

AN ACT relating to cosmetology.

***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

➔Section 1. KRS 317A.010 is amended to read as follows:

As used in this chapter, unless the context requires otherwise:

- (1) "Beauty salon" means any establishment, ***fixed or mobile***, in which the practice of cosmetology is conducted for the general public or for consideration;
- (2) "Cosmetologist" means a person who engages in the practice of cosmetology for the public generally or for consideration, regardless of the name under which the practice is conducted;
- (3) "Cosmetologist board" or "board" means the Kentucky Board of Hairdressers and Cosmetologists;
- (4) "Cosmetology" means the practice upon the human neck and head of cutting hair, permanent waving, or hairdressing, and may also include but is not limited to:
  - (a) Nail technology and finger waving;
  - (b) Giving facial and scalp massage or treatments with oils, creams, lotions, or other preparations, either by hand or any contrivance;
  - (c) Shaping, designing, shampooing, pressing, arranging, tinting, or lightening the hair, or applying hair products;
  - (d) Applying to the neck or head, cosmetics, lotions, powders, oils, clays, or other products;
  - (e) Eyelash extensions;
  - (f) Facial hair removal; and
  - (g) Eyebrow shaping, design, threading or removal.

The practice of cosmetology does not include acts performed incident to treatment of an illness or a disease;

- (5) "Cosmetology school" or "school of cosmetology" means any operation, place, or establishment in or through which persons are trained or taught the practice of

cosmetology and nail technology;

- (6) "Nail salon" means any establishment, fixed or mobile, in which the practice of nail technology only is conducted for the general public or for consideration;
- (7) "Nail technician" means a person who practices nail technology for the general public or for consideration;
- (8) "Nail technology" means the practice of cutting, trimming, polishing, coloring, cleansing, applying artificial nails, or massaging, cleaning, treating, or beautifying the hands and feet of any human, for which a license is required by this chapter; and
- (9) "Threading" means the process of removing hair from below the eyebrow by use of a thread woven through the hair to be removed.

➔Section 2. KRS 317A.060 is amended to read as follows:

- (1) The cosmetologist board shall promulgate administrative regulations governing the operation of any schools and salons of cosmetology and nail technology including but not limited to administrative regulations to:
  - (a) Protect the health and safety of the public;~~;~~
  - (b) Protect the public against misrepresentation, deceit, or fraud in the practice or teaching of beauty culture;~~;~~
  - (c) Set standards for the operation of the schools and salons;~~;~~ and~~;~~
  - (d) Protect the students under the provisions of this chapter.
- (2) The administrative regulations promulgated by the board shall also address:
  - (a) The location and housing of beauty salons or cosmetology schools in the state.
 

To this end;~~;~~

    - 1. The board may make reasonable divisions and subdivisions of the state;~~;~~
    - 2. *Provisions for scheduling inspections of mobile salons shall be promulgated, along with inspection criteria mobile salons shall be required to meet; and*

- 3.** This subsection ~~shall~~<sup>does</sup> not apply to the instructional programs in cosmetology in the state area vocational and technical schools;
- (b) The quantity and quality of equipment, supplies, materials, records, and furnishings required in beauty salons, nail salons, or cosmetology schools;
  - (c) The training and supervision of cosmetology apprentices;
  - (d) The qualifications of teachers of cosmetology and apprentice teachers of cosmetology;
  - (e) The hours and courses of instruction at cosmetology schools;
  - (f) The examinations of applicants for licenses;
  - (g) The proper education and training of students; and
  - (h) The course and conduct of school owners, instructors, apprentice instructors, licensed cosmetologists, nail technicians, beauty salons, nail salons, and cosmetology schools.
- (3) Administrative regulations pertaining to health and sanitation shall be approved by the Cabinet for Health and Family Services before becoming effective.
- (4) Administrative regulations promulgated under this section shall not be unduly burdensome and shall balance the needs of protecting the public against the feasibility of the requirements imposed.**