

House Bill 1175 (AM)

By: Representatives Jamieson of the 22nd, Greene of the 134th, Oliver of the 56th, Post 2, Stephens of the 123rd, Graves of the 106th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 10 of Title 43 of the Official Code of Georgia Annotated, relating to
2 cosmetologists, so as to provide for applicability of such chapter with respect to cosmetology
3 training programs operated by the Department of Corrections, the instructors of such
4 programs, or inmates enrolled in such programs; to provide for additional members of the
5 State Board of cosmetology; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 10 of Title 43 of the Official Code of Georgia Annotated, relating to cosmetologists,
9 is amended by adding a new Code section at the end thereof, to be designated Code Section
10 43-10-20, to read as follows:

11 "43-10-20.

12 (a) This chapter shall not apply to the cosmetology training programs operated by the
13 Department of Corrections, the instructors of such programs, or the inmates enrolled in
14 such programs except as specifically provided in this Code section.

15 (b) The board shall be required to test an inmate who is an applicant for a certificate of
16 registration under this chapter who has completed successfully a cosmetology training
17 program operated by the Department of Corrections without regard to any qualification
18 otherwise provided for under Code Section 43-10-9. If such inmate passes the applicable
19 written and practical examinations, the board shall issue the applicable level certificate of
20 registration to such inmate. Upon completion of such inmate's sentence, such person shall
21 be authorized to practice under this chapter so long as such person thereafter meets all of
22 the requirements of this chapter applicable to the licensed practice of the level of
23 cosmetology pursuant to the certificate of registration."

SECTION 1A.

Said chapter is further amended by striking Code Section 43-10-2, relating to creation of the State Board of Cosmetology, and inserting in its place a new Code Section 43-10-2 to read as follows:

"43-10-2.

(a) There is created the State Board of Cosmetology. The board shall consist of ~~nine~~ 11 members who shall be residents of this state. The board shall have the duty of carrying out and enforcing this chapter.

(b) Members of the board shall be at least 25 years of age and be high school graduates; and five of such members must have had at least five years of practical experience in the practice of cosmetology at the master level, a portion of which must have been as a beauty salon owner or manager. One member of the board must have had at least five years of practical experience in the practice of cosmetology at the esthetician level. One member of the board must have had at least five years of practical experience as a manicurist.

(c) The board shall meet as necessary each year for the purpose of holding examinations, adopting rules and regulations, and handling other matters pertaining to duties of the board.

(d) No member of the board shall be affiliated with any school of cosmetology. Two members shall not have any connection with the practice or business of cosmetology whatsoever but shall have a recognized interest in consumer affairs and in consumer protection concerns. No member of the board shall be affiliated or connected in any manner with any manufacturer or wholesale or jobbing house dealing with supplies sold to practitioners of cosmetology while in office.

(e)(1) ~~Nine board~~ Board members shall be appointed by the Governor for a term of three years and until their successors are appointed and qualified. Vacancies with respect to such members shall be filled by the Governor for the unexpired portion of the term.

(2) The President of the Senate shall appoint one member of the board and the Speaker of the House of Representatives shall appoint one member of the board. Each such member shall serve for a term of three years and until such person's successor is appointed and qualified. Vacancies with respect to such members shall be filled by the officer who originally appointed such member for the remainder of the unexpired portion of the term.

(3) The board may do all things necessary for carrying this chapter into effect and may, from time to time, promulgate necessary rules and regulations compatible with this chapter. The Governor may remove any board member for cause as provided in Code Section 43-1-17.

(f) Each year the members shall elect a chairman from among themselves. In the event the members cannot agree as to who shall be chairman, the Governor shall appoint one of such

1 members as chairman. The chairman so elected or appointed shall be eligible to succeed
2 himself or herself. The members of the board shall be considered public officers and shall
3 take the oath required thereof.

4 (g) The board shall adopt a seal to be used to authenticate all its official papers and acts
5 and shall have power to subpoena witnesses, administer oaths, and hear and take testimony
6 in any matter over which it may have jurisdiction."

7 **SECTION 2.**

8 All laws and parts of laws in conflict with this Act are repealed.