

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
BILL NO. 2141

By: McDugle of the House

3
4 and

5 Coleman of the Senate

6
7 An Act relating to State Board of Cosmetology and
8 Barbering; amending 59 O.S. 2021, Section 199.14,
9 which relates to licensing fees; increasing fees; and
10 declaring an emergency.

11 AUTHOR: Remove as principal Senate author Coleman and substitute as
12 principal Senate author Bergstrom

13 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
entire bill and insert

14 "An Act relating to cosmetology and barbering;
15 amending 59 O.S. 2021, Section 199.1, which relates
16 to definitions; adding and modifying definitions;
17 amending 59 O.S. 2021, Section 199.3, which relates
18 to the powers of the State Board of Cosmetology and
19 Barbering; removing reference to certain license;
20 adding license for examination consideration by
21 Board; preventing rules from modifying training or
22 testing of specialty licenses not codified in
23 statute; amending 59 O.S. 2021, Section 199.6, as
24 amended by Section 1, Chapter 57, O.S.L. 2022 (59
O.S. Supp. 2023, Section 199.6), which relates to
rules; updating references to certain licenses and
certificates; removing requirements for operation of
certain establishments or providing certain services;
adding certain services to the exceptions of this
act; amending 59 O.S. 2021, Section 199.7, which
relates to cosmetology and barbering schools;
modifying hours of instruction after certain date;
adding requirements for certain instructor;
establishing educational and certification

1 requirements for certain instructor; modifying hours
2 for certain examination; amending 59 O.S. 2021,
3 Section 199.8, which relates to apprentices; allowing
4 for compensation; modifying hours of training;
5 requiring certain curriculum for apprenticeship
6 programs from approved organizations; amending 59
7 O.S. 2021, Section 199.9, which relates to inspection
8 of facilities; exempting certain licensees from the
9 requirements of inspections under certain conditions;
10 amending 59 O.S. 2021, Section 199.10, which relates
11 to expiration and renewal of license; removing
12 references to certain licenses; amending 59 O.S.
13 2021, Section 199.14, which relates to license fees;
14 updating license fees; increasing license fees;
15 establishing new biennial license fee schedule;
16 amending 59 O.S. 2021, Section 199.18, which relates
17 to services provided in a private residence; updating
18 licenses and certificate holders authorized to
19 provide services; creating the eyelash extension
20 specialist certificate; providing educational
21 requirements; prohibiting the Board from requiring
22 examination to obtain license; allowing for services
23 to be performed in certain establishments; updating
24 statutory language; updating statutory references;
making language gender neutral; providing for
codification; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2021, Section 199.1, is
amended to read as follows:

Section 199.1. As used in the Oklahoma Cosmetology and
Barbering Act:

1. "Apprentice" means a person who is engaged in learning the
practice of cosmetology or barbering in a cosmetology or barbering
establishment;

1 2. "Barber" or "barber stylist" means any person who engages in
2 the practice of barbering;

3 3. "Barbering" means ~~any one or any combination of the~~
4 following practices, when done upon the upper part of the human body
5 for cosmetic purposes and when done for payment either directly or
6 indirectly for the general public, ~~constitutes~~ constitute the
7 practice of barbering, to wit: Shaving or trimming the beard or
8 cutting the hair; giving facial or scalp massages or treatment with
9 oils, creams, lotions or other preparations, either by hand or
10 mechanical appliances; singeing, shampooing or applying lighteners
11 or color to the hair or applying hair tonics; applying cosmetic
12 preparations, antiseptics, powders, oils, clays or lotions to scalp,
13 face, neck or upper part of the body; and removing superfluous hair
14 from the face, neck or upper part of the body;

15 4. "Barber establishment" means an establishment or place of
16 business where one or more persons are engaged in the practice of
17 barbering, but shall not include barber schools or colleges;

18 5. "Barber school" or "barber college" means an establishment
19 operated for the purpose of teaching barbering;

20 6. "Blow-dry styling" means the practice of shampooing,
21 conditioning, drying, arranging, curling, straightening, or styling
22 hair using mechanical devices, hairsprays, and topical agents
23 including, but not limited to, balms, oils, and serums. Blow-dry
24 styling shall include the use and styling of hair extensions, hair

1 pieces, and wigs. Blow-dry styling shall not include cutting hair
2 or the application of dyes, bleach, reactive chemicals, keratin
3 treatments, or other preparations for the coloring and altering of
4 hair structure. An individual certified to practice blow-dry
5 styling shall fulfill instruction requirements related to general
6 safety and sanitation for no less than twelve (12) hours, four (4)
7 hours being an instruction in using mechanical devices for drying,
8 curling, straightening, or styling hair, from the State Board of
9 Cosmetology and Barbering before making any such applications. No
10 establishment licensing and inspection requirements pursuant to this
11 act shall be required of an establishment where a person performs
12 blow-dry styling services;

13 7. "Board" means the State Board of Cosmetology and Barbering;

14 7. 8. "Cosmetic studio" means any place or premises where
15 demonstrators give demonstrations, without compensation, for the
16 purpose only of advertising and selling cosmetics. Cosmetic studios
17 providing any place or premises where demonstrators give
18 demonstrations as defined in this paragraph shall not be required to
19 hold a license or certification under the Oklahoma Cosmetology and
20 Barbering Act;

21 8. "Cosmetician" means a person licensed by the Board to
22 perform patron services limited to hair arranging and application of
23 makeup, including, but not limited to, using hairstyling tools and
24 products. Services must be performed in a licensed establishment;

