

Senate Bill 379

By: Senators Stone of the 23rd and Anderson of the 24th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and
2 businesses, so as to change certain provisions relating to barbers and cosmetologists; to
3 provide for definitions; to prohibit a certain methodology for provision of services; to
4 provide for schools of master barber and barber II and establish requirements for each; to
5 revise certain provisions relating to continuing education courses; to allow certain certified
6 instructors to teach in another area upon completion of a course in that area; to require a
7 certificate of registration for each shop, salon, suite, or school of barbering or cosmetology;
8 to prohibit certain activities and to increase the amount of fines that may be imposed by the
9 State Board of Cosmetology and Barbers; to prohibit certain individuals working in a shop,
10 salon, or suite from applying or removing chemicals; to change requirements relating to a
11 shop, salon, or suite operated in a private home; to amend other provisions for purposes of
12 conformity; to provide for related matters; to repeal conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 style="text-align:center">**SECTION 1.**

15 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
16 is amended by revising Chapter 10, relating to barbers and cosmetologists, as follows:

17 style="text-align:center">"CHAPTER 10

18 43-10-1.

19 As used in this chapter, the term:

20 (1) 'Barber apprentice' means an individual who practices barbering under the constant
21 and direct supervision of a licensed master barber.

22 (2) 'Barber II' means an individual who performs any one or more of the following
23 services for compensation:

24 (A) Shaving or trimming the beard;

- 25 (B) Cutting or dressing the hair;
- 26 (C) Giving facial or scalp massages; or
- 27 (D) Giving facial or scalp treatment with oils or cream or other preparations made for
28 this purpose, either by hand or by means of mechanical appliances.
- 29 (3) 'Barbering' means the occupation of shaving or trimming the beard, cutting or
30 dressing the hair, giving facial or scalp massages, giving facial or scalp treatment with
31 oils or cream or other preparations made for this purpose, either by hand or by means of
32 mechanical appliances, singeing and shampooing the hair, coloring or dyeing the hair, or
33 permanently waving, relaxing, or straightening the hair of an individual for
34 compensation.
- 35 (4) 'Beautician' means 'cosmetologist' as such term is defined in this Code section.
- 36 (5) 'Beauty shop' or 'beauty salon' or 'barber shop' or 'salon suite' means any premises
37 where one or more individuals engage in barbering or in the occupation of a
38 cosmetologist.
- 39 (6) 'Board' means the State Board of Cosmetology and Barbers.
- 40 (7) 'Cosmetologist' means any individual who performs any one or more of the following
41 services for compensation:
- 42 (A) Cuts or dresses the hair;
- 43 (B) Gives facial or scalp massages or facial and scalp treatment with oils or cream or
44 other preparations made for this purpose, either by hand or by means of mechanical
45 appliances;
- 46 (C) Sings and shampoos the hair, colors or dyes the hair, or does permanent waving,
47 relaxing, or straightening of the hair;
- 48 (D) Performs the services of a nail technician as defined in paragraph (12) of this Code
49 section; or
- 50 (E) Performs the services of an esthetician as defined in paragraph (8) of this Code
51 section.
- 52 Such individual shall be considered as practicing the occupation of a cosmetologist within
53 the meaning of this Code section; provided, however, that such term shall not mean an
54 individual who only braids the hair by hairweaving; interlocking; twisting; plaiting;
55 wrapping by hand, chemical, or mechanical devices; or using any natural or synthetic
56 fiber for extensions to the hair, and no such individual shall be subject to the provisions
57 of this chapter. Such term shall not apply to an individual whose activities are limited to
58 the application of cosmetics which are marketed to individuals and are readily
59 commercially available to consumers.

60 (8) 'Cosmetology apprentice' means an individual who practices the services of a
 61 cosmetologist under the constant and direct supervision of a licensed master
 62 cosmetologist.

63 ~~(8)~~(9) 'Esthetician' or 'esthetics operator' means an individual who, for compensation,
 64 engages in any one or a combination of the following practices, esthetics, or cosmetic
 65 skin care:

- 66 (A) Massaging the face, neck, décolletage, or arms of an individual;
- 67 (B) Trimming, tweezing, shaping, or threading eyebrows;
- 68 (C) Dyeing eyelashes or eyebrows or applying eyelash extensions; or
- 69 (D) Waxing, threading, stimulating, cleansing, or beautifying the face, neck, arms,
 70 torso, or legs of an individual by any method with the aid of the hands or any
 71 mechanical or electrical apparatus or by the use of a cosmetic preparation.

72 Such practices of esthetics shall not include the diagnosis, treatment, or therapy of any
 73 dermatological condition or medical aesthetics or the use of lasers. Such term shall not
 74 apply to an individual whose activities are limited to the application of cosmetics during
 75 the production of film, television, or musical entertainment or to the application of
 76 cosmetics in a retail environment in which cosmetics are marketed to individuals and are
 77 readily commercially available to consumers.

78 ~~(9)~~(10) 'Hair designer' means an individual who performs any one or more of the
 79 following services for compensation:

- 80 (A) Cuts or dresses the hair; or
- 81 (B) Singes and shampoos the hair, applies a permanent relaxer or straightener to the
 82 hair, or colors or dyes the hair.

83 ~~(9.1)~~(11) 'License' means a certificate of registration or other document issued by the
 84 board or by the division director on behalf of the board pursuant to the provisions of this
 85 chapter permitting an individual to practice in an occupation or operate a school.

86 ~~(10)~~(12) 'Master barber' means an individual who performs any one or more of the
 87 following services for compensation:

- 88 (A) Shaving or trimming the beard;
- 89 (B) Cutting or dressing the hair;
- 90 (C) Giving facial or scalp massages;
- 91 (D) Giving facial or scalp treatment with oils or cream or other preparations made for
 92 this purpose, either by hand or by means of mechanical appliances; or
- 93 (E) Singeing and shampooing the hair, coloring or dyeing the hair, or permanently
 94 waving, relaxing, or straightening the hair.

95 ~~(11)~~(13) 'Master cosmetologist' means a cosmetologist who is possessed of the requisite
 96 skill and knowledge to perform properly all the services set forth in paragraph (7) of this
 97 Code section for compensation.

98 ~~(12)~~(14) 'Nail technician' means an individual who, for compensation, performs
 99 manicures or pedicures or who trims, files, shapes, decorates, applies sculptured or
 100 otherwise artificial nail extensions, or in any way cares for the nails of another individual.

101 ~~(13)~~(15) 'Person' means any individual, proprietorship, partnership, corporation,
 102 association, or other legal entity.

103 ~~(14)~~(16) 'School of ~~barbering~~ barber II' means any establishment that receives
 104 compensation for training more than one individual in ~~barbering~~ the occupation of a
 105 barber II. Technical colleges whose programs have been approved by the Technical
 106 College System of Georgia or the Department of Education are not 'schools of ~~barbering~~
 107 barber II' within the meaning of this chapter; provided, however, that all such colleges
 108 and their programs shall be considered to be 'board approved.'

109 ~~(15)~~(17) 'School of cosmetology' means any establishment that receives compensation
 110 for training more than one individual in the occupation of a cosmetologist. Technical
 111 colleges whose programs have been approved by the Technical College System of
 112 Georgia or the Department of Education are not 'schools of cosmetology' within the
 113 meaning of this chapter; provided, however, that all such colleges and their programs
 114 shall be considered to be 'board approved.'

115 ~~(16)~~(18) 'School of esthetics' means any establishment that receives compensation for
 116 training more than one individual in the occupation of an esthetician. Technical colleges
 117 whose programs have been approved by the Technical College System of Georgia or the
 118 Department of Education are not 'schools of esthetics' within the meaning of this chapter;
 119 provided, however, that all such colleges and their programs shall be considered to be
 120 'board approved.'

121 ~~(17)~~(19) 'School of hair design' means any establishment that receives compensation for
 122 training more than one individual in the occupation of a hair designer. Technical colleges
 123 whose programs have been approved by the Technical College System of Georgia or the
 124 Department of Education are not 'schools of hair design' within the meaning of this
 125 chapter; provided, however, that all such colleges and their programs shall be considered
 126 to be 'board approved.'

