

SENATE BILL NO. 183

BY SENATOR WHITE

1 AN ACT

2 To amend and reenact R.S. 37:563(6), (8), and (10), 589(A), 594(B)(10), and 600(A)(12),  
3 and to repeal R.S. 37:588, relative to the Louisiana Cosmetology Act; to provide for  
4 definitions; to provide for registration for managers; to provide for application for  
5 school certificate of registration; to provide for denial, suspension, summary  
6 suspension, revocation or inactivity of certificate of registration; and to provide for  
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 37:563(6), (8), and (10), 589(A), 594(B)(10), and 600(A)(12) are  
10 hereby amended and reenacted to read as follows:

11 §563. Definitions

12 As used in this Chapter, the following words shall have the meaning herein  
13 ascribed to them, unless the content clearly otherwise indicates:

14 \* \* \*

15 (6) "Esthetics" means engaging in any one or a combination of the following  
16 practices: massaging the face or neck of a person, **dyeing or** trimming eyebrows,  
17 ~~dyeing eyelashes or eyebrows~~ **applying natural or artificial enhancements to**  
18 **eyelashes**, hair removal by cosmetic preparations, threading, waxing, or other similar  
19 means, stimulating, cleansing, or beautifying the face, neck, arms, bust, upper body,  
20 legs, or feet of a person by any method with the aid of the hands or of any  
21 mechanical or electrical apparatus, including micro-dermabrasion, epidermabrasion,  
22 or particle exfoliation using equipment and methodology approved by the board or  
23 by the use of a cosmetic preparation; however, esthetics shall not include the  
24 diagnosis, treatment, or therapy of any dermatological condition, or the process of  
25 removing hair known as "electrolysis".

26 \* \* \*

1                   (8) "Manicuring" means trimming, filing, decorating, shaping, sculpting, or  
 2                   in any way caring for the nails and skin of another person's hands or feet together  
 3                   with massaging the hands, arms, legs, and feet **including pedicuring; however,**  
 4                   **manicuring shall not include the use of blades or graters for callous or skin**  
 5                   **removal.**

\* \* \*

7                   (10) "Manager" means ~~any a~~ person ~~who~~ **responsible for supervising any**  
 8                   **facility required to be licensed as a beauty shop or salon where one or more**  
 9                   **person offers cosmetology services or engages** ~~supervises any person engaged in~~  
 10                  the practice of cosmetology ~~in a beauty shop or salon.~~

\* \* \*

§589. Certificates of registration for managers

13                  A. Any cosmetology salon owner who is not a licensed cosmetologist, any  
 14                  manicuring salon owner who is not a licensed manicurist, and any esthetics salon  
 15                  owner who is not a licensed esthetician shall employ ~~a manager~~ **one or more**  
 16                  **registered managers** who ~~is~~ **shall be** a licensed cosmetologist ~~and who shall not be~~  
 17                  ~~absent from the salon more than two working days per week;~~ however, a registered  
 18                  manicurist may manage a manicuring salon and a registered esthetician may manage  
 19                  an esthetics salon. **A registered manager shall be present at the salon during all**  
 20                  **hours of operation and shall be responsible for ensuring that all persons**  
 21                  **practicing cosmetology within the facility are appropriately licensed and follow**  
 22                  **all applicable laws and rules and regulations.**

\* \* \*

§594. Application for school certificate of registration; change of location; change  
of ownership

\* \* \*

27                  B. At least thirty days prior to the board meeting, any person desiring to  
 28                  operate a cosmetology school shall:

\* \* \*

30                  (10) For all schools which charge tuition, submit proof of financial

1 responsibility to such extent as may be determined by the board or a surety bond  
 2 executed by a company authorized to do business in Louisiana in the amount of ~~five~~  
 3 thirty thousand dollars in favor of the state of Louisiana. Such bond shall be used  
 4 for the benefit of any students who cannot complete the curriculum due to the closure  
 5 of the school, to the extent of the amount of the tuition paid. The board may, at any  
 6 time during the operation of a registered school, require additional data to be  
 7 submitted in order to satisfy the board of the school's financial responsibility.

8 \* \* \*

9 §600. Grounds for denial, suspension, summary suspension, or revocation of a  
 10 certificate of registration

11 A. The board may deny the issuance of, suspend, revoke, or refuse to renew  
 12 any certificate of registration or place on probation any registrant, after notice and  
 13 opportunity for hearing pursuant to the Administrative Procedure Act, upon proof of  
 14 any of the following:

15 \* \* \*

16 (12) Violation of any provision of this Chapter or any rule promulgated  
 17 pursuant to the provisions of this Chapter.

18 \* \* \*

19 Section 2. R.S. 37:588 is hereby repealed in its entirety.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_