

**TITLE 820 STATE BOARD OF COSMETOLOGY EXAMINERS****Proposed Rule**  
LSA Document #08-606

## DIGEST

Amends [820 IAC 5-1-20](#) concerning license application requirements for tanning facilities. Adds [820 IAC 7-1-1](#) and [820 IAC 7-1-3](#) to establish fees for application, issuance, and renewal of cosmetology school licenses, beauty culture instructor licenses, cosmetology salon licenses, electrology salon licenses, esthetic salon licenses, manicurist salon licenses, cosmetologist licenses, electrologist licenses, esthetician licenses, manicurist licenses, and tanning facility licenses and to establish fees for examinations for licensure to practice as a beauty culture instructor, cosmetologist, electrologist, esthetician, or manicurist. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)[820 IAC 5-1-20](#); [820 IAC 7-1-1](#); [820 IAC 7-1-3](#)

SECTION 1. [820 IAC 5-1-20](#) IS AMENDED TO READ AS FOLLOWS:

**[820 IAC 5-1-20](#) License application required**

**Authority:** [IC 25-8-15.4-23](#)

**Affected:** [IC 25-8-15.4](#)

Sec. 20. To obtain a license to operate a tanning facility, a person must do the following:

(1) File an application with the board on a form prescribed by the board. ~~Such~~ **The** information shall include the following:

(A) The name, address, and telephone number of the following:

(i) The tanning facility.

(ii) The owner of the tanning facility.

(iii) If the licensee is a corporation, all shareholders owning **at least** five percent (5%) ~~or greater~~ who own a sunlamp product.

(iv) If the licensee is a partnership, all partners of a business who own a sunlamp product.

(v) All settlors, trustees, and beneficiaries of trusts who own a sunlamp product.

(B) If the facility is mobile, the location, by address, at which the facility will be parked during the hours it is open for business.

(C) A signed and dated certification that the applicant has read and understands the requirements of this rule.

(D) All additional information requested by the ~~department~~ **board** to substantiate that the proposed facility can reasonably be expected to provide access to sunlamp products without causing a health or safety hazard to its customers.

(2) Pay a ~~the fee of two hundred dollars (\$200).~~ **set by the board in [820 IAC 7](#).**

~~(3) Each person operating a tanning facility on the effective date of this rule shall apply for a permit no later than sixty (60) days following the effective date of this rule.~~

(4) ~~(3)~~ Each person establishing or acquiring a tanning facility ~~after the effective date of this rule~~ shall:

**(A)** apply to the board for a license; and

**(B)** obtain ~~such~~ **the** license;

~~prior to~~ **before** operating the facility.

~~(5)~~ **(4)** The owner shall maintain and make available for inspection written records that must include the:

(A) manufacturer;

(B) year and month of manufacture;

(C) model number;

(D) serial number; and

(E) type;

of each sunlamp product located within the facility.

*(State Board of Cosmetology Examiners; [820 IAC 5-1-20](#); filed Mar 17, 1992, 10:20 a.m.: 15 IR 1378; filed Sep 17, 1998, 3:55 p.m.: 22 IR 457; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: [20070808-IR-820070046RFA](#)) NOTE: Transferred from the Indiana State Department of Health ([410 IAC 6-13-20](#)) to the State Board of Cosmetology Examiners ([820 IAC 5-1-20](#)) by P.L.142-1995, SECTION 33,*

SECTION 2. [820 IAC 7-1-1](#) IS ADDED TO READ AS FOLLOWS:

**[820 IAC 7-1-1](#) Application/issuance fees**

Authority: [IC 25-1-8-2](#); [IC 25-8-4](#)

Affected: [IC 25-8](#)

Sec. 1. The board shall charge and collect the following application/issuance fees for licenses:

- (1) Cosmetologist: \$40
- (2) Electrologist: \$40
- (3) Esthetician: \$40
- (4) Manicurist: \$40
- (5) Beauty culture instructor: \$40
- (6) Cosmetology school: \$400
- (7) Cosmetology salon: \$40
- (8) Electrology salon: \$40
- (9) Esthetic salon: \$40
- (10) Manicurist salon: \$40
- (11) Tanning facility: \$200

(State Board of Cosmetology Examiners; [820 IAC 7-1-1](#))

SECTION 3. [820 IAC 7-1-3](#) IS ADDED TO READ AS FOLLOWS:

**[820 IAC 7-1-3](#) Renewal fees**

Authority: [IC 25-1-8-2](#); [IC 25-8-4](#)

Affected: [IC 25-8](#)

Sec. 3. The board shall charge and collect the following renewal fees every four (4) years for licenses:

- (1) Cosmetologist: \$40
- (2) Electrologist: \$40
- (3) Esthetician: \$40
- (4) Manicurist: \$40
- (5) Beauty culture instructor: \$40
- (6) Cosmetology school: \$400
- (7) Cosmetology salon: \$40
- (8) Electrology salon: \$40
- (9) Esthetic salon: \$40
- (10) Manicurist salon: \$40
- (11) Tanning facility: \$200

(State Board of Cosmetology Examiners; [820 IAC 7-1-3](#))

**[Notice of Public Hearing](#)**

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