127 (20) 'School of master barber' means any establishment that receives compensation for
 128 training more than one individual in the occupation of a master barber. Technical
 129 colleges whose programs have been approved by the Technical College System of
 130 Georgia or the Department of Education are not 'schools of master barber' within the

131 meaning of this chapter; provided, however, that all such colleges and their programs
 132 shall be considered to be 'board approved.'

133 ~~(18)~~(21) 'School of nail care' means any establishment that receives compensation for
 134 training more than one individual in the occupation of a nail technician. Technical
 135 colleges whose programs have been approved by the Technical College System of
 136 Georgia or the Department of Education are not 'schools of nail care' within the meaning
 137 of this chapter; provided, however, that all such colleges and their programs shall be
 138 considered to be 'board approved.'

139 43-10-2.

140 (a) There is created the State Board of Cosmetology and Barbers. The board shall consist
 141 of nine members who shall be residents of this state. The board shall have the duty of
 142 carrying out and enforcing this chapter.

143 (b) Members of the board shall be at least 25 years of age and have obtained a high school
 144 diploma, a general educational development (GED) diploma, or a postsecondary education
 145 or college degree. Two of such members must have had at least five years of practical
 146 experience as a cosmetologist at the master level, a portion of which must have been as a
 147 beauty shop, ~~or beauty salon, or salon suite~~ owner or manager. One member of the board
 148 must have had at least five years of practical experience as a cosmetologist at the
 149 esthetician level. One member of the board must have had at least five years of practical
 150 experience as a nail technician. Two members of the board must have had at least five
 151 years of practical experience as a master barber. One member must be an instructor at a
 152 school of ~~barbering~~ master barber or school of barber II. One member must be an
 153 instructor at school of cosmetology. One member shall not have any connection with
 154 barbering or the practice of a cosmetologist or any business related thereto whatsoever but
 155 shall have a recognized interest in consumer affairs and in consumer protection concerns.

156 (c) The board shall meet as necessary each year for the purpose of adopting rules and
 157 regulations and handling other matters pertaining to duties of the board. Board members
 158 may attend and observe all written and practical examinations held for certificates of
 159 registration pursuant to this chapter.

160 (d) Beginning on July 1, 2015, the Georgia State Board of Cosmetology and Barbers shall
 161 regulate barbering and the practice of cosmetologists in this state. The board shall operate
 162 under the rules and regulations of the Georgia State Board of Barbers and Georgia State
 163 Board of Cosmetology as they existed on June 30, 2015, until the board shall promulgate
 164 one set of rules and regulations governing both barbering and the practice of
 165 cosmetologists; such rules and regulations shall be adopted on or before July 1, 2016.

166 (e) Any person who holds a certificate of registration issued under this chapter or
167 Chapter 7 of this title as they existed on June 30, 2015, shall not be required to undergo
168 recertification under this chapter but shall otherwise be subject to all applicable provisions
169 of this chapter. Such certificates of registration issued on or before June 30, 2015, shall be
170 considered certificates of registration issued under and subject to this chapter for all
171 purposes.

172 (f) Board members shall be appointed by the Governor for a term of three years and until
173 their successors are appointed and qualified. Vacancies shall be filled by the Governor for
174 the unexpired portion of the term. The board may do all things necessary for carrying this
175 chapter into effect and may, from time to time, promulgate necessary rules and regulations
176 compatible with this chapter. The Governor may remove any board member for cause as
177 provided in Code Section 43-1-17.

178 (g) Each year the members shall elect a chairman from among themselves. In the event
179 the members cannot agree as to who shall be chairman, the Governor shall appoint one of
180 such members as chairman. The members of the board shall be considered public officers
181 and shall take the oath required thereof.

182 (h) The board shall adopt a seal to be used to authenticate all its official papers and acts
183 and shall have power to subpoena witnesses, administer oaths, and hear and take testimony
184 in any matter over which it may have jurisdiction.

185 (i) All investigative and disciplinary authority of the Georgia State Board of Cosmetology
186 and Georgia State Board of Barbers as such boards existed on June 30, 2015, shall carry
187 over to the board. This authority shall include, but shall not be limited to, the ability to:

- 188 (1) Enforce all fines issued by these boards or representatives thereof;
- 189 (2) Enforce all orders entered by these boards; and
- 190 (3) Access and keep all complaints, investigative records, and records of disciplinary
191 deliberations of these boards.

192 43-10-3.

193 Each member of the board shall be reimbursed as provided for in subsection (f) of Code
194 Section 43-1-2.

195 43-10-4.

196 Reserved.

197 43-10-5.

198 The division director shall keep a record of all proceedings of the board. Such records shall
199 be prima-facie evidence of all matters required to be kept therein, and certified copies of

200 the same or parts thereof shall be primary evidence of their contents. All such copies, other
201 documents, or certificates lawfully issued upon the authority of the board shall, when
202 authenticated under the seal of the board, be admitted in any investigation in any court or
203 elsewhere without further proof.

204 43-10-6.

205 (a) The board is authorized to adopt reasonable rules and regulations prescribing the
206 sanitary requirements of beauty shops, beauty salons, barber shops, salon suites, schools
207 of cosmetology, schools of esthetics, schools of hair design, schools of nail care, ~~and~~
208 schools of ~~barbering~~ master barber, and schools of barber II and to cause the rules and
209 regulations or any subsequent revisions to be in suitable form; provided, however, that
210 nothing in this chapter shall prevent a county or municipal corporation from adopting
211 ordinances, rules, or regulations governing a business or occupational tax license or
212 certificate; health or facility regulations; zoning; local licensing; or the operation of such
213 shops, salons, suites, or schools in addition to any requirements that may be imposed on
214 such shops, salons, suites, or schools under this chapter or by the board. The board shall
215 make its rules and regulations available to the proprietor of each beauty shop, beauty salon,
216 barber shop, salon suite, school of cosmetology, school of esthetics, school of hair design,
217 school of nail care, ~~and~~ school of ~~barbering~~ master barber, and school of barber II. It shall
218 be the duty of every proprietor or person operating a beauty shop, beauty salon, barber
219 shop, salon suite, school of cosmetology, school of esthetics, school of hair design, school
220 of nail care, ~~and~~ school of ~~barbering~~ master barber, and school of barber II in this state to
221 keep a copy of such rules and regulations posted in a conspicuous place in such business,
222 so as to be easily read by customers thereof. Posting such rules and regulations by
223 electronic means shall be allowed.

224 (b) The board is authorized to adopt reasonable rules and regulations requiring that
225 individuals issued licenses under this chapter undergo instruction on Human
226 Immunodeficiency Virus and Acquired Immune Deficiency Syndrome.

227 (c) Any investigator or inspector employed by the Secretary of State shall have the power
228 to enter and make reasonable examination of any beauty shop, beauty salon, barber shop,
229 salon suite, school of cosmetology, school of hair design, school of esthetics, school of nail
230 care, ~~or~~ school of ~~barbering~~ master barber, or school of barber II in the state during
231 business hours; during hours advertised by a shop, salon, suite, or school as being open;
232 and during hours a shop, salon, suite, or school is open as indicated by the presence of
233 patrons for the purpose of enforcing the rules and regulations of the board and for the
234 purpose of ascertaining the sanitary conditions thereof.

235 (d) Any beauty shop, beauty salon, barber shop, salon suite, school of cosmetology, school
 236 of hair design, school of esthetics, school of nail care, ~~and school of barbering~~ master
 237 barber, and school of barber II in which tools, appliances, and furnishings used therein are
 238 kept in an unclean and unsanitary condition so as to endanger health is declared to be a
 239 public nuisance.

240 (e) No beauty shop, beauty salon, barber shop, salon suite, school of cosmetology, school
 241 of hair design, school of esthetics, school of nail care, school of master barber, or school
 242 of barber II shall be permitted to perform any services that require a license under this
 243 chapter by using a method that involves a live animal having physical contact with the
 244 client. As used in this subsection, the term 'animal' means all vertebrate and invertebrate
 245 species, other than humans. Such term shall include, but shall not be limited to, birds, fish,
 246 and shellfish.

247 43-10-7.

248 It shall be the duty of the board to issue through the division director those certificates of
 249 registration for which provision is made in this chapter.

250 43-10-8.

251 (a) It shall be unlawful for any individual to pursue barbering or the occupation of
 252 cosmetology in this state unless he or she has first completed the required hours for and
 253 obtained the appropriate certificate of registration as provided in this chapter.

