Printer's Error
February 5, 2013

HOUSE BILL No. 1477

DIGEST OF HB 1477 (Updated February 5, 2013 11:19 am - DI 96)

Citations Affected: IC 25-1; IC 25-8.

Synopsis: Beauty culture professionals. Uses the term "beauty culture professional" when referring to barber, cosmetology, esthetician, manicurist, and electrology licenses collectively. Combines the barber and cosmetology school salon, and instructor licenses into beauty culture licenses. Provides for barber programs in beauty culture schools. Creates the state board of cosmetology and barber examiners compliance fund and appropriates money in the fund. Repeals the instructor and barber instructor license and combines the licenses into a single instructor license. Repeals the following school licenses and combines them into beauty culture schools: (1) barber; and (2) cosmetology. Repeals the following salon licenses and combines them into a single beauty culture salon license: (1) electrology salon; (2) cosmetology salon; (3) esthetic salon (4) manicurist salon; and (5) barber shop. Repeals temporary work permits for: (1) cosmetology; (2) electrology; (3) esthetics; and (4) manicuring. Repeals provisions setting the number of hours of instruction in electrology required in order to perform electrolysis and allows the board to set the number of hours required. Repeals provisions that allows the board to waive certain licensing requirements for licensure as a cosmetologist. Repeals provisions concerning limits on reexamination for a manicurist license, and provides that the board sets standards for reexamination. Repeals the following temporary licenses: (1) barber; (2) barber instructor; and (3) esthetician. Makes conforming changes.

Effective: July 1, 2013.

Wolkins, Moseley

January 22, 2013, read first time and referred to Committee on Employment, Labor and Pensions.
February 5, 2013, amended, reported — Do Pass.

C o p y

Printer's Error
February 5, 2013

First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

C o p y

HOUSE BILL No. 1477

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 25-1-7-3, AS AMENDED BY P.L.226-2011, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) Except as provided in ~~subsection~~ **subsections** (b) **and (c)**, the division is responsible for the investigation of complaints concerning licensees.

(b) The medical licensing board of Indiana shall investigate a complaint concerning a physician licensed under IC 25-22.5 and a violation specified in IC 25-22.5-2-8. The division shall forward a complaint concerning a physician licensed under IC 25-22.5 and a violation specified in IC 25-22.5-2-8 to the medical licensing board of Indiana for investigation by the board. However, if the complaint includes a violation in addition to a violation specified in IC 25-22.5-2-8, the division shall investigate the complaint in its entirety and notify the medical licensing board of Indiana of the investigation.

(c) The state board of cosmetology and barber examiners shall investigate complaints under IC 25-8-14-5, IC 25-8-4-13,

IC 25-8-4-29, IC 25-8-9-10, IC 25-8-9-14, and IC 25-8-15.4-5. The division shall forward a complaint concerning the practice of beauty culture under IC 25-8 to the state board of cosmetology and barber examiners for investigation by the state board of cosmetology and barber examiners. However, if the complaint includes a violation in addition to a violation specified in IC 25-8-14-5, IC 25-8-4-13, IC 25-8-4-29, IC 25-8-9-10, IC 25-8-9-14, and IC 25-8-15.4-5, the division shall investigate the complaint in its entirety and notify the state board of cosmetology and barber examiners of the investigation.

SECTION 2. IC 25-8-2-2.2 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 2.2. "Barber instructor" means a person licensed under IC 25-8-6.4 to teach barbering.~~

SECTION 3. IC 25-8-2-2.3 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 2.3. "Barber school" means an establishment licensed under IC 25-8-6.3 that offers training in barbering.~~

SECTION 4. IC 25-8-2-2.4, AS ADDED BY P.L.84-2010, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2.4. ~~"Barber shop"~~ **"Beauty culture salon"** means an establishment licensed under ~~IC 25-8-8.1~~ **IC 25-8-7** that offers ~~barbering~~ **beauty culture** to the public.

SECTION 5. IC 25-8-2-2.6, AS AMENDED BY P.L.84-2010, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2.6. "Beauty culture professional" refers to the following:

(1) A cosmetologist licensed under IC 25-8-9.
(2) An electrologist licensed under IC 25-8-10.
(3) A manicurist licensed under IC 25-8-11.
(4) An esthetician licensed under IC 25-8-12.5.
(5) An instructor licensed under IC 25-8-6.
(6) A ~~barber~~ **beauty culturist** licensed under IC 25-8-12.1.

SECTION 6. IC 25-8-2-2.7, AS ADDED BY P.L.84-2010, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2.7. (a) "Barbering" means performing one (1) or more of the following practices upon the head, face, or neck of a person:

(1) Cutting, trimming, styling, arranging, dressing, curling, permanent waving, cleansing, bleaching, tinting, coloring, or similarly treating hair.
(2) Shaving or trimming beards and mustaches.
(3) Applying oils, creams, antiseptics, clays, powders, lotions, or other preparations, either by hand or by mechanical appliances,

C o p y

in the performance of facial or scalp massage.

(b) "Barbering" does not include performing any of the acts described in subsection (a) when done:

(1) in treating illness or disease;

(2) as a student in a ~~barber~~ **beauty culture** school; **or** ~~that complies with the notice requirements set forth in IC 25-8-6.3; or~~

(3) without compensation.

SECTION 7. IC 25-8-2-5, AS AMENDED BY P.L.78-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) "Cosmetology" means performing any of the following acts on the head, face, neck, shoulders, torso, arms, hands, legs, or feet of a person:

(1) Cutting, trimming, styling, arranging, dressing, curling, waving, permanent waving, cleansing, bleaching, tinting, coloring, or similarly treating hair.