1 9. "Cosmetology" means ~~any one or combination of~~ the practices
2 generally and usually performed by and known as the occupation of
3 beauticians, beauty culturists, beauty operators, ~~cosmeticians,~~
4 cosmetologists, or hairdressers or of any other person holding
5 himself or herself out as practicing cosmetology by whatever
6 designation and within the meaning of the Oklahoma Cosmetology and
7 Barbering Act and in or upon whatever place or premises.
8 Cosmetology shall include, but not be limited to, any one or
9 combination of the following practices: bleaching, cleansing,
10 curling, cutting, coloring, dressing, removing, singeing, styling,
11 waving, or similar work upon the hair of any person by any means,
12 whether with hands or mechanical or electrical apparatus or
13 appliances. Nothing in the Oklahoma Cosmetology and Barbering Act
14 shall be construed to prohibit the use of hands or mechanical or
15 electrical apparatus or appliances for the nonpermanent removal of
16 hair from the human body without puncturing of the skin or the use
17 of cosmetic preparations, antiseptics, tonics, lotions, or creams,
18 or massaging, cleansing, stimulating, exercising, beautifying, or
19 similarly working the scalp, face, neck, arms, or the manicuring of
20 the nails of any person, exclusive of such of the foregoing
21 practices as are within the scope of practice of the healing arts as
22 provided by law;

23 10. "Cosmetology establishment" means an establishment or place
24 of business where one or more persons are engaged in the practices

1 of cosmetology but shall not include cosmetology schools or
2 colleges;

3 11. "Cosmetology or barber school/college" means any place or
4 premises where instruction in any or all the practices of
5 cosmetology or barbering is given. Any person, firm, institution or
6 corporation, who holds himself, herself or itself out as a school to
7 teach and train, or any person, firm, institution or corporation who
8 shall teach and train any other person or persons in any of the
9 practices of cosmetology or barbering is hereby declared to be
10 engaged in operating a cosmetology and/or barber school, and shall
11 be subject to the provisions of the Oklahoma Cosmetology and
12 Barbering Act. Licensed cosmetology and/or barber schools may offer
13 education to secondary and postsecondary students in this state;

14 12. "Demonstrator" means a person who is not licensed in this
15 state as an operator or instructor and who demonstrates any cosmetic
16 preparation. ~~The person shall be required to obtain a Demonstrator~~
17 ~~license and pass a state written exam relating to general safety and~~
18 ~~sanitation from the Board before making any such demonstrations~~ An
19 individual solely acting as a demonstrator as defined in this
20 paragraph shall not be required to hold a license or certification
21 under the Oklahoma Cosmetology and Barbering Act;

22 13. "Eyelash extension application" means the application,
23 removal, and trimming of threadlike natural or synthetic fibers to
24 an eyelash. Eyelash extension application shall include the

1 cleaning of lashes. Eyelash extension application shall not include
2 color agents, straightening agents, permanent wave solutions,
3 bleaching agents, or any other service that may be considered under
4 the practice of cosmetology;

5 14. "Eyelash extension instructor" means a person certified by
6 the Board or a manufacturer of eyelash extension application
7 products. The person shall pass a state written exam relating to
8 general safety and sanitation from the Board;

9 15. "Eyelash extension specialist" means a person certified by
10 the Board to perform eyelash extension application. The person
11 shall pass a state written exam relating to general safety and
12 sanitation from the Board;

13 ~~13.~~ 16. "Facial/Esthetics instructor" means a person licensed
14 by the Board as a qualified teacher of the art and science of facial
15 and esthetics theory and practice;

16 ~~14.~~ 17. "Facialist/Esthetician" means any person who gives
17 facials for compensation. For a facialist/esthetician fulfilling
18 the requirements of another state, territory, or province and
19 holding a current license as verified by certification, the Board
20 may issue a license pursuant to Section 199.13 of this title;

21 ~~15.~~ 18. "Hairbraiding technician" means a person ~~certified by~~
22 ~~the Board to perform~~ who performs hairbraiding, hairweaving
23 techniques, and hair extensions in a licensed cosmetology
24 establishment. An individual solely acting as a hairbraiding

1 technician as defined in this paragraph shall not be required to
2 hold a license or certification under the Oklahoma Cosmetology and
3 Barbering Act;

4 19. "Hairbraiding" means the service of twisting, wrapping,
5 weaving, extending, locking, or braiding hair by hand or with
6 mechanical devices. Hairbraiding shall include the use of natural
7 or synthetic hair extensions, natural or synthetic hair and fibers,
8 decorative beads or other hair accessories, or twisting, wrapping,
9 weaving, extending, locking, or braiding hair, or the making of wigs
10 from natural hair, natural fibers, synthetic fibers, or hair
11 extensions. Hairbraiding shall include the use of topical agents
12 such as conditioners, gels, moisturizers, oils, pomades, and
13 shampoos. Hairbraiding shall not include the application of dyes,
14 reactive chemicals, or other preparations to alter the color of the
15 hair or to straighten, curl, or alter the structure of the hair or
16 the use of chemical hair jointing agents such as synthetic tape,
17 keratin bonds, or fusion bonds. Hairbraiding shall not be
18 considered the practice of cosmetology. Individuals solely
19 practicing hairbraiding as defined in this paragraph shall not be
20 required to hold a license or certification under the Oklahoma
21 Cosmetology and Barbering Act;

22 16. 20. "Hybrid learning" means courses that combine face-to-
23 face classroom instruction with ~~on-line~~ online, computer-based
24 learning;

1 ~~17.~~ 21. "Makeup application" means the application of a
2 cosmetic to enhance the appearance of the face or skin including,
3 but not limited to, powder, foundation, rouge, eyeshadow, eyeliner,
4 mascara, or lipstick. Makeup application shall include the
5 application of makeup applied using an airbrush. Makeup application
6 shall not include the application of permanent makeup or tattooing;

7 22. "Makeup artist" means a person certified to practice makeup
8 application. No establishment licensing and inspection requirements
9 pursuant to this act shall be required of an establishment where a
10 person performs makeup application services; provided, that an
11 individual certified to practice makeup application fulfills
12 instruction requirements related to general safety and sanitation
13 for no less than eight (8) hours from the Board before making any
14 such applications;

15 23. "Manicurist/Nail technician" means a person who gives
16 manicures, gives pedicures, or applies artificial nails;

17 ~~18.~~ 24. "Manicurist/Nail technician instructor" means a person
18 licensed by the Board as a qualified teacher of the art and science
19 of nail technology theory and practice;

20 25. "Master barber" means any person who has engaged in the
21 practice of barbering for a cumulative period no less than fifteen
22 (15) years. A master barber may provide instruction to no more than
23 two registered apprentices at any one time. At such time as a
24