254 (b) It shall be unlawful for any individual to hold himself or herself out as a master
 255 cosmetologist, cosmetology instructor, or cosmetology apprentice without having first
 256 obtained a the appropriate certificate of registration ~~as a master cosmetologist which~~
 257 ~~certifies that the holder thereof shall be authorized to perform all the services mentioned~~
 258 ~~in paragraph (11) of Code Section 43-10-1.~~ Nothing in this chapter shall prohibit any
 259 individual who held a valid master cosmetologist license in this state on March 29, 1983,
 260 from practicing as a master cosmetologist.

261 (c) It shall be unlawful for any individual to hold himself or herself out as a master barber,
 262 barber II, master barber instructor, barber II instructor, or barber apprentice without having
 263 first obtained the certificate of registration for such.

264 (d) Notwithstanding any other provisions of this chapter, any individual desiring to
 265 perform solely hair design services shall be allowed to obtain a certificate of registration
 266 as a hair designer upon completing the required hours therefor, which certifies that the
 267 holder thereof shall be authorized to perform some or all of the services mentioned in
 268 paragraph ~~(9)~~ (10) of Code Section 43-10-1.

269 (e) Notwithstanding any other provisions of this chapter, any individual desiring to
 270 perform solely cosmetic skin care services shall be allowed to obtain a certificate of
 271 registration as an esthetician level upon completing the required hours therefor, which
 272 certifies that the holder thereof shall be authorized to perform some or all of the services
 273 mentioned in paragraph ~~(8)~~ (9) of Code Section 43-10-1.

274 (f) Notwithstanding any other provisions of this chapter, any individual desiring to
 275 perform solely cosmetic nail care services shall be allowed to obtain a certificate of
 276 registration as a nail technician level upon completing the required hours therefor, which
 277 certifies that the holder thereof shall be authorized to perform some or all of the services
 278 mentioned in paragraph ~~(12)~~ (14) of Code Section 43-10-1.

279 (g)(1) Notwithstanding any other provisions of this chapter, any current or discharged
 280 member of the military or any spouse of a current or discharged member of the military
 281 may apply to the board for the immediate issuance of a certificate of registration issued
 282 pursuant to this chapter, provided that such individual holds a license or certification from
 283 another state ~~for which the training, experience, and testing substantially meet or exceed~~
 284 ~~the requirements in this state to obtain the certificate of registration for which such~~
 285 ~~individual is applying.~~

286 (2) As used in this ~~paragraph~~ subsection, the term:

287 (A) 'Discharge' means an honorable discharge or a general discharge from active
 288 military service. The term 'discharge' shall not mean a discharge under other than
 289 honorable conditions, a bad conduct discharge, or a dishonorable discharge.

290 (B) 'Military' means any regular or reserve component of the United States armed
 291 forces, the Georgia Army National Guard, or the Georgia Air National Guard.

292 (h) It shall also be unlawful for any person or persons to operate a beauty shop, beauty
 293 salon, barber shop, salon suite, school of cosmetology, school of hair design, school of
 294 esthetics, school of nail care, ~~or school of barbering~~ master barber, or school of barber II
 295 without first having obtained a certificate of registration for such shop, salon, suite, or
 296 school as provided in this chapter. Any beauty shop, beauty salon, barber shop, salon suite,
 297 school of cosmetology, school of hair design, school of esthetics, school of nail care, ~~or~~
 298 school of ~~barbering~~ master barber, or school of barber II shall register with the division
 299 director of the professional licensing boards prior to opening.

300 (i) This chapter shall have uniform application throughout the state so that no master
 301 cosmetologist, cosmetologist, hair designer, nail technician, esthetician, master barber,
 302 barber II, beauty shop, beauty salon, barber shop, salon suite, school of cosmetology,
 303 school of hair design, school of esthetics, school of nail care, ~~or school of barbering~~ master
 304 barber, or school of barber II shall be exempt from regulation.

305 43-10-9.

306 (a)(1) Any individual desiring to obtain a certificate of registration to enable him or her
307 to engage in the occupation of a cosmetologist shall make application through the
308 division director to the board and shall present proof that he or she has obtained a high
309 school diploma, a general educational development (GED) diploma, or a postsecondary
310 education or college degree. If, after review of the application, it is determined that the
311 applicant is at least 17 years of age; has met the minimum educational requirements; has
312 completed a 1,500 credit hour study course with at least nine months at a board approved
313 school or has served as an apprentice in a beauty shop, beauty salon, ~~or~~ barber shop, or
314 salon suite for a period of at least 3,000 credit hours; has practiced or studied the
315 occupation of a cosmetologist; is possessed of the requisite skill in such occupation to
316 perform properly all the duties of the occupation, including his or her ability in the
317 preparation of tools, in performing the services mentioned in paragraph (7) of Code
318 Section 43-10-1, and in all the duties and services incident thereto; and has passed both
319 a written and a practical examination approved by the board, a certificate of registration
320 shall be issued to him or her entitling him or her to practice as a master cosmetologist.

321 (2) Notwithstanding any other provisions of this subsection, the board shall allow
322 endorsement to an applicant who submits a complete application, along with a fee, and
323 verification that he or she holds an active license or certificate of registration as a
324 cosmetologist or an instructor or teacher of the occupation of a cosmetologist at that level
325 in another state or territory of the United States. The board may establish requirements
326 for endorsement by rules and regulations.

327 (b)(1) Any individual desiring to obtain a certificate of registration to enable him or her
328 to engage in the occupation of a hair designer shall make application through the division
329 director and shall present proof that he or she has obtained a high school diploma, a
330 general educational development (GED) diploma, or a postsecondary education or
331 college degree. If, after review of the application, it is determined that the applicant is
332 at least 17 years of age; has met the minimum educational requirements; has completed
333 a 1,325 credit hour study course with at least seven months at a board approved school
334 or has served as an apprentice in a beauty shop, beauty salon, ~~or~~ barber shop, or salon
335 suite for a period of at least 2,650 credit hours; has practiced or studied the occupation
336 of a hair designer; is possessed of the requisite skill in such occupation to perform
337 properly all the duties of the occupation, including his or her ability in the preparation of
338 tools, in performing the services mentioned in paragraph ~~(9)~~ (10) of Code Section
339 43-10-1, and in all the duties and services incident thereto; and has passed both a written
340 and a practical examination approved by the board, a certificate of registration shall be
341 issued to him or her entitling him or her to practice the occupation of a hair designer.

342 (2) Notwithstanding any other provisions of this subsection, the board shall allow
 343 endorsement to an applicant who submits a complete application, along with a fee, and
 344 verification that he or she holds an active license or certificate of registration as a hair
 345 designer or an instructor or teacher of the occupation of a hair designer in another state
 346 or territory of the United States. The board may establish requirements for endorsement
 347 by rules or regulations.

348 (c)(1) Any individual desiring to obtain a certificate of registration to enable him or her
 349 to engage in the occupation of an esthetician shall make application through the division
 350 director to the board and shall present proof that he or she has obtained a high school
 351 diploma, a general educational development (GED) diploma, or a postsecondary
 352 education or college degree. If, after review of the application, it is determined that the
 353 applicant is at least 17 years of age; has met the minimum educational requirements; has
 354 completed a 1,000 credit hour study course of at least nine months at a board approved
 355 school or has served as an apprentice in a beauty shop, beauty salon, ~~or~~ barber shop, or
 356 salon suite for a period of at least 2,000 credit hours; has practiced or studied cosmetic
 357 skin care as defined in paragraph ~~(8)~~ (9) of Code Section 43-10-1; is possessed of the
 358 requisite skill to perform properly these services; and has passed a written and a practical
 359 examination approved by the board, a certificate of registration shall be issued to the
 360 applicant entitling the applicant to practice the occupation of an esthetician.

361 (2) Notwithstanding any other provisions of this subsection, the board shall allow
 362 endorsement to an applicant who submits a complete application, along with a fee, and
 363 verification that he or she holds an active license or certificate of registration as an
 364 esthetician or an instructor or teacher of the occupation of an esthetician in another state
 365 or territory of the United States. The board may establish requirements for endorsement
 366 by rules or regulations.

