

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 424

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO BARBER AND COSMETOLOGY SERVICES; AMENDING SECTION 54-5802,
2 IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE A TERM, AND TO REMOVE DEFINI-
3 TIONS; AMENDING SECTION 54-5804, IDAHO CODE, TO PROVIDE AN EXCEPTION
4 FOR CERTAIN CHARITABLE SERVICES; AMENDING SECTION 54-5805, IDAHO CODE,
5 TO REVISE PROVISIONS REGARDING SERVICES PERFORMED FOR CERTAIN ENTER-
6 TAINMENT PRODUCTIONS; AMENDING SECTION 54-5806, IDAHO CODE, TO REVISE
7 A PROVISION REGARDING A PUBLIC MEMBER OF THE BOARD; AMENDING SECTION
8 54-5807, IDAHO CODE, TO PROVIDE FOR REGISTRATION AND TO REVISE PROVI-
9 SIONS REGARDING CERTAIN POWERS OF THE BOARD; AMENDING SECTION 54-5808,
10 IDAHO CODE, TO REMOVE AN APPLICATION REQUIREMENT; AMENDING SECTION
11 54-5810, IDAHO CODE, TO REVISE PROVISIONS REGARDING QUALIFICATIONS FOR
12 LICENSURE; AMENDING SECTION 54-5811, IDAHO CODE, TO PROVIDE A CORRECT
13 CODE REFERENCE; AMENDING SECTION 54-5812, IDAHO CODE, TO PROVIDE THAT
14 CERTAIN REQUIREMENTS SHALL BE ESTABLISHED BY RULE; AMENDING SECTION
15 54-5813, IDAHO CODE, TO PROVIDE THAT CERTAIN REQUIREMENTS SHALL BE
16 ESTABLISHED BY RULE; AMENDING SECTION 54-5814, IDAHO CODE, TO PROVIDE
17 THAT CERTAIN REQUIREMENTS SHALL BE ESTABLISHED BY RULE; AMENDING SEC-
18 TION 54-5815, IDAHO CODE, TO REMOVE PROVISIONS REGARDING CERTAIN SCHOOL
19 REQUIREMENTS AND TO PROVIDE FOR THE RECOGNITION OF CERTAIN TRAINING;
20 AMENDING SECTION 54-5816, IDAHO CODE, TO REVISE A PROVISION REGARDING
21 LICENSURE BY ENDORSEMENT; AMENDING SECTION 54-5817, IDAHO CODE, TO
22 REVISE TERMINOLOGY AND TO ESTABLISH REQUIREMENTS REGARDING APPRENTICE-
23 SHIPS; AMENDING SECTION 54-5818, IDAHO CODE, TO REVISE TERMINOLOGY;
24 AMENDING SECTION 54-5821, IDAHO CODE, TO PROVIDE FOR CERTIFICATES; AND
25 AMENDING SECTION 54-5822, IDAHO CODE, TO REMOVE PROVISIONS REGARDING
26 FEES AND TO PROVIDE AN EXCEPTION.
27

28 Be It Enacted by the Legislature of the State of Idaho:

29 SECTION 1. That Section 54-5802, Idaho Code, be, and the same is hereby
30 amended to read as follows:

31 54-5802. DEFINITIONS. As used in this chapter:

32 (1) "Apprentice" means a person registered with the barber and cosme-
33 tology services licensing board to learn an occupation in a licensed estab-
34 lishment who, while so learning, performs or assists in performing any prac-
35 tices of barbering, barber-styling, ~~or cosmetology,~~ or electrology.

36 (2) ~~"Approved or licensed school" means a postsecondary barber or cos-~~
37 ~~metology school that:~~

38 ~~(a) Is licensed under its official name by the barber and cosmetology~~
39 ~~services licensing board; and~~

40 ~~(b) Admits as students only those individuals who meet the requirements~~
41 ~~of paragraphs (a) and (b) in section 54-5810(7), Idaho Code.~~

1 ~~(3)~~ "Barber" means a person licensed to practice barbering as defined
2 in this section.

3 (43) "Barbering" means any one (1) or any combination of the follow-
4 ing practices when performed on the upper part of the human body for cosmetic
5 purposes and not for the treatment of disease or physical or mental ailments:

6 (a) Shaving the face or cutting, trimming, arranging, dressing, curl-
7 ing, cleansing, singeing or performing similar work on the hair;

8 (b) Fitting, cutting or dressing hairpieces or toupees;

9 (c) Giving facial and scalp massages or treatments with oils, creams,
10 lotions or other preparations, either by hand or by a mechanical appli-
11 ance; and

12 (d) Applying cosmetic preparations, antiseptics, powders, oils, clays
13 or lotions to the scalp, face, and neck ~~or other parts of the upper body~~.

14 ~~(54)~~ "Barber-styling" means any one (1) or any combination of the fol-
15 lowing practices when performed on the upper part of the human body for cos-
16 metic purposes and not for the treatment of disease or physical or mental
17 ailments:

18 (a) Shaving the face or cutting, trimming, arranging, dressing, curl-
19 ing, waving by any method, straightening, cleansing, singeing, bleach-
20 ing, coloring or performing similar work on the hair;

21 (b) Fitting, cutting or dressing hairpieces or toupees;

22 (c) Giving facial and scalp massages or treatments with oils, creams,
23 lotions or other preparations, either by hand or by a mechanical appli-
24 ance; and

25 (d) Applying cosmetic preparations, antiseptics, powders, oils, clays
26 or lotions to the scalp, face, and neck ~~or other parts of the upper body~~.

27 (65) "Barber-stylist" means a person licensed to practice bar-
28 ber-styling as defined in this section.

29 (76) "Board" means the barber and cosmetology services licensing board
30 established by section 54-5806, Idaho Code.

31 (87) "Bureau" means the bureau of occupational licenses.

32 (98) "Cosmetologist" means a person licensed to practice cosmetology
33 as defined in this section.

34 ~~(109)~~ "Cosmetology" means any one (1) or any combination of the follow-
35 ing practices when performed on the human body for cosmetic purposes and not
36 for the treatment of disease or physical or mental ailments:

37 (a) Cutting, trimming, arranging, dressing, curling, waving by any
38 method, cleansing, singeing, bleaching, coloring or performing similar
39 work on the hair;

40 (b) Fitting, cutting or dressing hairpieces or toupees;

41 (c) Noninvasive care of the skin by application of cosmetic prepa-
42 rations, antiseptics, tonics, lotions, creams and essential oils
43 to cleanse, massage, exfoliate, hydrate and stimulate; makeup ap-
44 plication; pore extraction; use of chemical exfoliants approved for
45 professional esthetic use; particle exfoliation; use of any class I
46 medical device, as classified by the United States food and drug admin-
47 istration, designed for care of the skin, except that a class II medical
48 device designed for care of the skin may be used as directed and super-
49 vised by an authorized and licensed health care practitioner; temporary
50 removal of superfluous hair by lotions, creams, waxing, tweezing, de-

1 pilatories or other means; and tinting or perming the eyebrows and
2 eyelashes; and

3 (d) Manicuring and pedicuring nails and applying artificial nails.