(2) Applying oils, creams, antiseptics, clays, lotions, or other preparations to massage, cleanse, stimulate, manipulate, exercise, or beautify.

(3) Arching eyebrows.

(4) Using depilatories.

(5) Manicuring and pedicuring.

(b) "Cosmetology" does not include performing any of the acts described in subsection (a):

(1) in treating illness or disease;

(2) as a student in a ~~cosmetology~~ **beauty culture** school that complies with the notice requirements set forth in IC 25-8-5-6;

(3) in performing shampooing operations; or

(4) without compensation.

(c) "Cosmetology" does not include performing the act of threading.

SECTION 8. IC 25-8-2-6 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 6. "Cosmetology salon" means an establishment offering cosmetology to the public.~~

SECTION 9. IC 25-8-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. ~~"Cosmetology school"~~ **"Beauty culture school"** means an establishment licensed under this article that offers training in ~~cosmetology.~~ **beauty culture.**

SECTION 10. IC 25-8-2-9.2 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 9.2. "Electrology salon" means an establishment offering electrology to the public.~~

SECTION 11. IC 25-8-2-9.5, AS AMENDED BY P.L.78-2008, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 9.5. (a) "Esthetician" means a person who engages

C o p y

solely in one (1) or more of the following practices:

(1) Giving facials, applying makeup, and giving skin care.

(2) Beautifying, massaging, or cleaning the body with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams.

(3) Removing superfluous hair from the body by the use of depilatories, waxing, or tweezers.

(b) The term does not include performing any of the acts described in subsection (a):

(1) in treating an illness or a disease;

(2) as a student in a ~~cosmetology~~ **beauty culture** school that complies with the notice requirements under IC 25-8-5-6;

(3) without compensation; or

(4) incident to the retail sale of cosmetics.

(c) The term does not include a person who:

(1) engages in threading; and

(2) does not engage in one (1) or more of the practices described in subsection (a).

SECTION 12. IC 25-8-2-9.6 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 9.6. "Esthetic salon" means a place in which a person acts as an esthetician.~~

SECTION 13. IC 25-8-2-10, AS AMENDED BY P.L.84-2010, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10. "Instructor" means a person

~~(1)~~ licensed under IC 25-8-6 to teach in a ~~cosmetology~~ **beauty culture** school. ~~or~~

~~(2) licensed under IC 25-8-6.4 to teach in a barber school.~~

SECTION 14. IC 25-8-2-15 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 15. "Manicurist salon" means an establishment offering manicuring to the public.~~

SECTION 15. IC 25-8-2-15.5, AS ADDED BY P.L.197-2007, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 15.5. "Mobile salon" means either of the following:

(1) A self-contained facility that may be moved, towed, or transported from one (1) location to another and in which cosmetology, electrology, esthetics, **barbering,** or manicuring is practiced.

(2) A business in which cosmetology, electrology, esthetics, **barbering,** or manicuring equipment is transported to and used on a temporary basis at a location other than a selected salon site, including:

(A) other ~~cosmetology, electrology, esthetic, or manicuring~~

C o p y

beauty culture salons;
(B) clients' homes; and
(C) nursing homes.

SECTION 16. IC 25-8-3-5, AS AMENDED BY P.L.84-2010, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) Each of the members of the board must reside in Indiana.

(b) The members of the board must meet the following qualifications:

(1) Two (2) of the members must:
(A) possess a current cosmetologist license; and
(B) have practiced cosmetology in Indiana continuously for at least five (5) years immediately before appointment.

(2) Two (2) of the members of the board must:
(A) possess a current barber license; and
(B) have practiced barbering in Indiana continuously for at least five (5) years immediately before appointment.

(3) One (1) of the members must be an owner or operator of a ~~barber or cosmetology~~ **beauty culture** school. However, the member may not be a licensed barber or cosmetologist.

(4) One (1) of the members must be licensed as an electrologist, an esthetician, or a manicurist.

(5) One (1) of the members must not have any association with cosmetology or barbering, except as a consumer.

SECTION 17. IC 25-8-3-23, AS AMENDED BY P.L.84-2010, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 23. (a) The board shall adopt rules under IC 4-22-2 to:

(1) prescribe sanitary requirements for:
(A) ~~cosmetology~~ **beauty culture** salons; **and**
(B) ~~electrology salons;~~
~~(C) esthetic salons;~~
~~(D) manicuring salons;~~
~~(E) cosmetology~~ **beauty culture** schools;
~~(F) barber shops; and~~
~~(G) barber schools;~~

(2) establish standards for the practice of cosmetology and the operation of:
(A) ~~cosmetology~~ **beauty culture** salons; **and**
~~(B) electrology salons;~~
~~(C) esthetic salons;~~
~~(D) manicuring salons;~~

C o p y

~~(E) cosmetology~~ **(B) beauty culture** schools;
~~(F) barber shops; and~~
~~(G) barber schools;~~
(3) implement the licensing system under this article and provide for a staggered renewal system for licenses; and
(4) establish requirements for ~~cosmetology~~ **beauty culture** school uniforms for students and instructors.

(b) The board may adopt rules under IC 4-22-2 to establish the following for the practice of cosmetology, barbering, electrology, esthetics, or manicuring in a mobile salon:
(1) Sanitation standards.
(2) Safety requirements.
(3) Permanent address requirements at which the following are located:
(A) Records of appointments.
(B) License numbers of employees.
(C) If applicable, the vehicle identification number of the license holder's self-contained facility.
(4) Enforcement actions to ensure compliance with the requirements under this article and all local laws and ordinances.

