

1 **BARBER, COSMETOLOGIST, ESTHETICIAN,**
2 **ELECTROLOGIST, AND NAIL TECHNICIAN ACT**

3 **AMENDMENTS**

4 2012 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: James A. Dunnigan**

7 Senate Sponsor: John L. Valentine

9 **LONG TITLE**

10 **General Description:**

11 This bill adds an exemption from licensure in the Barber, Cosmetologist/Barber,
12 Esthetician, Electrologist, and Nail Technician Licensing Act for a person assisting in
13 the production of a motion picture.

14 **Highlighted Provisions:**

15 This bill:

16 ▶ adds an exemption from licensure in the Barber, Cosmetologist/Barber, Esthetician,
17 Electrologist, and Nail Technical Licensing Act for a person assisting in the
18 production of a motion picture under certain circumstances.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **58-11a-304**, as last amended by Laws of Utah 2007, Chapter 209

27 *Be it enacted by the Legislature of the state of Utah:*

28 Section 1. Section **58-11a-304** is amended to read:

29 **58-11a-304. Exemptions from licensure.**

30 In addition to the exemptions from licensure in Section 58-1-307, the following persons
31 may engage in the practice of barbering, cosmetology/barbering, esthetics, master-level
32 esthetics, electrology, or nail technology without being licensed under this chapter:

33 (1) persons licensed under the laws of this state to engage in the practice of medicine,
34 surgery, osteopathy, or chiropractic when engaged in the practice of the profession for which
35 they are licensed;

36 (2) commissioned physicians and surgeons serving in the armed forces of the United
37 States or another federal agency;

38 (3) registered nurses, undertakers, and morticians licensed under the laws of this state
39 when engaged in the practice of the profession for which they are licensed;

40 (4) persons who visit the state to engage in instructional seminars, advanced classes,
41 trade shows, or competitions of a limited duration;

42 (5) persons who engage in the practice of barbering, cosmetology/barbering, esthetics,
43 master-level esthetics, electrology, or nail technology without compensation;

44 (6) persons instructing adult education classes and other educational programs directed
45 toward persons who are not licensed under this chapter and that are not intended to train
46 persons to become licensed under this chapter, provided:

47 (a) attendees receive no credit toward the educational requirement for licensure under
48 this chapter; and

49 (b) (i) the instructor is properly licensed; or

50 (ii) the instructor receives no compensation;

51 (7) persons instructing in workshops, seminars, training meetings, and other
52 educational programs whose purpose is to provide continuing professional development to
53 licensed barbers, cosmetologist/barbers, estheticians, master estheticians, nail technicians, or
54 electrologists;

55 (8) persons currently enrolled in a licensed barber or cosmetology/barber school when
56 participating in an on the job training internship under the direct supervision of a licensed
57 barber or cosmetologist/barber upon completion of a basic program under the standards

58 established by rule by the division in collaboration with the board;

59 (9) persons enrolled in an approved apprenticeship pursuant to Section 58-11a-306;

60 [~~and~~]

61 (10) employees of a company which is primarily engaged in the business of selling
62 products used in the practice of barbering, cosmetology/barbering, esthetics, master-level
63 esthetics, electrology, or nail technology when demonstrating the company's products to
64 potential customers[-]; or

65 (11) a person who:

66 (a) is qualified to engage in the practice of barbering, cosmetology/barbering, esthetics,
67 master-level esthetics, electrology, or nail technology in another jurisdiction as evidenced by
68 licensure, certification, or lawful practice in the other jurisdiction;

69 (b) is employed by, or under contract with, a motion picture company; and

70 (c) engages in the practice of barbering, cosmetology/barbering, esthetics, master-level
71 esthetics, electrology, or nail technology in the state:

72 (i) solely to assist in the production of a motion picture; and

73 (ii) for no more than 120 days per calendar year.