

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4
5 By: Senator B. Ballinger

A Bill

SENATE BILL 157

For An Act To Be Entitled

8 AN ACT TO REPEAL LICENSURE FOR ELECTROLOGISTS; AND
9 FOR OTHER PURPOSES.

Subtitle

12 TO REPEAL LICENSURE FOR ELECTROLOGISTS.

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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

17
18 SECTION 1. Arkansas Code § 17-26-102(4), concerning the definition of
19 "electrologist" regarding cosmetology and related occupations, is repealed.

20 ~~(4) "Electrologist" means any person who permanently removes~~
21 ~~hair from or destroys hair on the human body for beautification by the use of~~
22 ~~an electric needle or by the use of any other kinds of devices or appliances~~
23 ~~designed to permanently remove hair from the human body;~~

24
25 SECTION 2. Arkansas Code § 17-26-103(a), concerning the scope of the
26 licensing of cosmetology and related occupations, is amended to read as
27 follows:

28 (a) The following persons are exempt from this chapter:

29 (1) All persons authorized by the laws of this state to practice
30 medicine, surgery, dentistry, pharmacy, osteopathy, chiropractic,
31 naturopathy, or podiatry;

32 (2) Barbers insofar as their usual and ordinary vocation and
33 profession is concerned;

34 (3) Employees employed to render cosmetological services in the
35 course of and incidental to the business of employers engaged in the
36 theatrical, radio, television, or motion picture production industry;



1 (4) Individuals and employees rendering cosmetological services
2 in the course of, in connection with, and incidental to the preparation of
3 bodies for burial, or the business of embalmers and undertakers;

4 (5) Direct-care staff as defined in § 20-10-1401 who provide
5 routine personal hygiene and related daily care services to residents of
6 nursing facilities as defined in § 20-10-1401 and for which the fee is
7 included in the monthly facility charges; ~~and~~

8 (6) Relatives of residents of nursing facilities as defined in §
9 20-10-1401 who provide cosmetological services to a related resident of a
10 nursing facility; and

11 (7) A person who permanently removes hair from or destroys hair
12 on the human body for beautification by the use of an electric needle or by
13 the use of any other kinds of devices or appliances designed to permanently
14 remove hair from the human body.

15
16 SECTION 3. Arkansas Code §§ 17-26-306 and 17-26-307 are repealed.

17 ~~17-26-306. Electrologists—Prerequisites to examination.~~

18 ~~The Department of Health shall admit to examination for a license as an~~
19 ~~electrologist a person who has made application to the department in proper~~
20 ~~form, has paid the fee required, and who:~~

21 ~~(1) Is not less than eighteen (18) years of age;~~

22 ~~(2) Has completed the twelfth grade or an accredited senior high~~
23 ~~school in the public schools of this state or its equivalent; and~~

24 ~~(3) Has completed one (1) of the following:~~

25 ~~(A) A course of three hundred fifty (350) hours of~~
26 ~~practical training as a student in conjunction with a course of one thousand~~
27 ~~five hundred (1,500) hours in cosmetology or for a licensed cosmetologist;~~

28 ~~(B) A course of six hundred (600) hours of practical~~
29 ~~training as a student, when not in conjunction with a regular course in~~
30 ~~cosmetology or for a licensed cosmetologist, extending over a period of not~~
31 ~~less than four (4) months under the immediate supervision of a licensed~~
32 ~~electrologist instructor in a school of cosmetology;~~

33 ~~(C) The prescribed course of study in electrology under~~
34 ~~the laws of another state whose licensing requirements are equal to or~~
35 ~~stricter than those in Arkansas; or~~

36 ~~(D) Training and practice in electrology for a period as~~

1 shall be specified by rules of the State Board of Health.

2
3 ~~17-26-307. Electrology instructors—Prerequisites to examination.~~

4 ~~The Department of Health shall admit to examination for license as an~~
5 ~~electrology instructor any person who has made application to the department~~
6 ~~in proper form, has paid the fee required, and who:~~

- 7 ~~(1) Is not less than twenty one (21) years of age;~~
- 8 ~~(2) Holds a valid Arkansas license as an electrologist; and~~
- 9 ~~(3) Has had three (3) years of practical experience as an~~

10 ~~electrologist in the State of Arkansas within the past five (5) years.~~

11
12 SECTION 4. Arkansas Code § 17-26-315 is amended to read as follows:

13 17-26-315. Reciprocity.

