

House Bill 1175 (AS PASSED HOUSE AND SENATE)

By: Representatives Jamieson of the 22<sup>nd</sup>, Greene of the 134<sup>th</sup>, Oliver of the 56<sup>th</sup>, Post 2, Stephens of the 123<sup>rd</sup>, Graves of the 106<sup>th</sup>, 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 revise qualifications for 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 style="text-align:center">**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) For the purposes of this chapter, the teachers and instructors of and courses of  
13 instruction or training in cosmetology operated by the Department of Corrections shall be  
14 considered to be subject to the same standards and to be part of the cosmetology programs  
15 that are approved by the Department of Technical and Adult Education or the Department  
16 of Education as provided for by paragraphs (8), (9), and (10) of Code Section 43-10-1 and  
17 paragraph (6) of Code Section 43-10-12.

18 (b) The board shall be required to test an inmate who is an applicant for a certificate of  
19 registration under this chapter who has completed successfully a cosmetology training  
20 program operated by the Department of Corrections and who meets the requirements stated  
21 in Code Section 43-10-9. If such inmate passes the applicable written and practical  
22 examinations, the board may issue the appropriate certificate of registration to such inmate  
23 after consideration of all requirements under Code Sections 43-10-9 and 43-1-19 ;  
24 provided, however, that the board shall not apply the provisions of paragraph (4) of  
25 subsection (a) of Code Section 43-1-19 to such inmate based solely upon such person's  
26 status as an inmate and shall apply such provisions in the same manner as would otherwise  
27 be applicable to an applicant who is not an inmate."

**SECTION 2.**

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 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~~ have obtained a high school diploma, a general educational development (GED) diploma, or a postsecondary education or college degree; 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) Board members shall be appointed by the Governor for a term of three years and until their successors are appointed and qualified. Vacancies shall be filled by the Governor for the unexpired portion of the term. 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 members as chairman. The chairman so elected or appointed shall be eligible to succeed himself or herself. The members of the board shall be considered public officers and shall take the oath required thereof.

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

4 **SECTION 3.**

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