

An Act

ENROLLED HOUSE
BILL NO. 2141

By: McDugle of the House

and

Bergstrom of the Senate

An Act relating to cosmetology and barbering; amending 59 O.S. 2021, Section 199.1, which relates to definitions; adding and modifying definitions; amending 59 O.S. 2021, Section 199.3, which relates to the powers of the State Board of Cosmetology and Barbering; removing reference to certain license; adding license for examination consideration by Board; preventing rules from modifying training or testing of specialty licenses not codified in statute; amending 59 O.S. 2021, Section 199.6, as amended by Section 1, Chapter 57, O.S.L. 2022 (59 O.S. Supp. 2023, Section 199.6), which relates to rules; updating references to certain licenses and certificates; removing requirements for operation of certain establishments or providing certain services; adding certain services to the exceptions of this act; amending 59 O.S. 2021, Section 199.7, which relates to cosmetology and barbering schools; modifying hours of instruction after certain date; adding requirements for certain instructor; establishing educational and certification requirements for certain instructor; modifying hours for certain examination; amending 59 O.S. 2021, Section 199.8, which relates to apprentices; allowing for compensation; modifying hours of training; requiring certain curriculum for apprenticeship programs from approved organizations; amending 59 O.S. 2021, Section 199.9, which relates to inspection of facilities; exempting certain licensees from the requirements of inspections under certain conditions; amending 59 O.S. 2021, Section 199.10, which relates to expiration and renewal of license; removing references to certain licenses; amending 59 O.S.

2021, Section 199.14, which relates to license fees; updating license fees; increasing license fees; establishing new biennial license fee schedule; amending 59 O.S. 2021, Section 199.18, which relates to services provided in a private residence; updating licenses and certificate holders authorized to provide services; creating the eyelash extension specialist certificate; providing educational requirements; prohibiting the Board from requiring examination to obtain license; allowing for services to be performed in certain establishments; updating statutory language; updating statutory references; making language gender neutral; providing for codification; and providing an effective date.

SUBJECT: Cosmetology and barbering

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2021, Section 199.1, is amended to read as follows:

Section 199.1. As used in the Oklahoma Cosmetology and Barbering Act:

1. "Apprentice" means a person who is engaged in learning the practice of cosmetology or barbering in a cosmetology or barbering establishment;

2. "Barber" or "barber stylist" means any person who engages in the practice of barbering;

3. "Barbering" means ~~any one or any combination of~~ the following practices, when done upon the upper part of the human body for cosmetic purposes and when done for payment either directly or indirectly for the general public, ~~constitutes~~ constitute the practice of barbering, to wit: Shaving or trimming the beard or cutting the hair; giving facial or scalp massages or treatment with oils, creams, lotions or other preparations, either by hand or mechanical appliances; singeing, shampooing or applying lighteners or color to the hair or applying hair tonics; applying cosmetic preparations, antiseptics, powders, oils, clays or lotions to scalp,

face, neck or upper part of the body; and removing superfluous hair from the face, neck or upper part of the body;

4. "Barber establishment" means an establishment or place of business where one or more persons are engaged in the practice of barbering, but shall not include barber schools or colleges;

5. "Barber school" or "barber college" means an establishment operated for the purpose of teaching barbering;

6. "Blow-dry styling" means the practice of shampooing, conditioning, drying, arranging, curling, straightening, or styling hair using mechanical devices, hairsprays, and topical agents including, but not limited to, balms, oils, and serums. Blow-dry styling shall include the use and styling of hair extensions, hair pieces, and wigs. Blow-dry styling shall not include cutting hair or the application of dyes, bleach, reactive chemicals, keratin treatments, or other preparations for the coloring and altering of hair structure. An individual certified to practice blow-dry styling shall fulfill instruction requirements related to general safety and sanitation for no less than twelve (12) hours, four (4) hours being an instruction in using mechanical devices for drying, curling, straightening, or styling hair, from the State Board of Cosmetology and Barbering before making any such applications. No establishment licensing and inspection requirements pursuant to this act shall be required of an establishment where a person performs blow-dry styling services;

7. "Board" means the State Board of Cosmetology and Barbering;

~~7.~~ 8. "Cosmetic studio" means any place or premises where demonstrators give demonstrations, without compensation, for the purpose only of advertising and selling cosmetics. Cosmetic studios providing any place or premises where demonstrators give demonstrations as defined in this paragraph shall not be required to hold a license or certification under the Oklahoma Cosmetology and Barbering Act;

~~8. "Cosmetician" means a person licensed by the Board to perform patron services limited to hair arranging and application of makeup, including, but not limited to, using hairstyling tools and products. Services must be performed in a licensed establishment;~~