4 ~~(110) "Department" means the Idaho department of self-governing agen-~~
5 ~~cies.~~

6 ~~(12) "Electrologist" means a person licensed to practice electrology,~~
7 ~~as defined in this section, and skilled in the permanent removal of unwanted~~
8 ~~hair.~~

9 (131) "Electrology" or "electrolysis" means the permanent removal of
10 hair by destroying the hair-producing cells of the skin and vascular system
11 through the use of equipment and devices approved by and registered with the
12 United States food and drug administration.

13 (142) "Establishment" means a place licensed under this chapter, other
14 than a licensed school, where barbering, barber-styling, cosmetology or
15 electrology is practiced.

16 (153) "Esthetician" means a person licensed to practice esthetics as
17 defined in this section.

18 (164) "Esthetics" means noninvasive care of the skin by application of
19 cosmetic preparations, antiseptics, tonics, lotions, creams and essential
20 oils to cleanse, massage, exfoliate, hydrate and stimulate; makeup applica-
21 tion; pore extraction; use of chemical exfoliants approved for professional
22 esthetic use; particle exfoliation; use of any class I medical device, as
23 classified by the United States food and drug administration, designed for
24 care of the skin, except that a class II medical device designed for care
25 of the skin may be used as directed and supervised by an authorized and li-
26 censed health care practitioner; temporary removal of superfluous hair by
27 lotions, creams, waxing, tweezing, depilatories or other means; and tinting
28 or perming the eyebrows and eyelashes.

29 ~~(17) "Haircutter" means a person licensed to practice haircutting as~~
30 ~~defined in this section.~~

31 (185) "Haircutting" means cutting, trimming, arranging, dressing,
32 curling, cleansing, singeing or performing similar work on the hair and fit-
33 ting, cutting or dressing hairpieces or toupees.

34 (196) "Instructor" means a barber, barber-stylist or cosmetologist li-
35 censed to teach barbering, barber-styling or cosmetology in a barber school,
36 a cosmetology school or an establishment meeting the requirements for ap-
37 prenticeship training person licensed under this chapter to practice and
38 teach any practice defined in this section.

39 (2017) "Instructor trainee" means a barber, barber-stylist or cosme-
40 tologist attending a licensed school to receive training to teach barbering,
41 barber-styling or cosmetology.

42 (18) "Licensed school" means a postsecondary barber, cosmetology, or
43 electrology school that:

44 (a) Is licensed under its official name by the barber and cosmetology
45 services licensing board; and

46 (b) Admits as students only those individuals who meet the requirements
47 of paragraphs (a) and (b) of section 54-5810(1), Idaho Code.

48 (2119) "Makeover or glamour photography business" means a business of-
49 fering photographic services to the general public in which the business's
50 employees apply cosmetic products to customers' faces or arrange the hair of

1 customers in connection with the sale or attempted sale of photographic ser-
2 vices.

3 (220) "Makeup artist" means a person certificated to practice makeup
4 artistry as defined in this section.

5 (231) "Makeup artistry" means noninvasive care of the skin by applica-
6 tion of cosmetic preparations for cleansing and the application of makeup,
7 which includes the application of cosmetics or any pigment product that is
8 used to cover, camouflage or decorate the skin.

9 (242) "Nail technician" means a person licensed to practice nail tech-
10 nology as defined in this section.

11 (253) "Nail technology" means any one (1) or more of the following prac-
12 tices when performed on the human body:

13 (a) Manicuring and pedicuring nails;

14 (b) Applying artificial nails; and

15 (c) Massaging the hands and feet.

16 ~~(26) "Nail technology instructor" means a nail technician licensed to~~
17 ~~teach nail technology at a school of cosmetology.~~

18 ~~(27) "Person" means a human individual.~~

19 (284) "Retail cosmetics dealer" means a stationary business offering
20 cosmetic products for sale at retail to the general public, in which the
21 business's employees apply cosmetic products to customers' faces in connec-
22 tion with the sale or attempted sale of the products without compensation
23 from the customer other than the regular price of the products.

24 (295) "Retail thermal styling equipment dealer" means a retail business
25 that offers thermal styling equipment, such as curling irons, curling wands,
26 flat irons, heated hair rollers, blow-dryers or other devices using heat to
27 style hair, for sale at retail to members of the general public and whose em-
28 ployees engage in the limited use of thermal styling equipment on customers
29 in connection with the sale or attempted sale of the equipment without com-
30 pensation from the customer other than the regular price of the equipment.

31 ~~(3026)~~ "Student" means a person learning barbering, barber-styling,
32 cosmetology or electrology at a licensed school who, while so learning, per-
33 forms or assists in performing any practices of barbering, barber-styling,
34 cosmetology or electrology.

35 SECTION 2. That Section 54-5804, Idaho Code, be, and the same is hereby
36 amended to read as follows:

37 54-5804. PROHIBITIONS REGARDING ESTABLISHMENTS -- EXCEPTIONS.

38 (1) It shall be unlawful:

39 (a) To practice any of the occupations licensed, certificated or reg-
40 istered under this chapter in a place or establishment that is not li-
41 censed or registered for such practice, except as specifically autho-
42 rized by this chapter;

43 (b) For any establishment license holder to employ or allow to be
44 employed in or about the licensed establishment a person who is not
45 licensed or certificated under this chapter, unless the person is per-
46 forming tasks that do not require a license or certificate; and

47 (c) Where a licensed establishment is located in a home or other build-
48 ing containing living quarters, to use the portions of the home or

1 building that are used for the licensed practice as living, dining or
2 sleeping quarters.

