

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Senator Hoofman**

# A Bill

**ACT 771 OF 1995**  
**SENATE BILL 665**

## For An Act To Be Entitled

8 "AN ACT TO AMEND THE COSMETOLOGY ACT TO REDEFINE THE  
9 DEFINITION OF ELECTROLOGIST AND TO INCLUDE AN EXAMINATION  
10 REQUIREMENT FOR RECIPROCAL LICENSING; AND FOR OTHER  
11 PURPOSES."

### Subtitle

12 "TO AMEND THE COSMETOLOGY ACT TO  
13 REDEFINE THE DEFINITION OF ELECTROLOGIST  
14 AND TO INCLUDE AN EXAMINATION  
15 REQUIREMENT FOR RECIPROCAL LICENSING"

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Arkansas Code § 17-23-102 is amended to read as follows:  
21 "17-23-102. Definitions.

22 (a) As used in this chapter, unless the context otherwise requires:

23 (1) Manager-operator means a licensed cosmetician or  
24 cosmetologist authorized to engage in the practice of cosmetology, independent  
25 of personal supervision in a duly licensed establishment;

26 (2) Cosmetician or cosmetologist means any person who engages  
27 in the practice of cosmetology in a licensed cosmetological establishment  
28 except the branch of electrolysis;

29 (3) Student operator means any person who is engaged in  
30 learning or acquiring a knowledge of the occupations of a cosmetician or  
31 cosmetologist in a licensed school of cosmetology under a licensed instructor;

32 (4) Year means the period from and including January 1 to and  
33 including December 31 next thereafter;

34 (5) Cosmetological establishment means any premises, building,  
35 or part of a building whereon or wherein is practiced any branch or any  
36 combination of branches of cosmetology or the occupation of a cosmetician or

1 cosmetologist, except the branch of manicuring as practiced in barber shops  
2 licensed by the State Board of Cosmetology and complying with the provisions  
3 of this chapter;

4 (6) Electrologist means any person who permanently removes hair  
5 from, or destroys hair on, the human body for beautification by the use of an  
6 electric needle, or by the use of any other kind of devices or appliances  
7 designed to permanently remove hair from the human body;

8 (7) Junior electrologist means any person who is engaged in  
9 learning or acquiring a knowledge of the practice of electrolysis in epilation  
10 in a licensed school of cosmetology under a licensed instructor of  
11 electrology;

12 (8) Manicurist means any person who engages in the occupation  
13 of cutting, trimming, polishing, coloring, tinting, cleansing, or manicuring  
14 the nails of any person or massaging, cleansing, or beautifying the nails of  
15 any person;

16 (9) Aesthetician means any person who engages in the practice  
17 of beautifying the face, neck, arms, bust, or upper part of the human body by  
18 massaging, cleaning, or stimulating the face, neck, arms, bust, or upper part  
19 of the human body by means of the hands, devices, apparatus, or appliances,  
20 with or without the use of cosmetic preparations, antiseptics, tonics,  
21 lotions, and creams;

22 (10) Student aesthetician means any person who is engaged in  
23 learning or acquiring a knowledge of the occupation of aesthetics in a  
24 licensed school of cosmetology under a licensed instructor.

25 (b) The art of cosmetology includes any and all and any combination of  
26 the following practices:

27 (1) Arranging, dressing, curling, waving, machineless permanent  
28 waving, permanent waving, cleansing, cutting, singeing, bleaching, tinting,  
29 coloring, straightening, dyeing, brushing, beautifying, or otherwise treating  
30 by any means the hair of any person or wigs or hair pieces;

31 (2) Massaging, cleaning, or stimulating the scalp, face, neck,  
32 arms, bust, or upper part of the human body, by means of the hands, devices,  
33 apparatus, or appliances, with or without the use of cosmetic preparations,  
34 antiseptics, tonics, lotions, or creams;

35 (3) Beautifying the face, neck, arm, bust, or upper part of the

1 human body, by use of cosmetic preparations, antiseptics, tonics, lotions, or  
2 creams;

3           (4) Removing, temporarily, superfluous hair from the body of any  
4 person or by the use of depilatories or by the use of tweezers, chemicals, or  
5 preparations or by the use of devices or appliances of any kind or  
6 description, except by the use of light waves, commonly known as rays;

7           (5) Cutting, trimming, polishing, tinting, coloring, cleansing,  
8 or manicuring the nails of any person;

9           (6) Massaging, cleansing, or beautifying the nails of any person.

10          (c) The branch of electrolysis, a practice of cosmetology requiring a  
11 separate course of training as prescribed by Section 17-23-306, includes any  
12 and all and any combination of the following practices: permanently removing  
13 hair from or destroying hair on the human body by the use of an electric  
14 needle or by the use of any other kind of devices or appliances designed to  
15 permanently remove hair from the human body.

16          (d) Every person, firm, or corporation exacting a fee for the teaching  
17 of any branch of cosmetology is classed as a school of cosmetology under  
18 this chapter and is required to comply with all of its provisions."  
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20          SECTION 2. Arkansas Code § 17-23-315 is amended to read as follows:  
21          "17-23-315. Reciprocity.

22          Upon application to the board in the form provided for the particular  
23 class of license applied for, accompanied by the required fee, a person  
24 registered or licensed as a cosmetologist, electrologist, manicurist,  
25 aesthetician, or instructor under the laws of another state shall be granted a  
26 certificate of registration and license to practice the occupation or  
27 occupations in this state not of greater scope than the occupation or  
28 occupations for which the applicant was previously registered or licensed in  
29 the other state, upon the following conditions:

30          (1) That the applicant is not less than eighteen (18) years of age;

31          (2) That the applicant is of good moral character and temperate habits;

32          (3) That the applicant holds a current valid license upon application  
33 for reciprocity, evidenced by a certified copy of license and an affidavit  
34 from the other state or such other evidence as the board may require;

35          (4) That the applicant has passed both a written and practical

1 state-approved examination for the particular class of license applied for by  
2 the applicant."

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4 SECTION 3. All provisions of this act of a general and permanent nature  
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
6 Revision Commission shall incorporate the same in the Code.

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8 SECTION 4. If any provision of this act or the application thereof to  
9 any person or circumstance is held invalid, such invalidity shall not affect  
10 other provisions or applications of the act which can be given effect without  
11 the invalid provision or application, and to this end the provisions of this  
12 act are declared to be severable.

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14 SECTION 5. All laws and parts of laws in conflict with this act are  
15 hereby repealed.

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APPROVED: 3-24-95

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