1 barber fulfills the requirements of a master barber, he or she may
2 request of the Board for licensure as a master barber;

3 ~~19.~~ 26. "Master barber instructor" means a person who gives
4 instruction in barbering or any practices thereof;

5 ~~20.~~ 27. "Master cosmetologist" means any person who has engaged
6 in the practice of cosmetology for a cumulative period no less than
7 fifteen (15) years. A master cosmetologist may provide instruction
8 to no more than two registered apprentices at any one time. At such
9 time as a cosmetologist fulfills the requirements of a master
10 cosmetologist, he or she may request of the Board for licensure as a
11 master cosmetologist;

12 28. "Master cosmetology instructor" means a person who gives
13 instruction in cosmetology or any practices thereof;

14 ~~21.~~ 29. "Postsecondary institution" means a school licensed to
15 teach students according to prescribed curriculum as in paragraph 1
16 of subsection G of Section 199.7 of this title and in Board rule
17 175:10-3-34(a);

18 ~~22.~~ 30. "Public school" means any state-supported institution
19 conducting a cosmetology program;

20 ~~23.~~ 31. "Secondary institution" means a school licensed to
21 teach students eligible for credit of five hundred (500) hours of
22 related subjects as prescribed in paragraph 2 of subsection G of
23 Section 199.7 of this title and in Board rule 175:10-3-34(b); ~~and~~

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1 ~~24.~~ 32. "Shampooing" means the practice of washing or cleaning
2 hair by use of shampooing, conditioning, and drying, which may use
3 topical agents including, but not limited to, balms, oils, and
4 serums. Shampooing shall include the washing or cleaning of hair
5 extensions, hair pieces, and wigs. Shampooing shall not include
6 cutting hair or the application of dyes, bleach, reactive chemicals,
7 keratin treatments, or other preparations for the coloring and
8 altering of hair structure. Individuals solely practicing
9 shampooing as defined in this paragraph shall not be required to
10 hold a license or certification under the Oklahoma Cosmetology and
11 Barbering Act; and

12 33. "Student" means a person who is enrolled in and attending a
13 cosmetology or barbering school for the purpose of learning the
14 practice of cosmetology or barbering.

15 SECTION 2. AMENDATORY 59 O.S. 2021, Section 199.3, is
16 amended to read as follows:

17 Section 199.3. A. In order to safeguard and protect the health
18 and general welfare of the people of ~~the State of Oklahoma~~ this
19 state, the State Board of Cosmetology and Barbering is hereby vested
20 with the powers and duties necessary and proper to enable it to
21 fully and effectively carry out the provisions of the Oklahoma
22 Cosmetology and Barbering Act.

23 B. The Board shall have the powers and duties to:
24

1 1. Promulgate rules pursuant to the Administrative Procedures
2 Act relating to standards of sanitation which must be observed and
3 practiced by all cosmetology and barber establishments, cosmetology
4 or barber schools, master cosmetology instructors, master barber
5 instructors, barbers, apprentices, students, and board licensees.
6 The Board shall furnish copies of the rules to the owner or manager
7 of each cosmetology school, barber school and cosmetology and barber
8 establishment operating in this state. It shall be the duty of each
9 owner or manager to post a copy of the rules in a conspicuous place
10 in each of the establishments or schools;

11 2. Conduct examinations of applicants for certificates of
12 registration as manicurists, cosmetologists, facial operators,
13 ~~hairbraiding technician,~~ manicurist/nail technician instructor,
14 facial/esthetics instructor, master cosmetology instructor,
15 ~~cosmetician,~~ barber, or barber instructor at such times and places
16 determined by the Board. Applications for all examinations shall be
17 made on forms approved by the Board;

18 3. Keep a record of all its proceedings. The Board shall keep
19 a record of all applicants for certificates, licenses and permits,
20 showing the name of the applicant, the name and location of the
21 place of occupation or business, if any, and the residence address
22 of the applicant, and whether the applicant was granted or refused a
23 certificate, license or permit. The records of the Board shall be
24 valid and sufficient evidence of matters contained therein, shall

1 constitute public records. Records shall be open to public
2 inspection at all reasonable times and subject to the Oklahoma Open
3 Records Act. Notwithstanding any other provision of law to the
4 contrary, records and information obtained in connection with an
5 investigation of alleged violations, including complaints, identity
6 of a complainant, investigative reports, and documentation or images
7 generated or received during the course of an investigation, shall
8 be confidential and shall not be subject to disclosure;

9 4. Issue all certificates of registration, licenses, permits,
10 notices and orders;

11 5. Establish limited specialty licenses and certificates for
12 ~~cosmetician~~, facial/esthetics instructor, eyelash extension
13 instructor, manicurist/nail technician instructor, master barber
14 instructor, or master cosmetology instructor within the practice of
15 cosmetology or barbering. The Board shall also promulgate rules for
16 special licenses, including but not limited to reduced curriculum
17 requirements, as the Board may deem appropriate and necessary to
18 further the purposes of the Oklahoma Cosmetology and Barbering Act;
19 provided, that the rules promulgated for specialty licenses shall
20 not require training or testing not required in this act;

21 6. Make regular inspections of all cosmetology and barber
22 schools and cosmetology and barber establishments ~~licensed to~~
23 ~~operate~~ operating in this state, and reports thereof shall be kept
24 and maintained in the office of the Board;

1 7. Make investigations and reports on all violations of the
2 Oklahoma Cosmetology and Barbering Act;

3 8. Take samples of beauty supplies for the purpose of chemical
4 analysis; provided, that if the owner demands payment for the sample
5 taken, payment at the regular retail price shall be made;

6 9. Refuse, revoke, or suspend licenses, certificates of
7 registration or permits after notice and an opportunity for a full
8 hearing, pursuant to Article II of the Administrative Procedures
9 Act, on proof of violation of any of these provisions or the rules
10 established by the Board;

11 10. Enter into any contracts necessary to implement or enforce
12 the provisions of the Oklahoma Cosmetology and Barbering Act or
13 rules promulgated thereto; and

14 11. Apply to a court of competent jurisdiction for an order
15 enjoining an unlicensed person from practicing cosmetology or
16 barbering or holding himself or herself out as a practitioner of
17 cosmetology or barbering. Injunctive relief granted by the court
18 shall be without bond.