3 (2) The provisions of subsection (1) (a) of this section shall not apply
4 to:

5 (a) Licensees or certificants under this chapter who are performing
6 licensed or certificated services for persons unable by reason of ill
7 health, medical confinement or involuntary incarceration to go to a
8 licensed establishment;

9 (b) A licensed electrologist practicing electrology or a licensed es-
10 thetician practicing esthetics under the supervision of a licensed chi-
11 ropractor, dentist, medical doctor, nurse practitioner or podiatrist
12 at a facility used by the supervising individual; ~~or~~

13 (c) A person licensed or certificated under this chapter to prac-
14 tice barbering, barber-styling, cosmetology, esthetics, ~~hairecutting,~~
15 makeup artistry or nail technology provided that:

16 (i) The services provided outside a licensed establishment are
17 limited to those authorized by board rule; and

18 (ii) The licensee or certificant and the facility or location
19 where the services are provided must observe and comply with the
20 inspection, safety and disinfection requirements established by
21 board rule; or

22 (d) A person licensed or certificated under this chapter to practice
23 barbering, barber-styling, cosmetology, esthetics, makeup artistry,
24 or nail technology practicing on a charitable basis, provided that:

25 (i) The person shall not charge, and the public cannot be charged;

26 (ii) The person and the facility or location where the services
27 are provided must observe and comply with the inspection, safety,
28 and disinfection requirements established by board rule; and

29 (iii) Charitable work cannot exceed twelve (12) days in a year.

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

32 54-5805. EXEMPTIONS FROM LICENSURE. The licensing, certification and
33 registration provisions of this chapter shall not apply to the following:

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

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

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

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

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

1 (6) Persons whose practice is limited to the demonstration of thermal
2 styling equipment on customers in connection with the sale or attempted sale
3 of thermal styling equipment on the premises of a registered thermal styling
4 equipment dealer without compensation from the customer other than the price
5 of the equipment.

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

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

20 (9) ~~Persons who are licensed or qualified through proper documentation~~
21 ~~and in good standing to practice barber-styling and cosmetology services in~~
22 ~~another jurisdiction of the United States or in a foreign country and who are~~
23 ~~employed, participating in, or contracted to perform barber-styling or cos-~~
24 ~~metology services in the course of and incidental to the production of a the-~~
25 ~~atrical or other visual arts production including, but not limited to, stage~~
26 ~~productions, television and motion pictures.~~

27 SECTION 4. That Section 54-5806, Idaho Code, be, and the same is hereby
28 amended to read as follows:

29 54-5806. BOARD -- ORGANIZATION AND MEETINGS. (1) There is hereby es-
30 tablished in the department of self-governing agencies, bureau of occupa-
31 tional licenses, the barber and cosmetology services licensing board.

32 (2) The board shall consist of seven (7) members, two (2) of whom shall
33 be licensed cosmetologists, two (2) of whom shall be licensed barbers or bar-
34 ber-stylists, one (1) of whom shall be a licensed electrologist or estheti-
35 cian, one (1) of whom shall be a currently active school representative and
36 one (1) of whom shall be a member of the public ~~who has an interest in barber~~
37 ~~and cosmetology services but~~ who does not hold a license issued under this
38 chapter. All board members shall be residents of this state.

39 (3) Initial appointments to the board by the governor shall begin on
40 July 1, 2018, and be for the following terms: two (2) members whose terms
41 shall expire on July 1, 2019; two (2) members whose terms shall expire on July
42 1, 2020; and three (3) members whose terms shall expire on July 1, 2021.

43 (4) After their initial appointment, board members shall be appointed
44 for a term of three (3) years by the governor. All board members shall serve
45 at the pleasure of the governor.

46 (5) In the event of the death, resignation or removal of any board mem-
47 ber before the expiration of the term to which the member is appointed, the
48 vacancy shall be filled for the unexpired portion of the term in the same man-
49 ner as the original appointment.

1 (6) The board shall meet annually and at such times as deemed necessary
2 and advisable by the chair of the board, by a majority of the board's members
3 or by the governor. Four (4) members of the board shall constitute a quorum,
4 provided at least one (1) board member of the relevant profession is present
5 when any board action is taken that affects the profession, its licensees or
6 its applicants. The board may act by virtue of a majority vote of members
7 present in which a quorum is present.

8 (7) Members of the board shall be reimbursed for expenses as provided in
9 section 59-509(n), Idaho Code.

10 SECTION 5. That Section 54-5807, Idaho Code, be, and the same is hereby
11 amended to read as follows:

12 54-5807. POWERS OF THE BOARD. (1) The board shall have the power to:

13 (a) Receive applications for licensure, ~~and certification, and reg-~~
14 ~~istration,~~ determine the qualifications of ~~persons applying for li-~~
15 ~~cence, certification and registration~~ applicants, provide licenses,
16 certificates, and registrations to applicants qualified under the pro-
17 visions of this chapter, and reinstate and deny licenses, certificates,
18 and registrations;

19 (b) Establish fees by rule and collect fees as prescribed by this chap-
20 ter;

21 (c) Maintain records necessary to carry out its duties under this chap-
22 ter;

23 (d) Judge the qualifications and fitness of applicants for licenses,
24 certificates and registrations;

25 (e) Examine for, deny, approve, issue, revoke and suspend licenses,
26 certificates and registrations, or sanction or impose education,
27 training or supervision on any licensee, certificand or registrant
28 pursuant to this chapter and conduct investigations in connection with
29 such actions;

30 (f) Conduct hearings and proceedings in accordance with the provisions
31 of chapter 52, title 67, Idaho Code;

32 (g) Establish requirements for reinstatement and renewal of licenses
33 and registrations;

34 (h) Adopt and revise such rules as may be necessary to carry into ef-
35 fect the provisions of this chapter in compliance with chapter 52, title
36 67, Idaho Code, ~~including specific rules governing the disinfection and~~
37 ~~sanitation requirements for establishments and practice as provided by~~
38 ~~this chapter;~~

39 (i) Take such action as may be necessary to enforce the provisions of
40 this chapter and to regulate the practice of occupations licensed, cer-
41 tificated and registered under this chapter;

42 (j) Approve relevant cosmetology education for barber and bar-
43 ber-styling licenses and approve relevant barber and barber-styling
44 education for cosmetology licenses; provided that the total instruc-
45 tional hours required for a licensed cosmetologist to qualify for a
46 barber or barber-styling license shall not exceed one hundred (100)
47 hours, unless required by a national accrediting body; and

48 (k) Authorize, by written agreement, the bureau of occupational li-
49 licenses as its agent to act in its interest and, at the board's discre-

1 tion, contract with the bureau of occupational licenses for those ser-
2 vices deemed necessary for the proper administration of this chapter.