14 Upon application to the Department of Health in the form provided for
15 the particular class of license applied for, accompanied by the required fee,
16 a person licensed as a cosmetologist, ~~electrologist~~, manicurist,
17 aesthetician, or instructor under the laws of another state shall be granted
18 a license to practice the occupation or occupations in this state not of
19 greater scope than the occupation or occupations for which the applicant was
20 previously licensed in the other state, upon the following conditions:

21 (1) That the applicant for a license as a cosmetologist,
22 manicurist, or aesthetician is ~~not less than~~ eighteen (18) years of age or
23 older, and the applicant for a license as an instructor ~~or electrologist~~ is
24 ~~not less than~~ twenty-one (21) years of age or older;

25 (2) That the applicant holds a current valid license upon
26 application for reciprocity, evidenced by a certified copy of the license and
27 an affidavit from the other state or by such other evidence as the department
28 may require;

29 (3) That the applicant has passed an examination comparable to
30 the examination given in this state; and

31 (4) That the applicant passes an Arkansas law examination under
32 this chapter.

33
34 SECTION 5. Arkansas Code § 17-26-317(a)(1), concerning notice of
35 address change for cosmetology and related occupational licensing, is amended
36 to read as follows:

1 (a)(1) Every registered cosmetologist manager-operator, cosmetologist,
 2 ~~electrologist~~, manicurist, or aesthetician, unless operating a mobile salon
 3 as defined under § 17-26-102, within thirty (30) days after changing the
 4 address of his or her place of business as designated on the books of the
 5 Department of Health, shall notify the department of his or her new place of
 6 business.

7
 8 SECTION 6. Arkansas Code § 17-26-319(a), concerning the expiration,
 9 renewal, and reinstatement of licenses in cosmetology and related
 10 occupations, is amended to read as follows:

11 (a) Licenses of cosmetologists, instructors, ~~electrologists~~,
 12 aestheticians, and manicurists shall expire on the licensee's birthday on a
 13 biennial basis.

14
 15 SECTION 7. Arkansas Code § 17-26-319(f), concerning the expiration,
 16 renewal, and reinstatement of licenses in cosmetology and related
 17 occupations, is amended to read as follows:

18 (f)(1) The department is authorized and directed to renew, upon
 19 application and the payment of the necessary fees, the license of a
 20 cosmetologist, manicurist, aesthetician, ~~instructor, or electrologist~~ or
 21 instructor who is also a veteran of war who possessed the license but
 22 permitted it to lapse.

23 (2) The renewal license shall be issued without the applicant's
 24 being required to submit to any examination or to meet any additional
 25 schooling requirements.

26
 27 SECTION 8. Arkansas Code § 17-26-401(b), concerning license
 28 requirements for cosmetological schools and establishments, is amended to
 29 read as follows:

30 (b) It shall be unlawful for any person to employ or to allow to be
 31 employed any person not licensed by the Cosmetology Technical Advisory
 32 Committee in or about a cosmetological establishment as a cosmetologist
 33 manager-operator, ~~or as a manicurist, or as an electrologist,~~ or as an
 34 aesthetician.

35
 36 SECTION 9. Arkansas Code § 17-26-417(a), concerning student work at

1 cosmetological schools and establishments, is amended to read as follows:

2 (a) In each licensed school of cosmetology:

3 (1) A student for a license as a cosmetologist, after one
4 hundred fifty (150) hours of instruction, may engage, in the school as a
5 student, in work connected with any branch or any combination of the branches
6 of cosmetology taught in the school upon a client who is paying for service
7 or materials;

8 (2) A student for a license as a manicurist, after sixty (60)
9 hours of instruction, may engage, in the school as a student, in work
10 connected with manicuring taught in the school upon a client who is paying
11 for service or materials; and

12 (3) A student for a license as an aesthetician, after sixty (60)
13 hours of instruction, may engage, in the school as a student, in work
14 connected with aesthetics taught in the school upon a client who is paying
15 for service or materials; ~~and~~

16 ~~(4) A student for a license as an electrologist, after sixty~~
17 ~~(60) hours of instruction, may engage, in the school as a student, in work~~
18 ~~connected with electrology taught in the school upon a client who is paying~~
19 ~~for service or materials.~~

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