19 C. 1. Any person whose license, certificate of registration,
20 or permit has been suspended or revoked may, after the expiration of
21 thirty (30) days, make application to the Board for reinstatement
22 thereof.

23
24

1 2. Reinstatement of any such license, certificate of
2 registration, or permit shall rest in the sound discretion of the
3 Board.

4 3. Any action of the Board in refusing, revoking, or suspending
5 a license, certificate of registration, or permit may be appealed to
6 the district court of the county of the appellant's residence
7 pursuant to the Administrative Procedures Act.

8 D. 1. In any case where a licensee becomes a member of the
9 Armed Forces of the United States, such license shall not lapse by
10 reason thereof but shall be considered and held in full force and
11 effect without further payment of license fees during the period of
12 service in the Armed Forces of the United States and for six (6)
13 months after honorable release therefrom. At any time within six
14 (6) months after honorable release from the Armed Forces of the
15 United States the licensee may resume practice pursuant to a license
16 without other or further examination by notifying the Board in
17 writing.

18 2. The period of time in which the licensee shall have been a
19 member of the Armed Forces of the United States shall not be
20 computed in arriving at the amount of fee or fees due or to become
21 due by such licensee.

22 SECTION 3. AMENDATORY 59 O.S. 2021, Section 199.6, as
23 amended by Section 1, Chapter 57, O.S.L. 2022 (59 O.S. Supp. 2023,
24 Section 199.6), is amended to read as follows:

1 Section 199.6. A. The State Board of Cosmetology and Barbering
2 is hereby authorized to promulgate rules for governing the
3 examination and licensure of cosmetologists, master cosmetologists,
4 manicurists, nail technicians, estheticians, ~~cosmeticians~~, ~~hair~~
5 ~~braiding technicians~~, master cosmetology instructors, manicurist
6 instructors, esthetics instructors, barbers, master barbers, and
7 master barber instructors. The Board is hereby authorized to
8 promulgate rules to govern the sanitary operation of cosmetology and
9 barbering establishments and to administer fines not to exceed Fifty
10 Dollars (\$50.00) for those licensed and not to exceed Five Hundred
11 Dollars (\$500.00) for those not licensed. Each day a violation
12 continues shall be construed as a separate offense.

13 B. The State Board of Cosmetology and Barbering shall have the
14 power and duty to implement rules of the Board, to issue and renew
15 licenses, to inspect cosmetology and barbering establishments and
16 schools, and to inspect the sanitary operating practices of
17 cosmetology and barbering licensees, including sanitary conditions
18 of cosmetology and barbering establishments and schools.

19 C. It shall be unlawful and constitute a misdemeanor,
20 punishable upon conviction by a fine ~~of~~ not less than Fifty Dollars
21 (\$50.00), nor more than One Hundred Fifty Dollars (\$150.00), or by
22 imprisonment in the county jail for not more than thirty (30) days,
23 or both such fine and imprisonment, for any person, firm, or
24 corporation in this state to:

1 1. Operate or attempt to operate a cosmetology school/college,
2 cosmetology or barber establishment, cosmetology or barber school or
3 college that offers cosmetology, barbering or both without having
4 obtained a license therefor from the State Board of Cosmetology and
5 Barbering;

6 2. Give or attempt to give instruction in cosmetology or
7 barbering, without having obtained an instructor's license from the
8 Board;

9 3. Practice or offer to practice barbering, cosmetology ~~or,~~
10 manicuring, or eyelash extension application without having obtained
11 a license or certification therefor from the Board;

12 ~~4. Operate a cosmetic studio without having obtained a license~~
13 ~~therefor from the Board;~~

14 ~~5. Demonstrate a cosmetic preparation without having obtained a~~
15 ~~demonstrator's license from the Board~~ Demonstrate as an eyelash
16 extension instructor or operate as an eyelash extension specialist
17 without having obtained a certificate from the Board;

18 ~~6.~~ 5. Permit any person in one's employ, supervision, or
19 control to practice cosmetology or barbering unless that person has
20 obtained an appropriate license from the Board;

21 ~~7.~~ 6. Willfully violate any rule promulgated by the Board for
22 the sanitary management and operation of a cosmetology or barber
23 establishment, cosmetology school or barber college; or

24

1 ~~8.~~ 7. Violate any of the provisions of the Oklahoma Cosmetology
2 and Barbering Act.

3 D. The State Board of Cosmetology and Barbering shall have the
4 authority to levy administrative fines not to exceed Five Hundred
5 Dollars (\$500.00) for persons practicing cosmetology or barbering
6 without a license, and for owners of ~~licensed~~ establishments who
7 allow unlicensed individuals to practice cosmetology or barbering
8 without a license in their establishment. Each day a violation
9 continues shall be a separate offense. The administrative fine
10 shall not exceed a total of Five Hundred Dollars (\$500.00).

11 E. The provisions of the Oklahoma Cosmetology and Barbering Act
12 shall not apply to the following persons while such persons are
13 engaged in the proper discharge of their professional duties:

- 14 1. Funeral directors;
- 15 2. Persons in the Armed Services;
- 16 3. Persons authorized to practice the healing arts or nursing;
- 17 4. Regularly employed sales people working in retail

18 establishments engaged in the business of selling cosmetics in
19 sealed packages; ~~or~~

- 20 5. Persons employed to render cosmetology or hairstyling
21 services in the course of and incidental to the business or
22 employers engaged in the theatrical, radio, television, or motion
23 picture production industries, modeling, or photography;

24

1 6. Persons performing shampooing services and no other services
2 requiring a license under this act; or

3 7. Persons performing hairbraiding services.