3 (2) In any proceeding before the board authorized by this chapter, the
4 board or its designee may administer oaths or affirmations to witnesses ap-
5 pearing before it, may subpoena witnesses and compel their attendance and
6 also may require the production of books, papers, documents, electronically
7 stored information and items at such proceedings. If any person shall refuse
8 to obey any subpoena so issued or shall refuse to testify or comply with a re-
9 quest for production, the board may present its petition to a district judge
10 to cause an order to be issued requiring such witness to appear before the
11 board to testify and to produce such books, papers and other documents and
12 items as directed in the subpoena. Any person failing or refusing to obey
13 such order shall be punished for contempt of court.

14 ~~(3) The board may recover the actual costs and fees, including attor-~~
15 ~~ney's fees, incurred by the board in the investigation and prosecution of a~~
16 ~~licensee, certificiant or registrant upon the finding of a violation of this~~
17 ~~chapter or of a rule adopted or an order issued by the board under this chap-~~
18 ~~ter.~~

19 ~~(4)~~ In a final order, the board may impose a civil penalty not to exceed
20 one thousand dollars (\$1,000) for each violation by a licensee, certificiant
21 or registrant of this chapter or of rules adopted by the board.

22 SECTION 6. That Section 54-5808, Idaho Code, be, and the same is hereby
23 amended to read as follows:

24 54-5808. APPLICATIONS. Each applicant for a license, certificate or
25 registration shall:

26 (1) Make application to the board on forms authorized and furnished by
27 the board, such application to contain proof under oath by the applicant of
28 the particular qualifications of the applicant;

29 ~~(2) Furnish to the board a passport photograph of the applicant taken~~
30 ~~within the year preceding the filing of the application, together with a de-~~
31 ~~scription of the applicant;~~

32 ~~(3)~~ Pay to the board the required fee; and

33 (43) Provide documentation and information to establish that the ap-
34 plicant meets the requirements for the license, certificate or registration
35 sought.

36 SECTION 7. That Section 54-5810, Idaho Code, be, and the same is hereby
37 amended to read as follows:

38 54-5810. QUALIFICATIONS FOR LICENSURE -- INSTRUCTORS -- APPRENTICES
39 -- STUDENTS. (1) To qualify for licensure under this chapter, an applicant
40 for licensure must:

41 (a) Be at least sixteen and one-half (16 1/2) years of age;

42 (b) Have completed at least two (2) years of high school or have at-
43 tained an equivalent education as determined by the board;

44 (c) Be of good moral character Pass an examination for the occupation
45 in which the applicant is seeking licensure, which examination shall be
46 conducted or approved by the board; and

1 ~~(d) Pass an examination for the occupation in which the applicant is~~
 2 ~~seeking licensure, which examination shall be conducted or approved by~~
 3 ~~the board. Prove to the satisfaction of the board that the applicant has~~
 4 ~~not engaged in conduct that would constitute grounds for discipline un-~~
 5 ~~der section 54-5823, Idaho Code.~~

6 (2) Except as otherwise provided, and in addition to the requirements
 7 listed in subsection (1) of this section, an applicant for licensure:

8 (a) As a barber, must have:

9 (i) Completed and graduated from a course of instruction of at
 10 least nine hundred (900) hours in a barber school approved by the
 11 board; or

12 (ii) Completed at least one thousand eight hundred (1,800) hours
 13 as an apprentice in an apprenticeship that covered all aspects of
 14 the practice of barbering;

15 (b) As a barber-stylist, must have:

16 (i) Completed and graduated from a course of instruction of at
 17 least one thousand five hundred (1,500) hours in a barber school
 18 approved by the board; or

19 (ii) Completed at least three thousand (3,000) hours as an appren-
 20 tice in an apprenticeship that covered all aspects of the practice
 21 of barber-styling;

22 (c) As a cosmetologist, must have:

23 (i) Completed and graduated from a course of instruction of at
 24 least one thousand six hundred (1,600) hours in a cosmetology
 25 school approved by the board; or

26 (ii) Completed at least three thousand two hundred (3,200) hours
 27 as an apprentice in an apprenticeship that covered all aspects of
 28 the practice of cosmetology;

29 (d) As an electrologist, must have:

30 (i) Completed and graduated from a course of instruction of at
 31 least six hundred (600) hours in a school approved by the board; or

32 (ii) Completed at least one thousand two hundred (1,200) hours as
 33 an apprentice in a cosmetology establishment under the direct per-
 34 sonal supervision of a licensed electrologist instructor. ~~Such~~
 35 ~~establishment must have at least one (1) licensed electrologist~~
 36 ~~on-site in accordance with board rules;~~

37 (e) As an esthetician, must have:

38 (i) Completed and graduated from a course of instruction of at
 39 least six hundred (600) hours in a school approved by the board; or

40 (ii) Completed at least one thousand two hundred (1,200) hours
 41 as an apprentice in a cosmetology establishment under the direct
 42 personal supervision of a licensed cosmetology instructor. Such
 43 establishment must have at least one (1) licensed esthetician
 44 on-site in accordance with board rules; and

45 ~~(f) As a haircutter, must have completed and graduated from a course of~~
 46 ~~instruction of at least nine hundred (900) hours in a school approved by~~
 47 ~~the board;~~