9. "Cosmetology" means ~~any one or combination of~~ the practices generally and usually performed by and known as the occupation of

beauticians, beauty culturists, beauty operators, ~~cosmeticians,~~ cosmetologists, or hairdressers or of any other person holding himself or herself out as practicing cosmetology by whatever designation and within the meaning of the Oklahoma Cosmetology and Barbering Act and in or upon whatever place or premises. Cosmetology shall include, but not be limited to, any one or combination of the following practices: bleaching, cleansing, curling, cutting, coloring, dressing, removing, singeing, styling, waving, or similar work upon the hair of any person by any means, whether with hands or mechanical or electrical apparatus or appliances. Nothing in the Oklahoma Cosmetology and Barbering Act shall be construed to prohibit the use of hands or mechanical or electrical apparatus or appliances for the nonpermanent removal of hair from the human body without puncturing of the skin or the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, or massaging, cleansing, stimulating, exercising, beautifying, or similarly working the scalp, face, neck, arms, or the manicuring of the nails of any person, exclusive of such of the foregoing practices as are within the scope of practice of the healing arts as provided by law;

10. "Cosmetology establishment" means an establishment or place of business where one or more persons are engaged in the practices of cosmetology but shall not include cosmetology schools or colleges;

11. "Cosmetology or barber school/college" means any place or premises where instruction in any or all the practices of cosmetology or barbering is given. Any person, firm, institution or corporation, who holds himself, herself or itself out as a school to teach and train, or any person, firm, institution or corporation who shall teach and train any other person or persons in any of the practices of cosmetology or barbering is hereby declared to be engaged in operating a cosmetology and/or barber school, and shall be subject to the provisions of the Oklahoma Cosmetology and Barbering Act. Licensed cosmetology and/or barber schools may offer education to secondary and postsecondary students in this state;

12. "Demonstrator" means a person who is not licensed in this state as an operator or instructor and who demonstrates any cosmetic preparation. ~~The person shall be required to obtain a Demonstrator license and pass a state written exam relating to general safety and sanitation from the Board before making any such demonstrations~~ An individual solely acting as a demonstrator as defined in this

paragraph shall not be required to hold a license or certification under the Oklahoma Cosmetology and Barbering Act;

13. "Eyelash extension application" means the application, removal, and trimming of threadlike natural or synthetic fibers to an eyelash. Eyelash extension application shall include the cleaning of lashes. Eyelash extension application shall not include color agents, straightening agents, permanent wave solutions, bleaching agents, or any other service that may be considered under the practice of cosmetology;

14. "Eyelash extension instructor" means a person certified by the Board or a manufacturer of eyelash extension application products. The person shall pass a state written exam relating to general safety and sanitation from the Board;

15. "Eyelash extension specialist" means a person certified by the Board to perform eyelash extension application. The person shall pass a state written exam relating to general safety and sanitation from the Board;

~~13.~~ 16. "Facial/Esthetics instructor" means a person licensed by the Board as a qualified teacher of the art and science of facial and esthetics theory and practice;

~~14.~~ 17. "Facialist/Esthetician" means any person who gives facials for compensation. For a facialist/esthetician fulfilling the requirements of another state, territory, or province and holding a current license as verified by certification, the Board may issue a license pursuant to Section 199.13 of this title;

~~15.~~ 18. "Hairbraiding technician" means a person ~~certified by the Board to perform~~ who performs hairbraiding, hairweaving techniques, and hair extensions in a licensed cosmetology establishment. An individual solely acting as a hairbraiding technician as defined in this paragraph shall not be required to hold a license or certification under the Oklahoma Cosmetology and Barbering Act;

19. "Hairbraiding" means the service of twisting, wrapping, weaving, extending, locking, or braiding hair by hand or with mechanical devices. Hairbraiding shall include the use of natural or synthetic hair extensions, natural or synthetic hair and fibers, decorative beads or other hair accessories, or twisting, wrapping, weaving, extending, locking, or braiding hair, or the making of wigs

from natural hair, natural fibers, synthetic fibers, or hair extensions. Hairbraiding shall include the use of topical agents such as conditioners, gels, moisturizers, oils, pomades, and shampoos. Hairbraiding shall not include the application of dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl, or alter the structure of the hair or the use of chemical hair jointing agents such as synthetic tape, keratin bonds, or fusion bonds. Hairbraiding shall not be considered the practice of cosmetology. Individuals solely practicing hairbraiding as defined in this paragraph shall not be required to hold a license or certification under the Oklahoma Cosmetology and Barbering Act;

~~16.~~ 20. "Hybrid learning" means courses that combine face-to-face classroom instruction with ~~on-line~~ online, computer-based learning;

~~17.~~ 21. "Makeup application" means the application of a cosmetic to enhance the appearance of the face or skin including, but not limited to, powder, foundation, rouge, eyeshadow, eyeliner, mascara, or lipstick. Makeup application shall include the application of makeup applied using an airbrush. Makeup application shall not include the application of permanent makeup or tattooing;

22. "Makeup artist" means a person certified to practice makeup application. No establishment licensing and inspection requirements pursuant to this act shall be required of an establishment where a person performs makeup application services; provided, that an individual certified to practice makeup application fulfills instruction requirements related to general safety and sanitation for no less than eight (8) hours from the Board before making any such applications;

23. "Manicurist/Nail technician" means a person who gives manicures, gives pedicures, or applies artificial nails;

