

An Act

ENROLLED HOUSE
BILL NO. 3195

By: Williams of the House

and

Jett of the Senate

An Act relating to professions and occupations;
amending 59 O.S. 2021, Section 199.6, which relates
to the Oklahoma Cosmetology and Barbering Act; adding
exemption; and providing an effective date.

SUBJECT: Professions and occupations

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

SECTION 1. AMENDATORY 59 O.S. 2021, 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, manicurists, nail technicians, estheticians, cosmeticians, hair braiding technicians, master cosmetology instructors, manicurist instructors, esthetics instructors, 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 without having obtained a license 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;

6. 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. 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. 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;

~~or~~

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.

SECTION 2. This act shall become effective November 1, 2022.

Passed the House of Representatives the 24th day of March, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the 20th day of April, 2022.

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: _____