SECTION 18. IC 25-8-3-26, AS AMENDED BY P.L.84-2010, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 26. The board shall furnish each person licensed to operate:
(1) a ~~cosmetology~~ **beauty culture** salon; **or**
~~(2) an electrology salon;~~
~~(3) an esthetic salon;~~
~~(4) a manicuring salon;~~
~~(5) a cosmetology~~ **(2) a beauty culture** school;
~~(6) a barber shop; or~~
~~(7) a barber school;~~
with a copy of the rules concerning sanitary requirements described in section 23(a)(1) of this chapter.

SECTION 19. IC 25-8-3-27, AS AMENDED BY P.L.84-2010, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 27. A person operating:
(1) a ~~cosmetology~~ **beauty culture** salon; **or**
~~(2) an electrology salon;~~
~~(3) an esthetic salon;~~
~~(4) a manicuring salon;~~
~~(5) a cosmetology~~ **(2) a beauty culture** school;
~~(6) a barber shop; or~~

C o p y

~~(7) a barber school;~~

shall post the rules described in section 26 of this chapter in a conspicuous place in that salon or school.

SECTION 20. IC 25-8-3-28, AS AMENDED BY P.L.84-2010, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 28. (a) A member of the board or any inspector or investigator may inspect:

(1) a cosmetology salon;

~~(2) an electrology salon;~~

~~(3) an esthetic salon;~~

~~(4) a manicuring salon;~~

~~(5) a cosmetology~~ **(2) a beauty culture** school; **or**

~~(6)~~ **(3)** a mobile salon;

~~(7) a barber shop; or~~

~~(8) a barber school;~~

during its regular business hours.

(b) A member of the board or any inspector or investigator may inspect:

(1) a ~~cosmetology~~ **beauty culture** salon;

~~(2) an electrology salon;~~

~~(3) an esthetic salon;~~

~~(4) a manicuring salon;~~

~~(5) a cosmetology~~ **(2) a beauty culture** school; **or**

~~(6)~~ **(3)** a mobile salon;

~~(7) a barber shop; or~~

~~(8) a barber school;~~

before an initial license is issued.

SECTION 21. IC 25-8-3-29, AS ADDED BY P.L.84-2010, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 29. (a) The board may not adopt a rule establishing different standards for an inmate or former inmate of a penal institution who applies for:

(1) admission to ~~barber~~ **beauty culture** school; or

(2) a license as a ~~registered barber.~~ **beauty culture professional.**

(b) A person who graduates from a ~~barber~~ **beauty culture** school operated by a penal institution may not have the person's license denied or revoked as a result of the acts for which the person was convicted.

SECTION 22. IC 25-8-3-30 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 30. (a) The board shall implement a program to investigate and assess a civil penalty of not more than one thousand dollars ($1,000) against a licensee under this article for the**

C o p y

following violations:

(1) Violation of this article under IC 25-8-14-5.

(2) Failure to display a license required under IC 25-8-4-13.

(3) Failure to continue to meet the licensure requirements under IC 25-8-4-29.

(4) Engaging in beauty culture outside a beauty culture salon under IC 25-8-9-14.

(5) Operating a tanning facility without a license under IC 25-8-15.4-5.

(b) An individual who is investigated by the board and found by the board to have committed a violation specified in subsection (a) may appeal the determination made by the board in accordance with IC 4-21.5.

(c) The state board of cosmetology and barber examiners compliance fund is established to provide funds for administering and enforcing the investigation of violations specified in subsection (a). The fund shall be administered by the Indiana professional licensing agency.

(d) The expenses of administering the state board of cosmetology and barber examiners compliance fund shall be paid from the money in the fund. The fund consists of penalties collected through investigations and assessments by the board concerning violations specified in subsection (a).

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(g) Money in the fund is continually appropriated to the agency for implementing this article.

SECTION 23. IC 25-8-4-1, AS AMENDED BY P.L.84-2010, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The provisions of this article requiring a person to obtain a license do not apply to a person performing cosmetology as a:

(1) student in a ~~barber~~ **beauty culture** school;

(2) commissioned medical or surgical officer of the United States armed forces;

(3) chiropractor (as defined by IC 25-10-1-1(2));

(4) embalmer (as defined by IC 25-15-2-8);

(5) funeral director (as defined by IC 25-15-2-12);

C o p y

(6) registered nurse (as defined by IC 25-23-1-1.1(a));
(7) licensed practical nurse (as defined by IC 25-23-1-1.2);
(8) physician (as defined by IC 25-22.5-1-1.1(g));
(9) podiatrist (as defined by IC 25-29-1-13); **or**
(10) person conducting an educational activity involving ~~cosmetology~~ **beauty culture** at a scheduled meeting of an association that:
(A) recognizes a group of its members as ~~cosmetologists;~~ **beauty culture professionals;** and
(B) is not open to persons who are not licensed under this chapter. ~~or~~
~~(11) student in a cosmetology school.~~

SECTION 24. IC 25-8-4-4, AS AMENDED BY P.L.84-2010, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. A license issued under this article may not be transferred unless:
(1) the license is a ~~cosmetology~~ **beauty culture** salon ~~or barber shop~~ license; and
(2) the person holding the license was required to change the location of the cosmetology salon or barber shop by circumstances that the board determines were beyond the control of that person.

SECTION 25. IC 25-8-4-7, AS AMENDED BY P.L.84-2010, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) Each applicant must pass a final practical demonstration examination of the acts permitted by the license. The applicant's ~~cosmetology school or barber~~ **beauty culture** school shall administer the final practical demonstration examination.

(b) The board shall conduct a written examination of the **students enrolled in beauty culture school or** applicants for a ~~cosmetologist license and a barber~~ **beauty culture professional** license. ~~at least once each month. The board shall conduct a written examination of the applicants for all other licenses issued under this article at least four (4) times each year.~~ The written examinations described in this section:
(1) shall be conducted at the times and places determined by the board; ~~and~~
(2) may be administered through computer based testing;
(3) may be conducted before graduation from beauty culture school; and
(4) shall be conducted at times set by the board.