~~18.~~ 24. "Manicurist/Nail technician instructor" means a person licensed by the Board as a qualified teacher of the art and science of nail technology theory and practice;

25. "Master barber" means any person who has engaged in the practice of barbering for a cumulative period no less than fifteen (15) years. A master barber may provide instruction to no more than two registered apprentices at any one time. At such time as a

barber fulfills the requirements of a master barber, he or she may request of the Board for licensure as a master barber;

~~19.~~ 26. "Master barber instructor" means a person who gives instruction in barbering or any practices thereof;

~~20.~~ 27. "Master cosmetologist" means any person who has engaged in the practice of cosmetology for a cumulative period no less than fifteen (15) years. A master cosmetologist may provide instruction to no more than two registered apprentices at any one time. At such time as a cosmetologist fulfills the requirements of a master cosmetologist, he or she may request of the Board for licensure as a master cosmetologist;

28. "Master cosmetology instructor" means a person who gives instruction in cosmetology or any practices thereof;

~~21.~~ 29. "Postsecondary institution" means a school licensed to teach students according to prescribed curriculum as in paragraph 1 of subsection G of Section 199.7 of this title and in Board rule 175:10-3-34(a);

~~22.~~ 30. "Public school" means any state-supported institution conducting a cosmetology program;

~~23.~~ 31. "Secondary institution" means a school licensed to teach students eligible for credit of five hundred (500) hours of related subjects as prescribed in paragraph 2 of subsection G of Section 199.7 of this title and in Board rule 175:10-3-34(b); ~~and~~

~~24.~~ 32. "Shampooing" means the practice of washing or cleaning hair by use of shampooing, conditioning, and drying, which may use topical agents including, but not limited to, balms, oils, and serums. Shampooing shall include the washing or cleaning of hair extensions, hair pieces, and wigs. Shampooing shall not include cutting hair or the application of dyes, bleach, reactive chemicals, keratin treatments, or other preparations for the coloring and altering of hair structure. Individuals solely practicing shampooing as defined in this paragraph shall not be required to hold a license or certification under the Oklahoma Cosmetology and Barbering Act; and

33. "Student" means a person who is enrolled in and attending a cosmetology or barbering school for the purpose of learning the practice of cosmetology or barbering.

SECTION 2. AMENDATORY 59 O.S. 2021, Section 199.3, is amended to read as follows:

Section 199.3. A. In order to safeguard and protect the health and general welfare of the people of ~~the State of Oklahoma~~ this state, the State Board of Cosmetology and Barbering is hereby vested with the powers and duties necessary and proper to enable it to fully and effectively carry out the provisions of the Oklahoma Cosmetology and Barbering Act.

B. The Board shall have the powers and duties to:

1. Promulgate rules pursuant to the Administrative Procedures Act relating to standards of sanitation which must be observed and practiced by all cosmetology and barber establishments, cosmetology or barber schools, master cosmetology instructors, master barber instructors, barbers, apprentices, students, and board licensees. The Board shall furnish copies of the rules to the owner or manager of each cosmetology school, barber school and cosmetology and barber establishment operating in this state. It shall be the duty of each owner or manager to post a copy of the rules in a conspicuous place in each of the establishments or schools;

2. Conduct examinations of applicants for certificates of registration as manicurists, cosmetologists, facial operators, ~~hairbraiding technician~~, manicurist/nail technician instructor, facial/esthetics instructor, master cosmetology instructor, ~~cosmetician~~, barber, or barber instructor at such times and places determined by the Board. Applications for all examinations shall be made on forms approved by the Board;

3. Keep a record of all its proceedings. The Board shall keep a record of all applicants for certificates, licenses and permits, showing the name of the applicant, the name and location of the place of occupation or business, if any, and the residence address of the applicant, and whether the applicant was granted or refused a certificate, license or permit. The records of the Board shall be valid and sufficient evidence of matters contained therein, shall constitute public records. Records shall be open to public inspection at all reasonable times and subject to the Oklahoma Open Records Act. Notwithstanding any other provision of law to the contrary, records and information obtained in connection with an investigation of alleged violations, including complaints, identity of a complainant, investigative reports, and documentation or images

generated or received during the course of an investigation, shall be confidential and shall not be subject to disclosure;

4. Issue all certificates of registration, licenses, permits, notices and orders;

5. Establish limited specialty licenses and certificates for ~~cosmetician,~~ facial/esthetics instructor, eyelash extension instructor, manicurist/nail technician instructor, master barber instructor, or master cosmetology instructor within the practice of cosmetology or barbering. The Board shall also promulgate rules for special licenses, including but not limited to reduced curriculum requirements, as the Board may deem appropriate and necessary to further the purposes of the Oklahoma Cosmetology and Barbering Act; provided, that the rules promulgated for specialty licenses shall not require training or testing not required in this act;

6. Make regular inspections of all cosmetology and barber schools and cosmetology and barber establishments ~~licensed to operate~~ operating in this state, and reports thereof shall be kept and maintained in the office of the Board;