367 (d)(1) Any individual desiring to obtain a certificate of registration to enable him or her
 368 to engage in the occupation of a nail technician shall make application through the
 369 division director to the board and shall present proof that he or she has obtained a high
 370 school diploma, a general educational development (GED) diploma, or a postsecondary
 371 education or college degree. If, after review of the application, it is determined that the
 372 applicant is at least 17 years of age; has met the minimum educational requirements; has
 373 completed a 525 credit hour study course of at least four months at a board approved
 374 school or has served as an apprentice in a beauty shop, beauty salon, ~~or~~ barber shop, or
 375 salon suite for a period of at least 1,050 credit hours; has practiced or studied nail care as
 376 defined in paragraph ~~(12)~~ (14) of Code Section 43-10-1; is possessed of the requisite skill
 377 to perform properly these services; and has passed both a written and a practical

378 examination approved by the board, a certificate of registration shall be issued to the
379 applicant entitling the applicant to practice the occupation of nail technician.

380 (2) Notwithstanding any other provisions of this subsection, the board shall allow
381 endorsement to an applicant who submits a complete application, along with a fee, and
382 verification that he or she holds an active license or certificate of registration as a nail
383 technician or an instructor or teacher of the occupation of a nail technician in another
384 state or territory of the United States. The board may pass requirements for endorsement
385 by rule.

386 (e)(1) Any person desiring to obtain a certificate of registration to enable him or her to
387 engage in the occupation of a master barber shall make application through the division
388 director to the board and shall present proof that he or she has obtained a high school
389 diploma, a general educational development (GED) diploma, or a postsecondary
390 education or college degree. If, after review of the application, it is determined that the
391 applicant is at least 16 years of age; has met the minimum educational requirements; has
392 completed a 1,500 credit hour study course of at least nine months at a board approved
393 school or has served as an apprentice in a beauty shop, beauty salon, ~~or barbershop~~ barber
394 shop, or salon suite for a period of at least 3,000 credit hours; has practiced or studied
395 barbering; is possessed of the requisite skill to perform properly these services; and has
396 passed both a written and a practical examination approved by the board, a certificate of
397 registration shall be issued to the applicant entitling the applicant to practice barbering
398 as a master barber.

399 (2) Any person desiring to obtain a certificate of registration to enable him or her to
400 engage in the occupation of a barber II shall make application through the division
401 director to the board and shall present proof that he or she has obtained a high school
402 diploma, a general educational development (GED) diploma, or a postsecondary
403 education or college degree. If, after review of the application, it is determined that the
404 applicant is at least 16 years of age; has met the minimum educational requirements; has
405 completed a 1,140 credit hour study course of at least seven months at a board approved
406 school or has served as an apprentice in a beauty shop, beauty salon, ~~or barbershop~~ barber
407 shop, or salon suite for a period of at least 2,280 credit hours; has practiced or studied
408 barbering; is possessed of the requisite skill to perform properly these services; and has
409 passed both a written and a practical examination approved by the board, a certificate of
410 registration shall be issued to the applicant entitling the applicant to practice the
411 occupation of barbering at the barber II level.

412 (3) Notwithstanding any other provisions of this subsection, the board shall allow
413 endorsement to an applicant who submits a complete application, along with a fee, and
414 verification that he or she holds an active license or certificate of registration as a master

415 barber or barber II or an instructor or teacher of barbering in another state or territory of
416 the United States. The board may establish requirements for endorsement by rules and
417 regulations.

418 (f) Nothing in this Code section shall be construed as preventing an individual from
419 obtaining a certificate of registration for the occupation of a cosmetologist at the master
420 level, the hair design level, the esthetician level, or the nail technician level or a certificate
421 of registration for barbering at the master level or barber II level, if such person obtains his
422 or her credit hour study at a State Board of Education approved school or a technical
423 college under the jurisdiction of the Technical College System of Georgia or the
424 Department of Education rather than at a board approved school.

425 (g)(1) An individual issued a certificate of registration as a master cosmetologist in this
426 state shall be eligible to take the master barber examination provided for in this Code
427 section if ~~that person~~ such individual completes a board approved 300 hour prescribed
428 course in an approved cosmetology school, submits a completed application, and pays the
429 proper fees established by the board.

430 (2) An individual issued a certificate of registration as a master barber in this state shall
431 be eligible to take the master cosmetologist examination provided for in this Code section
432 if ~~that person~~ such individual completes a board approved 300 hour prescribed course in
433 an approved cosmetology school, submits a completed application, and pays the proper
434 fees established by the board.

435 (h)(1) An individual issued a certificate of registration as a master cosmetologist
436 instructor in this state shall be eligible to teach master barber or barber II if such
437 individual completes a board approved 300 hour prescribed course in an approved master
438 barber or barber II school, submits a completed application, and pays the proper fees
439 established by the board.

440 (2) An individual issued a certificate of registration as a master barber instructor in this
441 state shall be eligible to teach master cosmetology if such individual completes a board
442 approved 300 hour prescribed course in an approved cosmetology school, submits a
443 completed application, and pays the proper fees established by the board.

444 ~~(h)(1) On and after July 1, 2015, but prior to July 1, 2018, any individual applying for~~
445 ~~a certificate of registration pursuant to this Code section shall pass both a board approved~~
446 ~~written and practical examination within a 24 month period after having obtained the~~
447 ~~required credit hours or shall be required to repeat all of such required credit hours before~~
448 ~~retaking the examinations. Should an applicant fail to pass either the written or practical~~
449 ~~examination, the board or the board's designee shall furnish the applicant a statement in~~
450 ~~writing, stating in what manner the applicant was deficient.~~

451 ~~(2)~~(i) On and after July 1, ~~2018~~ 2020, any individual applying for a certificate of
 452 registration pursuant to this Code section shall pass both a board approved written and
 453 practical examination within a 48 month period after having obtained the required credit
 454 hours or shall be required to repeat all of such required credit hours before retaking the
 455 examinations. Should an applicant fail to pass either the written or practical examination,
 456 the board or the board's designee shall furnish the applicant a statement in writing, stating
 457 in what manner the applicant was deficient. Board members may attend and observe all
 458 written and practical examinations held for licenses or certificates of registration pursuant
 459 to this Code section.

460 ~~(i)~~(j) On and after July 1, 2015, any applicant applying for a certificate of registration
 461 pursuant to this Code section who has graduated from an educational program which
 462 prepares cosmetologists in another country shall submit to the board a credentials
 463 evaluation from a board approved credentials evaluation provider along with his or her
 464 application. Upon the board's acceptance of the credentials evaluation, application, and
 465 appropriate fee, the applicant shall be approved to sit for the board approved examination,
 466 and upon passing the examination, he or she may be approved for a certificate of
 467 registration.

468 43-10-10.

469 (a) The holder of any certificate of registration issued under Code Section 43-10-9 shall
 470 display the same in a conspicuous place in his or her beauty shop, beauty salon, ~~or~~ barber
 471 shop, or salon suite. Certificates of registration issued under Code Section 43-10-9 shall
 472 be renewable for a period of up to four years as approved by the division director. The
 473 holder shall pay to the division director a renewal fee in such amount as shall be set by the
 474 board by regulation. Upon failure to renew such certificate of registration, it shall stand
 475 automatically revoked. The holder shall be disqualified from practicing any occupation
 476 under this chapter until all fees to date of application for reinstatement shall be paid, an
 477 application for reinstatement shall be submitted along with a reinstatement fee in such
 478 amount as shall be set by the board by regulation, and documentation shall be submitted
 479 of completion of all required continuing education hours, not to exceed 15 hours, since the
 480 date the registration was automatically revoked. If the board is satisfied that the applicant
 481 for reinstatement meets all the qualifications set forth in this Code section and Code
 482 Section 43-10-9, the applicant shall be issued a new certificate of registration.

483 (b) Notwithstanding subsection (a) of this Code section, at the time of renewal of any
 484 cosmetologist, master cosmetologist, hair designer, esthetician, nail technician, master
 485 barber, or barber II certificate of registration, the holder of such certificate shall maintain
 486 proof, in a form approved by the board, of completion of five hours of continuing education

487 biennially to be determined by the board. A licensee shall provide proof of completion of
 488 continuing education if audited by the board. A holder who is renewing a certificate of
 489 registration for the first time shall not be required to meet the continuing education
 490 requirement until the time of the second renewal. Further, the requirement for continuing
 491 education for a master barber and barber II will become effective beginning
 492 January 1, 2018.

