HLS 17RS-882 ENGROSSED

2017 Regular Session

HOUSE BILL NO. 326

1

BY REPRESENTATIVE MACK

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COSMETOLOGY/BOARD: Provides relative to fees imposed by the Louisiana State Board of Cosmetology

AN ACT

2	To amend and reenact R.S. 37:586(A), 599(A), and 601, relative to the Louisiana			
3	Cosmetology Act; to provide with respect to examinations for special permits; to			
4	require applicants taking exams to cover the costs of certain third-party testing;			
5	provide relative to fees assessed by the board to applicants and licensees; to provide			
6	relative to an increase in fines for violations cited from certain inspections; and t			
7	provide for related matters.			
8	Be it enacted by the Legislature of Louisiana:			
9	Section 1. R.S. 37:586(A), 599(A), and 601 are hereby amended and reenacted to			
10	read as follows:			
11	§586. Examination of applicants			
12	A.(1) The examination team and testing service contracted by the board shall			
13	conduct examinations of applicants for certificates as registered cosmetologists,			
14	estheticians, manicurists, teachers, and for any special permit issued by the board			
15	which requires testing at such times and places as deemed appropriate by the board.			
16	(2) Practical cosmetologist, Louisiana state theory, and national theory			
17	examinations shall be conducted at least twice monthly.			
18	(3) Esthetician, manicurist, and teacher examinations shall be conducted at			
19	least four times per calendar year.			
20	(4) Examinations for special permits shall be given at least twice per year.			

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1 (5) The date and time of all scheduled examinations shall be fixed by the 2 board annually at a meeting duly called to cover a period of twelve calendar months thereafter. 3 4 (6)(5) An applicant shall be responsible for all costs associated with taking 5 an examination administered by a third party testing company at the board's testing 6 center or at an off-site testing center. 7 8 §599. Fees 9 A. The following nonrefundable fees shall be assessed by the board: 10 (1) For each practical or state theory examination given by the examination 11 team to an applicant: \$25.00 12 (a) Theory examination \$25.00 13 (b) Practical examination \$25.00 14 (c) Re-take of any examination \$25.00 15 (2)(a) For each application for an initial license, permit, or certificate of 16 registration and each annual renewal of such license, permit, or certificate for a: 17 (a) Cosmetologist, Esthetician, Manicurist, or Teacher - General \$35.00 18 (i) Resident \$25.00 19 (ii) Nonresident \$50.00 20 (b) Esthetician 21 \$25.00 (i) Resident 22 \$50.00 (ii) Nonresident 23 (c) Manicurist 24 (i) Resident \$25.00 (ii) Nonresident 25 \$50.00 26 (d) Teacher 27 (i) Resident \$25.00 28 (ii) Nonresident \$50.00 29 (e) Manager \$25.00

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1	(b) For each application for an initial license, permit of certificate of		
2	registration for manager, booth renter, special permit or temporary permit and each		
3	annual renewal of such license, permit or certificate \$35.00		
4	(f)(3) Beauty For each application for an initial license for a beauty shop or		
5	salon, each annual renewal of or change of ownership or location of such license		
6	<u>\$40.00</u>		
7	(i) Resident \$30.00		
8	(ii) Nonresident \$65.00		
9	(iii) Home care \$30.00		
10	(iv)(4) Initial inspection fee for salon or booth rental required for opening		
11	<u>a salon, change of ownership or change of location</u> \$25.00 \(\frac{\$25.00}{} \)		
12	(g) Booth rental permit \$25.00		
13	(h) Special permit \$25.00		
14	(i) Temporary permit \$25.00		
15	(3)(5) If a registrant wishes to To restore an expired certificate, license or		
16	permit listed in Paragraph (2) of this Subsection within three years from the date of		
17	expiration, he the fee shall be assessed a fee equal to twice the applicable fee for		
18	each year the certificate, license, or permit was expired, not to exceed three hundred		
19	dollars.		
20	(4)(6) Student registration including one "in-state" transfer		
21	(a) Resident \$10.00 upon entering the course		
22	(b) Nonresident \$10.00 upon entering the course		
23	(5)(7) Initial certificate of registration for a school $$$400.00$		
24	(a) Resident \$315.00		
25	(b) Nonresident \$615.00		
26	$\frac{(6)(8)}{(8)}$ Renewal of certificate of registration for a school $$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$$		
27	(a) Resident \$165.00		
28	(b) Nonresident \$465.00		
29	(c) Failure to timely renew \$150.00		

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1	(7)(9) If a registrant wishes to To restore an expired certificate listed in		
2	Paragraph (5) (7) or (8) of this Subsection within three years from the date of		
3	expiration, he the fee shall be assessed a fee equal to twice the renewal fee for each		
4	year the certificate was expired in addition to the fee for failure to timely renew.		
5	(8)(10) Other school fees:		
6	(a) Initial inspection or failure to timely renew	\$100.00 <u>\$150.00</u>	
7	(b) Final inspection	\$300.00 <u>\$350.00</u>	
8	(c) Change of ownership notice or address notice	\$50.00 <u>\$100.00</u>	
9	(d) Change of address notice	\$100.00	
10	(9)(11) Miscellaneous fees:		
11	(a) Official certification of records	\$15.00	
12	(b) Duplicate license	\$25.00	
13	(c) Copy of booth rental contract form	\$ 5.00	
14	* * *		
15	§601. Fines		
16	An inspector may issue a citation and collect a fine of to	wenty-five thirty-five	
17	dollars per violation of any provision of this Chapter or rule promulgated by the		
18	board, up to a maximum of three hundred and fifty dollars per week, from any		
19	person, school, or facility, provided that the registrant waives his rights to a hearing		
20	in writing. Each day a violation exists shall be considered a separate violation.		

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 326 Engrossed

2017 Regular Session

Mack

Abstract: Makes changes with respect to exams and certain fees and fines assessed by the La. State Board of Cosmetology (board).

<u>Present law</u> requires examinations for special permits to be given at least twice per year. <u>Proposed law</u> removes this requirement.

<u>Present law</u> provides that applicants for license examinations are responsible for all costs associated with taking exams at test centers that are off-site from the board's testing center. <u>Proposed law retains present law.</u>

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<u>Proposed law</u> further provides that applicants are responsible for costs of exams administered by a third-party testing company at the board's testing center or at an off-site testing center.

<u>Proposed law</u> makes certain changes to fees assessed by the board. Provides that assessed fees are nonrefundable.

<u>Present law</u> provides for assessed fees for certain examinations. <u>Proposed law</u> retains present law.

<u>Proposed law</u> removes from <u>present law</u> the reference to certain resident and non-resident statuses, positions, permits, and applicable fees.

<u>Proposed law</u> establishes or increases fees for certain license renewal, permits, registrations, inspections, and expired certificates.

<u>Present law</u> authorizes fines for certain violations. <u>Proposed law</u> increases such fines.

(Amends R.S. 37:586(A), 599(A), and 601)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Commerce</u> to the original bill:

1. Changes the initial application fee and annual renewal fee for the license, permit, or certificate of a cosmetologist, esthetician, manicurist, or teacher <u>from</u> \$25.00 to \$35.00.