7. Make investigations and reports on all violations of the Oklahoma Cosmetology and Barbering Act;

8. Take samples of beauty supplies for the purpose of chemical analysis; provided, that if the owner demands payment for the sample taken, payment at the regular retail price shall be made;

9. Refuse, revoke, or suspend licenses, certificates of registration or permits after notice and an opportunity for a full hearing, pursuant to Article II of the Administrative Procedures Act, on proof of violation of any of these provisions or the rules established by the Board;

10. Enter into any contracts necessary to implement or enforce the provisions of the Oklahoma Cosmetology and Barbering Act or rules promulgated thereto; and

11. Apply to a court of competent jurisdiction for an order enjoining an unlicensed person from practicing cosmetology or barbering or holding himself or herself out as a practitioner of cosmetology or barbering. Injunctive relief granted by the court shall be without bond.

C. 1. Any person whose license, certificate of registration, or permit has been suspended or revoked may, after the expiration of thirty (30) days, make application to the Board for reinstatement thereof.

2. Reinstatement of any such license, certificate of registration, or permit shall rest in the sound discretion of the Board.

3. Any action of the Board in refusing, revoking, or suspending a license, certificate of registration, or permit may be appealed to the district court of the county of the appellant's residence pursuant to the Administrative Procedures Act.

D. 1. In any case where a licensee becomes a member of the Armed Forces of the United States, such license shall not lapse by reason thereof but shall be considered and held in full force and effect without further payment of license fees during the period of service in the Armed Forces of the United States and for six (6) months after honorable release therefrom. At any time within six (6) months after honorable release from the Armed Forces of the United States the licensee may resume practice pursuant to a license without other or further examination by notifying the Board in writing.

2. The period of time in which the licensee shall have been a member of the Armed Forces of the United States shall not be computed in arriving at the amount of fee or fees due or to become due by such licensee.

SECTION 3. AMENDATORY 59 O.S. 2021, Section 199.6, as amended by Section 1, Chapter 57, O.S.L. 2022 (59 O.S. Supp. 2023, Section 199.6), is amended to read as follows:

Section 199.6. A. The State Board of Cosmetology and Barbering is hereby authorized to promulgate rules for governing the examination and licensure of cosmetologists, master cosmetologists, manicurists, nail technicians, estheticians, ~~cosmeticians, hair braiding technicians~~, master cosmetology instructors, manicurist instructors, esthetics instructors, barbers, master barbers, and master barber instructors. The Board is hereby authorized to promulgate rules to govern the sanitary operation of cosmetology and barbering establishments and to administer fines not to exceed Fifty Dollars (\$50.00) for those licensed and not to exceed Five Hundred

Dollars (\$500.00) for those not licensed. Each day a violation continues shall be construed as a separate offense.

B. The State Board of Cosmetology and Barbering shall have the power and duty to implement rules of the Board, to issue and renew licenses, to inspect cosmetology and barbering establishments and schools, and to inspect the sanitary operating practices of cosmetology and barbering licensees, including sanitary conditions of cosmetology and barbering establishments and schools.

C. It shall be unlawful and constitute a misdemeanor, punishable upon conviction by a fine ~~of~~ not less than Fifty Dollars (\$50.00), nor more than One Hundred Fifty Dollars (\$150.00), or by imprisonment in the county jail for not more than thirty (30) days, or both such fine and imprisonment, for any person, firm, or corporation in this state to:

1. Operate or attempt to operate a cosmetology school/college, cosmetology or barber establishment, cosmetology or barber school or college that offers cosmetology, barbering or both without having obtained a license therefor from the State Board of Cosmetology and Barbering;

2. Give or attempt to give instruction in cosmetology or barbering, without having obtained an instructor's license from the Board;

3. Practice or offer to practice barbering, cosmetology ~~or,~~ manicuring, or eyelash extension application without having obtained a license or certification therefor from the Board;

4. ~~Operate a cosmetic studio without having obtained a license therefor from the Board;~~

5. ~~Demonstrate a cosmetic preparation without having obtained a demonstrator's license from the Board~~ Demonstrate as an eyelash extension instructor or operate as an eyelash extension specialist without having obtained a certificate from the Board;

~~6.~~ 5. Permit any person in one's employ, supervision, or control to practice cosmetology or barbering unless that person has obtained an appropriate license from the Board;

~~7.~~ 6. Willfully violate any rule promulgated by the Board for the sanitary management and operation of a cosmetology or barber establishment, cosmetology school or barber college; or

~~8.~~ 7. Violate any of the provisions of the Oklahoma Cosmetology and Barbering Act.

D. The State Board of Cosmetology and Barbering shall have the authority to levy administrative fines not to exceed Five Hundred Dollars (\$500.00) for persons practicing cosmetology or barbering without a license, and for owners of ~~licensed~~ establishments who allow unlicensed individuals to practice cosmetology or barbering without a license in their establishment. Each day a violation continues shall be a separate offense. The administrative fine shall not exceed a total of Five Hundred Dollars (\$500.00).

