

1 **SENATE FLOOR VERSION**

2 February 26, 2024

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1475

6 By: Bergstrom

7 [cosmetology and barbering - licenses - rules -
8 certificates - requirements - services - cosmetology
9 and barbering schools - instruction - inspections -
expiration and renewal - license fees - licenses and
certificate holders - codification - effective date]

10
11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 59 O.S. 2021, Section 199.1, is
14 amended to read as follows:

15 Section 199.1. As used in the Oklahoma Cosmetology and
16 Barbering Act:

17 1. "Apprentice" means a person who is engaged in learning the
18 practice of cosmetology or barbering in a cosmetology or barbering
19 establishment;

20 2. "Barber" or "barber stylist" means any person who engages in
21 the practice of barbering;

22 3. "Barbering" means ~~any one or any combination of the~~
23 following practices, when done upon the upper part of the human body
24 for cosmetic purposes and when done for payment either directly or

1 indirectly for the general public, ~~constitutes~~ constitute the
2 practice of barbering, to wit: Shaving or trimming the beard or
3 cutting the hair; giving facial or scalp massages or treatment with
4 oils, creams, lotions or other preparations, either by hand or
5 mechanical appliances; singeing, shampooing or applying lighteners
6 or color to the hair or applying hair tonics; applying cosmetic
7 preparations, antiseptics, powders, oils, clays or lotions to scalp,
8 face, neck or upper part of the body; and removing superfluous hair
9 from the face, neck or upper part of the body;

10 4. "Barber establishment" means an establishment or place of
11 business where one or more persons are engaged in the practice of
12 barbering, but shall not include barber schools or colleges;

13 5. "Barber school" or "barber college" means an establishment
14 operated for the purpose of teaching barbering;

15 6. "Blow-dry styling" means the practice of shampooing,
16 conditioning, drying, arranging, curling, straightening, or styling
17 hair using mechanical devices, hairsprays, and topical agents
18 including, but not limited to, balms, oils, and serums. Blow-dry
19 styling shall include the use and styling of hair extensions, hair
20 pieces, and wigs. Blow-dry styling shall not include cutting hair
21 or the application of dyes, bleach, reactive chemicals, keratin
22 treatments, or other preparations for the coloring and altering of
23 hair structure. Individuals solely practicing blow-dry styling as

24

1 defined in this paragraph shall not be required to hold a license or
2 certification under the Oklahoma Cosmetology and Barbering Act;

3 7. "Board" means the State Board of Cosmetology and Barbering;

4 ~~7.~~ 8. "Cosmetic studio" means any place or premises where
5 demonstrators give demonstrations, without compensation, for the
6 purpose only of advertising and selling cosmetics. Cosmetic studios
7 providing any place or premises where demonstrators give
8 demonstrations as defined in this paragraph shall not be required to
9 hold a license or certification under the Oklahoma Cosmetology and
10 Barbering Act;

11 ~~8.~~ 9. "Cosmetician" means a person ~~licensed by the Board to~~
12 ~~perform~~ who performs patron services limited to hair arranging and
13 application of makeup, including, but not limited to, using
14 hairstyling tools and products. ~~Services must be performed in a~~
15 ~~licensed establishment~~ Individuals solely acting as a cosmetician as
16 defined in this paragraph shall not be required to hold a license or
17 certification under the Oklahoma Cosmetology and Barbering Act;

18 ~~9.~~ 10. "Cosmetology" means ~~any one or combination of the~~
19 practices generally and usually performed by and known as the
20 occupation of beauticians, beauty culturists, beauty operators,
21 ~~cosmeticians,~~ cosmetologists, or hairdressers or of any other person
22 holding himself or herself out as practicing cosmetology by whatever
23 designation and within the meaning of the Oklahoma Cosmetology and
24 Barbering Act and in or upon whatever place or premises.

1 Cosmetology shall include, but not be limited to, any one or
2 combination of the following practices: bleaching, cleansing,
3 curling, cutting, coloring, dressing, removing, singeing, styling,
4 waving, or similar work upon the hair of any person by any means,
5 whether with hands or mechanical or electrical apparatus or
6 appliances. Nothing in the Oklahoma Cosmetology and Barbering Act
7 shall be construed to prohibit the use of hands or mechanical or
8 electrical apparatus or appliances for the nonpermanent removal of
9 hair from the human body without puncturing of the skin or the use
10 of cosmetic preparations, antiseptics, tonics, lotions, or creams,
11 or massaging, cleansing, stimulating, exercising, beautifying, or
12 similarly working the scalp, face, neck, arms, or the manicuring of
13 the nails of any person, exclusive of such of the foregoing
14 practices as are within the scope of practice of the healing arts as
15 provided by law;