48 ~~(g) As a nail technician, must have:~~

- 1 (i) Completed and graduated from a course of instruction of at
 2 least four hundred (400) hours in a school approved by the board;
 3 or
 4 (ii) Completed at least eight hundred (800) hours as an apprentice
 5 in a cosmetology establishment under the direct personal super-
 6 vision of a licensed cosmetology instructor. Such establishment
 7 shall have at least one (1) licensed nail technician on-site in ac-
 8 cordance with board rules.
- 9 (3) ~~To qualify as a barber instructor, an applicant must:~~
 10 ~~(a) Hold a current barber license;~~
 11 ~~(b) Pass an examination approved by the board; and~~
 12 ~~(c) Have at least five (5) years of experience as a licensed barber or~~
 13 ~~have satisfactorily completed:~~
 14 ~~(i) A minimum six (6) month course of barber instructing as a stu-~~
 15 ~~dent in a licensed barber school; or~~
 16 ~~(ii) A minimum three (3) month course of barber instructing as a~~
 17 ~~student in a licensed barber school, if the applicant has at least~~
 18 ~~two (2) years of experience as a licensed barber.~~
- 19 ~~(4) To qualify as a barber-stylist instructor, an applicant must:~~
 20 ~~(a) Hold a current barber-stylist license or a cosmetologist license;~~
 21 ~~(b) Pass an examination approved by the board; and~~
 22 ~~(c) Have at least five (5) years of experience as a licensed barber-~~
 23 ~~stylist or have satisfactorily completed:~~
 24 ~~(i) A minimum six (6) month course of barber-stylist instructing~~
 25 ~~as a student in a licensed barber school; or~~
 26 ~~(ii) A minimum three (3) month course of barber-stylist instruct-~~
 27 ~~ing as a student in a licensed barber school, if the applicant has~~
 28 ~~at least two (2) years of experience as a licensed barber-stylist.~~
- 29 ~~(5) To qualify as an instructor of cosmetology, electrology, esthetics~~
 30 ~~or nail technology, an applicant must:~~
 31 ~~(a) Have completed twelve (12) college credit hours or an equivalent~~
 32 ~~education as determined by the board or pass an examination required by~~
 33 ~~board rules;~~
 34 ~~(b) Hold a current license as a cosmetologist, electrologist, estheti-~~
 35 ~~cian or nail technician; and~~
 36 ~~(c) Have at least five (5) years of experience as a licensed cosmetol-~~
 37 ~~ogist, electrologist, esthetician or nail technician, which years of~~
 38 ~~experience immediately precede the application for an instructor's li-~~
 39 ~~cence, or have satisfactorily completed:~~
 40 ~~(i) A minimum six (6) month teacher's course of instruction in a~~
 41 ~~school of cosmetology; or~~
 42 ~~(ii) A minimum three (3) month teacher's course of instruction~~
 43 ~~in a school of cosmetology, if the applicant has at least two (2)~~
 44 ~~years of experience as a licensed cosmetologist, electrologist,~~
 45 ~~esthetician or nail technician~~
- 46 To qualify as an instructor of barbering, barber-styling, cosmetology,
 47 electrology, esthetics, or nail technology, an applicant must:
 48 (a) Hold a current license in the profession or closely related profes-
 49 sion, as determined by the board, for which the applicant seeks to in-
 50 struct;

1 (b) Have worked for at least five (5) of the last seven (7) years as a li-
 2 censed barber, barber-stylist, cosmetologist, electrologist, estheti-
 3 cian, or nail technician, or have satisfactorily completed:

4 (i) A minimum six (6) month teacher's course of instruction in one
 5 (1) of the specialties described in this subsection; or

6 (ii) A minimum three (3) month teacher's course of instruction in
 7 a school of one (1) of the specialties described in this subsec-
 8 tion, if the applicant has at least two (2) years of experience as
 9 a licensee in one (1) of the specialties described in this subsec-
 10 tion; and

11 (c) Have completed twelve (12) college credit hours or equivalent edu-
 12 cation, as determined by the board, or pass an examination approved by
 13 the board.

14 (64) To be qualified to hold an apprenticeship for purposes of this
 15 chapter, a person must:

16 (a) Be at least sixteen and one-half (16 1/2) years of age; Meet the
 17 qualifications set forth in paragraphs (a), (b), and (d) of subsection
 18 (1) of this section; and

19 (b) Have completed at least two (2) years of high school or have at-
 20 tained an equivalent education as determined by the board; and

21 ~~(c) Be registered as an apprentice with the board.~~

22 (75) To be considered a student for purposes of this chapter, a person
 23 must:

24 (a) Be at least sixteen and one-half (16 1/2) years of age; Meet the
 25 qualifications set forth in paragraphs (a) and (b) of subsection (1) of
 26 this section; and

27 (b) Have completed at least two (2) years of high school or have at-
 28 tained an equivalent education as determined by the board; and

29 ~~(c) Be registered as a student in a licensed barber school or cosmetol-~~
 30 ~~ogy school.~~

31 SECTION 8. That Section 54-5811, Idaho Code, be, and the same is hereby
 32 amended to read as follows:

33 54-5811. CERTIFICATE FOR MAKEUP ARTIST. (1) The board shall issue a
 34 certificate to an applicant if the applicant:

35 (a) Completes the application form for a certificate as required by the
 36 board;

37 (b) Pays the fee as set by board rule;

38 (c) Meets the qualifications set forth in section 54-5810(1) (a), (b),
 39 and ~~(e)~~, Idaho Code; and

40 (d) Successfully completes instruction approved by the board of at
 41 least one hundred (100) hours in the practice of makeup artistry, in-
 42 cluding safety and infection control.

43 (2) The board may set by rule the nature of the instruction, training,
 44 experience or other qualification in the practice of makeup artistry that
 45 may be credited toward the total hours of instruction required under subsec-
 46 tion (1) of this section. Instruction may be received from, but not limited
 47 to, the following:

48 (a) A cosmetology school licensed under this chapter or in another ju-
 49 risdiction of the United States or in a foreign country; or

1 (b) A retail cosmetics dealer licensed under this chapter or in another
2 jurisdiction of the United States.

3 (3) The board may set by rule the number of hours that a certificated
4 makeup artist may be credited toward the required hours for a course of in-
5 struction or apprenticeship in cosmetology or esthetics.

6 SECTION 9. That Section 54-5812, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 54-5812. LICENSE FOR RETAIL COSMETICS DEALER. ~~(1)~~ The board shall is-
9 sue a license to a retail cosmetics dealer if the dealer:

10 ~~(a1)~~ Completes the application form for licensure as required by the
11 board;

12 ~~(b2)~~ Pays the license fee as required by section 54-5822, Idaho Code;

13 ~~(e3)~~ Specifies a location within the retail cosmetics dealer's busi-
14 ness premises as the area where the cosmetics will be sold; and

15 ~~(d4)~~ Provides facilities and equipment in an area within the business
16 premises to disinfect and store equipment and supplies necessary to perform
17 any cosmetic application services provided. The required facilities and
18 equipment shall include:

19 ~~(i) Hot and cold running water;~~

20 ~~(ii) Disinfectants registered by the United States environmental~~
21 ~~protection agency as effective against staphylococcus aureus (in-~~
22 ~~cluding methicillin-resistant staphylococcus aureus), human im-~~
23 ~~munodeficiency virus and hepatitis B. All disinfectants shall be~~
24 ~~mixed, changed and used according to the manufacturers' instruc-~~
25 ~~tions for disinfection between customer application services;~~

26 ~~(iii) Single-use samples, wipes, spatulas or other dispensing~~
27 ~~techniques designed to prevent contamination of the cosmetic~~
28 ~~product;~~

29 ~~(iv) A first aid kit; and~~

30 ~~(v) Restroom facilities.~~

31 ~~(2) Upon approval of an application for license as set forth in sub-~~
32 ~~section (1) of this section, the board may issue a limited license to allow~~
33 ~~the application of cosmetic products to customers' faces in connection with~~
34 ~~the sale or attempted sale of the products without compensation from the cus-~~
35 ~~tomer other than the price of the products.~~