E. The provisions of the Oklahoma Cosmetology and Barbering Act shall not apply to the following persons while such persons are engaged in the proper discharge of their professional duties:

1. Funeral directors;
2. Persons in the Armed Services;
3. Persons authorized to practice the healing arts or nursing;
4. Regularly employed sales people working in retail establishments engaged in the business of selling cosmetics in sealed packages; ~~or~~
5. Persons employed to render cosmetology or hairstyling services in the course of and incidental to the business or employers engaged in the theatrical, radio, television, or motion picture production industries, modeling, or photography;

6. Persons performing shampooing services and no other services requiring a license under this act; or

7. Persons performing hairbraiding services.

SECTION 4. AMENDATORY 59 O.S. 2021, Section 199.7, is amended to read as follows:

Section 199.7. A. Each cosmetology and barber school shall be licensed annually by the State Board of Cosmetology and Barbering.

Application for the first year's license for a cosmetology and barber school shall be accompanied by a fee of Four Hundred Dollars (\$400.00), which shall be retained by the Board if the application is approved and a license is issued. The annual renewal license fee for cosmetology or barber schools shall be One Hundred Twenty-five Dollars (\$125.00).

B. 1. No license or renewal thereof for a cosmetology or barber school shall be issued unless the owner thereof furnishes to the Board a good and sufficient surety bond in the principal sum of Two Thousand Dollars (\$2,000.00) for the first instructor and an additional One Thousand Dollars (\$1,000.00) for each additional instructor, executed by a surety company authorized to do business in this state, and conditioned on the faithful performance of the terms and conditions of all contracts entered into between the owner of the cosmetology or barber school and all persons enrolling therein.

2. The surety bond shall be in a form approved by the Attorney General and filed in the Office of the Secretary of State. Suit may be brought on the bond by any person injured by reason of the breach of the conditions thereof.

C. It shall be the duty of the owner or manager of a cosmetology or barber school to enter into a written contract with all students before permitting students to attend any classes. Contracts shall be made out in triplicate, the original copy to be retained by the school, the duplicate to be given to the student, and the triplicate to be filed with the ~~executive director~~ Executive Director of the Board.

D. A school licensed or applying for licensure shall maintain recognition as an institution of postsecondary study by meeting the following conditions:

1. The school shall admit as a regular student only an individual who has earned a recognized high school diploma, or who is beyond the age of compulsory high school attendance; and

2. The school shall be licensed by name, or in the case of an applicant, shall apply for licensure by name, to offer one or more training programs beyond the secondary level.

E. No license for a cosmetology or barber school shall be issued unless the owner thereof presents evidence satisfactory to

the Board that the school has satisfactory facilities and equipment and has instructors qualified to give a course of study as provided in the Oklahoma Cosmetology and Barbering Act.

F. There shall be included in the curriculum for cosmetology and barber schools, courses of study in the theory of cosmetology and barbering related theory, studies in manipulative practices, sterilization and sanitation, shop management, and such other related subjects as may be approved by the Board.

G. 1. ~~The~~ On or before July 1, 2025, the Board shall adopt a curriculum of required courses of instruction in theory and training of either ~~one thousand five hundred (1,500)~~ one thousand (1,000) clock hours for nonchemical-use licensure or one thousand two hundred fifty (1,250) hours of chemical-use licensure or an equivalent number of credit hours as recognized by the United States Department of Education or a regional or national accreditation entity recognized by the United States Department of Education in a basic course to be taught in all cosmetology or barbering schools in the state. The basic cosmetology or barbering course shall be designed to qualify students completing the course to take the examination for a license.

2. ~~Cosmetology~~ On or before July 1, 2025, cosmetology and barber students in vocational, trade, and industrial cosmetology and barbering classes in public schools, parochial schools, private schools or home schools shall qualify by completing one thousand (1,000) hours in a basic course of cosmetology or barbering and ~~five hundred (500)~~ two hundred fifty (250) hours of approved related subjects to be selected from, but not limited to, the following high school courses in a public school, parochial, private or home school: psychology, biology, general science, American history, art, typing I, typing II, business arithmetic, salesmanship, bookkeeping I, bookkeeping II, related mathematics, English II, English III and English IV.

H. 1. No person shall be eligible to give instruction in cosmetology or barbering unless the person is the holder of a current unrevoked ~~instructor's~~ instructor license issued by the Board. No person shall be eligible to give instruction in eyelash extension application unless the person is the holder of a current unrevoked eyelash extension instructor certificate issued by the Board. A manufacturer of eyelash extension application products shall not be required to obtain an instructor certificate but shall

only instruct on eyelash extension products and not the application of eyelash extensions.

2. Each cosmetology or barber school shall employ at least one instructor for the first fifteen students registered therein, and at least one additional instructor shall be employed for each additional group of fifteen students, or major fraction thereof.

3. Students utilizing hybrid learning programs are included in the total student number as referenced in the ratio in paragraph 2 ~~of subsection C of this section~~ subsection.