SECTION 26. IC 25-8-4-8, AS AMENDED BY P.L.84-2010, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

C o p y

JULY 1, 2013]: Sec. 8. The examinations described in section 7 of this chapter must include:

(1) a practical demonstration of the acts permitted by the license; and

(2) a written test concerning the licensed activity, as it is customarily taught in a ~~cosmetology school or barber~~ **beauty culture** school.

SECTION 27. IC 25-8-4-11, AS AMENDED BY P.L.84-2010, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 11. A person who holds a ~~cosmetology school license or a barber~~ **beauty culture** school license shall display a sign that complies with standards prescribed by the board on the premises of that establishment indicating that the establishment is a ~~cosmetology school or barber~~ **beauty culture** school licensed under this article.

SECTION 28. IC 25-8-4-13, AS AMENDED BY P.L.84-2010, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 13. A person who holds any license issued under this chapter except the licenses described in section 11 of this chapter shall display the license in a conspicuous place in that person's work area in the ~~cosmetology~~ **beauty culture** salon, **or** ~~cosmetology~~ **beauty culture** school ~~barber shop, or barber school~~ where the person is employed. The license must be clearly visible to a customer of that person who is present in the licensed person's work area.

SECTION 29. IC 25-8-4-17, AS AMENDED BY P.L.84-2010, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 17. (a) Except for an instructor license issued under subsection ~~(d)~~ **(c) or** IC 25-8-6-1, ~~or IC 25-8-6.4,~~ a license issued under this article expires on a date specified by the licensing agency under IC 25-1-6-4 and expires four (4) years after the initial expiration date.

(b) A license issued to an instructor under IC 25-8-6-1 ~~or IC 25-8-6.4~~ expires at the time that the instructor's practitioner license expires. The board shall renew an instructor's license under this subsection concurrently with the instructor's practitioner license.

~~(c) Except as provided in IC 25-8-9-11, a person who holds a license under this article may apply for renewal.~~

~~(d)~~ **(c)** Initial provisional licenses are valid for a length of time determined by the board, but not to exceed two (2) years.

SECTION 30. IC 25-8-4-21, AS AMENDED BY P.L.105-2008, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 21. (a) ~~Except as provided in IC 25-8-9-11,~~ The board may, upon application, reinstate a license under this article that

C o p y

has been expired for not more than three (3) years if the person holding the license meets the requirements of IC 25-1-8-6(c).

(b) The board may not reinstate a license issued under this article if the person holding the license does not apply for reinstatement not more than three (3) years after the expiration date of the license, unless the person holding the license meets the requirements for reinstatement under IC 25-1-8-6(d).

SECTION 31. IC 25-8-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The board may issue a license under this article to operate a ~~cosmetology~~ **beauty culture** school.

SECTION 32. IC 25-8-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A person must file a verified application for a ~~cosmetology~~ **beauty culture** school license with the board on a form prescribed by the board to obtain that license.

SECTION 33. IC 25-8-5-3, AS AMENDED BY P.L.197-2007, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. The application described in section 2 of this chapter must state that:

(1) as a requirement for graduation, the proposed school will require its students to successfully complete at least the one thousand five hundred (1,500) hours of course work required to be eligible to sit for the licensing examination;

(2) no more than ten (10) hours of course work may be taken by a student during one (1) day;

(3) the course work will instruct the students in all theories and practical application of the students' specific course of study;

(4) the school will provide one (1) instructor for each twenty (20) students or any fraction of that number;

(5) the school will be operated under the personal supervision of a licensed ~~cosmetologist~~ **beauty culture** instructor;

(6) the person has obtained any building permit, certificate of occupancy, or other planning approval required under IC 22-15-3 and IC 36-7-4 to operate the school;

(7) the school, if located in the same building as a residence, will:

(A) be separated from the residence by a substantial floor to ceiling partition; and

(B) have a separate entry;

(8) as a requirement for graduation, the proposed school must

~~(A)~~ administer and

~~(B)~~ require the student to pass:

(A) a final practical demonstration examination of the acts

C o p y

permitted by the license; and

(B) the written examination required under IC 25-8-4-7(b).

(9) the applicant has paid the fee set forth in IC 25-8-13-3.

SECTION 34. IC 25-8-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. The board may adopt rules under IC 4-22-2 requiring that the curriculum offered by a ~~cosmetology~~ **beauty culture** school licensed under this chapter provide a minimum number of hours of instruction of each of the subjects described in section 3(3) of this chapter.

SECTION 35. IC 25-8-5-4.2, AS AMENDED BY P.L.78-2008, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4.2. (a) A ~~cosmetology~~ **beauty culture** school licensed under this chapter shall require each student for graduation to pass a final examination that tests the student's practical knowledge of the curriculum studied.

(b) The board shall consider an applicant for the beauty culture professional examination as fulfilling the practical examination requirement established by IC 25-8-4-8(1) after successfully completing the final practical demonstration examination.

(c) A passing score of at least seventy-five percent (75%) is required on the final practical demonstration examination.

(d) The ~~cosmetology~~ **beauty culture** school licensed under this chapter shall allow each student for graduation at least three (3) attempts to pass the final practical demonstration examination.

(e) The board may monitor the administration of the final practical demonstration examination for any of the following purposes:

(1) As a result of a complaint received.

(2) As part of random observations.

(3) To collect data.