16 ~~10.~~ 11. "Cosmetology establishment" means an establishment or
17 place of business where one or more persons are engaged in the
18 practices of cosmetology but shall not include cosmetology schools
19 or colleges;

20 ~~11.~~ 12. "Cosmetology or barber school/college" means any place
21 or premises where instruction in any or all the practices of
22 cosmetology or barbering is given. Any person, firm, institution or
23 corporation, who holds himself, herself or itself out as a school to
24 teach and train, or any person, firm, institution or corporation who

1 shall teach and train any other person or persons in any of the
2 practices of cosmetology or barbering is hereby declared to be
3 engaged in operating a cosmetology and/or barber school, and shall
4 be subject to the provisions of the Oklahoma Cosmetology and
5 Barbering Act. Licensed cosmetology and/or barber schools may offer
6 education to secondary and postsecondary students in this state;

7 ~~12.~~ 13. "Demonstrator" means a person who is not licensed in
8 this state as an operator or instructor and who demonstrates any
9 cosmetic preparation. ~~The person shall be required to obtain a~~
10 ~~Demonstrator license and pass a state written exam relating to~~
11 ~~general safety and sanitation from the Board before making any such~~
12 ~~demonstrations~~ An individual solely acting as a demonstrator as
13 defined in this paragraph shall not be required to hold a license or
14 certification under the Oklahoma Cosmetology and Barbering Act;

15 14. "Eyelash extension application" means the application,
16 removal, and trimming of threadlike natural or synthetic fibers to
17 an eyelash. Eyelash extension application shall include the
18 cleaning of lashes. Eyelash extension application shall not include
19 color agents, straightening agents, permanent wave solutions,
20 bleaching agents, or any other service that may be considered under
21 the practice of cosmetology;

22 15. "Eyelash extension demonstrator" means a person certified
23 by the Board or a manufacturer of eyelash extension application
24 products. The person shall pass a state written exam relating to

1 general safety and sanitation from the Board. No establishment
2 licensing and inspection requirements pursuant to this act shall be
3 required of an establishment where a person performs eyelash
4 extension application services as long as no other services
5 requiring a license under this act are being performed;

6 16. "Eyelash extension specialist" means a person certified by
7 the Board to perform eyelash extension application. The person
8 shall pass a state written exam relating to general safety and
9 sanitation from the Board. No establishment licensing and
10 inspection requirements pursuant to this act shall be required of an
11 establishment where a person performs eyelash extension application
12 services as long as no other services requiring a license under this
13 act are being performed;

14 ~~13.~~ 17. "Facial/Esthetics instructor" means a person licensed
15 by the Board as a qualified teacher of the art and science of facial
16 and esthetics theory and practice;

17 ~~14.~~ 18. "Facialist/Esthetician" means any person who gives
18 facials for compensation;

19 ~~15.~~ 19. "Hairbraiding technician" means a person ~~certified by~~
20 ~~the Board to perform~~ who performs hairbraiding, hairweaving
21 techniques, and hair extensions in a licensed cosmetology
22 establishment. An individual solely acting as a hairbraiding
23 technician as defined in this paragraph shall not be required to
24

1 hold a license or certification under the Oklahoma Cosmetology and
2 Barbering Act;

3 20. "Hairbraiding" means the service of twisting, wrapping,
4 weaving, extending, locking, or braiding hair by hand or with
5 mechanical devices. Hairbraiding shall include the use of natural
6 or synthetic hair extensions, natural or synthetic hair and fibers,
7 decorative beads or other hair accessories, or twisting, wrapping,
8 weaving, extending, locking, or braiding hair, or the making of wigs
9 from natural hair, natural fibers, synthetic fibers, or hair
10 extensions. Hairbraiding shall include the use of topical agents
11 such as conditioners, gels, moisturizers, oils, pomades, and
12 shampoos. Hairbraiding shall not include the application of dyes,
13 reactive chemicals, or other preparations to alter the color of the
14 hair or to straighten, curl, or alter the structure of the hair or
15 the use of chemical hair jointing agents such as synthetic tape,
16 keratin bonds, or fusion bonds. Hairbraiding shall not be
17 considered the practice of cosmetology. Individuals solely
18 practicing hairbraiding as defined in this paragraph shall not be
19 required to hold a license or certification under the Oklahoma
20 Cosmetology and Barbering Act;

21 ~~16.~~ 21. "Hybrid learning" means courses that combine face-to-
22 face classroom instruction with ~~en-line~~ online, computer-based
23 learning;