36 ~~(3) A license issued pursuant to this section does not entitle a busi-~~
37 ~~ness or any employee of such business to furnish any cosmetology services not~~
38 ~~specifically set forth in subsection (2) of this section as provided by board~~
39 ~~rule.~~

40 SECTION 10. That Section 54-5813, Idaho Code, be, and the same is hereby
41 amended to read as follows:

42 54-5813. REGISTRATION FOR RETAIL THERMAL STYLING EQUIPMENT DEALER.
43 The board shall issue a registration to a retail thermal styling equipment
44 dealer if the dealer:

45 (1) Completes the application forms for registration as required by the
46 board;

47 (2) Pays the registration fee as set by board rule;

1 (3) Specifies a location where the thermal styling equipment will be
2 sold;

3 (4) Limits any demonstration of thermal styling equipment to styling
4 less than a substantial portion of the customer's hair;

5 (5) Trains its employees on the proper and safe use of the thermal
6 styling equipment and all disinfection related to the demonstration of the
7 equipment prior to an employee's use of the equipment on customers; and

8 (6) Provides equipment and supplies in the defined area of the retail
9 dealer's location to properly disinfect and store equipment and supplies
10 necessary to perform any demonstration of the thermal styling equipment.
11 ~~The required equipment and supplies shall include:~~

12 ~~(a) Disinfectants registered by the United States environmental pro-~~
13 ~~tection agency as effective against staphylococcus aureus (including~~
14 ~~methicillin-resistant staphylococcus aureus), human immunodeficiency~~
15 ~~virus and hepatitis B. All disinfectants shall be mixed, changed and~~
16 ~~used according to the manufacturers' instructions for disinfection be-~~
17 ~~tween customer application services; and~~

18 ~~(b) A first aid kit as provided by board rule.~~

19 SECTION 11. That Section 54-5814, Idaho Code, be, and the same is hereby
20 amended to read as follows:

21 54-5814. FACILITY LICENSE FOR MAKEOVER OR GLAMOUR PHOTOGRAPHY BUSI-
22 NESS. (1) The board shall issue a license to a makeover or glamour photogra-
23 phy business that:

24 (a) Completes the application form for licensure as required by the
25 board;

26 (b) Pays the license fee as required by ~~section 54-5822, Idaho Code~~
27 board rule;

28 (c) Specifies a location within the business premises as the area where
29 the cosmetology practices will take place; and

30 (d) Provides facilities and equipment in the specified area within
31 the business premises to properly disinfect and store equipment and
32 supplies necessary to perform any cosmetic application services as
33 provided, including the arranging of hair by use of thermal styling
34 equipment. The required facilities and equipment shall include:

35 ~~(i) Hot and cold running water;~~

36 ~~(ii) Disinfectants registered by the United States environmental~~
37 ~~protection agency as effective against staphylococcus aureus (in-~~
38 ~~cluding methicillin-resistant staphylococcus aureus), human im-~~
39 ~~munodeficiency virus and hepatitis B. All disinfectants shall be~~
40 ~~mixed, changed and used according to the manufacturers' instruc-~~
41 ~~tions for disinfection between customer application services;~~

42 ~~(iii) Single-use applicators, wipes, spatulas or other dispens-~~
43 ~~ing techniques designed to prevent contamination of the cosmetic~~
44 ~~product;~~

45 ~~(iv) A first aid kit; and~~

46 ~~(v) Restroom facilities.~~

47 ~~(2) Upon approval of an application for license as set forth in sub-~~
48 ~~section (1) of this section, the board may issue a limited license for the~~
49 ~~practice of cosmetology, which license limits the business to the applica-~~

1 ~~tion of facial cosmetics incidental to the photographic service offered and~~
 2 ~~which license includes the ability for the photographer or employee to ar-~~
 3 ~~range hair using combs, brushes, picks and thermal curling devices such as~~
 4 ~~curling irons, crimpers or heated rollers by board rule.~~

5 (32) A license issued pursuant to this section does not entitle a busi-
 6 ness or any employee of such business to furnish any cosmetology services un-
 7 less incidental to the providing of photographic services and does not en-
 8 title such an individual or business to furnish any cosmetology services not
 9 specifically set forth in subsection (2) of this section provided by board
 10 rule.

11 SECTION 12. That Section 54-5815, Idaho Code, be, and the same is hereby
 12 amended to read as follows:

13 54-5815. SCHOOL REQUIREMENTS. (1) Every barber school or cosmetology
 14 school located in this state must:

15 (a) Be licensed under the provisions of this chapter;

16 (b) Employ and maintain at least one (1) licensed barber instructor or
 17 barber-stylist instructor if a barber school and one (1) licensed cos-
 18 metology instructor if a cosmetology school. A school must employ and
 19 maintain a licensed instructor for every twenty (20) students or frac-
 20 tion thereof, with an instructor trainee counting as an instructor for
 21 purposes of the student-instructor ratio as long as there is a licensed
 22 instructor on the premises who is available during all school hours.
 23 An instructor at ~~an approved a licensed~~ school must be licensed in the
 24 state of Idaho as a ~~barber an instructor, barber-stylist instructor or~~
 25 ~~cosmetology instructor;~~

26 (c) Possess sufficient apparatus and equipment for the proper and full
 27 teaching of all subjects of its curriculum;

28 (d) Keep a daily attendance record for each student;

29 (e) Maintain regular class and instruction hours, establish grades and
 30 hold monthly examinations;

31 (f) Prescribe a school term for training in all aspects of the practice
 32 of barbering, barber-styling, cosmetology or electrology;

33 (g) Provide applicable curricula on hygiene, bacteriology, and elemen-
 34 tary chemistry relating to disinfection and antiseptics;

35 (h) If a school of cosmetology, provide applicable curricula on sub-
 36 jects relating to cosmetology, nail technology, esthetics, electrol-
 37 ogy, instruction and haircutting as follows:

38 (i) The curriculum for cosmetology shall include ~~hygiene, bacte-~~
 39 ~~riology;~~ histology of the hair, skin, muscles, nails and nerves;
 40 structure of the head, face and neck; ~~elementary chemistry relat-~~
 41 ~~ing to disinfection and antiseptics;~~ diseases of the skin, hair,
 42 glands and nails; massaging and manipulating the muscles of the
 43 body; permanent waving, haircutting and arranging, dressing, col-
 44 oring, bleaching and tinting of the hair; a study of electricity as
 45 applied to cosmetology; and the Idaho laws and rules governing the
 46 practice of cosmetology;

