

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

HOUSE BILL HB1852:

Miller (Ray)

AS INTRODUCED

An Act relating to cosmetology; amending 59 O.S. 2001, Section 199.14, as amended by Section 8, Chapter 56, O.S.L. 2003 (59 O.S. Supp. 2003, Section 199.14), which relates to professional fees; increasing certain fees; amending 59 O.S. 2001, Section 199.15, which relates to State Cosmetology Fund; directing disbursement of certain portion of fees; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 59 O.S. 2001, Section 199.14, as amended by Section 8, Chapter 56, O.S.L. 2003 (59 O.S. Supp. 2003, Section 199.14), is amended to read as follows:

Section 199.14 A. The following fees shall be charged by the State Board of Cosmetology:

Registration as an apprentice or student.....	\$ 5.00
Examination for Manicurist, Operator, Instructor, or Facial Operator license.....	15.00
Cosmetology school license (initial).....	400.00
Cosmetology school license (renewal).....	125.00
Renewal Advanced Operator license (annual).....	15.00
	<u>25.00</u>
Facial Operator license (annual).....	15.00
	<u>25.00</u>
Operator license (annual).....	15.00
	<u>25.00</u>
Manicurist license (annual).....	15.00

	<u>25.00</u>
Facial/Esthetics Instructor license (annual).....	20.00
	<u>30.00</u>
Cosmetician license (annual).....	15.00
	<u>25.00</u>
Hairbraiding Technician (annual).....	15.00
	<u>25.00</u>
Manicurist/Nail Technician Instructor (annual).....	20.00
	<u>30.00</u>
Demonstrator license (annual).....	20.00
	<u>30.00</u>
Master Instructor license (annual).....	20.00
	<u>30.00</u>
Cosmetology Salon license (initial).....	35.00
	<u>45.00</u>
Cosmetology Salon license (renewal).....	20.00
	<u>30.00</u>
Cosmetic Studio license (initial).....	40.00
	<u>50.00</u>
Cosmetic Studio license (renewal).....	20.00
	<u>30.00</u>
Reciprocity license (initial).....	30.00
Reciprocity processing fee.....	30.00
Duplicate license (in case of loss or destruction of original).....	5.00
Notary fee.....	1.00
Certification of Records.....	10.00

B. In addition to the fees specified in subsection A of this section, the Board shall charge a total penalty of Ten Dollars (\$10.00), as provided for in Section 199.10 of this title.

C. Any person licensed as an advanced operator prior to July 1, 1985, may renew the advanced cosmetologist license annually by

payment of the fee required by this section and by being in compliance with the rules promulgated by the State Board of Cosmetology.

SECTION 2. AMENDATORY 59 O.S. 2001, Section 199.15, is amended to read as follows:

Section 199.15 A. There is hereby created in the State Treasury for the Oklahoma State Board of Cosmetology a revolving fund to be designated the State Cosmetology Fund. The fund shall be a continuing fund not subject to fiscal year limitations and shall consist of all fees and penalties collected pursuant to the Oklahoma Cosmetology Act or rules promulgated thereto and any other funds obtained or received by the State Board of Cosmetology pursuant to the Oklahoma Cosmetology Act. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and shall be expended by the Board for the purposes of implementing, administering and enforcing the Oklahoma Cosmetology Act. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

B. At the close of each fiscal year the Board shall pay into the General Revenue Fund of the state ten percent (10%) of the gross fees and penalties so charged, collected and received by the Board. Other than the ten percent (10%), all fees and penalties charged and monies collected and received, ~~are~~ are hereby dedicated, appropriated and pledged to the accomplishment and fulfillment of the purposes of the Oklahoma Cosmetology Act.

C. All expenses, per diem, salaries, wages, travel, rents, printing, supplies, maintenance, and other costs incurred by the Board in the performance of its duty and in accomplishment and fulfillment of the purposes of the Oklahoma Cosmetology Act shall be a proper charge against and paid from the State Cosmetology Fund. In no event shall any claim or obligation accrue against the State

of Oklahoma nor against the Cosmetology Fund in excess of the ninety percent (90%) or the amount of fees and penalties collected and paid into the State Treasury pursuant to the provisions of the Oklahoma Cosmetology Act.

D. Beginning July 1, 2004, the first three (3) years of revenue from the increased fees provided for in Section 1 of this act shall be deposited to the General Revenue Fund of the State Treasury. This revenue is in addition to the ten percent (10%) collected in subsection B of this section. Beginning July 1, 2007, all revenue from the increased fees provided for in Section 1 of this act shall be deposited to the State Cosmetology Fund.

SECTION 3. This act shall become effective July 1, 2004.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

49-2-8153 SB 01/08/04