4 SECTION 4. AMENDATORY 59 O.S. 2021, Section 199.7, is
5 amended to read as follows:

6 Section 199.7. A. Each cosmetology and barber school shall be
7 licensed annually by the State Board of Cosmetology and Barbering.
8 Application for the first year's license for a cosmetology and
9 barber school shall be accompanied by a fee of Four Hundred Dollars
10 (\$400.00), which shall be retained by the Board if the application
11 is approved and a license is issued. The annual renewal license fee
12 for cosmetology or barber schools shall be One Hundred Twenty-five
13 Dollars (\$125.00).

14 B. 1. No license or renewal thereof for a cosmetology or
15 barber school shall be issued unless the owner thereof furnishes to
16 the Board a good and sufficient surety bond in the principal sum of
17 Two Thousand Dollars (\$2,000.00) for the first instructor and an
18 additional One Thousand Dollars (\$1,000.00) for each additional
19 instructor, executed by a surety company authorized to do business
20 in this state, and conditioned on the faithful performance of the
21 terms and conditions of all contracts entered into between the owner
22 of the cosmetology or barber school and all persons enrolling
23 therein.

1 2. The surety bond shall be in a form approved by the Attorney
2 General and filed in the Office of the Secretary of State. Suit may
3 be brought on the bond by any person injured by reason of the breach
4 of the conditions thereof.

5 C. It shall be the duty of the owner or manager of a
6 cosmetology or barber school to enter into a written contract with
7 all students before permitting students to attend any classes.
8 Contracts shall be made out in triplicate, the original copy to be
9 retained by the school, the duplicate to be given to the student,
10 and the triplicate to be filed with the ~~executive director~~ Executive
11 Director of the Board.

12 D. A school licensed or applying for licensure shall maintain
13 recognition as an institution of postsecondary study by meeting the
14 following conditions:

15 1. The school shall admit as a regular student only an
16 individual who has earned a recognized high school diploma, or who
17 is beyond the age of compulsory high school attendance; and

18 2. The school shall be licensed by name, or in the case of an
19 applicant, shall apply for licensure by name, to offer one or more
20 training programs beyond the secondary level.

21 E. No license for a cosmetology or barber school shall be
22 issued unless the owner thereof presents evidence satisfactory to
23 the Board that the school has satisfactory facilities and equipment
24

1 and has instructors qualified to give a course of study as provided
2 in the Oklahoma Cosmetology and Barbering Act.

3 F. There shall be included in the curriculum for cosmetology
4 and barber schools, courses of study in the theory of cosmetology
5 and barbering related theory, studies in manipulative practices,
6 sterilization and sanitation, shop management, and such other
7 related subjects as may be approved by the Board.

8 G. 1. ~~The~~ On or before July 1, 2025, the Board shall adopt a
9 curriculum of required courses of instruction in theory and training
10 of either ~~one thousand five hundred (1,500)~~ one thousand (1,000)
11 clock hours for nonchemical-use licensure or one thousand two
12 hundred fifty (1,250) hours of chemical-use licensure or an
13 equivalent number of credit hours as recognized by the United States
14 Department of Education or a regional or national accreditation
15 entity recognized by the United States Department of Education in a
16 basic course to be taught in all cosmetology or barbering schools in
17 the state. The basic cosmetology or barbering course shall be
18 designed to qualify students completing the course to take the
19 examination for a license.

20 2. ~~Cosmetology~~ On or before July 1, 2025, cosmetology and
21 barber students in vocational, trade, and industrial cosmetology and
22 barbering classes in public schools, parochial schools, private
23 schools or home schools shall qualify by completing one thousand
24 (1,000) hours in a basic course of cosmetology or barbering and ~~five~~

1 ~~hundred (500)~~ two hundred fifty (250) hours of approved related
2 subjects to be selected from, but not limited to, the following high
3 school courses in a public school, parochial, private or home
4 school: psychology, biology, general science, American history,
5 art, typing I, typing II, business arithmetic, salesmanship,
6 bookkeeping I, bookkeeping II, related mathematics, English II,
7 English III and English IV.

8 H. 1. No person shall be eligible to give instruction in
9 cosmetology or barbering unless the person is the holder of a
10 current unrevoked ~~instructor's~~ instructor license issued by the
11 Board. No person shall be eligible to give instruction in eyelash
12 extension application unless the person is the holder of a current
13 unrevoked eyelash extension instructor certificate issued by the
14 Board. A manufacturer of eyelash extension application products
15 shall not be required to obtain an instructor certificate but shall
16 only instruct on eyelash extension products and not the application
17 of eyelash extensions.

18 2. Each cosmetology or barber school shall employ at least one
19 instructor for the first fifteen students registered therein, and at
20 least one additional instructor shall be employed for each
21 additional group of fifteen students, or major fraction thereof.

22 3. Students utilizing hybrid learning programs are included in
23 the total student number as referenced in the ratio in paragraph 2
24 ~~of subsection G~~ of this ~~section~~ subsection.

1 I. A cosmetology or barbering school may be operated in and as
2 part of an accredited high school.

3 J. No cosmetology or barber school owner or an establishment
4 owner shall charge students or apprentices for cosmetic materials,
5 supplies, apparatus, or machines used by them in practice work. A
6 reasonable charge may be made by a cosmetology or barber school for
7 clinical work performed by students upon persons who are not
8 students therein. No instructor shall be permitted to do
9 professional or clinical work in a cosmetology or barber school at
10 any time.

11 K. No cosmetology or barber establishment shall ever be
12 operated in or as a part of a cosmetology school.

13 L. 1. Students shall:

14 a. have an eighth-grade education or the equivalent
15 thereof, and

16 b. be at least sixteen (16) years of age unless they are
17 public or private school students who will be sixteen
18 (16) years of age by November 1 of the year in which
19 cosmetology or barbering instruction begins.

20 2. Credit shall not be given to any person by the Board or by a
21 cosmetology or barber school for hours spent in attending a
22 cosmetology or barber school unless the person has registered with
23 the Board as a student prior to the attendance, except that a
24 student who has attended a cosmetology or barber school out of state

1 may receive credit for such attendance for transfer upon proper
2 certification as provided by rule of the Board.

3 3. No student shall be credited with more than eight (8) hours'
4 attendance in a cosmetology or barber school in any one (1) day.

