

2016 Regular Session

SENATE BILL NO. 112

BY SENATOR BARROW

COSMETOLOGY. Provides relative to the practice of cosmetology. (8/1/16)

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AN ACT

To amend and reenact R.S. 37:563(11), (12), (13), and (14), 589(A), 590(A)(1), and 599(A)(2)(f) and to enact R.S. 37:563(15), and 591.1, relative to the practice of cosmetology; to provide relative to mobile salons; to provide relative to certain definitions, terms, procedures, requirements, effects, certificates of registration, and fees; to provide for the promulgation and adoption of administrative rules; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:563(11), (12), (13), and (14), 589(A), 590(A)(1), and 599(A)(2)(f) are hereby amended and reenacted and R.S. 37:563(15) and 591.1 are hereby enacted to read as follows:

§563. Definitions

As used in this Chapter, the following words shall have the meaning herein ascribed to them, unless the content clearly otherwise indicates:

\* \* \*

(11) **"Mobile salon" means a self-contained facility, where cosmetology is practiced for a fee, that may be moved, towed, or transported from one**

1 **location to another.**

2 **(12)** "Satellite classroom" means a separate classroom location used as  
3 supplemental training space located under the same roof of the main school building  
4 or on the same campus as the administrative center and ~~at least within~~ **within at least**  
5 three hundred feet of the main school building for the purpose of training an  
6 overflow of students who cannot be accommodated at the main school.

7 ~~(12)~~**(13)** "School" means any premises wherein cosmetology is taught.

8 ~~(13)~~**(14)** "Student" means a person registered in a school authorized by the  
9 board to teach cosmetology.

10 ~~(14)~~**(15)** "Teacher" or "instructor" means a person who teaches cosmetology  
11 for direct or indirect compensation, within a school.

12 \* \* \*

13 §589. Certificates of registration for managers

14 A. Any cosmetology salon owner **or mobile salon owner** who is not a  
15 licensed cosmetologist, any manicuring salon owner who is not a licensed  
16 manicurist, and any esthetics salon owner who is not a licensed esthetician shall  
17 employ a manager who is a licensed cosmetologist and who shall not be absent from  
18 the salon more than two working days per week; however, a registered manicurist  
19 may manage a manicuring salon and a registered esthetician may manage an  
20 esthetics salon.

21 \* \* \*

22 §590. Renewal of certificates of registration

23 A.(1) Every beauty shop owner, **mobile salon owner,** booth renter, manager  
24 of a beauty shop, and school shall, on or before January thirty-first of each calendar  
25 year, renew his or its certificate of registration. Every certificate of registration  
26 which has not been timely renewed shall expire on the following first day of March,  
27 at which time the holder of such certificate of registration may have his certificate  
28 renewed only upon fulfilling the requirements provided for by this Chapter and  
29 paying the restoration fee provided in R.S. 37:599.

\* \* \*

§591.1. Mobile salons

A.(1) Beginning January 1, 2017, the board may issue a certificate of registration for the operation of a mobile salon to any applicant who submits an application on a form approved by the board, pays all required fees as provided in R.S. 37:599, and is determined to be in compliance with the provisions of this Chapter.

(2) All requirements that apply to a beauty shop or salon either pursuant to this Chapter or by rule shall also apply to mobile salons, except to the extent that the requirements conflict with this Section or with any rules adopted in accordance with the Administrative Procedure Act by the board pursuant to the provisions of this Section.

B. By December 31, 2016, the board shall adopt rules in accordance with the Administrative Procedure Act to implement the provisions of this Section. Such rules shall include but are not limited to the establishment of minimum specifications for the facilities, technical equipment, environment, supplies, personnel, and procedures for mobile salons.

\* \* \*

§599. Fees

A. The following fees shall be assessed by the board:

\* \* \*

(2) For each initial certificate of registration and each annual renewal of such certificate:

\* \* \*

(f) Beauty shop or salon and mobile salon

(i) Resident \$30.00

(ii) Nonresident \$65.00

(iii) Home care \$30.00

(iv) Initial inspection fee for salon, mobile salon, or booth rental \$25.00

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The original instrument was prepared by Michelle D. Ridge. The following digest, which does not constitute a part of the legislative instrument, was prepared by Mary Dozier O'Brien.

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## DIGEST

SB 112 Reengrossed

2016 Regular Session

Barrow

Present law provides for the regulation of cosmetology in the state of La.

Proposed law provides for the regulation of mobile salons by the La. State Board of Cosmetology ("board") and defines a "mobile salon" as a self-contained facility, where cosmetology is practiced for a fee, that may be moved, towed, or transported from one location to another.

Proposed law provides that beginning on January 1, 2017, the board may issue a certificate of registration for the operation of a mobile salon to any applicant who submits an application on a form approved by the board, pays all required fees, and is determined to be in compliance with laws governing the practice of cosmetology.

Proposed law provides that all requirements that apply to a beauty shop or salon shall also apply to mobile salons, except to the extent that the requirements conflict with proposed law or with any rules adopted by the board pursuant to proposed law.

Proposed law requires that the board adopt rules pursuant to the Administrative Procedure Act to implement the provision of proposed law by December 31, 2016.

Present law provides that any cosmetology salon owner who is not a licensed cosmetologist, any manicuring salon owner who is not a licensed manicurist, and any esthetics salon owner who is not a licensed esthetician shall employ a manager who is a licensed cosmetologist and who shall not be absent from the salon more than two working days per week; however, a registered manicurist may manage a manicuring salon and a registered esthetician may manage an esthetics salon.

Proposed law maintains present law and provides that any mobile salon owner who is not a licensed cosmetologist shall employ a manager who is a licensed cosmetologist and who shall not be absent from the salon more than two working days per week.

Present law provides for the renewal of certificates of registration for every beauty shop owner, booth renter, manager of a beauty shop, and school.

Proposed law maintains present law and provides for the renewal of certificates of registration for every mobile salon owner.

Present law provides for registration and licensing fees of the board.

Proposed law establishes fees for mobile salons for the initial certificate of registration and each annual renewal of such certificate as follows:

(1)	Resident	\$30.00
(2)	Nonresident	\$65.00
(3)	Home care	\$30.00
(4)	Initial inspection fee for mobile salon	\$25.00

Effective August 1, 2016.

(Amends R.S. 37:563(11), (12), (13), and (14), 589(A), 590(A)(1), and 599(A)(2)(f); adds R.S. 37:563(15), and 591.1)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Adopted amendments from the Legislative Bureau that were purely technical.