SECTION 36. IC 25-8-5-4.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4.5. (a) If a student in a ~~cosmetology~~ **beauty culture** school presents to the school a valid license issued by the board, the school shall accept and provide credit toward the student's current program for the hours completed in a ~~cosmetology~~ **beauty culture** school in the theory and demonstration, or actual practice, of any of the following subjects:

(1) Electricity (basic electricity).

(2) Facials.

(3) Hair coloring (color rinses).

(4) Hair removal.

(5) Makeup.

(6) Manicuring.

C o p y

(7) Pedicuring.
(8) Salesmanship (salesmanship and marketing).
(9) Sanitation (infection control or bacteriology).
(10) Scalp treatment.
(11) Skin (skin care).
(12) Shampooing (shampoo rinsing).
(13) Hair coloring (weekly rinses).
(14) Cutting, trimming, styling, arranging, dressing, curling, permanent waving, cleansing, bleaching, tinting, coloring, or similarly treating hair.
~~(14)~~ **(15)** Other areas as determined by the board.

(b) The school shall credit the appropriate subject areas on a student's transcript for the hours transferred under subsection (a).

(c) A student may not transfer any hours of credit above the amount required in each subject area under the student's current program.

(d) The student may receive credit for the number of hours that the student's current program requires in the subject areas covered by the student's license, even if the number of hours required under the current program is greater than the actual number of hours completed when the student's license was earned.

SECTION 37. IC 25-8-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) A ~~cosmetology~~ **beauty culture** school licensed under this chapter shall display a sign complying with standards established by the board at each entrance to the ~~cosmetology~~ **beauty culture** school used by the school's customers.

(b) The sign must state that the students of the school are performing ~~cosmetology~~ **beauty culture** in that establishment.

SECTION 38. IC 25-8-5-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. A ~~cosmetology~~ **beauty culture** school licensed under this chapter may not display a sign listing the prices charged for services at the ~~cosmetology~~ **beauty culture** school unless:

(1) the ~~cosmetology~~ **beauty culture** school displays the sign required under section 5 of this chapter; or
(2) the price list sign described in this section is only visible inside the school.

SECTION 39. IC 25-8-6-1, AS AMENDED BY P.L.197-2007, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The board may license a person to be ~~a beauty culture~~ **an** instructor.

SECTION 40. IC 25-8-6-2, AS AMENDED BY P.L.197-2007, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

C o p y

JULY 1, 2013]: Sec. 2. A person must file a verified application for ~~a beauty culture~~ **an** instructor license with the board. The application must be made on a form prescribed by the board.

SECTION 41. IC 25-8-6-3, AS AMENDED BY P.L.197-2007, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. The application described in section 2 of this chapter must state that the applicant:

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

(2) has graduated from high school or received the equivalent of a high school education;

(3) holds a cosmetologist, an electrologist, a manicurist, **a barber,** or an esthetician license issued under this article;

(4) has completed the education and experience requirements subject to the rules adopted by the board;

(5) has not committed an act for which the applicant could be disciplined under IC 25-8-14;

(6) has received a satisfactory grade (as described in IC 25-8-4-9) on an examination for instructor license applicants prescribed by the board; and

(7) has paid the fee set forth in IC 25-8-13-4 for the issuance of a license under this chapter.

SECTION 42. IC 25-8-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. If a person does not receive a satisfactory grade on the examination described in section 3(6) of this chapter, that person may repeat the examination ~~subject to the rules governing the examination adopted by the board.~~ **without completing any additional study in instructing.**

SECTION 43. IC 25-8-6-5 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 5. If a person does not receive a satisfactory grade on the examination described in section 4 of this chapter, the board may:~~

~~(1) refuse to permit the person to take the examination again; or~~

~~(2) permit the person to take the examination again subject to the rules governing the examination adopted by the board.~~

SECTION 44. IC 25-8-6-6, AS ADDED BY P.L.197-2007, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. A person who obtains ~~a license as a beauty culture~~ **an** instructor **license** may provide instruction in the following:

(1) Cosmetology, if the person

~~(A)~~ holds a cosmetologist license under IC 25-8-9. ~~and~~

~~(B) has actively practiced cosmetology for at least six (6) months in a cosmetology salon and subsequently successfully completed at least six (6) months of instruction in theory and~~

C o p y

~~practice of instructor training as a student in a cosmetology school.~~

(2) Electrology, if the person holds an electrologist license under IC 25-8-10.

(3) Manicuring, if the person holds a manicurist license under IC 25-8-11.

(4) Esthetics, if the person holds an esthetician license under IC 25-8-12.5.

(5) Barbering, if the person holds a barber license under IC 25-8-12.1.

SECTION 45. IC 25-8-6.3 IS REPEALED [EFFECTIVE JULY 1, 2013]. (Barber School Licenses).

SECTION 46. IC 25-8-6.4 IS REPEALED [EFFECTIVE JULY 1, 2013]. (Barber Instructor Licenses).

SECTION 47. IC 25-8-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The board may issue a license under this article to operate a ~~cosmetology~~ **beauty culture** salon.

SECTION 48. IC 25-8-7-2, AS AMENDED BY P.L.197-2007, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A person who wishes to obtain a ~~cosmetology~~ **beauty culture** salon license must:

(1) do one (1) or more of the following:

(A) Select a site for the salon which, if located in the same building as a residence:

(i) is separated from the residence by a substantial floor to ceiling partition; and

(ii) has a separate entry.

(B) Meet the requirements for a mobile salon as established by the board under IC 25-8-3-23(b);

(2) if applicable, obtain any building permit, certificate of occupancy, or other approval action required under IC 22-15-3 and IC 36-7-4 to operate the ~~cosmetology~~ **beauty culture** salon;

(3) install the furnishings, if applicable, and obtain the salon equipment required under rules adopted by the board; and

(4) submit a verified statement on a form prescribed by the board that the ~~cosmetology~~ **beauty culture** salon will be under the personal supervision of a person who ~~has at least six (6) months active experience as a cosmetologist under IC 25-8-9~~ **is licensed as a beauty culture professional** before the application was submitted under this chapter.