24

1 ~~17.~~ 22. "Makeup application" means the application of a
2 cosmetic to enhance the appearance of the face or skin including,
3 but not limited to, powder, foundation, rouge, eyeshadow, eyeliner,
4 mascara, or lipstick. Makeup application shall include the
5 application of makeup applied using an airbrush. Makeup application
6 shall not include the application of permanent makeup or tattooing;

7 23. "Manicurist/Nail technician" means a person who gives
8 manicures, gives pedicures, or applies artificial nails;

9 ~~18.~~ 24. "Manicurist/Nail technician instructor" means a person
10 licensed by the Board as a qualified teacher of the art and science
11 of nail technology theory and practice;

12 25. "Master barber" means any person who has engaged in the
13 practice of barbering for a period no less than fifteen (15) years.
14 A master barber may provide instruction to no more than two
15 registered apprentices at any one time;

16 ~~19.~~ 26. "Master barber instructor" means a person who gives
17 instruction in barbering or any practices thereof;

18 ~~20.~~ 27. "Master cosmetology instructor" means a person who
19 gives instruction in cosmetology or any practices thereof;

20 ~~21.~~ 28. "Postsecondary institution" means a school licensed to
21 teach students according to prescribed curriculum as in paragraph 1
22 of subsection G of Section 199.7 of this title and in Board rule
23 175:10-3-34(a);

1 ~~22.~~ 29. "Public school" means any state-supported institution
2 conducting a cosmetology program;

3 ~~23.~~ 30. "Secondary institution" means a school licensed to
4 teach students eligible for credit of five hundred (500) hours of
5 related subjects as prescribed in paragraph 2 of subsection G of
6 Section 199.7 of this title and in Board rule 175:10-3-34(b); and

7 ~~24.~~ 31. "Student" means a person who is enrolled in and
8 attending a cosmetology or barbering school for the purpose of
9 learning the practice of cosmetology or barbering.

10 SECTION 2. AMENDATORY 59 O.S. 2021, Section 199.3, is
11 amended to read as follows:

12 Section 199.3. A. In order to safeguard and protect the health
13 and general welfare of the people of ~~the State of Oklahoma~~ this
14 state, the State Board of Cosmetology and Barbering is hereby vested
15 with the powers and duties necessary and proper to enable it to
16 fully and effectively carry out the provisions of the Oklahoma
17 Cosmetology and Barbering Act.

18 B. The Board shall have the powers and duties to:

19 1. Promulgate rules pursuant to the Administrative Procedures
20 Act relating to standards of sanitation which must be observed and
21 practiced by all cosmetology and barber establishments, cosmetology
22 or barber schools, master cosmetology instructors, master barber
23 instructors, barbers, apprentices, students, and board licensees.

24 The Board shall furnish copies of the rules to the owner or manager

1 of each cosmetology school, barber school and cosmetology and barber
2 establishment operating in this state. It shall be the duty of each
3 owner or manager to post a copy of the rules in a conspicuous place
4 in each of the establishments or schools;

5 2. Conduct examinations of applicants for certificates of
6 registration as manicurists, cosmetologists, facial operators,
7 ~~hairbraiding technician,~~ manicurist/nail technician instructor,
8 facial/esthetics instructor, master cosmetology instructor,
9 ~~cosmetician,~~ barber, or barber instructor at such times and places
10 determined by the Board. Applications for all examinations shall be
11 made on forms approved by the Board;

12 3. Keep a record of all its proceedings. The Board shall keep
13 a record of all applicants for certificates, licenses and permits,
14 showing the name of the applicant, the name and location of the
15 place of occupation or business, if any, and the residence address
16 of the applicant, and whether the applicant was granted or refused a
17 certificate, license or permit. The records of the Board shall be
18 valid and sufficient evidence of matters contained therein, shall
19 constitute public records. Records shall be open to public
20 inspection at all reasonable times and subject to the Oklahoma Open
21 Records Act. Notwithstanding any other provision of law to the
22 contrary, records and information obtained in connection with an
23 investigation of alleged violations, including complaints, identity
24 of a complainant, investigative reports, and documentation or images

1 generated or received during the course of an investigation, shall
2 be confidential and shall not be subject to disclosure;

3 4. Issue all certificates of registration, licenses, permits,
4 notices and orders;