493 (c) The board may require by rules or regulations that either three or four hours of
 494 continuing education shall be satisfied by a health and safety course or a review course of
 495 the board rules or regulations and applicable laws using a curriculum developed by the
 496 board or by a board approved provider. Such curriculum or course may be revised by the
 497 board or by a board approved provider as necessary to incorporate new developments. The
 498 board shall make the curriculum or course available to board approved providers of
 499 continuing education. The board may charge a fee to providers for registration as a board
 500 approved provider.

501 (d) The board may require by rules and regulations that the remaining one to two hours of
 502 continuing education may be satisfied by:

503 (1) Attendance at an industry or trade show registered with the board; or

504 (2) A course or courses of study registered with the board in one or more of the
 505 following subjects: health and safety, industry trends, computer skills, business
 506 management, or the holder's area of practice.

507 (e) To request registration of an industry or trade show for continuing education credit, a
 508 person or entity shall submit to the board the date and location of the industry or trade
 509 show. To request registration of a course of study for continuing education credit, the
 510 person or entity offering the course of study shall submit to the board an outline of the
 511 subject matter, a list of the persons teaching the course with a summary of their
 512 qualifications, the number of hours for each course, and the date and location where the
 513 course of study will be presented or has been presented, if applicable. Any certificate
 514 holder may request board approval of an unregistered industry or trade show or an
 515 unregistered course of study. A person or entity conducting an industry or trade show or
 516 a course of study shall provide written proof of attendance at the industry or trade show or
 517 completion of a course of study to all participants.

518 (f) The board shall register and allow credit as continuing education for courses conducted
 519 via the ~~Internet~~ internet or other electronic means or home study courses.

520 ~~(g) Courses in cosmetology, hair design, nail technology, esthetics, computers, business,~~
 521 ~~or health and safety issues offered by schools under the jurisdiction of the Board of Regents~~
 522 ~~of the University System of Georgia, the Technical College System of Georgia, the~~
 523 ~~Department of Education, or any accredited postsecondary institution shall satisfy the~~

524 ~~continuing education requirement without a request to the board for approval or~~
 525 ~~registration.~~

526 ~~(h)(g)~~ In no event shall the testing of knowledge or skills be required as proof of the
 527 successful completion of a continuing education course.

528 ~~(i)(h)~~ The continuing education requirement shall not apply to certificate holders who:

529 (1) Have held a certificate for 25 or more years; or

530 (2) Demonstrate a hardship based on a disability, age, illness, or such other circumstance
 531 as the board may identify by rule and determine on a case-by-case basis.

532 Certificate holders who claim an exemption from the continuing education requirement on
 533 the basis of paragraph (2) of this subsection shall provide a sworn statement setting out the
 534 facts supporting such exemption.

535 43-10-11.

536 (a) All beauty shops, beauty salons, barber shops, salon suites, schools of cosmetology,
 537 schools of hair design, schools of esthetics, schools of nail care, ~~and schools of barbering~~
 538 master barber, and schools of barber II shall be registered with the division director by the
 539 owner or manager. Such registration shall be made by the filing of an application on forms
 540 furnished by the division director; shall include the name and location of the shop, salon,
 541 suite, or school, the name and address of the owner, and the names and addresses of all
 542 instructors of the shop, salon, suites, or school at the time of registration; and shall be
 543 accompanied by a registration fee in such amount as shall be set by the board by regulation.
 544 The board may require salon, shop, suite, or school owners to complete a board approved
 545 course covering health, sanitation, and safety, or rules and regulations of the board and
 546 applicable laws, or a combination thereof prior to issuing a registration to the owner. The
 547 board is authorized and directed to issue a certificate of registration to each shop, salon,
 548 suite, or school so registering and paying such fee, which certificate shall be displayed in
 549 a conspicuous place in the registered shop, salon, suite, or school.

550 (b) Each beauty shop, beauty salon, barber shop, and salon suite shall be required to have
 551 a separate license, regardless of whether such shop, salon, or suite shares the same mailing
 552 address or physical location with another shop, salon, or suite.

553 43-10-12.

554 (a)(1) All ~~schools of barbering~~, schools of cosmetology, ~~schools of esthetics~~, schools of
 555 hair design, ~~and schools of esthetics~~, schools of nail care, schools of master barber, and
 556 schools of barber II shall:

557 (A) Cause to be registered in writing with the board, at the time of opening, 15 bona
 558 fide students; provided, however, that any such school may petition to the board to add

559 additional courses of study with a minimum of five students per course if such school
560 has an active license in good standing;

561 (B) Have not less than one instructor for every 20 students or a fraction thereof;

562 (C) Keep permanently displayed a sign reading 'School of Cosmetology,' 'School of
563 Hair Design,' 'School of Esthetics,' 'School of Nail Care,' ~~or 'School of Barbering'~~
564 'School of Master Barber,' or 'School of Barber II' as applicable; and all such signs shall
565 also display the words 'Service by Students Only.' Where service is rendered by a
566 student, no commissions or premiums shall be paid to such student for work done in the
567 schools; nor shall any individual be employed by the schools to render professional
568 service to the public; and

569 (D) Provide transcripts to students upon graduation or withdrawal from the school,
570 provided that all tuition and fees due to the school have been satisfied. Student records
571 shall be maintained by the schools for a minimum of five years. If a school closes its
572 business, the owner is required to provide copies of all student records, including, but
573 not limited to, transcripts, to the board within 30 days of the school closure.

574 (2) All schools of cosmetology, schools of hair design, schools of esthetics, schools of
575 nail care, ~~and schools of barbering~~ master barber, and schools of barber II shall keep in
576 a conspicuous place as determined by the board through rules and regulations in such
577 schools a copy of the rules and regulations adopted by the board.

578 (3) All master cosmetologists, hair designers, estheticians, nail care technicians, master
579 barbers, and barbers II who take an apprentice pursuant to Code Section 43-10-14 shall
580 file immediately with the board through the division director the name and age of such
581 apprentice; and the board shall cause such information to be entered on a register kept by
582 the division director for that purpose.

583 (b) Any person desiring to operate or conduct a school of cosmetology, school of hair
584 design, school of esthetics, school of nail care, ~~or school of barbering~~ master barber, or
585 school of barber II prior to opening shall first secure from the board a license to do so and
586 shall keep the license prominently displayed in the school in a location determined by the
587 board through rules and regulations.

588 (c) The board shall have the authority to pass upon the qualifications, appointments,
589 courses of study, and hours of study in the school of cosmetology, school of hair design,
590 school of esthetics, school of nail care, ~~or school of barbering,~~ master barber, or school of
591 barber II provided that:

592 (1) All schools of cosmetology shall be required to teach the following courses: theory,
593 permanent and cold hair waving, hair coloring, hair bleaching, hair relaxing, hair
594 straightening, hair and scalp treatments, massaging the face, neck, and scalp, hair and
595 scalp conditioning, hair cutting and shaping, hairdressing, shampooing, styling, comb out,

596 waxing, threading, tweezing, reception, desk work, facials, makeup and arching, skin
 597 care, nail care, state law, board rules and regulations, and any other subjects related to
 598 cosmetology and sanitation;

599 ~~(1.1)~~(2) All schools of hair design shall be required to teach the following courses:
 600 theory, permanent and cold hair waving, hair coloring, hair bleaching, hair relaxing, hair
 601 straightening, hair and scalp treatments, massaging the scalp, hair and scalp conditioning,
 602 hair cutting and shaping, hairdressing, shampooing, styling, comb out, reception, desk
 603 work, state law, board rules and regulations, and any other subjects related to hair design
 604 and sanitation;

605 ~~(2)~~(3) All schools of esthetics shall be required to teach the following courses: theory,
 606 skin care, facials, makeup and arching, eyelash extensions, reception, desk work,
 607 massaging the face, neck, décolletage, or arms, trimming, tweezing, or threading
 608 eyebrows and other facial hair, dyeing, waxing, stimulating, cleansing, or beautifying,
 609 state law, board rules and regulations, and any other subjects related to esthetics and
 610 sanitation;

611 ~~(3)~~(4) All schools of nail care shall be required to teach the following courses: theory,
 612 trimming, filing, shaping, decorating, sculpturing and artificial nails, nail care,
 613 pedicuring, reception, desk work, state law, board rules and regulations, and any other
 614 subjects related to nail care and sanitation; ~~and~~

615 ~~(4)~~(5) All schools of master barber shall be required to teach the following courses:
 616 theory, hair and scalp treatments, massaging the face, neck, and scalp, shampooing and
 617 conditioning, shaving, coloring of hair, hair cutting and styling, facial hair design, facial
 618 hair waxing, permanent and cold hair waving, hair relaxing, hair straightening, chemical
 619 application, reception, desk work, state law, board rules and regulations, and any other
 620 subjects related to barbering and sanitation; ~~and~~

621 (6) All schools of barber II shall be required to teach the following courses: theory, hair
 622 and scalp treatments, shampooing and conditioning, shaving, hair cutting and styling,
 623 facial hair design, facial hair waxing, reception, desk work, state law, board rules and
 624 regulations, and any other subjects related to barbering and sanitation.