SECTION 49. IC 25-8-7-3 IS REPEALED [EFFECTIVE JULY 1,

C o p y

2013]. ~~Sec. 3. The requirement for a cosmetologist license under section 2(4) of this chapter may be waived by the board if:~~

~~(1) the applicant submits a verified petition for the waiver on a form prescribed by the board which:~~

~~(A) states the reasons for requesting the waiver; and~~

~~(B) is signed by two (2) persons who know the applicant and are familiar with the facts set forth in the petition; and~~

~~(2) the board determines that the requirement would result in extreme hardship to the applicant if enforced.~~

SECTION 50. IC 25-8-7-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. If:

(1) the board cannot determine whether an applicant has complied with section 2 of this chapter at the time the application is filed; and

(2) the board determines that the board will require more than fifteen (15) days to determine if the applicant has complied with section 2 of this chapter;

then the board shall issue a temporary ~~cosmetology~~ **beauty culture** salon license to the applicant.

SECTION 51. IC 25-8-7-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. The board may not require a ~~cosmetologist~~ **beauty culture professional** to obtain a license under this chapter if the ~~cosmetologist~~ **beauty culture professional** has leased or subleased a portion of a ~~cosmetology~~ **beauty culture** salon from a person licensed under this chapter.

SECTION 52. IC 25-8-7-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. (a) A person holding a license issued under IC 25-8-7, ~~IC 25-8-7.1, IC 25-8-7.2, or IC 25-8-12.6~~ shall display a sign complying with standards prescribed by the board at the main public entrance to the salon.

(b) The sign must:

(1) be clearly visible to a customer entering the establishment at that entrance; and

(2) state in legible printing that the establishment is a structure licensed as ~~one (1) of the following:~~

~~(A) Cosmetology salon.~~

~~(B) Electrology salon.~~

~~(C) Manicuring salon.~~

~~(D) Esthetic salon.~~

a beauty culture salon.

SECTION 53. IC 25-8-7.1 IS REPEALED [EFFECTIVE JULY 1, 2013]. (Manicurist Salon Licenses).

C o p y

SECTION 54. IC 25-8-7.2 IS REPEALED [EFFECTIVE JULY 1, 2013]. (Electrology Salon Licenses).

SECTION 55. IC 25-8-8.1 IS REPEALED [EFFECTIVE JULY 1, 2013]. (Barber Shop Licenses).

SECTION 56. IC 25-8-9-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. The application described in section 2 of this chapter must state that the applicant:

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

(2) has successfully completed the tenth grade or received the equivalent of tenth grade education;

(3) has graduated from a ~~cosmetologist program in a cosmetology~~ **beauty culture** school;

(4) has received a satisfactory grade (as defined by IC 25-8-4-9) on an examination for cosmetologist license applicants prescribed by the board;

(5) has not committed an act for which the applicant could be disciplined under IC 25-8-14; and

(6) has paid the fee set forth in IC 25-8-13-7 for the issuance of a license under this chapter.

SECTION 57. IC 25-8-9-6 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 6. If a person does not receive a satisfactory grade on the repeat examination described in section 5 of this chapter, the board may:~~

~~(1) refuse to permit the person to take the examination again; or~~

~~(2) permit the person to take the examination again, subject to the rules governing the examination adopted by the board.~~

SECTION 58. IC 25-8-9-7 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 7. The board may issue a temporary work permit to practice cosmetology, electrology, esthetics, or manicuring.~~

SECTION 59. IC 25-8-9-8 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 8. A person must file a verified application for a temporary:~~

~~(1) cosmetologist work permit;~~

~~(2) electrologist work permit;~~

~~(3) esthetician work permit; or~~

~~(4) manicurist work permit;~~

~~with the board on a form prescribed by the board to obtain that work permit.~~

SECTION 60. IC 25-8-9-9 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 9. (a) The temporary cosmetologist work permit application described in section 8 of this chapter must state that the applicant:~~

~~(1) will practice cosmetology under the supervision of a cosmetologist; and~~

C o p y

~~(2) has filed an application under:~~

~~(A) section 2 of this chapter, but has not taken the examination described by section 3(4) of this chapter; or~~

~~(B) IC 25-8-4-2 and is awaiting a board determination.~~

~~(b) The temporary electrologist work permit application described in section 8 of this chapter must state that the applicant:~~

~~(1) will practice electrology under the supervision of an electrologist; and~~

~~(2) has filed an application under:~~

~~(A) IC 25-8-10-2, but has not taken the examination described in IC 25-8-10-3(3); or~~

~~(B) IC 25-8-4-2 and is awaiting a board determination.~~

~~(c) The temporary esthetician work permit application described in section 8 of this chapter must state that the applicant:~~

~~(1) will practice esthetics under the supervision of an esthetician or cosmetologist; and~~

~~(2) has filed an application under:~~

~~(A) IC 25-8-12.5-3, but has not taken the examination described in IC 25-8-12.5-4(4); or~~

~~(B) IC 25-8-4-2 and is awaiting a board determination.~~

~~(d) The temporary manicurist work permit application described in section 8 of this chapter must state that the applicant:~~

~~(1) will practice manicuring under the supervision of a cosmetologist or manicurist; and~~

~~(2) has filed an application under:~~

~~(A) IC 25-8-11-3, but has not taken the examination described in IC 25-8-11-4(4); or~~

~~(B) IC 25-8-4-2 and is awaiting a board determination.~~

SECTION 61. IC 25-8-9-10 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 10. (a) Except when held by an applicant who has filed an application under IC 25-8-4-2, a temporary work permit issued under section 7 of this chapter expires:~~