47 (ii) The curriculum for nail technology shall include ~~hygiene;~~
 48 ~~bacteriology;~~ histology of the hands and feet, skin, muscles,
 49 nails and nerves; structure of the hands and feet; ~~elementary~~

1 ~~chemistry relating to disinfection and antiseptics;~~ diseases of the
 2 the skin, glands and nails; massaging and manipulating the muscles
 3 of the hands and feet; a study of electricity as applied to nail
 4 technology; and the Idaho laws and rules governing the practice of
 5 nail technology;

6 (iii) The curriculum for esthetics shall include ~~hygiene; bacte-~~
 7 ~~riology;~~ histology of the skin, muscles and nerves; structure of
 8 the head, face and neck; ~~elementary chemistry relating to disin-~~
 9 ~~fection and antiseptics;~~ diseases of the skin, glands and nails;
 10 massaging and manipulating the muscles of the body; a study of
 11 electricity as applied to esthetics; and the Idaho laws and rules
 12 governing the practice of esthetics;

13 (iv) The curriculum for electrology shall include ~~hygiene; bacte-~~
 14 ~~riology;~~ histology of the hair, skin, muscles, nails and nerves;
 15 structure of the body; ~~elementary chemistry relating to disin-~~
 16 ~~fection and antiseptics;~~ diseases of the skin, hair, glands and
 17 nails; hypertrichosis; permanent removal of unwanted hair; a
 18 study of electricity as applied to electrology, including the use
 19 and study of galvanic current and the use and study of both auto-
 20 matic and manual high-frequency current; and the Idaho laws and
 21 rules governing the practice of electrology; and

22 (v) The curriculum for instructors shall include fundamentals
 23 of adult education; communication; preparation of lesson plans;
 24 practical and theoretical presentation and demonstration; use
 25 of teaching aids; measurement and evaluation; and the Idaho laws
 26 and rules governing cosmetology and electrology, in addition to
 27 teaching the occupations defined in section 54-5802, Idaho Code;
 28 and

29 ~~(vi) The curriculum for haircutting shall include hygiene; bacte-~~
 30 ~~riology; histology of the hair, skin, muscles and nerves; struc-~~
 31 ~~ture of the head and neck; elementary chemistry relating to disin-~~
 32 ~~fection and antiseptics; diseases of the skin, hair and glands;~~
 33 ~~massaging and manipulating of the muscles of the head and neck;~~
 34 ~~haircutting and arranging hair; the study of electricity as ap-~~
 35 ~~plied to haircutting; and the Idaho laws and rules governing the~~
 36 ~~practice of haircutting;~~

37 (hi) If a school of barbering, provide applicable curricula on subjects
 38 relating to barbering and barber-styling as follows:

39 (i) The curriculum for barbers shall include ~~hygiene; bacteri-~~
 40 ~~ology;~~ histology of the hair, skin, nails, muscles and nerves;
 41 structure of the head, face and neck; ~~elementary chemistry re-~~
 42 ~~lating to disinfection and antiseptics;~~ diseases of the skin,
 43 hair, glands and nails; massaging and manipulating the muscles
 44 of the upper body; haircutting; shaving; arranging and dressing
 45 the hair; and the Idaho laws and rules governing the practice of
 46 barbering; and

47 (ii) The curriculum for barber-stylists shall include ~~hygiene;~~
 48 ~~bacteriology;~~ histology of the hair, skin, nails, muscles and
 49 nerves; structure of the head, face and neck; ~~elementary chemistry~~
 50 ~~relating to disinfection and antiseptics;~~ diseases of the skin,

1 hair, glands and nails; massaging and manipulating the muscles of
2 the upper body; haircutting; shaving; arranging, dressing, curl-
3 ing, waving, straightening, coloring, bleaching and tinting of
4 the hair; and the Idaho laws and rules governing the practice of
5 barber-styling;

6 (~~i~~j) Denote with clarity that the establishment is a school and that
7 work is done by students. Such facts shall be made clear to patrons of
8 the school by signs conspicuously posted in the school and the adjoin-
9 ing shop, if any. Students shall not be permitted to render any chemical
10 service to a live human until such student has completed at least five
11 percent (5%) of the required instruction;

12 (~~j~~k) Employ instructors who are licensed instructors in this state;

13 (~~k~~l) Not permit any student or apprentice to receive instruction unless
14 the school is licensed under the provisions of this chapter;

15 (~~l~~m) Require instructors to devote their time during school or class
16 hours to instructing students rather than to engaging in occupational
17 practice; and

18 (~~m~~n) Offer school hours for the purpose of instruction on at least five
19 (5) days per week.

20 (2) ~~A person receiving cosmetology training in an establishment not~~
21 ~~meeting the requirements for schools as herein set forth shall receive~~
22 ~~credit for said training as an apprentice rather than as a student, provided~~
23 ~~said training meets the requirements for apprentice training.~~

24 ~~(3) Training received in electrology, esthetics, or nail technology in~~
25 ~~a school shall not be recognized unless the school has been approved for such~~
26 ~~training by the board and the school meets and maintains the requirements to~~
27 ~~train electrologists, estheticians, and nail technicians as established by~~
28 ~~board rules.~~

29 ~~(4) Training received in esthetics in a school shall not be recognized~~
30 ~~unless the school has been approved for such training by the board and the~~
31 ~~school meets and maintains the requirements to train estheticians as estab-~~
32 ~~lished by board rules.~~

33 ~~(5) Training received in nail technology in a school shall not be recog-~~
34 ~~nized unless the school has been approved for such training by the board and~~
35 ~~the school meets and maintains the requirements to train nail technicians as~~
36 ~~established by board rules.~~

37 ~~(6) Training received in haircutting in a school shall not be recog-~~
38 ~~nized unless the school has been approved for such training by the board and~~
39 ~~the school meets and maintains the requirements to train haircutters as es-~~
40 ~~tablished by board rules.~~

41 (~~7~~3) Every school approved by the board shall deliver to the board a
42 bond to the state of Idaho in the sum of twenty thousand dollars (\$20,000) and
43 shall renew the same bond annually, conditioned that such school shall con-
44 tinue to give its courses of instruction in accordance with the provisions
45 of this chapter until it has completed all such courses for which students
46 have enrolled and further conditioned that such school shall fully comply
47 with all promises or representations made to enrolled students as an induce-
48 ment to such students to enroll. The bond must be in a form approved by the
49 board and must be executed by a corporate surety company duly authorized to
50 do business in this state. Any student so enrolled who may be damaged by rea-

1 son of the failure of such school to comply with such conditions shall have a
2 right of action in the student's own name on such bonds for such damage.