625 (d)(1) The board shall have the right to suspend or revoke the certificate, permit, or
 626 license of or to reprimand any such school of cosmetology, school of esthetics, school of
 627 hair design, school of nail care, school of ~~barbering~~ master barber, school of barber II, or
 628 instructor or teacher therein, for ~~the~~ a violation of this chapter.

629 (2) The board shall have the same power and authority as to sanitary conditions over
 630 schools as it has over beauty shops, beauty salons, ~~and~~ barber shops, and salon suites.

631 (e)(1) All teachers or instructors shall devote their entire time to instruction of students.
 632 Any individual desiring to teach or instruct in any school of cosmetology, school of

633 esthetics, school of hair design, school of nail care, ~~or school of barbering~~ master barber,
 634 or school of barber II shall first file his or her application with the division director for
 635 a license, shall pay a fee in such amount as shall be set by the board by rules and
 636 regulations, and shall successfully pass both a written and a practical examination to
 637 become an instructor.

638 (2)(A) An individual desiring to teach at the master level shall satisfy the board that he
 639 or she:

640 (i) Holds a current master cosmetologist certificate of registration and is a high
 641 school graduate, has a general educational development (GED) diploma, or has a
 642 postsecondary education or college degree;

643 (ii) Has 750 hours of instructor training in cosmetology at a board approved school;
 644 and

645 (iii) Has one year of work experience as a master cosmetologist.

646 (B) An individual holding a current master cosmetologist certificate of registration at
 647 the master level who is a high school graduate, has a general educational development
 648 (GED) diploma, or has a postsecondary education or college degree; who has
 649 completed the required board approved hours of continuing education; and who has
 650 board approved work experience as an instructor or in education may, at the board's
 651 discretion, be permitted to take the written and the practical ~~examination~~ examinations
 652 to become an instructor at the master level.

653 (3)(A) An individual desiring to teach at the hair designer level shall satisfy the board
 654 that he or she:

655 (i) Holds a current certificate of registration as a hair designer or master
 656 cosmetologist and is a high school graduate, has a general educational development
 657 (GED) diploma, or has a postsecondary education or college degree;

658 (ii) Has 750 hours of board approved instructor training in hair design of at least four
 659 months;

660 (iii) Has one year of work experience as a hair designer or master cosmetologist; and

661 (iv) Has passed both a written and a practical examination to become an instructor
 662 in hair design.

663 (B) An individual holding a current certificate of registration as a hair designer or
 664 master cosmetologist who is a high school graduate, has a general educational
 665 development (GED) diploma, or has a postsecondary education or college degree; who
 666 has completed the required board approved hours of continuing education; and who has
 667 board approved work experience as an instructor or in education may, at the board's
 668 discretion, be permitted to take the written and the practical examinations to become
 669 an instructor at the hair designer level.

670 ~~(3)~~(4)(A) An individual desiring to teach at the esthetician level shall satisfy the board
671 that he or she:

672 (i) Holds a current certificate of registration as an esthetician or master cosmetologist
673 and is a high school graduate, has a general educational development (GED) diploma,
674 or has a postsecondary education or college degree;

675 (ii) Has 500 hours of board approved instructor training in esthetics of at least nine
676 months;

677 (iii) Has one year of work experience as an esthetician or master cosmetologist; and

678 (iv) Has passed both a written and a practical examination to become an instructor
679 in esthetics.

680 (B) An individual holding a current cosmetology certificate of registration as an
681 esthetician or master cosmetologist who is a high school graduate, has a general
682 educational development (GED) diploma, or has a postsecondary education or college
683 degree; who has completed the required board approved hours of continuing education;
684 and who has board approved work experience as an instructor or in education may, at
685 the board's discretion, be permitted to take the written and the practical ~~examination~~
686 examinations to become an instructor at the esthetician level.

687 ~~(4)~~(5)(A) An individual desiring to teach at the nail technician level shall satisfy the
688 board that he or she:

689 (i) Holds a current certificate of registration as a nail technician or master
690 cosmetologist and is a high school graduate, has a general educational development
691 (GED) diploma, or has a postsecondary education or college degree;

692 (ii) Has 250 hours of board approved instructor training in nail care of at least four
693 months;

694 (iii) Has one year of work experience as a nail technician or master cosmetologist;
695 and

696 (iv) Has passed both a written and a practical examination to become an instructor
697 in nail care.

698 (B) An individual holding a current certificate of registration as a nail technician or
699 master cosmetologist who is a high school graduate, has a general educational
700 development (GED) diploma, or has a postsecondary education or college degree; who
701 has completed the required board approved hours of continuing education; and who has
702 board approved work experience as an instructor or in education may, at the board's
703 discretion, be permitted to take the written and the practical ~~examination~~ examinations
704 to become an instructor at the nail technician level.

705 ~~(5)~~(6)(A) An individual desiring to teach barbering at the master barber level shall
706 satisfy the board that he or she:

707 (i) Holds a current certificate of registration as a master barber and is a high school
 708 graduate, has a general educational development (GED) diploma, or has a
 709 postsecondary education or college degree;

710 (ii) Has 750 hours of board approved instructor training in ~~barbering~~ master barber;
 711 and

712 (iii) Has passed both a written and a practical examination to become an instructor
 713 in ~~barbering~~ master barber.

714 (B) An individual holding a current certificate of registration as a master barber who
 715 is a high school graduate, has a general educational development (GED) diploma, or
 716 has a postsecondary education or college degree; who has completed the required board
 717 approved hours of continuing education; and who has board approved work experience
 718 as an instructor or in education may, at the board's discretion, be permitted to take the
 719 written and the practical examinations to become an instructor ~~for barbering~~ at the
 720 master barber level.

721 ~~(6)(A) An individual desiring to teach at the hair designer level shall satisfy the board~~
 722 ~~that he or she:~~

723 ~~(i) Holds a current certificate of registration as a hair designer or master~~
 724 ~~cosmetologist and is a high school graduate, has a general educational development~~
 725 ~~(GED) diploma, or has a postsecondary education or college degree;~~

726 ~~(ii) Has 750 hours of board approved instructor training in hair design of at least four~~
 727 ~~months;~~

728 ~~(iii) Has one year of work experience as a hair designer or master cosmetologist; and~~

729 ~~(iv) Has passed both a written and a practical examination to become an instructor~~
 730 ~~in hair design.~~

731 ~~(B) An individual holding a current certificate of registration as a hair designer or~~
 732 ~~master cosmetologist who is a high school graduate, has a general educational~~
 733 ~~development (GED) diploma, or has a postsecondary education or college degree; who~~
 734 ~~has completed the required board approved hours of continuing education; and has~~
 735 ~~board approved work experience as an instructor or in education may, at the board's~~
 736 ~~discretion, be permitted to take the written and the practical examinations to become~~
 737 ~~an instructor at the hair designer level.~~

738 (7)(A) An individual desiring to teach at the barber II level shall satisfy the board that
 739 he or she:

740 (i) Holds a current certificate of registration as a barber II and is a high school
 741 graduate, has a general educational development (GED) diploma, or has a
 742 postsecondary education or college degree;

743 (ii) Has 750 hours of board approved instructor training in barber II; and

744 (iii) Has passed both a written and a practical examination to become an instructor
 745 in barber II.

746 (B) An individual holding a current certificate of registration as a barber II who is a
 747 high school graduate, has a general educational development (GED) diploma, or has a
 748 postsecondary education or college degree; who has completed the required board
 749 approved hours of continuing education; and who has board approved work experience
 750 as an instructor or in education may, at the board's discretion, be permitted to take the
 751 written and the practical examinations to become an instructor at the barber II level.

