

Moved by Ehlers

Seconded by Monks (22)

IN THE HOUSE OF REPRESENTATIVES
HOUSE AMENDMENT TO H.B. NO. 121

AMENDMENT TO SECTION 1

1
2 On page 2 of the printed bill, in line 10, delete "(24)" and insert:
3 "(23)".

4 On page 3, delete lines 30 through 33, and insert:

5 "~~(23)~~ (22) "Makeup artistry" means noninvasive care of the skin by
6 application of cosmetic preparations for cleansing and the application of
7 makeup, which includes the application of cosmetics or any pigment product
8 that is used to cover, camouflage or decorate the skin."; in line 34, delete
9 "(22)" and insert: "(23)"; in line 36, delete "(23)" and insert: "(24)"; and
10 in line 41, delete "(24)" and insert: "(25)".

11 On page 4, in line 13, delete "(25)" and insert: "(26)"; in line 18,
12 delete "(26)" and insert: "(27)"; in line 26, delete "(27)" and insert:
13 "(28)"; and in line 30, delete "(28)" and insert: "(29)".

14 AMENDMENT TO THE BILL

15 On page 5, following line 29, insert:

16 "SECTION 3. That Section 54-5805, Idaho Code, be, and the same is hereby
17 amended to read as follows:

18 54-5805. EXEMPTIONS FROM LICENSURE. The licensing, certification and
19 registration provisions of this chapter shall not apply to the following:

20 (1) Persons authorized by the laws of this state to practice as a nurse
21 or to practice any of the healing arts while in the proper discharge or dele-
22 gation of their professional duties.

23 (2) Persons who provide on-site personal care or hygiene services, in-
24 cluding shaving; trimming of hair, beard, or mustache; washing, brushing, or
25 combing hair; and basic skin care and nail care, to residents at facilities
26 licensed under the department of health and welfare, division of licensing
27 and certification.

28 (3) Persons practicing in their own home without compensation who are
29 not practicing on the public in general.

30 (4) Persons practicing on a relative without compensation.

31 (5) Persons whose practice is limited to the facial application of cos-
32 metic products to customers in connection with the sale or attempted sale of
33 cosmetic products on the premises of a retail cosmetics dealer without com-
34 pensation from the customer other than the price of the products.

35 (6) Persons whose practice is limited to the demonstration of thermal
36 styling equipment on customers in connection with the sale or attempted sale
37 of thermal styling equipment on the premises of a registered thermal styling

1 equipment dealer without compensation from the customer other than the price
2 of the equipment.

3 (7) Currently enrolled students or actively registered apprentices
4 practicing or demonstrating outside of a licensed school or establishment
5 when that practice or demonstration is under the direct supervision of a
6 licensed instructor. Members of the public may not be charged for any ser-
7 vices performed by a student or an apprentice practicing pursuant to this
8 subsection.

9 (8) Persons who are licensed or qualified through proper documentation
10 to practice or teach barbering, barber-styling or cosmetology in a state,
11 territory or possession of the United States or in a foreign country and
12 whose practice and activities are limited to education or demonstration
13 of no more than fourteen (14) consecutive days, provided that such persons
14 shall observe and comply with sanitation requirements established by rule.
15 Members of the public may not be charged for any services performed as part of
16 the demonstration or education.

17 (9) Persons who are employed, participating in, or contracted to per-
18 form barber-styling or cosmetology services in the course of and incidental
19 to the production of a theatrical or other visual arts production, including
20 but not limited to stage productions, television and motion pictures.

21 (10) Persons whose practice is limited to natural hair braiding as de-
22 fined in section 54-5802, Idaho Code.

23 (11) Persons or businesses selling, offering for sale, or fitting wigs
24 as defined in this chapter, as long as such persons or businesses do not use
25 adhesive agents such as glue, tape, keratin bonds, fusion bonds, or other
26 bonding agents to attach a hairpiece or toupee to a person's scalp, hair, or
27 head.

28 (12) Persons or businesses performing makeup artistry.";
29 and renumber subsequent sections accordingly.

30 CORRECTION TO TITLE

31 On page 1, in line 3, delete "DEFINITIONS" and insert: "A DEFINITION";
32 and in line 4, following "ESTABLISHMENTS;" insert: "AMENDING SECTION
33 54-5805, IDAHO CODE, TO PROVIDE FOR A CERTAIN EXEMPTION FROM LICENSURE;".