

2015 Regular Session

HOUSE BILL NO. 711

BY REPRESENTATIVE STUART BISHOP

COSMETOLOGY: Provides relative to the Louisiana Cosmetology Act

1 AN ACT

2 To amend and reenact R.S. 37:586(A)(6), 599(A), and 601, relative to the Louisiana
3 Cosmetology Act; to provide relative to certain examination fees; to provide relative
4 to certificates of registration and permit fees; to provide relative to fines; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 37:586(A)(6), 599(A), and 601 are hereby amended and reenacted
8 to read as follows:

9 §586. Examination of applicants

10 A.

11 * * *

12 (6) An applicant shall be responsible for all costs ~~associated with taking an~~
13 ~~examination at an~~ assessed by the testing service contracted by the board for
14 administering the national theory examination conducted at the board's testing center
15 or at any off-site testing center testing site approved by the board.

16 * * *

17 §599. Fees

18 A.(1) The following fees shall be assessed by the board to each applicant
19 registered for any of the following examinations:

20 (1) ~~For each examination given by the examination team to an applicant:~~

1	(a) Theory <u>National theory</u> examination	\$ 25.00	<u>\$ 35.00</u>
2	(b) Practical examination	\$ 25.00	<u>\$ 35.00</u>
3	(c) <u>State Examination</u>		<u>\$ 35.00</u>
4	(d) <u>Re-take</u> of any examination	\$ 25.00	<u>\$ 35.00</u>
5	(2) For each <u>application for an</u> initial certificate of registration <u>or permit</u> and		
6	each annual renewal of such certificate <u>or permit</u> :		
7	(a) Cosmetologist =General		<u>\$ 35.00</u>
8	(i) Resident	\$ 25.00	
9	(ii) Nonresident	\$ 50.00	
10	(b) Esthetician		<u>\$ 35.00</u>
11	(i) Resident	\$ 25.00	
12	(ii) Nonresident	\$ 50.00	
13	(c) Manicurist		<u>\$ 35.00</u>
14	(i) Resident	\$ 25.00	
15	(ii) Nonresident	\$ 50.00	
16	(d) Teacher		<u>\$ 35.00</u>
17	(i) Resident	\$ 25.00	
18	(ii) Nonresident	\$ 50.00	
19	(e) Manager	\$ 25.00	<u>\$ 35.00</u>
20	(f) Beauty shop or salon		
21	(i) Resident	\$ 30.00	<u>\$ 40.00</u>
22	(ii) Nonresident	\$ 65.00	<u>\$ 85.00</u>
23	(iii) Home care	\$ 30.00	
24	(iv)(iii) Initial inspection fee for salon		
25	or booth rental	\$ 25.00	<u>\$ 35.00</u>
26	(g) Booth rental permit	\$ 25.00	<u>\$ 35.00</u>
27	(h) Special permit	\$ 25.00	<u>\$ 35.00</u>
28	(i) Temporary permit	\$ 25.00	<u>\$ 35.00</u>
29	(3) If a registrant wishes to <u>To</u> restore an expired certificate <u>or permit</u> listed		
30	in Paragraph (2) of this Subsection within three years from the date of expiration, he		

1 ~~shall be assessed a~~ the registrant shall pay a fee equal to twice the applicable fee for
2 each year the certificate was expired, not to exceed three hundred dollars.

3 (4) Student registration upon entering the course, including one "in-state"
4 transfer \$ 20.00

5 ~~(a) Resident \$ 10.00~~
6 ~~upon entering the course~~

7 ~~(b) Nonresident \$ 10.00~~
8 ~~upon entering the course~~

9 (5) Initial certificate of registration for a school \$615.00

10 ~~(a) Resident \$315.00~~

11 ~~(b) Nonresident \$615.00~~

12 (6) Renewal of certificate of registration for a school

13 (a) Resident ~~\$165.00~~ \$200.00

14 (b) Nonresident ~~\$465.00~~ \$500.00

15 (c) Failure to timely renew ~~\$150.00~~ \$200.00

16 (7) ~~If a registrant wishes to~~ To restore an expired certificate listed in
17 ~~Paragraph~~ Paragraphs (5) and (6) of this Subsection within three years from the date
18 of expiration, ~~he shall be assessed a~~ the registrant shall pay a fee equal to twice the
19 renewal fee for each year the certificate was expired in addition to the fee for failure
20 to timely renew.

21 (8) Other school fees:

22 (a) Initial inspection ~~\$100.00~~ \$150.00

23 (b) Final inspection ~~\$300.00~~ \$350.00

24 (c) Change of ownership notice ~~\$ 50.00~~ \$100.00

25 (d) Change of address notice \$100.00

26 (9) Miscellaneous fees:

27 (a) Official certification of records ~~\$ 15.00~~ \$ 25.00

28 (b) Duplicate license ~~\$ 25.00~~ \$ 35.00

29 (c) Copy of booth rental contract form \$ 5.00

30 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 §601. Fines
 2 ~~An inspector~~ The board by resolution may authorize inspectors ~~may to~~ issue
 3 a citation and collect a fine of ~~twenty-five~~ thirty-five dollars per violation of any
 4 provision of this Chapter or rule promulgated by the board in accordance with the
 5 Administrative Procedure Act, up to a maximum of three hundred fifty dollars per
 6 week, from any person, school, or facility, provided that the registrant waives his
 7 rights to a hearing in writing. Each day a violation exists shall be considered a
 8 separate violation.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 711 Engrossed

2015 Regular Session

Stuart Bishop

Abstract: Makes fee changes relative to the La. Cosmetology Act.

