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H.632

Introduced by Representatives Canfield of Fair Haven, Kimbell of Woodstock,
McCoy of Poultney, and Sullivan of Dorset

Referred to Committee on

Date:

Subject: Professions and occupations; barbers; licensure requirements

Statement of purpose of bill as introduced: This bill proposes to remove
cosmetology-related requirements from the requirements necessary to become
licensed as a barber.

An act relating to removing cosmetology requirements from barbering
licensure

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 26 V.S.A. chapter 6 is amended to read:

CHAPTER 6. BARBERS AND COSMETOLOGISTS

§ 271. DEFINITIONS

~~For the purposes of~~ As used in this chapter:

(1) “Barbering” means engaging in the continuing performance, for
compensation, of any of the following activities: cutting, shampooing, or
styling hair; shaving the face, shaving around the vicinity of the ears and
neckline, or trimming facial hair; or basic facials, skin care, or scalp massages;

1 and, if trained in accordance with rules adopted by the Board, bleaching,
2 coloring, straightening, permanent waving hair, or similar work by any means;
3 with hands or mechanical or electrical apparatus or appliances. ~~Barbering also~~
4 ~~includes esthetics.~~

5 (2) “Basic facial” means basic cleansing, toning, or moisturizing.

6 (3) “Board” means the board of barbers and cosmetologists Board of
7 Barbers and Cosmetologists.

8 ~~(3)~~(4) “Cosmetology” means engaging in the continuing performance,
9 for compensation, of any of the following activities:

10 (A) Work on the hair of any person, including dressing, curling,
11 waving, cleansing, cutting, bleaching, coloring, or similar work by any means,
12 with hands or mechanical or electrical apparatus or appliances.

13 (B) Esthetics.

14 (C) Manicuring.

15 ~~(4) “Disciplinary action” or “disciplinary cases” includes any action~~
16 ~~taken by the board against a licensee, registrant, or applicant premised upon a~~
17 ~~finding of wrongdoing or unprofessional conduct by the licensee or applicant.~~
18 ~~It includes all sanctions of any kind, excluding obtaining injunctions, but~~
19 ~~including issuing warnings, other similar sanctions and ordering restitution.~~

20 (5) “Esthetics” means massaging, cleansing, stimulating, manipulating,
21 beautifying, or otherwise working on the scalp, face, or neck, by using

1 cosmetic preparations, antiseptics, tonics, lotions, or creams. “Esthetics” does
2 not include the sale or application of cosmetics to customers in retail stores or
3 customers’ homes.

4 * * *

5 (7) “Manicuring” or “nail technician practice” means the nonmedical
6 treatment of a person’s fingernails or toenails or the skin in the vicinity of the
7 nails, and includes the use of cosmetic preparations or appliances.

8 * * *

9 § 277. QUALIFICATIONS; BARBER

10 (a) A person shall be eligible for licensure as a barber if the person:

11 (1) is at least 18 years of age;

12 (2) has a high school or general educational development diploma, ~~and;~~

13 (3) has satisfactorily completed:

14 (A) an accredited barber school program; or

15 (B) ~~has satisfactorily completed~~ an apprenticeship of not less than

16 12 months and not more than 36 months consisting of a minimum of 2,000

17 hours and a maximum of 3,000 hours in a manner prescribed by the ~~board~~

18 Board in addition to areas of study, prescribed by the ~~board~~, Board by rule, ~~has~~

19 ~~a high school or general educational development diploma;~~ and

20 (4) has passed the examination described in section 283 of this ~~title~~

21 chapter.

1 (b)(1) The ~~board~~ Board shall issue a limited barbering license, with an
2 endorsement for cutting, shampooing, and styling hair and for mustache and
3 beard trimming, to any person incarcerated in a ~~state~~ State correctional facility
4 who completes, while under the direct personal supervision of a barber
5 licensed by the ~~board~~ Board, a course of training of not less than 10 hours in
6 cutting, shampooing, and styling hair and trimming of mustache and beard.

7 (2) Such a limited license shall be valid only within a ~~state~~ State
8 correctional facility.

9 (3) ~~No~~ The Board shall not charge fees ~~shall be charged~~ for a limited
10 license issued under this subsection.

11 § 278. QUALIFICATIONS; COSMETOLOGIST

12 A person shall be eligible for licensure as a cosmetologist if the person:

13 (1) is at least 18 years of age;

14 (2) has a high school or general educational development diploma, ~~and;~~

15 (3) has satisfactorily completed ~~the following~~:

16 (4)(A) a course of study of at least 1,500 hours at a school of
17 cosmetology approved by an accrediting body recognized by the ~~United States~~
18 U.S. Department of Education or approved by the ~~board~~ Board under standards
19 that the ~~board~~ Board has adopted by rule ~~and passage of the examination~~
20 described in section 283 of this title; or

1 the majority of the practices of cosmetology, and includes practical
2 demonstrations and theoretical studies in sanitation, sterilization, and the use of
3 antiseptics, cosmetics, and electrical appliances, consistent with the practical
4 and theoretical requirements applicable to cosmetology or any practice of
5 cosmetology.

6 * * *

7 Sec. 2. BOARD OF BARBERS AND COSMETOLOGISTS; RULES

8 The Board of Barbers and Cosmetologists shall amend its rules governing
9 the practice of barbering in accordance with Sec. 1 of this act on or before the
10 effective date of that section.

11 Sec. 3. EFFECTIVE DATES

12 This act shall take effect on passage, except that Sec. 1 shall take effect on
13 January 1, 2019.