5 5. Establish limited specialty licenses and certificates for
6 ~~cosmetician,~~ facial/esthetics instructor, eyelash extension
7 demonstrator, manicurist/nail technician instructor, master barber
8 instructor, or master cosmetology instructor within the practice of
9 cosmetology or barbering. The Board shall also promulgate rules for
10 special licenses, including but not limited to reduced curriculum
11 requirements, as the Board may deem appropriate and necessary to
12 further the purposes of the Oklahoma Cosmetology and Barbering Act;
13 provided, that the rules promulgated for specialty licenses shall
14 not require training or testing not required in this act;

15 6. Make regular inspections of all cosmetology and barber
16 schools and cosmetology and barber establishments ~~licensed to~~
17 ~~operate~~ operating in this state, and reports thereof shall be kept
18 and maintained in the office of the Board;

19 7. Make investigations and reports on all violations of the
20 Oklahoma Cosmetology and Barbering Act;

21 8. Take samples of beauty supplies for the purpose of chemical
22 analysis; provided, that if the owner demands payment for the sample
23 taken, payment at the regular retail price shall be made;

24

1 9. Refuse, revoke, or suspend licenses, certificates of
2 registration or permits after notice and an opportunity for a full
3 hearing, pursuant to Article II of the Administrative Procedures
4 Act, on proof of violation of any of these provisions or the rules
5 established by the Board;

6 10. Enter into any contracts necessary to implement or enforce
7 the provisions of the Oklahoma Cosmetology and Barbering Act or
8 rules promulgated thereto; and

9 11. Apply to a court of competent jurisdiction for an order
10 enjoining an unlicensed person from practicing cosmetology or
11 barbering or holding himself or herself out as a practitioner of
12 cosmetology or barbering. Injunctive relief granted by the court
13 shall be without bond.

14 C. 1. Any person whose license, certificate of registration,
15 or permit has been suspended or revoked may, after the expiration of
16 thirty (30) days, make application to the Board for reinstatement
17 thereof.

18 2. Reinstatement of any such license, certificate of
19 registration, or permit shall rest in the sound discretion of the
20 Board.

21 3. Any action of the Board in refusing, revoking, or suspending
22 a license, certificate of registration, or permit may be appealed to
23 the district court of the county of the appellant's residence
24 pursuant to the Administrative Procedures Act.

1 D. 1. In any case where a licensee becomes a member of the
2 Armed Forces of the United States, such license shall not lapse by
3 reason thereof but shall be considered and held in full force and
4 effect without further payment of license fees during the period of
5 service in the Armed Forces of the United States and for six (6)
6 months after honorable release therefrom. At any time within six
7 (6) months after honorable release from the Armed Forces of the
8 United States the licensee may resume practice pursuant to a license
9 without other or further examination by notifying the Board in
10 writing.

11 2. The period of time in which the licensee shall have been a
12 member of the Armed Forces of the United States shall not be
13 computed in arriving at the amount of fee or fees due or to become
14 due by such licensee.

15 SECTION 3. AMENDATORY 59 O.S. 2021, Section 199.6, as
16 amended by Section 1, Chapter 57, O.S.L. 2022 (59 O.S. Supp. 2023,
17 Section 199.6), is amended to read as follows:

18 Section 199.6. A. The State Board of Cosmetology and Barbering
19 is hereby authorized to promulgate rules for governing the
20 examination and licensure of cosmetologists, manicurists, nail
21 technicians, estheticians, ~~cosmeticians, hair braiding technicians,~~
22 master cosmetology instructors, manicurist instructors, esthetics
23 instructors, barbers, and master barber instructors. The Board is
24 hereby authorized to promulgate rules to govern the sanitary

1 operation of cosmetology and barbering establishments and to
2 administer fines not to exceed Fifty Dollars (\$50.00) for those
3 licensed and not to exceed Five Hundred Dollars (\$500.00) for those
4 not licensed. Each day a violation continues shall be construed as
5 a separate offense.

6 B. The State Board of Cosmetology and Barbering shall have the
7 power and duty to implement rules of the Board, to issue and renew
8 licenses, to inspect cosmetology and barbering establishments and
9 schools, and to inspect the sanitary operating practices of
10 cosmetology and barbering licensees, including sanitary conditions
11 of cosmetology and barbering establishments and schools.

