

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

A Bill

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,
25 independent of personal supervision in a duly licensed establishment;

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

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

35 (5) Cosmetological establishment means any premises, building,

1 or part of a building whereon or wherein is practiced any branch or any
2 combination of branches of cosmetology or the occupation of a cosmetician or
3 cosmetologist, except the branch of manicuring as practiced in barber shops
4 licensed by the State Board of Cosmetology and complying with the provisions
5 of this chapter;

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

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

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

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

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

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

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

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

1 antiseptics, tonics, lotions, or creams;

2 (3) Beautifying the face, neck, arm, bust, or upper part of the
3 human body, by use of cosmetic preparations, antiseptics, tonics, lotions, or
4 creams;

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

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

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

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

19 (d) Every person, firm, or corporation exacting a fee for the teaching
20 of any branch of cosmetology is classed as a school of cosmetology under
21 this chapter and is required to comply with all of its provisions."
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23 SECTION 2. Arkansas Code § 17-23-315 is amended to read as follows:
24 "17-23-315. Reciprocity.

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

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

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

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

4 (4) That the applicant has passed both a written and practical
5 state-approved examination for the particular class of license applied for by
6 the applicant."
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8 SECTION 3. All provisions of this act of a general and permanent
9 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
10 Code Revision Commission shall incorporate the same in the Code.
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12 SECTION 4. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.
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18 SECTION 5. All laws and parts of laws in conflict with this act are
19 hereby repealed.
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