Present law provides for the La. Board of Cosmetology, hereinafter the "board", to assess certain fees for examinations, permits, certificates of registration, renewals of such permits or certificates, and violations. Proposed law retains present law.

Present law requires applicants for examinations to pay all costs associated with taking examinations at off-site testing centers. Proposed law changes present law to require applicants to pay the fee assessed by a testing service administering the national theory examination at the board's testing center or at any testing site approved by the board.

Present law requires the board to assess a \$25 fee to applicants for certain examinations and re-takes of such examinations. Proposed law changes the fee from \$25 to \$35. Further requires the \$35 fee to apply to the state examination.

Proposed law clarifies "Theory examination" as the "National theory examination".

Present law provides for fees relative to initial certificates of registration and annual renewal requirements for the following certified persons: (1) Cosmetologists, (2) Estheticians, (3) Manicurists, (4) Teachers, and (5) Managers. Further provides for a respective \$25 or \$50 fee for residents or nonresidents for each set of certified persons, with the exception that all Managers pay \$25 pursuant to present law. Proposed law removes the respective resident and nonresident designations and fees and requires each of these certified persons to pay a \$35 fee for initial certificates of registration and annual renewal of such certificates.

Present law provides for fees relative to certificates of registration and annual renewal requirements for a beauty shop or salon. Further requires a respective \$30 or \$65 fee for a resident or nonresident beauty shop or salon. Proposed law changes the respective resident and nonresident fee payment requirements to \$40 and \$85.

Present law requires a \$30 home care fee. Proposed law deletes present law.

Present law requires a \$25 initial inspection fee for salon or booth rentals, and for booth rental permits, special permits, and temporary permits. Proposed law changes the fee from \$25 to \$35 for each rental or permit.

Proposed law clarifies the present law requirement for persons with expired certificates of registration or permits to pay, within 3 years from the date of certificate expiration, a fee equal to twice the fee described in present law for each year the certificate or permit is expired, not exceeding \$300.

Present law requires fees relative to student registration. Further requires a \$10 fee for a resident or nonresident upon entering the course. Proposed law removes the resident and nonresident designations and fee and requires a \$20 student registration.

Present law requires fees relative to initial certificates of registration for a school. Further requires a respective \$315 or \$615 fee for a resident or nonresident registrant. Proposed law removes the respective resident and nonresident designations and fees and requires a \$615 fee for an initial certificate of registration for a school.

Present law requires fees relative to renewal of certificates of registration for a school. Further requires a respective \$165 or \$465 fee for a resident or nonresident registrant's renewal of such certificate. Proposed law changes the respective resident and nonresident fee payment requirements to \$200 and \$500.

Present law requires a \$150 fee payment for failure to timely renew a certificate of registration for a school. Proposed law changes the fee from \$150 to \$200 for failure to timely renew such certificate.

Proposed law clarifies the present law requirement for persons with expired certificates of registration for a school to pay, within 3 years from the date of certificate expiration, a fee equal to twice the fee described in present law for each year the certificate has been expired, in addition to the fee for failure to timely renew.

Present law requires fees relative to other school fees. Further requires a respective \$100 or \$300 fee for an initial or final inspection of a school. Proposed law changes the respective initial and final inspection fees to \$150 and \$350.

Present law requires a \$50 fee for a school's change of ownership notice. Further requires a \$100 fee for a school's change of address notice. Proposed law changes the \$50 change of ownership notice fee to \$100 and retains the \$100 fee for a change of address notice.

Present law provides for miscellaneous fees. Further requires a \$15 fee for the board's official certification of records, and a \$25 fee for the issuance of a duplicate license. Proposed law changes the certification of records fee from \$15 to \$25, and the duplicate license fee from \$25 to \$35.

Present law requires a \$5 fee for a copy of a booth rental contract form. Proposed law retains present law.

Present law provides for inspections relative to violations resulting in the board's denial, suspension, or revocation of certificates of registration. Proposed law retains present law.

Present law authorizes inspectors to issue citations and collect fines of \$25 for each violation of present law, up to \$300 per week, from any person, school, or facility, provided that the registrant waives his rights to a hearing. Proposed law changes present law and provides that the board, by resolution, may authorize inspectors to issue citations and collect fines of \$35 per violation of provisions in present law and proposed law, up to \$350 per week, from any person, school, or facility, provided that the registrant waives his rights to a hearing.

Present law provides that each violation is a separate violation. Proposed law retains present law.

(Amends R.S. 37:586(A)(6), 599(A), and 601)