752 ~~(7)~~(8) Any teacher or instructor shall renew his or her certificate of registration to teach
 753 in accordance with the rules and regulations of the division director governing expiration
 754 dates of certificates of registration by remitting with his or her application a renewal fee
 755 in such amount as shall be set by the board by regulation; provided, however, that any
 756 teacher or instructor who fails to renew his or her certificate of registration to practice as
 757 a cosmetologist, esthetician, or hair designer, nail technician, master barber, or barber II
 758 on or before the date established by the board by regulation shall automatically have his
 759 or her certificate of registration to teach or instruct suspended. A person failing to renew
 760 his or her certificate of registration of a teacher or instructor at the end of the late renewal
 761 period following the expiration date shall be required to pay a reinstatement fee.

762 ~~(8)~~(9) Nothing in this Code section shall be construed as preventing an individual from
 763 obtaining a certificate of registration as teacher or instructor who is certified by the
 764 Department of Education to teach cosmetology in the state public schools. The
 765 certification shall be limited to those individuals who hold a current certificate of
 766 registration as a master cosmetologist and also hold a diploma or certificate of 1,500
 767 credit hours from a board approved school and have completed the three-year teachers
 768 training program required by the Department of Education. Such persons shall also pass
 769 both a written and a practical examination satisfactory to the board and, upon passage
 770 thereof, shall receive a certificate of registration to teach cosmetology.

771 (f) All teachers or instructors of cosmetology at all levels seeking renewal of certificates
 772 of registration are required to submit to the board proof of completion of 15 hours of
 773 continuing education in the cosmetology profession approved by the board at least half of
 774 which consists of instruction in teaching methods.

775 43-10-13.

776 (a) The board shall have the right to set a course of study for all students of the schools of
 777 cosmetology, schools of hair design, schools of esthetics, schools of nail care, ~~and~~ schools
 778 of barbering master barber, and schools of barber II within this state.

779 (b) Before a student shall be eligible to take the ~~examination~~ examinations provided for
780 in Code Section 43-10-9, he or she shall first file with his or her application for
781 examination a transcript showing the number of hours and courses completed from the
782 school, ~~or shop, or suite~~ attended by the student.

783 (c) A barber apprentice and any other individual serving as an apprentice in a beauty shop,
784 beauty salon, ~~or barber shop, or salon suite~~ shall take the theory portion of the examination
785 provided for in Code Section 43-10-9 within the first 12 months of his or her
786 apprenticeship.

787 43-10-14.

788 (a) Nothing in this chapter shall prohibit any individual at least 16 years of age from
789 learning the occupation of a cosmetologist under a master cosmetologist, provided that
790 such cosmetologist has had at least 36 months' experience and has held a certificate of
791 registration as a master cosmetologist for at least 36 months. In addition, nothing in this
792 chapter shall prohibit any individual at least 16 years of age from learning the occupation
793 of a cosmetologist under an instructor in a school of cosmetology who has been a
794 cosmetologist for a period of at least one year and has registered under this chapter.
795 Nothing in this chapter shall prohibit any individual at least 16 years of age from learning
796 the occupation of hair designer under a cosmetologist holding a master cosmetologist
797 certificate of registration or a certificate of registration as a hair designer, provided that
798 such cosmetologist has had at least 36 months' experience or, under an instructor in a
799 school of cosmetology or school of hair design who has held a certificate of registration as
800 a cosmetologist for a period of at least one year, is qualified to teach such practices and has
801 registered under this chapter. Nothing in this chapter shall prohibit any individual at least
802 16 years of age from learning the occupation of esthetics under a cosmetologist holding a
803 master cosmetologist certificate of registration or a certificate of registration as an
804 esthetician, provided that such cosmetologist has had at least 36 months' experience or,
805 under an instructor in a school of cosmetology or school of esthetics who has held a
806 certificate of registration as a cosmetologist for a period of at least one year, is qualified
807 to teach said practices and has registered under this chapter. Nothing in this chapter shall
808 prohibit any individual at least 16 years of age from learning the occupation of a nail
809 technician under a cosmetologist holding a master cosmetologist certificate of registration
810 or a nail technician certificate of registration, provided that such cosmetologist has had at
811 least 36 months' experience or, under an instructor in a school of cosmetology or school
812 of nail care who has held a certificate of registration as a cosmetologist for a period of at
813 least one year, is qualified to teach such practices and has registered under this chapter.
814 Nothing in this chapter shall prohibit any individual at least 16 years of age from learning

815 barbering under a barber holding a master barber certificate of registration, provided that
 816 such master barber has had at least 18 months' experience or under an instructor in a school
 817 of ~~barbering~~ master barber who has held a certificate of registration as a master barber for
 818 a period ~~for~~ of at least one year, is qualified to teach said practices, and has registered under
 819 this chapter. Nothing in this chapter shall prohibit any individual at least 16 years of age
 820 from learning barbering under a barber holding a barber II certificate of registration,
 821 provided that such barber II has had at least 18 months' experience or under an instructor
 822 in a school of barber II who has held a certificate of registration as a barber II for a period
 823 of at least one year, is qualified to teach said practices, and has registered under this
 824 chapter.

825 (b) Every beauty shop, beauty salon, ~~and~~ barber shop, and salon suite owner shall have the
 826 responsibility for registering apprentices with the division director. The shop, ~~of~~ salon, or
 827 suite owner shall file a statement in writing, showing the apprentice's name and the address
 828 of the shop. The board shall have the authority to require the shop, ~~or~~ salon, or suite owner
 829 or master cosmetologist, hair designer, esthetician, nail technician, ~~or~~ master barber, or
 830 barber II who is supervising the apprentice to furnish to the board the number of hours
 831 completed by the apprentice. The shop, ~~or~~ salon, or suite owner shall remit to the division
 832 director a fee in such amount as shall be set by the board by regulation for the registration
 833 of the apprentice. The apprentice shall receive a certificate of registration showing the
 834 capacity in which he or she is permitted to practice barbering or the occupation of a
 835 cosmetologist. The certificate of registration shall be effective for a period of four years.
 836 A certificate of registration authorizing a person to learn barbering or the occupation of a
 837 cosmetologist under a cosmetologist, master cosmetologist, hair designer, esthetician, nail
 838 technician, ~~or~~ master barber, or barber II shall not be renewed; and, upon the expiration of
 839 certificate of registration issued, such person shall not be permitted to practice in any
 840 capacity.

841 (c) Notwithstanding any other provisions of this Code section, the board shall be
 842 authorized to waive any education requirements under this Code section in cases of
 843 hardship, disability, or illness or under such other circumstances as the board deems
 844 appropriate with respect to any applicant who was enrolled in a board approved school or
 845 had completed a board approved study course.

846 43-10-15.

847 (a) The board, acting upon its own knowledge or written or verified complaint filed by any
 848 person, shall have the power to reprimand or power to suspend, revoke, or cancel the
 849 certificate of registration of or refuse to grant, renew, or restore a certificate of registration

850 to a holder of any certificate of registration issued pursuant to this chapter upon proof of
851 any one of the following grounds:

852 (1) Willfully committing any false, fraudulent, or deceitful act or using any forged, false,
853 or fraudulent document in connection with any requirement of this chapter or the rules
854 and regulations of the board;

855 (2) Willfully failing at any time to comply with the requirements for a certificate of
856 registration under this chapter;

857 (3) Practicing barbering or the occupation of a cosmetologist under a false or assumed
858 name;

859 (4) Willfully permitting an unlicensed person to practice, learn, or teach barbering or the
860 occupation of a cosmetologist;

861 (5) Knowingly performing any cosmetology or barbering services in an unlicensed
862 facility;

863 ~~(5)~~(6) Knowingly performing an act which in any way assists an unlicensed person to
864 practice, learn, or teach barbering or the occupation of a cosmetologist; or

865 ~~(6)~~(7) Violating, directly or indirectly, or assisting in the violation of this chapter or any
866 rule or regulation of the board.