5 4. No person shall be eligible to take the Board-issued
6 examination for a license unless such person is at least seventeen
7 (17) years of age or a high school graduate.

8 M. 1. No student shall be eligible to take the examination for
9 a Board-issued license without furnishing to the Board the affidavit
10 of the owner of the cosmetology or barber school that the student
11 has satisfactorily completed the requirements specified in paragraph
12 1 of subsection ~~F~~ G of this section, except public and private
13 school students who will complete the requirements specified in
14 paragraph 2 of subsection ~~F~~ G of this section by the close of the
15 current school year may take the examination next preceding the end
16 of the school year.

17 2. Students who are eligible to take the examination shall be
18 given an oral examination if requested by their instructor and proof
19 of qualifying disability is proven.

20 N. ~~No~~ After July 1, 2025, no person shall be eligible to
21 register for the examination for an instructor's license unless such
22 person is a high school graduate, or has obtained a General
23 Equivalency Diploma (GED) as to which the applicant shall qualify by
24

1 tests to be prescribed by the Board and conducted by qualified
2 examiners selected by the Board, and has:

3 ~~1. Satisfactorily~~ satisfactorily completed all hours required
4 for the appropriate specialty course and an additional ~~one thousand~~
5 ~~(1,000)~~ six hundred (600) instructor training hours or equivalent
6 number of credit hours as recognized by the United States Department
7 of Education or as recognized by a national accreditation entity
8 prescribed by the Board in a cosmetology or barber school in this
9 state; ~~or~~

10 ~~2. Completed all hours required for the appropriate specialty~~
11 ~~course, three hundred (300) instructor training hours, prescribed by~~
12 ~~the Board in a cosmetology school in this state and has been engaged~~
13 ~~in the practice of cosmetology for at least the preceding two (2)~~
14 ~~years.~~

15 O. The Board shall have the power to conduct examinations
16 around the state at public locations including, but not limited to,
17 technology center schools.

18 P. Each cosmetology or barber school shall prominently display
19 in a conspicuous place above or to the side of the entrance thereto
20 a sign identifying it as an institute of learning. ~~Wording~~ The
21 wording on such sign shall be in plain letters at least three (3)
22 inches high and at least one (1) inch wide.

23 SECTION 5. AMENDATORY 59 O.S. 2021, Section 199.8, is
24 amended to read as follows:

1 Section 199.8. A. Each person training as an apprentice shall
2 be required to have the same qualifications as a student for
3 admission into a cosmetology or barber school, and shall be
4 registered with the State Board of Cosmetology and Barbering before
5 commencing the training.

6 B. No apprentice shall engage in any of the practices of
7 cosmetology or barbering except under the immediate supervision of a
8 licensed instructor in a cosmetology or barber establishment
9 approved by the Board for apprentice training.

10 C. All apprentices ~~must~~ shall wear a badge which designates
11 them as an apprentice and is furnished by the Board with the
12 apprentice registration receipt.

13 D. Only ~~one apprentice~~ two apprentices may be registered to
14 receive training in any cosmetology or barber establishment at any
15 one time. An apprentice registered to receive training in any
16 cosmetology or barber establishment may receive compensation during
17 his or her training.

18 E. Completion of ~~three thousand (3,000)~~ two thousand two
19 hundred fifty (2,250) hours of apprentice training in a cosmetology
20 or barber establishment is the equivalent of ~~one thousand five~~
21 ~~hundred (1,500)~~ one thousand two hundred fifty (1,250) hours'
22 training in a cosmetology or barber school and shall entitle the
23 apprentice to take the examination.

24

1 F. The required curriculum for apprenticeships shall be created
2 by an organization approved by the Board for each discipline.
3 Practical and theory-related benchmarks shall be administered by
4 either a master barber or master cosmetologist at the end of each
5 chapter/unit of the curriculum. Benchmarks shall be established
6 within the course outline and curriculum shall be provided to the
7 Board upon request during the apprenticeship application process.

8 SECTION 6. AMENDATORY 59 O.S. 2021, Section 199.9, is
9 amended to read as follows:

10 Section 199.9. A. The State Board of Cosmetology and Barbering
11 shall not issue a license for a cosmetology or barber establishment
12 until an inspection has been made of the salon and equipment,
13 including the sanitary facilities thereof. Temporary approval
14 pending inspection may be made upon sworn affidavit by the license
15 applicant that all requirements have been met. No license shall be
16 issued for a cosmetology or barber establishment to be operated in a
17 private home or residence unless the salon is located in a room or
18 rooms not used or occupied for residential purposes.

19 B. 1. Except as otherwise provided in the Oklahoma Cosmetology
20 and Barbering Act, it shall be unlawful for any person to practice
21 cosmetology or barbering in any place other than a licensed
22 establishment or school licensed by the Board. A person may provide
23 services outside of a licensed establishment if his or her services
24 do not require licensing under this act and shall not be required to

1 receive an establishment license for the facility where his or her
2 services are being provided and may work in a licensed
3 establishment.

4 2. In an emergency such as illness, invalidism, or death, a
5 licensed operator may perform cosmetology or barbering services for
6 a person by appointment in a place other than a licensed cosmetology
7 or barber establishment or cosmetology or barber school.

8 C. A person licensed as a cosmetologist may perform cosmetology
9 services in a barber establishment. A person licensed as a barber
10 may perform barbering services in a cosmetology establishment. Any
11 salon which provides both cosmetology and barbering services must
12 obtain a license from the Board.

13 SECTION 7. AMENDATORY 59 O.S. 2021, Section 199.10, is
14 amended to read as follows:

15 Section 199.10. A. All licenses issued under the provisions of
16 the Oklahoma Cosmetology and Barbering Act shall be issued for a
17 period of one (1) year. The expiration date of the license shall be
18 the last day of the month in which the applicant's birthday falls.
19 The public display of a licensee's personal residential address on
20 the face of any license issued pursuant to the provisions of the
21 Oklahoma Cosmetology and Barbering Act shall be prohibited on and
22 after July 1, 2016, and such personal address information, if
23 ~~publically~~ publicly displayed on a valid license, may be redacted by
24

1 the licensee until the license is renewed and no longer bears his or
2 her personal residential address.