~~(1) three (3) months after the date of issuance; or~~

~~(2) thirty (30) days after the license holder takes the applicable examination;~~

~~whichever occurs first.~~

~~(b) A temporary work permit held by a license applicant who has filed an application under IC 25-8-4-2 expires thirty (30) days after the board's approval of the applicant's application. If the application for licensure is denied, the applicant's temporary work permit expires five (5) days after the board's decision.~~

SECTION 62. IC 25-8-9-11 IS REPEALED [EFFECTIVE JULY 1,

C o p y

2013]. ~~Sec. 11. The board may not renew or reinstate a license issued under section 7 of this chapter.~~

SECTION 63. IC 25-8-9-12 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 12. The board may not grant a person more than one (1) license under section 7 of this chapter.~~

SECTION 64. IC 25-8-9-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 13. A person licensed under this chapter may not engage in ~~cosmetology in a cosmetology~~ **beauty culture in a beauty culture** school except as part of student instruction.

SECTION 65. IC 25-8-9-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 14. A person licensed under this chapter may not engage in ~~cosmetology~~ **beauty culture** outside a ~~cosmetology~~ **beauty culture** salon unless that person:

(1) has the permission of a person who holds a cosmetology salon license and:

(A) employs the person licensed under this chapter; or

(B) leases or subleases a portion of a salon to the person licensed under this chapter; and

(2) complies with any other practice restrictions regarding this section established by the board.

SECTION 66. IC 25-8-10-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. The application described in section 2 of this chapter must state that the applicant:

(1) holds a cosmetologist license issued under IC 25-8-9 or an esthetician license issued under IC 25-8-12.5;

(2) has successfully completed ~~three hundred (300) hours of instruction in electrology in a cosmetology school;~~ **the education and experience requirements under the rules adopted by the board in the instruction of electrology in a beauty culture school.**

(3) has received a satisfactory grade (as defined by IC 25-8-4-9) on an examination for electrologist license prescribed by the board;

(4) has not committed an act for which the applicant could be disciplined under IC 25-8-14; and

(5) has paid the fee set forth in IC 25-8-13-8 for the issuance of a license under this chapter.

SECTION 67. IC 25-8-10-3.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 3.1. If a person does not receive a satisfactory grade on the examination described in section 3(3) of**

C o p y

this chapter, the person may repeat the examination without completing any additional study in electrology.

SECTION 68. IC 25-8-11-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. The application described in section 3 of this chapter must state that the applicant:

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

(2) has successfully completed the eighth grade or received the equivalent of an eighth grade education;

(3) has graduated from a manicurist program in a ~~cosmetology~~ **beauty culture** school;

(4) has received a satisfactory grade (as defined by IC 25-8-4-9) on an examination for manicurist license applicants prescribed by the board;

(5) has not committed an act for which the applicant could be disciplined under IC 25-8-14; and

(6) has paid the fee set forth in IC 25-8-13-9 for the issuance of a license under this chapter.

SECTION 69. IC 25-8-11-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. If a person does not receive a satisfactory grade on the examination described in section 4(4) of this chapter, the person may repeat the examination ~~subject to the rules governing the examination that are adopted by the board.~~ **without completing any additional study in manicuring.**

SECTION 70. IC 25-8-11-6 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 6. If a person does not receive a satisfactory grade on the repeat examination described in section 5 of this chapter, the board may:~~

~~(1) refuse to permit that person to take the examination again; or~~

~~(2) permit the person to take the examination again, subject to the rules governing the examination adopted by the board.~~

SECTION 71. IC 25-8-12.1-3, AS ADDED BY P.L.84-2010, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. The application described in section 2 of this chapter must state that the applicant:

(1) is either:

(A) at least eighteen (18) years of age; or

(B) at least seventeen (17) years of age and is a graduate of an accredited high school;

(2) has graduated ~~from an approved barber school~~ with not less than one thousand five hundred (1,500) hours of training **in a barber program in a beauty culture school;**

(3) has received a satisfactory grade of at least seventy-five

C o p y

percent (75%) on an examination for barber license applicants prescribed by the board;

(4) has not committed an act that could subject the applicant to discipline under IC 25-1-11; and

(5) has paid the fee set forth in IC 25-8-13 for the issuance of a license under this chapter.

SECTION 72. IC 25-8-12.1-4, AS ADDED BY P.L.84-2010, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. ~~(a)~~ If a person does not receive a satisfactory grade on the examination described in IC 25-8-4-7, that person may repeat the examination ~~subject to the rules governing the examination adopted by the board.~~ **without completing any additional study in barbering.**

~~(b) If a person does not receive a satisfactory grade on the examination described in subsection (a), the board may:~~

~~(1) refuse to permit the person to take the examination again; or~~

~~(2) permit the person to take the examination again subject to the rules governing the examination adopted by the board.~~

SECTION 73. IC 25-8-12.1-5, AS ADDED BY P.L.84-2010, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. A person licensed under this chapter may not engage in barbering in a ~~barber~~ **beauty culture** school except as part of student instruction.

SECTION 74. IC 25-8-12.1-6, AS ADDED BY P.L.84-2010, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. A person licensed under this chapter may not engage in barbering outside a ~~barber shop~~ **beauty culture salon** unless the person:

(1) has the permission of a person who holds a ~~barber shop~~ **beauty culture salon** license and:

(A) employs; or

(B) leases or subleases a part of a shop to;

the person licensed under this chapter; and

(2) complies with any other practice restrictions established by the board under this chapter.