I. A cosmetology or barbering school may be operated in and as part of an accredited high school.

J. No cosmetology or barber school owner or an establishment owner shall charge students or apprentices for cosmetic materials, supplies, apparatus, or machines used by them in practice work. A reasonable charge may be made by a cosmetology or barber school for clinical work performed by students upon persons who are not students therein. No instructor shall be permitted to do professional or clinical work in a cosmetology or barber school at any time.

K. No cosmetology or barber establishment shall ever be operated in or as a part of a cosmetology school.

L. 1. Students shall:

- a. have an eighth-grade education or the equivalent thereof, and
- b. be at least sixteen (16) years of age unless they are public or private school students who will be sixteen (16) years of age by November 1 of the year in which cosmetology or barbering instruction begins.

2. Credit shall not be given to any person by the Board or by a cosmetology or barber school for hours spent in attending a cosmetology or barber school unless the person has registered with the Board as a student prior to the attendance, except that a student who has attended a cosmetology or barber school out of state may receive credit for such attendance for transfer upon proper certification as provided by rule of the Board.

3. No student shall be credited with more than eight (8) hours' attendance in a cosmetology or barber school in any one (1) day.

4. No person shall be eligible to take the Board-issued examination for a license unless such person is at least seventeen (17) years of age or a high school graduate.

M. 1. No student shall be eligible to take the examination for a Board-issued license without furnishing to the Board the affidavit of the owner of the cosmetology or barber school that the student has satisfactorily completed the requirements specified in paragraph 1 of subsection ~~F~~ G of this section, except public and private school students who will complete the requirements specified in paragraph 2 of subsection ~~F~~ G of this section by the close of the current school year may take the examination next preceding the end of the school year.

2. Students who are eligible to take the examination shall be given an oral examination if requested by their instructor and proof of qualifying disability is proven.

N. ~~No~~ After July 1, 2025, no person shall be eligible to register for the examination for an instructor's license unless such person is a high school graduate, or has obtained a General Equivalency Diploma (GED) as to which the applicant shall qualify by tests to be prescribed by the Board and conducted by qualified examiners selected by the Board, and has:

~~1. Satisfactorily~~ satisfactorily completed all hours required for the appropriate specialty course and an additional ~~one thousand (1,000)~~ six hundred (600) instructor training hours or equivalent number of credit hours as recognized by the United States Department of Education or as recognized by a national accreditation entity prescribed by the Board in a cosmetology or barber school in this state; ~~or~~

~~2. Completed all hours required for the appropriate specialty course, three hundred (300) instructor training hours, prescribed by the Board in a cosmetology school in this state and has been engaged in the practice of cosmetology for at least the preceding two (2) years.~~

O. The Board shall have the power to conduct examinations around the state at public locations including, but not limited to, technology center schools.

P. Each cosmetology or barber school shall prominently display in a conspicuous place above or to the side of the entrance thereto a sign identifying it as an institute of learning. ~~Wording~~ The wording on such sign shall be in plain letters at least three (3) inches high and at least one (1) inch wide.

SECTION 5. AMENDATORY 59 O.S. 2021, Section 199.8, is amended to read as follows:

Section 199.8. A. Each person training as an apprentice shall be required to have the same qualifications as a student for admission into a cosmetology or barber school, and shall be registered with the State Board of Cosmetology and Barbering before commencing the training.

B. No apprentice shall engage in any of the practices of cosmetology or barbering except under the immediate supervision of a licensed instructor in a cosmetology or barber establishment approved by the Board for apprentice training.

C. All apprentices ~~must~~ shall wear a badge which designates them as an apprentice and is furnished by the Board with the apprentice registration receipt.

D. Only ~~one apprentice~~ two apprentices may be registered to receive training in any cosmetology or barber establishment at any one time. An apprentice registered to receive training in any cosmetology or barber establishment may receive compensation during his or her training.

E. Completion of ~~three thousand (3,000)~~ two thousand two hundred fifty (2,250) hours of apprentice training in a cosmetology or barber establishment is the equivalent of ~~one thousand five hundred (1,500)~~ one thousand two hundred fifty (1,250) hours' training in a cosmetology or barber school and shall entitle the apprentice to take the examination.

F. The required curriculum for apprenticeships shall be created by an organization approved by the Board for each discipline. Practical and theory-related benchmarks shall be administered by either a master barber or master cosmetologist at the end of each chapter/unit of the curriculum. Benchmarks shall be established within the course outline and curriculum shall be provided to the Board upon request during the apprenticeship application process.

SECTION 6. AMENDATORY 59 O.S. 2021, Section 199.9, is amended to read as follows:

Section 199.9. A. The State Board of Cosmetology and Barbering shall not issue a license for a cosmetology or barber establishment until an inspection has been made of the salon and equipment, including the sanitary facilities thereof. Temporary approval pending inspection may be made upon sworn affidavit by the license applicant that all requirements have been met. No license shall be issued for a cosmetology or barber establishment to be operated in a private home or residence unless the salon is located in a room or rooms not used or occupied for residential purposes.

B. 1. Except as otherwise provided in the Oklahoma Cosmetology and Barbering Act, it shall be unlawful for any person to practice cosmetology or barbering in any place other than a licensed establishment or school licensed by the Board. A person may provide services outside of a licensed establishment if his or her services do not require licensing under this act and shall not be required to receive an establishment license for the facility where his or her services are being provided and may work in a licensed establishment.