3 B. Applications for renewal must be made on or before the last
4 day of the month in which the applicant's birthday falls, and shall
5 be accompanied by the appropriate fees.

6 C. Any person who fails to renew the license within the
7 required time may make application for renewal at any time within
8 five (5) years from the expiration date of the license by paying the
9 regular renewal license fee and a late fee of Ten Dollars (\$10.00),
10 which becomes due two (2) months after the expiration date.

11 D. Any person who fails to renew within the required time may
12 make application with subsequent renewal and penalty fees.

13 E. Before a person may take an examination to renew an expired
14 license after a period of five (5) years, such person shall register
15 in a cosmetology or barber school for the given number of review
16 hours in accordance with the following timetable and schedule based
17 upon the type of license held.

18	Expired Five	Review
19 License Type	Years or More	Hours Required
20 Basic Cosmetologist		250 hours
21 Barber		250 hours
22 Master Cosmetology		
23 Instructor		100 hours
24 Master Barber		

1	Instructor	100 hours
2	Facial/Esthetics	
3	Instructor	100 hours
4	Manicurist/Nail	
5	Technician	
6	Instructor	100 hours
7	Manicurist	100 hours
8	Facial Operator	100 hours
9	Cosmetician	100 hours
10	Hairbraiding	
11	Technician	100 hours

12 F. Each person holding a license shall notify the Board of any
13 change in the mailing address of such person within thirty (30) days
14 after any change.

15 SECTION 8. AMENDATORY 59 O.S. 2021, Section 199.14, is
16 amended to read as follows:

17 Section 199.14. A. ~~The~~ After the effective date of this act,
18 the following fees shall be charged by the State Board of
19 Cosmetology and Barbering:

20	Registration as a student.....	\$ 5.00 <u>10.00</u>
21	Examination for license	35.00 <u>50.00</u>
22	Cosmetology and Barber school license (initial).....	400.00
23	Cosmetology and Barber school license (renewal).....	125.00
24	Apprentice Registration.....	10.00

1	Renewal Advanced Operator license (annual)	25.00	<u>40.00</u>
2	Facial Operator license (annual)	25.00	<u>40.00</u>
3	Cosmetology license (annual) <u>(chemical/nonchemical)</u> ...	25.00	<u>40.00</u>
4	Barber license (annual) <u>(chemical/nonchemical)</u>	25.00	<u>40.00</u>
5	Manicurist license (annual)	25.00	<u>40.00</u>
6	<u>Eyelash Extension Specialist certificate</u>	40.00	
7	<u>Eyelash Extension Instructor certificate</u>	40.00	
8	<u>Blow-Dry Styling certificate</u>	40.00	
9	<u>Makeup Artist certificate</u>	40.00	
10	Facial/Esthetics Instructor license (annual)	30.00	<u>45.00</u>
11	Cosmetician license (annual)	25.00	
12	Manicurist/Nail Technician Instructor license (annual)	30.00	
13			<u>45.00</u>
14	Demonstrator license (annual)	20.00	
15	<u>Master Barber</u>	40.00	
16	<u>Master Cosmetologist</u>	40.00	
17	Master Cosmetology Instructor license (annual)	50.00	<u>65.00</u>
18	Master Barber Instructor license (annual)	50.00	<u>65.00</u>
19	Cosmetology establishment license (initial).....	45.00	<u>60.00</u>
20	Cosmetology establishment license (renewal).....	30.00	<u>45.00</u>
21	Barber establishment license (initial).....	45.00	<u>60.00</u>
22	Barber establishment license (renewal).....	30.00	<u>45.00</u>
23	Cosmetic Studio license (initial)	50.00	
24	Cosmetic Studio license (renewal)	30.00	

1	Nail Salon (initial)	45.00	<u>60.00</u>
2	Nail Salon (renewal)	30.00	<u>45.00</u>
3	Reciprocity license (initial).....	30.00	<u>45.00</u>
4	Reciprocity processing fee.....	30.00	<u>45.00</u>
5	Duplicate license (in case of loss or		
6	destruction of original).....	5.00	<u>10.00</u>
7	Notary fee.....	1.00	
8	Certification of Records.....	10.00	

9 B. In addition to the fees specified in subsection A of this
10 section, the Board shall charge a total penalty of Ten Dollars
11 (\$10.00), as provided for in Section 199.10 of this title.

12 C. Any person licensed as an advanced operator prior to July 1,
13 1985, may renew the advanced cosmetologist license annually by
14 payment of the fee required by this section and by being in
15 compliance with the rules promulgated by the State Board of
16 Cosmetology and Barbering.

17 D. Beginning on November 1, 2025, all licenses renewed annually
18 in this section shall be renewed every two (2) years. The following
19 fees shall be charged:

20	<u>Registration as a student.....</u>	<u>\$10.00</u>
21	<u>Examination for license.....</u>	<u>50.00</u>
22	<u>Cosmetology and Barber school license (initial).....</u>	<u>400.00</u>
23	<u>Cosmetology and Barber school license (renewal).....</u>	<u>250.00</u>
24	<u>Apprentice Registration.....</u>	<u>10.00</u>

1	<u>Renewal Advanced Operator license.....</u>	80.00
2	<u>Facial Operator license.....</u>	80.00
3	<u>Cosmetology license (chemical/nonchemical).....</u>	80.00
4	<u>Barber license (chemical/nonchemical).....</u>	80.00
5	<u>Manicurist license.....</u>	80.00
6	<u>Eyelash Extension Specialist certificate.....</u>	80.00
7	<u>Eyelash Extension Instructor certificate.....</u>	80.00
8	<u>Blow-Dry Styling certificate.....</u>	80.00
9	<u>Makeup Artist certificate.....</u>	80.00
10	<u>Facial/Esthetics Instructor license.....</u>	90.00
11	<u>Manicurist/Nail Technician Instructor license.....</u>	45.00
12	<u>Master Barber.....</u>	80.00
13	<u>Master Cosmetologist.....</u>	80.00
14	<u>Master Cosmetology Instructor license.....</u>	130.00
15	<u>Master Barber Instructor license.....</u>	130.00
16	<u>Cosmetology establishment license (initial).....</u>	120.00
17	<u>Cosmetology establishment license (renewal).....</u>	90.00
18	<u>Barber establishment license (initial).....</u>	120.00
19	<u>Barber establishment license (renewal).....</u>	90.00
20	<u>Nail Salon (initial).....</u>	120.00
21	<u>Nail Salon (renewal).....</u>	90.00
22	<u>Reciprocity license (initial).....</u>	90.00
23	<u>Reciprocity processing fee.....</u>	90.00
24		

