

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1397

By: Gray

AS INTRODUCED

An Act relating to professions and occupations; amending 59 O.S. 1991, Section 199.7, as last amended by Section 8, Chapter 355, O.S.L. 2000 (59 O.S. Supp 2000, Section 199.7), which relates to cosmetology schools; reflecting equivalent credit hours needed for licensure; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 1991, Section 199.7, as last amended by Section 8, Chapter 355, O.S.L. 2000 (59 O.S. Supp. 2000, Section 199.7), is amended to read as follows:

Section 199.7 A. Each cosmetology school shall be licensed annually by the State Board of Cosmetology. Application for the first year's license for a cosmetology school shall be accompanied by a fee of Four Hundred Dollars (\$400.00), which shall be retained by the Board if the application is approved and a license is issued. The annual renewal license fee for cosmetology schools shall be One Hundred Twenty-five Dollars (\$125.00).

B. No license or renewal thereof for a cosmetology school shall be issued unless the owner thereof shall furnish to the Board a good and sufficient surety bond in the principal sum of Two Thousand Dollars (\$2,000.00) for the first instructor and an additional One Thousand Dollars (\$1,000.00) for each additional instructor, executed by a surety company authorized to do business in this state, and conditioned on the faithful performance of the terms and conditions of all contracts entered into between the owner of said cosmetology school and all persons enrolling therein. The surety

bond shall be in a form approved by the Attorney General and filed in the Office of the Secretary of State. Suit may be brought on said bond by any person injured by reason of the breach of the conditions thereof.

C. It shall be the duty of the owner or manager of a cosmetology school to enter into a written contract with all students before permitting students to attend any classes. Contracts shall be made out in triplicate, the original copy to be retained by the school, the duplicate to be given to the student, and the triplicate to be filed with the executive director of the Board.

D. No license for a cosmetology school shall be issued unless the owner thereof shall present evidence satisfactory to the Board that the school has satisfactory facilities and equipment and has instructors qualified to give a course of study as provided in the Oklahoma Cosmetology Act.

E. There shall be included in the curriculum for cosmetology schools, courses of study in the theory of cosmetology and related theory, studies in manipulative practices, sterilization and sanitation, shop management, and such other related subjects as may be approved by the Board.

F. The Board shall adopt a curriculum of required courses of instruction in theory and training of one thousand five hundred (1,500) hours or forty-two (42) credit hours in a basic course of cosmetology to be taught in all cosmetology schools in the state. The basic course shall be designed to qualify students completing the course to take the examination for an operator's license. Students in vocational, trade, and industrial cosmetology classes in public schools shall qualify by completing one thousand (1,000) hours in a basic course of cosmetology and five hundred (500) hours of approved related subjects to be selected from, but not limited to, the following high school courses in a public school:

psychology, biology, general science, American history, art, typing I, typing II, business arithmetic, salesmanship, bookkeeping I, bookkeeping II, related mathematics, English II, English III and English IV.

G. No person shall be eligible to give instruction in cosmetology unless the person is the holder of a current unrevoked instructor's license issued by the Board. Each cosmetology school shall employ at least one instructor for the first fifteen students registered therein, and at least one additional instructor shall be employed for each additional group of fifteen students, or major fraction thereof.

H. A cosmetology school may be operated in and as part of an accredited high school.

I. No cosmetology school owner or cosmetology salon owner shall charge students for cosmetic materials, supplies, apparatus, or machines used by them in practice work, but students shall be required to furnish their own books and hand instruments of trade. A reasonable charge may be made by a cosmetology school for clinical work performed by students upon persons who are not students therein. No instructor shall be permitted to do professional or clinical work in a cosmetology school at any time.

J. No cosmetology salon shall ever be operated in or as a part of a cosmetology school.

K. Students shall have an eighth-grade education or the equivalent thereof, shall be at least sixteen (16) years of age unless they are public or private school students who will be sixteen (16) years of age by November 1 of the year in which cosmetology instruction begins, and shall be of good moral and ethical character. Credit shall not be given to any person by the Board or by a cosmetology school for hours spent in attending a cosmetology school unless the person has registered with the Board as a student prior to the attendance, except that a student who has

attended a cosmetology school out of state may receive credit for such attendance for transfer upon proper certification as provided by rule of the Board. No student shall be credited with more than eight (8) hours' attendance in a cosmetology school in any one (1) day. No person shall be eligible to take the examination for an operator's license unless such person is at least seventeen (17) years of age or a high school graduate.

L. 1. No student shall be eligible to take the examination for an operator's license without furnishing to the Board the affidavit of the owner of the cosmetology school that said student has satisfactorily completed one thousand five hundred (1,500) ~~hours~~ study hours, or forty-two (42) credit hours of the approved basic course, except public and private school students who will complete the one thousand five hundred ~~hour~~ (1,500) hours or the forty-two (42) credit hours of the approved basic course by the close of the current school year may take the examination next preceding the end of the school year.

2. The owner of each cosmetology school shall file a report with the Board on or before the fifth day of each month showing the total number of hours or credits of instruction and training received by each student during the preceding calendar month. Students who are eligible to take the examination shall be given an oral examination if requested by their instructor.

M. No person shall be eligible to register for the examination for an instructor's license unless such person is a high school graduate, or has ~~the equivalent of a high school education~~ obtained a General Equivalency Diploma (G.E.D) as to which the applicant shall qualify by tests to be prescribed by the Board and conducted by qualified examiners selected by the Board, and:

1. Has satisfactorily completed all hours required for the appropriate specialty course and an additional one thousand (1,000)

instructor training hours or thirty-two (32) credit hours prescribed by the Board in a cosmetology school in this state; or

2. Has completed all hours required for the appropriate specialty course, five hundred (500) instructor training hours, prescribed by the Board in a cosmetology school in this state and has been engaged in the practice of cosmetology for at least the preceding two (2) years.

N. The Board shall have the power to conduct examinations around the state at public locations including, but not limited to, vocational-technical campuses.

O. Each cosmetology school shall prominently display in a conspicuous place above or to the side of the entrance thereto a sign bearing the words "BEAUTY SCHOOL", which words shall be in plain letters at least three (3) inches high and at least one (1) inch wide.

SECTION 2. This act shall become effective November 1, 2001.

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