2. In an emergency such as illness, invalidism, or death, a licensed operator may perform cosmetology or barbering services for a person by appointment in a place other than a licensed cosmetology or barber establishment or cosmetology or barber school.

C. A person licensed as a cosmetologist may perform cosmetology services in a barber establishment. A person licensed as a barber may perform barbering services in a cosmetology establishment. Any salon which provides both cosmetology and barbering services must obtain a license from the Board.

SECTION 7. AMENDATORY 59 O.S. 2021, Section 199.10, is amended to read as follows:

Section 199.10. A. All licenses issued under the provisions of the Oklahoma Cosmetology and Barbering Act shall be issued for a period of one (1) year. The expiration date of the license shall be the last day of the month in which the applicant's birthday falls. The public display of a licensee's personal residential address on the face of any license issued pursuant to the provisions of the Oklahoma Cosmetology and Barbering Act shall be prohibited on and

after July 1, 2016, and such personal address information, if ~~publically~~ publicly displayed on a valid license, may be redacted by the licensee until the license is renewed and no longer bears his or her personal residential address.

B. Applications for renewal must be made on or before the last day of the month in which the applicant's birthday falls, and shall be accompanied by the appropriate fees.

C. Any person who fails to renew the license within the required time may make application for renewal at any time within five (5) years from the expiration date of the license by paying the regular renewal license fee and a late fee of Ten Dollars (\$10.00), which becomes due two (2) months after the expiration date.

D. Any person who fails to renew within the required time may make application with subsequent renewal and penalty fees.

E. Before a person may take an examination to renew an expired license after a period of five (5) years, such person shall register in a cosmetology or barber school for the given number of review hours in accordance with the following timetable and schedule based upon the type of license held.

License Type	Expired Five Years or More	Review Hours Required
Basic Cosmetologist		250 hours
Barber		250 hours
Master Cosmetology		
Instructor		100 hours
Master Barber		
Instructor		100 hours
Facial/Esthetics		
Instructor		100 hours
Manicurist/Nail		

Technician	
Instructor	100 hours
Manicurist	100 hours
Facial Operator	100 hours
Cosmetician	100 hours
Hairbraiding	
Technician	100 hours

F. Each person holding a license shall notify the Board of any change in the mailing address of such person within thirty (30) days after any change.

SECTION 8. AMENDATORY 59 O.S. 2021, Section 199.14, is amended to read as follows:

Section 199.14. A. ~~The~~ After the effective date of this act, the following fees shall be charged by the State Board of Cosmetology and Barbering:

Registration as a student.....	\$	5.00	<u>10.00</u>
Examination for license		35.00	<u>50.00</u>
Cosmetology and Barber school license (initial).....			400.00
Cosmetology and Barber school license (renewal).....			125.00
Apprentice Registration.....			10.00
Renewal Advanced Operator license (annual)		25.00	<u>40.00</u>
Facial Operator license (annual)		25.00	<u>40.00</u>
Cosmetology license (annual) <u>(chemical/nonchemical)</u> ...		25.00	<u>40.00</u>
Barber license (annual) <u>(chemical/nonchemical)</u>		25.00	<u>40.00</u>
Manicurist license (annual)		25.00	<u>40.00</u>

<u>Eyelash Extension Specialist certificate.....</u>	<u>40.00</u>	
<u>Eyelash Extension Instructor certificate.....</u>	<u>40.00</u>	
<u>Blow-Dry Styling certificate.....</u>	<u>40.00</u>	
<u>Makeup Artist certificate.....</u>	<u>40.00</u>	
Facial/Esthetics Instructor license (annual).....	30.00	<u>45.00</u>
Cosmetician license (annual).....	25.00	
Manicurist/Nail Technician Instructor license (annual)	30.00	<u>45.00</u>
Demonstrator license (annual).....	20.00	
<u>Master Barber.....</u>	<u>40.00</u>	
<u>Master Cosmetologist.....</u>	<u>40.00</u>	
Master Cosmetology Instructor license (annual).....	50.00	<u>65.00</u>
Master Barber Instructor license (annual).....	50.00	<u>65.00</u>
Cosmetology establishment license (initial).....	45.00	<u>60.00</u>
Cosmetology establishment license (renewal).....	30.00	<u>45.00</u>
Barber establishment license (initial).....	45.00	<u>60.00</u>
Barber establishment license (renewal).....	30.00	<u>45.00</u>
Cosmetic Studio license (initial).....	50.00	
Cosmetic Studio license (renewal)	30.00	
Nail Salon (initial)	45.00	<u>60.00</u>
Nail Salon (renewal)	30.00	<u>45.00</u>
Reciprocity license (initial).....	30.00	<u>45.00</u>
Reciprocity processing fee.....	30.00	<u>45.00</u>

Duplicate license (in case of loss or destruction of original).....	5.00 <u>10.00</u>
Notary fee.....	1.00
Certification of Records.....	10.00

B. In addition to the fees specified in subsection A of this section, the Board shall charge a total penalty of Ten Dollars (\$10.00), as provided for in Section 199.10 of this title.

