber school, and shall be
19 registered with the State Board of Cosmetology and Barbering before
20 commencing the training.

21 B. No apprentice shall engage in any of the practices of
22 cosmetology or barbering except under the immediate supervision of a
23 licensed instructor in a cosmetology or barber establishment
24 approved by the Board for apprentice training.

1 C. All apprentices must wear a badge which designates them as
2 an apprentice and is furnished by the Board with the apprentice
3 registration receipt.

4 D. Only one apprentice may be registered to receive training in
5 any cosmetology or barber establishment at any one time.

6 E. Completion of three thousand (3,000) hours of apprentice
7 training in a cosmetology or barber establishment is the equivalent
8 of one thousand five hundred (1,500) hours' training in a
9 cosmetology or barber school and shall entitle the apprentice to
10 take the examination.

11 F. 1. A student who has completed one thousand (1,000) hours
12 of instruction in a cosmetology or barber school or vocational,
13 trade, and industrial cosmetology and barbering classes in public
14 schools, parochial schools, private schools, or home schools shall
15 be eligible to complete their remaining five hundred (500) hours of
16 instruction as a student apprentice in a cosmetology or barber
17 establishment under the supervision of a licensed cosmetologist or
18 barber who has at least five (5) years' experience practicing in a
19 licensed establishment.

20 2. A student apprentice shall be entitled to receive fair
21 compensation for the work performed under the direction of the
22 licensed cosmetologist or barber. The Board shall promulgate rules
23 outlining compensation details for student apprentice work
24 performed.

1 3. Upon verification that the student apprentice has completed
2 five hundred (500) hours of instruction under the direction of a
3 licensed cosmetologist or barber and has met the eligibility
4 requirements as provided for in Section 199.7 of this title, the
5 Board shall allow the student apprentice to take the examination for
6 licensure.

7 SECTION 3. This act shall become effective November 1, 2024.

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