

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. 513

By: Shurden

AS INTRODUCED

An Act relating to cosmetology; alphabetizing and renumbering definitions; and clarifying references.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 1991, Section 199.1, as amended by Section 1, Chapter 135, O.S.L. 1994 (59 O.S. Supp. 1998, Section 199.1), is amended to read as follows:

Section 199.1 As used in this act:

1. ~~"Cosmetology" means any one or combination of practices generally and usually performed by and known as the occupation of beauticians, beauty culturists, beauty operators, cosmeticians, cosmetologists or hairdressers, or of any other person holding herself or himself out as practicing cosmetology by whatever designation and within the meaning of this act and in or upon whatever place or premises. Cosmetology shall include, but not be limited to, any one or combination of the following practices: arranging, bleaching, cleansing, curling, cutting, coloring, dressing, removing, singeing, styling, waving, or similar work, upon the hair of any person by any means, and with hands or mechanical or electrical apparatus or appliances. Nothing in this act shall be construed to prohibit the use of any of said devices for the nonpermanent removal of hair from the human body without puncturing the skin, or by the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, massaging, cleansing, stimulating, exercising, beautifying, or similar work, the scalp, face, neck,~~

~~arms, bust, or upper part of the body, or manicuring the nails of any person, exclusive of such of the foregoing practices as come within the scope of the practice of the healing arts as provided by the laws of this state;~~

~~2. "Board" means the State Board of Cosmetology;~~

~~3. "Operator" means any person who engages in, follows or performs any of the practices of cosmetology;~~

~~4. "Instructor" means any person who gives instruction in cosmetology or any practices thereof;~~

~~5. "Student" means a person who is enrolled in and attending a beauty school for the purpose of learning the practice of cosmetology;~~

~~6. "Apprentice" means a person who is engaged in learning the practice of cosmetology in a beauty shop;~~

~~7. "Manicurist" or "manicurist/nail technician" means a person who gives manicures, pedicures or applies artificial nails;~~

~~8. "Demonstrator" means a person who is not licensed in this state as an operator or instructor and who demonstrates any cosmetic preparation by applying the same with his or her hands upon the hair or body of another; provided, the person shall be required to obtain a license from the board before making any such demonstrations;~~

~~9. 2. "Beauty school" means any place or premises where instruction in any or all of the practices of cosmetology is given. Any person, firm, institution or corporation, who shall hold himself or itself out as a school to teach and train, or any person, firm, institution or corporation who shall teach and train any other person or persons in any of the practices of cosmetology is hereby declared to be engaged in operating a beauty school, and shall be subject to the provisions of this act;~~

~~10. "Cosmetic studio" means any place or premises where demonstrators give demonstrations, without compensation, for the purpose only of advertising and selling cosmetics;~~

~~11. "Beauty shop" means any place or premises where any of the practices of cosmetology are performed, except that said term shall not include a "beauty school" or a "cosmetic studio" as herein defined;~~

~~12. "Facial operator" means any person who gives facials for compensation; and~~

~~13. "Public school" means any state-supported institution conducting a cosmetology program.~~

3. "Beauty shop" means any place or premises where any of the practices of cosmetology are performed, except that said term shall not include a "beauty school" or a "cosmetic studio" as herein defined;

4. "Board" means the State Board of Cosmetology;

5. "Cosmetic studio" means any place or premises where demonstrators give demonstrations, without compensation, for the purpose only of advertising and selling cosmetics;

6. "Cosmetology" means any one or combination of practices generally and usually performed by and known as the occupation of beauticians, beauty culturists, beauty operators, cosmeticians, cosmetologists or hairdressers, or of any other person holding herself or himself out as practicing cosmetology by whatever designation and within the meaning of Section 199.1 et seq. of this title and in or upon whatever place or premises. Cosmetology shall include, but not be limited to, any one or combination of the following practices: arranging, bleaching, cleansing, curling, cutting, coloring, dressing, removing, singeing, styling, waving, or similar work, upon the hair of any person by any means, and with hands or mechanical or electrical apparatus or appliances. Nothing in Section 199.1 et seq. of this title shall be construed to prohibit the use of any of said devices for the nonpermanent removal of hair from the human body without puncturing the skin, or by the use of cosmetic preparations, antiseptics, tonics, lotions, or

creams, massaging, cleansing, stimulating, exercising, beautifying, or similar work, the scalp, face, neck, arms, bust, or upper part of the body, or manicuring the nails of any person, exclusive of such of the foregoing practices as come within the scope of the practice of the healing arts as provided by the laws of this state;

7. "Demonstrator" means a person who is not licensed in this state as an operator or instructor and who demonstrates any cosmetic preparation by applying the same with his or her hands upon the hair or body of another; provided, the person shall be required to obtain a license from the State Board of Cosmetology before making any such demonstrations;

8. "Facial operator" means any person who gives facials for compensation; and

9. "Instructor" means any person who gives instruction in cosmetology or any practices thereof;

10. "Manicurist" or "manicurist/nail technician" means a person who gives manicures, pedicures or applies artificial nails;

11. "Operator" means any person who engages in, follows or performs any of the practices of cosmetology;

12. "Public school" means any state-supported institution conducting a cosmetology program; and

13. "Student" means a person who is enrolled in and attending a beauty school for the purpose of learning the practice of cosmetology.