C. Any person licensed as an advanced operator prior to July 1, 1985, may renew the advanced cosmetologist license annually by payment of the fee required by this section and by being in compliance with the rules promulgated by the State Board of Cosmetology and Barbering.

D. Beginning on November 1, 2025, all licenses renewed annually in this section shall be renewed every two (2) years. The following fees shall be charged:

<u>Registration as a student.....</u>	<u>\$10.00</u>
<u>Examination for license.....</u>	<u>50.00</u>
<u>Cosmetology and Barber school license (initial).....</u>	<u>400.00</u>
<u>Cosmetology and Barber school license (renewal).....</u>	<u>250.00</u>
<u>Apprentice Registration.....</u>	<u>10.00</u>
<u>Renewal Advanced Operator license.....</u>	<u>80.00</u>
<u>Facial Operator license.....</u>	<u>80.00</u>
<u>Cosmetology license (chemical/nonchemical).....</u>	<u>80.00</u>
<u>Barber license (chemical/nonchemical).....</u>	<u>80.00</u>
<u>Manicurist license.....</u>	<u>80.00</u>
<u>Eyelash Extension Specialist certificate.....</u>	<u>80.00</u>
<u>Eyelash Extension Instructor certificate.....</u>	<u>80.00</u>

<u>Blow-Dry Styling certificate.....</u>	<u>80.00</u>
<u>Makeup Artist certificate.....</u>	<u>80.00</u>
<u>Facial/Esthetics Instructor license.....</u>	<u>90.00</u>
<u>Manicurist/Nail Technician Instructor license.....</u>	<u>45.00</u>
<u>Master Barber.....</u>	<u>80.00</u>
<u>Master Cosmetologist.....</u>	<u>80.00</u>
<u>Master Cosmetology Instructor license.....</u>	<u>130.00</u>
<u>Master Barber Instructor license.....</u>	<u>130.00</u>
<u>Cosmetology establishment license (initial).....</u>	<u>120.00</u>
<u>Cosmetology establishment license (renewal).....</u>	<u>90.00</u>
<u>Barber establishment license (initial).....</u>	<u>120.00</u>
<u>Barber establishment license (renewal).....</u>	<u>90.00</u>
<u>Nail Salon (initial).....</u>	<u>120.00</u>
<u>Nail Salon (renewal).....</u>	<u>90.00</u>
<u>Reciprocity license (initial).....</u>	<u>90.00</u>
<u>Reciprocity processing fee.....</u>	<u>90.00</u>
<u>Duplicate license (in case of loss or destruction of original).....</u>	<u>10.00</u>
<u>Notary fee.....</u>	<u>1.00</u>
<u>Certification of Records.....</u>	<u>10.00</u>

SECTION 9. AMENDATORY 59 O.S. 2021, Section 199.18, is amended to read as follows:

Section 199.18. A licensed barber, cosmetologist, hairdresser, manicurist, or ~~certificate holder for hairbraiding~~ certified eyelash

extension specialist may provide, upon request of a patron or customer, barbering, cosmetology, hairdresser, manicurist, or hairbraiding eyelash extension application services to the patron or customer, according to such license or certificate authority, in the patron's or customer's private residence. The services authorized by this section shall be provided privately and shall not be subject to inspection, rules or regulations by the State Board of Cosmetology and Barbering; however, the licensee or certificate holder is required to provide such services competently and according to professional standards and in a manner deemed safe and sanitary for the patron or customer. The patron or customer, by requesting such service to be delivered privately in ~~their~~ his or her residence, assumes the liability for the services and any home equipment utilized by the licensee or certificate holder. The patron or customer shall have the right to review the person's license or certificate for validity and authority to perform the services requested. The licensee or certificate holder shall have in ~~their~~ his or her possession a copy of ~~their~~ his or her license or certificate when providing services upon request in a private residence.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 199.19 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. A person shall obtain an eyelash extension specialist certificate from the State Board of Cosmetology and Barbering to perform eyelash extension application services.

B. A person may obtain an eyelash extension specialist certificate upon demonstrating completion of a minimum of one hundred twenty (120) hours of training with a certified eyelash extension instructor.

C. A person may obtain an eyelash extension instructor certificate upon demonstrating completion of requirements of subsection B of this section and has demonstrated no less than sixty (60) hours of eyelash extension application services.

D. The Board shall not require a person to pass an examination to obtain an eyelash extension specialist certificate or an eyelash extension instructor certificate.

E. An eyelash extension specialist certificate shall be renewed annually with the Board as set forth in this act.

F. All establishment licensing and inspection requirements pursuant to this act shall be required of an establishment where a person performs eyelash extension application services.

SECTION 11. This act shall become effective November 1, 2024.

Passed the House of Representatives the 2nd day of May, 2024.

Presiding Officer of the House
of Representatives

Passed the Senate the 24th day of April, 2024.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____