12 C. It shall be unlawful and constitute a misdemeanor,
13 punishable upon conviction by a fine ~~of~~ not less than Fifty Dollars
14 (\$50.00), nor more than One Hundred Fifty Dollars (\$150.00), or by
15 imprisonment in the county jail for not more than thirty (30) days,
16 or both such fine and imprisonment, for any person, firm, or
17 corporation in this state to:

18 1. Operate or attempt to operate a cosmetology school/college,
19 cosmetology or barber establishment, cosmetology or barber school or
20 college that offers cosmetology, barbering or both without having
21 obtained a license therefor from the State Board of Cosmetology and
22 Barbering;

23

24

1 2. Give or attempt to give instruction in cosmetology or
2 barbering, without having obtained an instructor's license from the
3 Board;

4 3. Practice or offer to practice barbering, cosmetology ~~or,~~
5 manicuring, or eyelash extension application without having obtained
6 a license or certification therefor from the Board;

7 4. ~~Operate a cosmetic studio without having obtained a license~~
8 ~~therefor from the Board;~~

9 5. ~~Demonstrate a cosmetic preparation without having obtained a~~
10 ~~demonstrator's license from the Board~~ Demonstrate as an eyelash
11 extension demonstrator or operate as an eyelash extension specialist
12 without having obtained a certificate from the Board;

13 ~~6.~~ 5. Permit any person in one's employ, supervision, or
14 control to practice cosmetology or barbering unless that person has
15 obtained an appropriate license from the Board;

16 ~~7.~~ 6. Willfully violate any rule promulgated by the Board for
17 the sanitary management and operation of a cosmetology or barber
18 establishment, cosmetology school or barber college; or

19 ~~8.~~ 7. Violate any of the provisions of the Oklahoma Cosmetology
20 and Barbering Act.

21 D. The State Board of Cosmetology and Barbering shall have the
22 authority to levy administrative fines not to exceed Five Hundred
23 Dollars (\$500.00) for persons practicing cosmetology or barbering
24 without a license, and for owners of ~~licensed~~ establishments who

1 allow unlicensed individuals to practice cosmetology or barbering
2 without a license in their establishment. Each day a violation
3 continues shall be a separate offense. The administrative fine
4 shall not exceed a total of Five Hundred Dollars (\$500.00).

5 E. The provisions of the Oklahoma Cosmetology and Barbering Act
6 shall not apply to the following persons while such persons are
7 engaged in the proper discharge of their professional duties:

- 8 1. Funeral directors;
- 9 2. Persons in the Armed Services;
- 10 3. Persons authorized to practice the healing arts or nursing;
- 11 4. Regularly employed sales people working in retail

12 establishments engaged in the business of selling cosmetics in
13 sealed packages; ~~or~~

14 5. Persons employed to render cosmetology or hairstyling
15 services in the course of and incidental to the business or
16 employers engaged in the theatrical, radio, television, or motion
17 picture production industries, modeling, or photography;

18 6. Persons performing blow-dry styling services and no other
19 services requiring a license under this act;

20 7. Persons performing makeup application services and no other
21 services requiring a license under this act; and

22 8. Persons performing hairbraiding services.

23 SECTION 4. AMENDATORY 59 O.S. 2021, Section 199.7, is
24 amended to read as follows:

1 Section 199.7. A. Each cosmetology and barber school shall be
2 licensed annually by the State Board of Cosmetology and Barbering.
3 Application for the first year's license for a cosmetology and
4 barber school shall be accompanied by a fee of Four Hundred Dollars
5 (\$400.00), which shall be retained by the Board if the application
6 is approved and a license is issued. The annual renewal license fee
7 for cosmetology or barber schools shall be One Hundred Twenty-five
8 Dollars (\$125.00).

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

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

23 C. It shall be the duty of the owner or manager of a
24 cosmetology or barber school to enter into a written contract with

1 all students before permitting students to attend any classes.
2 Contracts shall be made out in triplicate, the original copy to be
3 retained by the school, the duplicate to be given to the student,
4 and the triplicate to be filed with the ~~executive director~~ Executive
5 Director of the Board.

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

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

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

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

20 F. There shall be included in the curriculum for cosmetology
21 and barber schools, courses of study in the theory of cosmetology
22 and barbering related theory, studies in manipulative practices,
23 sterilization and sanitation, shop management, and such other
24 related subjects as may be approved by the Board.

1 G. 1. The Board shall adopt a curriculum of required courses
2 of instruction in theory and training of either ~~one thousand five~~
3 ~~hundred (1,500)~~ one thousand (1,000) clock hours or an equivalent
4 number of credit hours as recognized by the United States Department
5 of Education or a regional or national accreditation entity
6 recognized by the United States Department of Education in a basic
7 course to be taught in all cosmetology or barbering schools in the
8 state. The basic cosmetology or barbering course shall be designed
9 to qualify students completing the course to take the examination
10 for a license.