3 SECTION 13. That Section 54-5816, Idaho Code, be, and the same is hereby
4 amended to read as follows:

5 54-5816. ENDORSEMENT LICENSURE. (1) The board, upon application and
6 the payment of the required fee, may issue a license, certificate or reg-
7 istration by endorsement, without examination, to a person who ~~is at least~~
8 ~~eighteen (18) years of age and of good moral character who has completed two~~
9 ~~(2) years of high school or an equivalent education as determined by the~~
10 ~~board, who meets the qualifications set forth in section 54-5810(1) (a), (b),~~
11 and (d), Idaho Code, who holds a certificate of qualification or a license
12 issued to that person by the proper authority of any state, territory or pos-
13 session of the United States or of a foreign country, and who either:

14 (a) Provides official documentation that the requirements for licen-
15 sure or certification under which the license or certificate was issued
16 are of a standard not lower than those specified in this chapter; or

17 (b) Provides official documentation that said person has practiced the
18 pursuit for which licensure is requested for at least one (1) year of the
19 last three (3) years immediately prior to such application.

20 (2) The board or its agent shall evaluate each application for license
21 or certificate by endorsement.

22 SECTION 14. That Section 54-5817, Idaho Code, be, and the same is hereby
23 amended to read as follows:

24 54-5817. ~~PRACTICE OF BARBERING, BARBER-STYLING, OR COSMETOLOGY AP-~~
25 ~~PRENTICE APPRENTICESHIPS.~~ No barber, barber-stylist, or cosmetology
26 apprentice may practice independently. A barber, barber-stylist, or cosme-
27 ~~tology~~ An apprentice may perform any and all acts necessary for professional
28 training within the scope of this chapter when such acts are performed in
29 compliance with board rule, including immediate personal supervision of the
30 apprentice by a licensed instructor. ~~Barber or cosmetology e~~Establishments
31 employing apprentices shall keep a daily work record of the attendance of
32 such apprentices and shall, upon the termination of such apprenticeship,
33 certify to the board the total number of hours worked and the types of in-
34 struction given to the apprentice. All apprenticeships must be completed
35 within three (3) years from the time of commencement, unless an extension
36 is approved by the board for good cause. The specific time allowed for each
37 apprenticeship shall be set by board rule.

38 SECTION 15. That Section 54-5818, Idaho Code, be, and the same is hereby
39 amended to read as follows:

40 54-5818. ESTABLISHMENTS -- INSPECTION RULES. Inspections for the
41 purpose of enforcing the provisions of this chapter shall be made by the
42 board. The board shall have authority to prescribe safety, disinfection and
43 sanitary requirements for barber and cosmetology establishments, retail
44 cosmetics dealers, retail thermal styling equipment dealers and barber and
45 cosmetology schools as such requirements apply to the nature of the work

1 performed. The officers of the board or its agents shall have authority to
 2 enter and inspect at any time during business hours any barber or cosmetology
 3 establishment, retail cosmetics dealer, retail thermal styling equipment
 4 dealer, barber or cosmetology school or other location where barber-styling
 5 or cosmetology services are being provided. A copy of the rules adopted by
 6 the board shall be ~~furnished~~ made available upon request by the board to the
 7 owner or manager of each establishment, retail cosmetics dealer, retail
 8 thermal styling equipment dealer, or school.

9 SECTION 16. That Section 54-5821, Idaho Code, be, and the same is hereby
 10 amended to read as follows:

11 54-5821. RENEWAL AND REINSTATEMENT OF LICENSE, ~~AND REGISTRATION, AND~~
 12 CERTIFICATES. All licenses, ~~or registrations, or certificates~~ issued under
 13 the provisions of this chapter shall be subject to annual renewal and shall
 14 expire unless renewed in the manner prescribed by the board regarding appli-
 15 cations for renewal and fees. License, ~~or registration, or certificate~~ re-
 16 newal and reinstatement shall be in accordance with section 67-2614, Idaho
 17 Code.

18 SECTION 17. That Section 54-5822, Idaho Code, be, and the same is hereby
 19 amended to read as follows:

20 54-5822. FEES. (1) Any fee required pursuant to this chapter, includ-
 21 ing fees for original licenses, certificates, registrations, permits, an-
 22 nual renewals, and licenses, certificates, and registrations by endorse-
 23 ment, shall be set by board rule ~~in amounts not to exceed the following:~~

- 24 ~~(a) Fifty dollars (\$50.00) for:~~
 25 ~~(i) An original license, certificate or registration for an es-~~
 26 ~~tablishment, a retail cosmetics dealer, a retail thermal styling~~
 27 ~~equipment dealer, a makeover or glamour photography business, a~~
 28 ~~barber, a barber-stylist, a cosmetologist, a nail technician, an~~
 29 ~~instructor, an electrologist, an esthetician, a makeup artist or a~~
 30 ~~haircutter; and~~
 31 ~~(ii) Renewal of a license or registration for an establishment,~~
 32 ~~a retail cosmetics dealer, a retail thermal styling equipment~~
 33 ~~dealer, a makeover or glamour photography business, a barber, a~~
 34 ~~barber-stylist, a cosmetologist, a nail technician, an instruc-~~
 35 ~~tor, an electrologist, an esthetician or a haircutter;~~
 36 ~~(b) One hundred dollars (\$100) for a license, certificate or registra-~~
 37 ~~tion by endorsement;~~
 38 ~~(c) Five hundred dollars (\$500) for an original license for a barber~~
 39 ~~school or a cosmetology school;~~
 40 ~~(d) One hundred fifty dollars (\$150) for renewal of a license for a bar-~~
 41 ~~ber school or a cosmetology school; and~~
 42 ~~(e) Twenty dollars (\$20.00) for an apprentice permit (no renewal fee is~~
 43 ~~required).~~
 44 ~~(2) The fee for an examination, when required, shall be equal to the fee~~
 45 ~~charged by the national examining entity.~~
 46 ~~(3) Fees shall not be prorated or returnable.~~

1 (42) All fees received by the board under the provisions of this chap-
2 ter shall be nonrefundable, except as provided by board rule, and shall be
3 deposited in the state treasury to the credit of the occupational license ac-
4 count in the dedicated fund, and all costs and expenses incurred by the board
5 under the provisions of this chapter shall be a charge against and paid from
6 the account for such purposes. The fees collected under this chapter shall
7 be immediately available for the administration of this chapter, the provi-
8 sions of any other law notwithstanding.