SECTION 75. IC 25-8-12.1-7 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 7. The board may issue a temporary work permit to practice barbering.~~

SECTION 76. IC 25-8-12.1-8 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 8. A person must file a verified application with the board on a form prescribed by the board to obtain a temporary work permit.~~

C o p y

SECTION 77. IC 25-8-12.1-9 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 9. The application described in section 8 of this chapter must state that the applicant will practice barbering under the supervision of a barber, and:~~

~~(1) has filed an application under section 2 of this chapter, but has not taken the examination described in IC 25-8-4-7; or~~

~~(2) has filed an application under IC 25-8-4-2(g) and is awaiting board determination as described in IC 25-8-4-2(g).~~

SECTION 78. IC 25-8-12.1-10 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 10. (a) Except when held by a barber applicant who has filed an application under IC 25-8-4-2(g), a work permit issued under section 7 of this chapter expires:~~

~~(1) three (3) months after the date of issuance; or~~

~~(2) thirty (30) days after the permit holder takes the examination described in IC 25-8-4-7;~~

~~whichever occurs first.~~

~~(b) A work permit held by a barber license applicant who has filed an application under IC 25-8-4-2(g) expires thirty (30) days after board determination as described in IC 25-8-4-2(g).~~

SECTION 79. IC 25-8-12.1-11 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 11. The board may not:~~

~~(1) renew or reinstate a work permit; or~~

~~(2) grant a person more than one (1) work permit;~~

~~issued under section 7 of this chapter.~~

SECTION 80. IC 25-8-12.5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. If a person does not receive a satisfactory grade on the examination described in section ~~4(a)(4)~~ **4(4)** of this chapter, the person may repeat the examination ~~subject to the rules governing the examination that are adopted by the board.~~ **without completing any additional study in esthetics.**

SECTION 81. IC 25-8-12.5-6 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 6. If a person does not receive a satisfactory grade on the repeat examination described in section 5 of this chapter, the board may:~~

~~(1) refuse to permit the person to take the examination again; or~~

~~(2) permit the person to take the examination again, subject to the rules governing the examination adopted by the board.~~

SECTION 82. IC 25-8-12.6 IS REPEALED [EFFECTIVE JULY 1, 2013]. (Esthetician Shop License).

SECTION 83. IC 25-8-13-2, AS AMENDED BY P.L.84-2010, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. The board may not charge a fee for

C o p y

~~(1)~~ transferring a ~~cosmetology~~ **beauty culture** salon license under IC 25-8-4-4. ~~barber shop license under IC 25-8-8.1; or~~

~~(2) issuing a temporary license to practice cosmetology under IC 25-8-7-6 or a temporary work permit to practice barbering under IC 25-8-12.1-7.~~

SECTION 84. IC 25-8-13-3, AS AMENDED BY P.L.84-2010, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) The board shall charge a fee established by the board under IC 25-1-8-2 for an application to issue or renew a ~~cosmetology school or barber~~ **beauty culture** school license.

(b) The board shall charge a fee established under IC 25-1-8-6 for reinstating a ~~cosmetology school or barber~~ **beauty culture** school license.

SECTION 85. IC 25-8-13-5, AS AMENDED BY P.L.84-2010, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) The board shall charge a fee established by the board under IC 25-1-8-2 for issuing or renewing

~~(1)~~ a ~~cosmetology~~ **beauty culture** salon license.

~~(2) an electrology salon license;~~

~~(3) an esthetic salon license;~~

~~(4) a manicurist salon license; or~~

~~(5) a barber shop license.~~

(b) The board shall charge a fee established under IC 25-1-8-6 for reinstating

~~(1)~~ a ~~cosmetology~~ **beauty culture** salon license.

~~(2) an electrology salon license;~~

~~(3) an esthetic salon license;~~

~~(4) a manicurist salon license; or~~

~~(5) a barber shop license.~~

SECTION 86. IC 25-8-14-6, AS AMENDED BY P.L.84-2010, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) A person who:

(1) is a cosmetologist, a manicurist, an electrologist, an esthetician, a barber, or an instructor; and

(2) knowingly performs any act authorized by a license issued under this article while the person has an infectious, a contagious, or a communicable disease that has been epidemiologically demonstrated to be transmitted through casual contact;

commits a Class C infraction.

(b) A person who knowingly attends a ~~cosmetology school or a barber~~ **beauty culture** school as a student while the person has an infectious, a contagious, or a communicable disease that has been

C o p y

1 epidemiologically demonstrated to be transmitted through casual
2 contact commits a Class C infraction.

C o p y

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1477, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 5, after "school" insert "; **or**".
Page 3, line 5, strike "that complies".
Page 3, strike line 6.
Page 6, line 41, after "(2)" insert "**a**".
Page 7, line 42, delete "license" and insert "**licensee**".
Page 10, line 27, strike "(d)" and insert "**(c)**".
Page 10, line 31, strike "or".
Page 10, line 32, strike "IC 25-8-6.4".
Page 11, line 21, reset in roman "at least the one".
Page 11, reset in roman line 22.
Page 11, line 23, reset in roman "be eligible to sit for the licensing examination;".
Page 11, line 23, delete "the education and".
Page 11, delete lines 24 through 25.
Page 12, line 4, delete "(C)" and insert "**(B)**".
Page 16, line 30, delete "25-8-7,IC" and insert "25-8-7, ~~IC~~".
Page 20, line 41, strike "from an approved".
Page 20, line 41, reset in roman "with not less".
Page 20, line 42, reset in roman "than one thousand five hundred (1,500) hours of training".
Page 20, line 42, after "training" insert "**in a**".

and when so amended that said bill do pass.

(Reference is to HB 1477 as introduced.)

GUTWEIN, Chair

Committee Vote: yeas 11, nays 1.

C o p y