1 Duplicate license (in case of loss or
2 destruction of original)..... 10.00
3 Notary fee..... 1.00
4 Certification of Records..... 10.00

5 SECTION 9. AMENDATORY 59 O.S. 2021, Section 199.18, is
6 amended to read as follows:

7 Section 199.18. A licensed barber, cosmetologist, hairdresser,
8 manicurist, ~~or certificate holder for hairbraiding~~ certified eyelash
9 extension specialist may provide, upon request of a patron or
10 customer, barbering, cosmetology, hairdresser, manicurist, ~~or~~
11 ~~hairbraiding~~ eyelash extension application services to the patron or
12 customer, according to such license or certificate authority, in the
13 patron's or customer's private residence. The services authorized
14 by this section shall be provided privately and shall not be subject
15 to inspection, rules or regulations by the State Board of
16 Cosmetology and Barbering; however, the licensee or certificate
17 holder is required to provide such services competently and
18 according to professional standards and in a manner deemed safe and
19 sanitary for the patron or customer. The patron or customer, ~~by~~
20 requesting such service to be delivered privately in ~~their~~ his or
21 her residence, ~~assumes~~ the liability for the services and any home
22 equipment utilized by the licensee or certificate holder. The
23 patron or customer shall have the right to review the person's
24 license or certificate for validity and authority to perform the

1 services requested. The licensee or certificate holder shall have
2 in ~~their~~ his or her possession a copy of ~~their~~ his or her license or
3 certificate when providing services upon request in a private
4 residence.

5 SECTION 10. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 199.19 of Title 59, unless there
7 is created a duplication in numbering, reads as follows:

8 A. A person shall obtain an eyelash extension specialist
9 certificate from the State Board of Cosmetology and Barbering to
10 perform eyelash extension application services.

11 B. A person may obtain an eyelash extension specialist
12 certificate upon demonstrating completion of a minimum of one
13 hundred twenty (120) hours of training with a certified eyelash
14 extension instructor.

15 C. A person may obtain an eyelash extension instructor
16 certificate upon demonstrating completion of requirements of
17 subsection B of this section and has demonstrated no less than sixty
18 (60) hours of eyelash extension application services.

19 D. The Board shall not require a person to pass an examination
20 to obtain an eyelash extension specialist certificate or an eyelash
21 extension instructor certificate.

22 E. An eyelash extension specialist certificate shall be renewed
23 annually with the Board as set forth in this act.

24

1 ENGROSSED HOUSE
2 BILL NO. 2141

By: McDugle of the House

and

Coleman of the Senate

3
4
5
6 An Act relating to State Board of Cosmetology and
7 Barbering; amending 59 O.S. 2021, Section 199.14,
8 which relates to licensing fees; increasing fees; and
9 declaring an emergency.

10

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

12 SECTION 12. AMENDATORY 59 O.S. 2021, Section 199.14, is
13 amended to read as follows:

14 Section 199.14. A. The following fees shall be charged by the
15 State Board of Cosmetology and Barbering:

16	Registration as a student.....	\$ 5.00	<u>20.00</u>
17	Examination for license.....	35.00	<u>50.00</u>
18	Cosmetology and Barber school license (initial).....	400.00	<u>450.00</u>
19	Cosmetology and Barber school license (renewal).....	125.00	<u>150.00</u>
20	Apprentice Registration.....	10.00	<u>25.00</u>
21	Renewal Advanced Operator license (annual).....	25.00	<u>40.00</u>
22	Facial Operator license (annual).....	25.00	<u>40.00</u>
23	Cosmetology license (annual).....	25.00	<u>40.00</u>
24	Barber license (annual).....	25.00	<u>40.00</u>

1	Manicurist license (annual).....	25.00	<u>40.00</u>
2	Facial/Esthetics Instructor license (annual).....	30.00	<u>50.00</u>
3	<u>Threading Technician License.....</u>		<u>50.00</u>
4	<u>Eyelash Extension Specialist.....</u>		<u>50.00</u>
5	Cosmetician license (annual).....	25.00	<u>40.00</u>
6	Manicurist/Nail Technician Instructor license (annual).	30.00	
7	<u>65.00</u>		
8	Demonstrator license (annual).....	20.00	<u>35.00</u>
9	Master Cosmetology Instructor license (annual).....	50.00	<u>65.00</u>
10	Master Barber Instructor license (annual).....	50.00	<u>65.00</u>
11	Cosmetology establishment license (initial).....	45.00	<u>60.00</u>
12	Cosmetology establishment license (renewal).....	30.00	<u>45.00</u>
13	Barber establishment license (initial).....	45.00	<u>60.00</u>
14	Barber establishment license (renewal).....	30.00	<u>45.00</u>
15	Cosmetic Studio license (initial).....	50.00	<u>65.00</u>
16	Cosmetic Studio license (renewal).....	30.00	<u>45.00</u>
17	Nail Salon (initial).....	45.00	<u>60.00</u>
18	Nail Salon (renewal).....	30.00	<u>45.00</u>
19	Reciprocity license (initial).....	30.00	<u>45.00</u>
20	Reciprocity processing fee.....	30.00	<u>45.00</u>
21	Duplicate license (in case of loss or		
22	destruction of original).....		<u>5.00</u>
23	Notary fee.....	1.00	<u>5.00</u>
24	Certification of Records.....	10.00	<u>25.00</u>

