
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1259 Session of
2015

INTRODUCED BY SCAVELLO, ARGALL, SCARNATI, RAFFERTY AND COSTA,
MAY 11, 2016

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
MAY 11, 2016

AN ACT

1 Amending the act of May 3, 1933 (P.L.242, No.86), entitled, as
2 amended, "An act to promote the public health and safety by
3 providing for examination, licensing and granting of permits
4 for those who desire to engage in the profession of
5 cosmetology; defining cosmetology, and regulating cosmetology
6 salons, schools, students, apprentices, teachers, managers,
7 manicurists and cosmetologists; conferring powers and duties
8 upon the Commissioner of Professional and Occupational
9 Affairs of the Department of State; providing for appeals to
10 certain courts by applicants and licensees; and providing
11 penalties," further providing for membership of board.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Section 1.1 of the act of May 3, 1933 (P.L.242,
15 No.86), referred to as the Cosmetology Law, added June 30, 1984
16 (P.L.479, No.100) is amended to read:

17 Section 1.1. Membership of Board.--(a) The board shall
18 consist of [thirteen] nine members: [the Commissioner of
19 Professional and Occupational Affairs; the Director of the
20 Bureau of Consumer Protection in the Office of Attorney General,
21 or his designee; three public members appointed by the Governor
22 with the advice and consent of the Senate, which members shall

1 represent the public at large; and eight professional members
2 appointed by the Governor with the advice and consent of the
3 Senate, which members have had at least five years practical
4 and/or managerial experience in the majority of the practices of
5 cosmetology and shall be actively engaged in the profession.]
6 four members appointed by the Governor with the advice and
7 consent of the Senate, one member appointed by the President pro
8 tempore of the Senate, one member appointed by the Minority
9 Leader of the Senate, one member appointed by the Speaker of the
10 House of Representatives, one member appointed by the Majority
11 Leader of the House of Representatives and one member appointed
12 by the Minority Leader of the House of Representatives. No [more
13 than one professional] member shall be currently employed as a
14 vocational education teacher of cosmetology in the public
15 schools. No more than two [professional] members of the board
16 shall be currently affiliated with a private school of
17 cosmetology. No other person who has been affiliated with a
18 private cosmetology school within three years prior to
19 nomination may be nominated. Members currently serving on the
20 board shall continue to serve until the expiration of their
21 terms and until successors are appointed and qualified according
22 to law, but for no longer than six months.

23 (b) [Professional and public members appointed after the
24 expiration of the terms of current board members shall serve the
25 following terms: two professional members and one public member
26 shall serve one year; two professional members and one public
27 member shall serve two years; and two professional members and
28 one public member shall serve three years. Thereafter,
29 professional and public members] Members shall serve three-year
30 terms. No member may serve more than two consecutive terms.

1 (c) [Seven] Five members of the board shall constitute a
2 quorum. The board shall select, from among their number, a
3 chairman, a vice chairman and a secretary.

4 (d) Each [public and professional] member of the board shall
5 be paid reasonable traveling, hotel and other necessary expenses
6 and per diem compensation at the rate of sixty dollars (\$60) for
7 each day of actual service while on board business.

8 (e) A member who fails to attend three consecutive meetings
9 shall forfeit his seat unless the Commissioner of Professional
10 and Occupational Affairs, upon written request from the member,
11 finds that the member should be excused from a meeting because
12 of illness or the death of an immediate family member.

13 (f) In the event that a member of the board dies or resigns
14 during the term of office, a successor shall be appointed in the
15 same way and with the same qualifications as set forth in
16 subsections (a) and (b) and shall hold office for the unexpired
17 term.

18 Section 2. This act shall take effect in 60 days.