867 (b) The board may impose a fine not to exceed \$500.00 for each violation of any provision
868 of subsection (a) of this Code section; provided, however, that the board shall not, for any
869 violation of paragraph ~~(6)~~ (7) of subsection (a) of this Code section on grounds not set forth
870 in paragraphs (1) through ~~(5)~~ (6) of such subsection, impose a fine for the first violation in
871 an amount that exceeds ~~\$25.00~~ \$50.00, impose a fine for a second violation in an amount
872 that exceeds ~~\$75.00~~ \$150.00, or impose a fine for each subsequent violation in an amount
873 that exceeds \$300.00. Such fines shall be listed in a schedule contained in the rules and
874 regulations of the board. The licensee shall pay the fine within 30 days after receiving a
875 citation from either the board or a representative of the board unless the licensee requests
876 in writing a hearing. Such request for a hearing must be received by the board within 30
877 days after receipt of the citation from the board or a representative of the board. Such
878 hearings may be held by the board or a committee of the board. Decisions of a committee
879 of the board entered pursuant to this subsection shall be final decisions of the board.
880 Failure either to pay the fine or request a hearing may result in immediate suspension of
881 the license pending a hearing to determine whether revocation or other disciplinary action
882 should be imposed on the licensee.

883 (c) The board, for good cause shown and under such conditions as it may prescribe, may
884 restore a certificate of registration to any person, beauty shop, beauty salon, barber shop,
885 or salon suite, school of cosmetology, school of hair design, school of esthetics, school of

886 nail care, ~~or school of barbering~~ master barber, or school of barber II whose certificate of
 887 registration has been suspended, revoked, or canceled.

888 (d) Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' shall apply to any
 889 proceeding under this Code section.

890 43-10-16.

891 The board may bring an action to enjoin any person from engaging in barbering or the
 892 practice or the occupation of a cosmetologist, hair designer, esthetician, nail technician,
 893 master barber, or barber II if such person without being licensed to do so by the board
 894 engages in or practices barbering or the practice or occupation of a cosmetologist, hair
 895 designer, esthetician, nail technician, master barber, or barber II. The action shall be
 896 brought in the county in which such individual resides or, in the case of a firm or
 897 corporation, where the firm or corporation maintains its principal office; and, unless it
 898 appears that such person so engaging or practicing in barbering or the practice or
 899 occupation of a cosmetologist, hair designer, esthetician, nail technician, master barber, or
 900 barber II is licensed, the injunction shall be issued, and such person shall be perpetually
 901 enjoined from engaging or practicing in such activities throughout the state. It shall not be
 902 necessary in order to obtain the equitable relief provided in this Code section for the board
 903 to allege and prove that there is no adequate remedy at law. It is declared that the
 904 unlicensed activities referred to in this Code section are a menace and a nuisance dangerous
 905 to the public health, safety, and welfare.

906 43-10-17.

907 Notwithstanding any other provision of this chapter, a beauty shop, beauty salon, ~~and~~
 908 ~~barber shop,~~ and salon suite shall be authorized to employ persons to wash, shampoo,
 909 comb, and brush hair, and such persons shall not be required to be registered by the board;
 910 provided, however, that such persons shall not be permitted to apply or remove chemicals.

911 43-10-18.

912 (a) Nothing contained in this chapter nor any rule or regulation adopted in implementation
 913 hereof shall be construed to prohibit any person from operating a beauty shop, beauty
 914 salon, ~~or barber shop,~~ or salon suite within his or her home or residence, provided that such
 915 shop, salon, or suite meets and complies with all of the provisions of this chapter and the
 916 rules and regulations promulgated by the board.

917 ~~(b) It shall not be necessary for any person operating a beauty shop, beauty salon, or barber~~
 918 ~~shop in a private home to post a sign denoting same to be a beauty shop, beauty salon, or~~
 919 ~~barber shop unless the person elects to do so.~~

920 ~~43-10-18.1.~~

921 ~~Reserved.~~

922 ~~43-10-18.2.~~ 43-10-19.

923 Notwithstanding any other provision of this chapter, premises made available for a beauty
 924 shop, beauty salon, ~~or barber shop,~~ or salon suite within a facility licensed as a nursing
 925 home pursuant to Article 1 of Chapter 7 of Title 31 shall not be required to be licensed or
 926 registered as a beauty shop, beauty salon, ~~or barber shop,~~ or salon suite under this chapter,
 927 or otherwise be subject to any provisions of this chapter except for inspections,
 928 investigations, or both, for alleged violations of this chapter by any person licensed under
 929 this chapter, if barbering or cosmetologist services in such premises are rendered only to
 930 residents of the nursing home.

931 ~~43-10-18.3.~~ 43-10-20.

932 (a) Notwithstanding any other provision of this chapter, barbering or cosmetologist
 933 services may be performed by a registered cosmetologist, master barber, or barber II in a
 934 client's residence, a nursing home, an assisted living community a personal care home, a
 935 hospital, or similar facilities when the client for reasons of ill health, infirmity, or other
 936 physical disability is unable to go to the licensed beauty shop, salon, ~~or barber shop,~~ or
 937 salon suite for regular barbering or cosmetologist services.

938 (b) The board is authorized to adopt reasonable rules and regulations prescribing
 939 requirements and conditions for the performance of the services authorized in
 940 subsection (a) of this Code section.

941 ~~43-10-19.~~ 43-10-21.

942 (a) If any individual not lawfully entitled to a license under this chapter shall practice the
 943 occupation of a cosmetologist, hair designer, esthetician, nail technician, master barber, or
 944 barber II; or if any such individual shall endeavor to learn the trade of a cosmetologist, hair
 945 designer, esthetician, nail technician, master barber, or barber II by practicing the same
 946 under the instructions of a cosmetologist, hair designer, esthetician, nail technician, master
 947 barber, barber II, or other individual, other than as provided in this chapter; or if any such
 948 person shall instruct or attempt to instruct any individual in such trade; or if any proprietor
 949 of or person in control of or operating any beauty shop, beauty salon, barber shop, salon
 950 suite, school of cosmetology, school of hair design, school of esthetics, school of nail care,
 951 ~~or school of barbering~~ master barber, or school of barber II shall knowingly employ for the
 952 purpose of practicing such occupation any cosmetologist, hair designer, esthetician, nail
 953 technician, master barber, or barber II not licensed under this chapter; or if any person,

954 beauty shop, beauty salon, barber shop, salon suite, school of cosmetology, school of hair
 955 design, school of esthetics, school of nail care, ~~or school of barbering~~ master barber, ~~or~~
 956 school of barber II shall engage in any of the acts covered in this chapter though not
 957 licensed under the provisions of this chapter; or if any individual shall falsely or
 958 fraudulently pretend to be qualified under this chapter to practice or learn such trade or
 959 occupation; or if any person shall violate any provision of this chapter for which a penalty
 960 is not specifically provided, such person shall be guilty of a misdemeanor.

961 (b) Any person who operates or manages a beauty shop, salon, barber shop, ~~or~~ salon suite,
 962 school of cosmetology, school of hair design, school of esthetics, school of nail care, ~~or~~
 963 school of ~~barbering~~ master barber, or school of barber II that employs an individual who
 964 does not possess a license as provided in this chapter shall be guilty of a misdemeanor.

965 ~~43-10-20~~: 43-10-22.

966 (a) For the purposes of this chapter, the teachers and instructors of and courses of
 967 instruction or training in barbering or the practice of a cosmetologist operated by the
 968 Department of Corrections shall be considered to be subject to the same standards and to
 969 be part of the cosmetologist programs that are approved by the Technical College System
 970 of Georgia or the Department of Education as provided for by paragraphs ~~(14)~~ (16) through
 971 ~~(18)~~ (21) of Code Section 43-10-1 and paragraph ~~(8)~~ (9) of subsection (e) of Code Section
 972 43-10-12.

973 (b) The board shall be required to test an inmate who is an applicant for a certificate or
 974 registration under this chapter who has completed successfully a ~~barber~~ barbering or
 975 cosmetologist training program operated by the Department of Corrections and who meets
 976 the requirements stated in Code Section 43-10-9. If such inmate passes the applicable
 977 written and practical examinations, the board may issue the appropriate certificate of
 978 registration to such inmate after consideration of all requirements under Code Sections
 979 43-10-9 and 43-1-19; provided, however, that the board shall not apply the provisions of
 980 paragraph (4) of subsection (a) of Code Section 43-1-19 to such inmate based solely upon
 981 such person's status as an inmate and shall apply such provisions in the same manner as
 982 would otherwise be applicable to an applicant who is not an inmate."

983 **SECTION 2.**

984 All laws and parts of laws in conflict with this Act are repealed.