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

22 H. 1. No person shall be eligible to give instruction in
23 cosmetology or barbering unless the person is the holder of a
24 current unrevoked instructor's license issued by the Board. No

1 person shall be eligible to give instruction in eyelash extension
2 application unless the person is the holder of a current unrevoked
3 eyelash extension demonstrator's certificate issued by the Board. A
4 manufacturer of eyelash extension application products shall not be
5 required to obtain a demonstrator's certificate.

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

10 3. Students utilizing hybrid learning programs are included in
11 the total student number as referenced in the ratio in paragraph 2
12 ~~of subsection G~~ of this ~~section~~ subsection.

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

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

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

1 L. 1. Students shall:

2 a. have an eighth-grade education or the equivalent
3 thereof, and

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

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

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

17 4. No person shall be eligible to take the Board-issued
18 examination for a license unless such person is at least seventeen
19 (17) years of age or a high school graduate.

20 M. 1. No student shall be eligible to take the examination for
21 a Board-issued license without furnishing to the Board the affidavit
22 of the owner of the cosmetology or barber school that the student
23 has satisfactorily completed the requirements specified in paragraph
24 1 of subsection F G of this section, except public and private

1 school students who will complete the requirements specified in
2 paragraph 2 of subsection ~~F~~ G of this section by the close of the
3 current school year may take the examination next preceding the end
4 of the school year.

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

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

14 1. Satisfactorily completed all hours required for the
15 appropriate specialty course and an additional one thousand (1,000)
16 instructor training hours or equivalent number of credit hours as
17 recognized by the United States Department of Education or as
18 recognized by a national accreditation entity prescribed by the
19 Board in a cosmetology school in this state; or

20 2. Completed all hours required for the appropriate specialty
21 course, three hundred (300) instructor training hours, prescribed by
22 the Board in a cosmetology school in this state and has been engaged
23 in the practice of cosmetology for at least the preceding two (2)
24 years.

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

4 P. Each cosmetology or barber school shall prominently display
5 in a conspicuous place above or to the side of the entrance thereto
6 a sign identifying it as an institute of learning. ~~Wording~~ The
7 wording on such sign shall be in plain letters at least three (3)
8 inches high and at least one (1) inch wide.

9 SECTION 5. AMENDATORY 59 O.S. 2021, Section 199.8, is
10 amended to read as follows:

11 Section 199.8. A. Each person training as an apprentice shall
12 be required to have the same qualifications as a student for
13 admission into a cosmetology or barber school, and shall be
14 registered with the State Board of Cosmetology and Barbering before
15 commencing the training.

16 B. No apprentice shall engage in any of the practices of
17 cosmetology or barbering except under the immediate supervision of a
18 licensed instructor in a cosmetology or barber establishment
19 approved by the Board for apprentice training.

20 C. All apprentices ~~must~~ shall wear a badge which designates
21 them as an apprentice and is furnished by the Board with the
22 apprentice registration receipt.

23 D. Only ~~one apprentice~~ two apprentices may be registered to
24 receive training in any cosmetology or barber establishment at any

1 one time. An apprentice registered to receive training in any
2 cosmetology or barber establishment may receive compensation during
3 his or her training.

4 E. Completion of ~~three thousand (3,000)~~ two thousand two
5 hundred fifty (2,250) hours of apprentice training in a cosmetology
6 or barber establishment is the equivalent of ~~one thousand five~~
7 ~~hundred (1,500)~~ one thousand (1,000) hours' training in a
8 cosmetology or barber school and shall entitle the apprentice to
9 take the examination.

10 SECTION 6. AMENDATORY 59 O.S. 2021, Section 199.9, is
11 amended to read as follows:

12 Section 199.9. A. The State Board of Cosmetology and Barbering
13 shall not issue a license for a cosmetology or barber establishment
14 until an inspection has been made of the salon and equipment,
15 including the sanitary facilities thereof. Temporary approval
16 pending inspection may be made upon sworn affidavit by the license
17 applicant that all requirements have been met. No license shall be
18 issued for a cosmetology or barber establishment to be operated in a
19 private home or residence unless the salon is located in a room or
20 rooms not used or occupied for residential purposes.

21 B. 1. Except as otherwise provided in the Oklahoma Cosmetology
22 and Barbering Act, it shall be unlawful for any person to practice
23 cosmetology or barbering in any place other than a licensed
24 establishment or school licensed by the Board. A person may provide

1 services outside of a licensed establishment if his or her services
2 do not require licensing under this act and shall not be required to
3 receive an establishment license for the facility where his or her
4 services are being provided and may work in a licensed
5 establishment.

6 2. In an emergency such as illness, invalidism, or death, a
7 licensed operator may perform cosmetology or barbering services for
8 a person by appointment in a place other than a licensed cosmetology
9 or barber establishment or cosmetology or barber school.

