

SENATE BILL NO. 183

BY SENATOR WHITE

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AN ACT

To amend and reenact R.S. 37:563(6), (8), and (10), 589(A), 594(B)(10), and 600(A)(12), and to repeal R.S. 37:588, relative to the Louisiana Cosmetology Act; to provide for definitions; to provide for registration for managers; to provide for application for school certificate of registration; to provide for denial, suspension, summary suspension, revocation or inactivity of certificate of registration; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:563(6), (8), and (10), 589(A), 594(B)(10), and 600(A)(12) are hereby amended and reenacted 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:

* * *

(6) "Esthetics" means engaging in any one or a combination of the following practices: massaging the face or neck of a person, **dyeing or** trimming eyebrows, ~~dyeing eyelashes or eyebrows~~ **applying natural or artificial enhancements to eyelashes**, hair removal by cosmetic preparations, threading, waxing, or other similar means, stimulating, cleansing, or beautifying the face, neck, arms, bust, upper body, legs, or feet of a person by any method with the aid of the hands or of any mechanical or electrical apparatus, including micro-dermabrasion, epidermabrasion, or particle exfoliation using equipment and methodology approved by the board or by the use of a cosmetic preparation; however, esthetics shall not include the diagnosis, treatment, or therapy of any dermatological condition, or the process of removing hair known as "electrolysis".

* * *

1 (8) "Manicuring" means trimming, filing, decorating, shaping, sculpting, or
 2 in any way caring for the nails and skin of another person's hands or feet together
 3 with massaging the hands, arms, legs, and feet **including pedicuring; however,**
 4 **manicuring shall not include the use of blades or graters for callous or skin**
 5 **removal.**

* * *

7 (10) "Manager" means ~~any a~~ person ~~who~~ **responsible for supervising any**
 8 **facility required to be licensed as a beauty shop or salon where one or more**
 9 **person offers cosmetology services or engages** ~~supervises any person engaged in~~
 10 the practice of cosmetology ~~in a beauty shop or salon.~~

* * *

§589. Certificates of registration for managers

13 A. Any cosmetology salon owner who is not a licensed cosmetologist, any
 14 manicuring salon owner who is not a licensed manicurist, and any esthetics salon
 15 owner who is not a licensed esthetician shall employ ~~a manager~~ **one or more**
 16 **registered managers** who ~~is~~ **shall be** a licensed cosmetologist ~~and who shall not be~~
 17 ~~absent from the salon more than two working days per week;~~ however, a registered
 18 manicurist may manage a manicuring salon and a registered esthetician may manage
 19 an esthetics salon. **A registered manager shall be present at the salon during all**
 20 **hours of operation and shall be responsible for ensuring that all persons**
 21 **practicing cosmetology within the facility are appropriately licensed and follow**
 22 **all applicable laws and rules and regulations.**

* * *

§594. Application for school certificate of registration; change of location; change
of ownership

* * *

27 B. At least thirty days prior to the board meeting, any person desiring to
 28 operate a cosmetology school shall:

* * *

30 (10) For all schools which charge tuition, submit proof of financial

1 responsibility to such extent as may be determined by the board or a surety bond
 2 executed by a company authorized to do business in Louisiana in the amount of ~~five~~
 3 thirty thousand dollars in favor of the state of Louisiana. Such bond shall be used
 4 for the benefit of any students who cannot complete the curriculum due to the closure
 5 of the school, to the extent of the amount of the tuition paid. The board may, at any
 6 time during the operation of a registered school, require additional data to be
 7 submitted in order to satisfy the board of the school's financial responsibility.

8 * * *

9 §600. Grounds for denial, suspension, summary suspension, or revocation of a
 10 certificate of registration

11 A. The board may deny the issuance of, suspend, revoke, or refuse to renew
 12 any certificate of registration or place on probation any registrant, after notice and
 13 opportunity for hearing pursuant to the Administrative Procedure Act, upon proof of
 14 any of the following:

15 * * *

16 (12) Violation of any provision of this Chapter or any rule promulgated
 17 pursuant to the provisions of this Chapter.

18 * * *

19 Section 2. R.S. 37:588 is hereby repealed in its entirety.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____