10 C. A person licensed as a cosmetologist may perform cosmetology
11 services in a barber establishment. A person licensed as a barber
12 may perform barbering services in a cosmetology establishment. Any
13 salon which provides both cosmetology and barbering services must
14 obtain a license from the Board.

15 SECTION 7. AMENDATORY 59 O.S. 2021, Section 199.10, is
16 amended to read as follows:

17 Section 199.10. A. All licenses issued under the provisions of
18 the Oklahoma Cosmetology and Barbering Act shall be issued for a
19 period of one (1) year. The expiration date of the license shall be
20 the last day of the month in which the applicant's birthday falls.
21 The public display of a licensee's personal residential address on
22 the face of any license issued pursuant to the provisions of the
23 Oklahoma Cosmetology and Barbering Act shall be prohibited on and
24 after July 1, 2016, and such personal address information, if

1 ~~publically~~ publicly displayed on a valid license, may be redacted by
2 the licensee until the license is renewed and no longer bears his or
3 her personal residential address.

4 B. Applications for renewal must be made on or before the last
5 day of the month in which the applicant's birthday falls, and shall
6 be accompanied by the appropriate fees.

7 C. Any person who fails to renew the license within the
8 required time may make application for renewal at any time within
9 five (5) years from the expiration date of the license by paying the
10 regular renewal license fee and a late fee of Ten Dollars (\$10.00),
11 which becomes due two (2) months after the expiration date.

12 D. Any person who fails to renew within the required time may
13 make application with subsequent renewal and penalty fees.

14 E. Before a person may take an examination to renew an expired
15 license after a period of five (5) years, such person shall register
16 in a cosmetology or barber school for the given number of review
17 hours in accordance with the following timetable and schedule based
18 upon the type of license held.

19	Expired Five	Review
20 License Type	Years or More	Hours Required
21 Basic Cosmetologist		250 hours
22 Barber		250 hours
23 Master Cosmetology		
24 Instructor		100 hours

1	Master Barber	
2	Instructor	100 hours
3	Facial/Esthetics	
4	Instructor	100 hours
5	Manicurist/Nail	
6	Technician	
7	Instructor	100 hours
8	Manicurist	100 hours
9	Facial Operator	100 hours
10	Cosmetician	100 hours
11	Hairbraiding	
12	 Technician	100 hours

13 F. Each person holding a license shall notify the Board of any
14 change in the mailing address of such person within thirty (30) days
15 after any change.

16 SECTION 8. AMENDATORY 59 O.S. 2021, Section 199.14, is
17 amended to read as follows:

18 Section 199.14. A. ~~The~~ After the effective date of this act,
19 the following fees shall be charged by the State Board of

20 Cosmetology and Barbering:

21	Registration as a student.....	\$	5.00	<u>10.00</u>
22	Examination for license		35.00	<u>50.00</u>
23	Cosmetology and Barber school license (initial).....			400.00
24	Cosmetology and Barber school license (renewal).....			125.00

1	Apprentice Registration.....	10.00	
2	Renewal Advanced Operator license (annual)	25.00	<u>40.00</u>
3	Facial Operator license (annual)	25.00	<u>40.00</u>
4	Cosmetology license (annual)	25.00	<u>40.00</u>
5	Barber license (annual)	25.00	<u>40.00</u>
6	Manicurist license (annual)	25.00	<u>40.00</u>
7	<u>Eyelash Extension Specialist certificate.....</u>	<u>40.00</u>	
8	<u>Eyelash Extension Demonstrator certificate.....</u>	<u>40.00</u>	
9	Facial/Esthetics Instructor license (annual)	30.00	<u>45.00</u>
10	Cosmetician license (annual).....	25.00	
11	Manicurist/Nail Technician Instructor license (annual)	30.00	
12			<u>45.00</u>
13	Demonstrator license (annual).....	20.00	
14	Master Cosmetology Instructor license (annual)	50.00	
15	Master Barber Instructor license (annual)	50.00	
16	Cosmetology establishment license (initial).....	45.00	<u>60.00</u>
17	Cosmetology establishment license (renewal).....	30.00	<u>45.00</u>
18	Barber establishment license (initial).....	45.00	<u>60.00</u>
19	Barber establishment license (renewal).....	30.00	<u>45.00</u>
20	Cosmetic Studio license (initial).....	50.00	
21	Cosmetic Studio license (renewal).....	30.00	
22	Nail Salon (initial)	45.00	<u>60.00</u>
23	Nail Salon (renewal)	30.00	<u>45.00</u>
24	Reciprocity license (initial).....	30.00	<u>45.00</u>

1	Reciprocity processing fee.....	30.00 <u>40.00</u>
2	Duplicate license (in case of loss or	
3	destruction of original).....	5.00 <u>10.00</u>
4	Notary fee.....	1.00
5	Certification of Records.....	10.00

6 B. In addition to the fees specified in subsection A of this
7 section, the Board shall charge a total penalty of Ten Dollars
8 (\$10.00), as provided for in Section 199.10 of this title.

9 C. Any person licensed as an advanced operator prior to July 1,
10 1985, may renew the advanced cosmetologist license annually by
11 payment of the fee required by this section and by being in
12 compliance with the rules promulgated by the State Board of
13 Cosmetology and Barbering.

14 D. Beginning on November 1, 2025, all licenses renewed annually
15 in this section shall be renewed every two (2) years. The following
16 fees shall be charged:

17	<u>Registration as a student.....</u>	<u>\$10.00</u>
18	<u>Examination for license.....</u>	<u>50.00</u>
19	<u>Cosmetology and Barber school license (initial).....</u>	<u>400.00</u>
20	<u>Cosmetology and Barber school license (renewal).....</u>	<u>250.00</u>
21	<u>Apprentice Registration.....</u>	<u>10.00</u>
22	<u>Renewal Advanced Operator license.....</u>	<u>80.00</u>
23	<u>Facial Operator license.....</u>	<u>80.00</u>
24	<u>Cosmetology license.....</u>	<u>80.00</u>

1	<u>Barber license.....</u>	<u>80.00</u>
2	<u>Manicurist license.....</u>	<u>80.00</u>
3	<u>Eyelash Extension Specialist certificate.....</u>	<u>80.00</u>
4	<u>Eyelash Extension Demonstrator certificate.....</u>	<u>80.00</u>
5	<u>Facial/Esthetics Instructor license.....</u>	<u>90.00</u>
6	<u>Manicurist/Nail Technician Instructor license.....</u>	<u>45.00</u>
7	<u>Master Cosmetology Instructor license.....</u>	<u>100.00</u>
8	<u>Master Barber Instructor license.....</u>	<u>100.00</u>
9	<u>Cosmetology establishment license (initial).....</u>	<u>120.00</u>
10	<u>Cosmetology establishment license (renewal).....</u>	<u>90.00</u>
11	<u>Barber establishment license (initial).....</u>	<u>120.00</u>
12	<u>Barber establishment license (renewal).....</u>	<u>90.00</u>
13	<u>Nail Salon (initial).....</u>	<u>120.00</u>
14	<u>Nail Salon (renewal).....</u>	<u>90.00</u>
15	<u>Reciprocity license (initial).....</u>	<u>90.00</u>
16	<u>Reciprocity processing fee.....</u>	<u>80.00</u>
17	<u>Duplicate license (in case of loss or</u>	
18	<u>destruction of original).....</u>	<u>10.00</u>
19	<u>Notary fee.....</u>	<u>1.00</u>
20	<u>Certification of Records.....</u>	<u>10.00</u>

21 SECTION 9. AMENDATORY 59 O.S. 2021, Section 199.18, is
22 amended to read as follows:

23 Section 199.18. A licensed barber, cosmetologist, hairdresser,
24 manicurist, ~~or certificate holder for hairbraiding~~ certified eyelash

1 extension specialist may provide, upon request of a patron or
2 customer, barbering, cosmetology, hairdresser, manicurist, or
3 ~~hairbraiding~~ eyelash extension application services to the patron or
4 customer, according to such license or certificate authority, in the
5 patron's or customer's private residence. The services authorized
6 by this section shall be provided privately and shall not be subject
7 to inspection, rules or regulations by the State Board of
8 Cosmetology and Barbering; however, the licensee or certificate
9 holder is required to provide such services competently and
10 according to professional standards and in a manner deemed safe and
11 sanitary for the patron or customer. The patron or customer, by
12 requesting such service to be delivered privately in ~~their~~ his or
13 her residence, assumes the liability for the services and any home
14 equipment utilized by the licensee or certificate holder. The
15 patron or customer shall have the right to review the person's
16 license or certificate for validity and authority to perform the
17 services requested. The licensee or certificate holder shall have
18 in ~~their~~ his or her possession a copy of ~~their~~ his or her license or
19 certificate when providing services upon request in a private
20 residence.

21 SECTION 10. This act shall become effective November 1, 2024.

22 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE
23 February 26, 2024 - DO PASS AS AMENDED BY CS
24