

House Bill 1170

By: Representatives Parsons of the 42nd, Williams of the 4th, Hembree of the 67th, Heard of the 104th, Smith of the 70th, 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 change certain provisions relating to examination fees for application
3 for certificate of registration; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Chapter 10 of Title 43 of the Official Code of Georgia Annotated, relating to cosmetologists,
7 is amended by striking Code Section 43-10-9, relating to application for certificate of
8 registration, examination, work permit, reciprocity, study at technical college or public
9 school, and eligibility of licensed barber, and inserting in lieu thereof the following:

10 "43-10-9.

11 (a) Any person desiring to obtain a certificate of registration to enable him or her to engage
12 in the occupation of cosmetology shall make application through the division director to
13 the board and shall present proof that he or she has obtained a high school diploma, a
14 general educational development (GED) diploma, or a postsecondary education or college
15 degree. If, after review of the application, it is determined that the applicant is at least 17
16 years of age; has met the minimum educational requirements; is of good moral character;
17 has completed a 1,500 credit hour study course with at least nine months at a board
18 approved school or has served as an apprentice in a beauty shop or beauty salon for a
19 period of at least 3,000 credit hours; has practiced or studied the occupation of
20 cosmetology; is possessed of the requisite skill in such occupation to perform properly all
21 the duties of the occupation, including his or her ability in the preparation of tools, in
22 performing the services mentioned in paragraph (4) of Code Section 43-10-1, and in all the
23 duties and services incident thereto; has paid to the ~~division director~~ an examination fee in
24 such amount as shall be set by the board by regulation; and has presented himself or herself
25 at the next meeting of the board held for examination of applicants at which such person
26 is scheduled for examination and has passed both a written and a practical examination, a

1 certificate of registration shall be issued to him or her entitling him or her to practice the
2 occupation of master cosmetologist. Notwithstanding any other provisions of this
3 subsection, the board shall be authorized to waive any education requirements under this
4 subsection in cases of hardship, disability, or illness or under such other circumstances as
5 the board deems appropriate with respect to any applicant who was enrolled in a board
6 approved school or had completed a board approved study course as of June 30, 2000.

7 (b) Should an applicant under this Code section fail to pass the written or the practical
8 examination, the board shall furnish the applicant a statement in writing, stating wherein
9 the applicant was deficient. Nothing in this chapter shall be construed to prevent applicants
10 from making subsequent applications to qualify under this Code section, provided they
11 again pay the required examination fee.

12 (c) An approved applicant for examination under this Code section may be issued a work
13 permit authorizing said applicant to practice such occupation until the release of the results
14 of the written and the practical examination for which the applicant is scheduled. If the
15 applicant fails to appear for the examination or fails any portion of the examination, the
16 work permit shall be revoked unless the applicant provides just cause to the board as to
17 why the applicant was unable to appear for the examination.

18 (d) Should an applicant have a current cosmetology license in force from another state or
19 country, or territory of the United States, or the District of Columbia, where similar
20 reciprocity is extended to this state and licensure requirements are substantially equal to
21 those in this state, and have paid ~~to the division director~~ a fee in such amount as shall be
22 set by the board by regulation, the applicant may be issued, without examination, a
23 certificate of registration at the appropriate level, entitling the applicant to practice the
24 occupation of cosmetology or the teaching of cosmetology at that level, unless the board,
25 in its discretion, sees fit to require a written or a practical examination subject to the terms
26 and provisions of this chapter. Notwithstanding any other provisions of this subsection,
27 the board shall be authorized to waive any education or experience requirements applicable
28 to any person who holds a current license or certificate to practice cosmetology outside of
29 this state and who desires to obtain a license or certificate at a level authorized under this
30 Code section to practice at such level in this state in cases of hardship, disability, or illness
31 or under such other circumstances as the board deems appropriate.

32 (e) Any person desiring to obtain a certificate of registration at the esthetician level under
33 the terms of this chapter shall make application through the division director to the board
34 and shall present proof that he or she has obtained a high school diploma, a general
35 educational development (GED) diploma, or a postsecondary education or college degree.
36 If, after review of the application, it is determined that the applicant is at least 17 years of
37 age; has met the minimum educational requirements; is of good moral character; has

1 completed a 1,000 credit hour study course of at least nine months at a board approved
2 school or has served as an apprentice in a beauty shop or beauty salon for a period of at
3 least 2,000 credit hours; has practiced or studied cosmetic skin care as defined in paragraph
4 (5) of Code Section 43-10-1; is possessed of the requisite skill to perform properly these
5 services; has paid ~~to the division director~~ an examination fee in such amount as shall be set
6 by the board by regulation; and has presented himself or herself at the next meeting of the
7 board for examination of applicants at which such person is scheduled for examination and
8 has passed a written and a practical examination, a certificate of registration shall be issued
9 to the applicant entitling the applicant to practice the occupation of cosmetology at the
10 esthetician level. Notwithstanding any other provisions of this subsection, the board shall
11 be authorized to waive any education requirements under this subsection in cases of
12 hardship, disability, or illness or under such other circumstances as the board deems
13 appropriate with respect to any applicant who was enrolled in a board approved school or
14 had completed a board approved study course as of June 30, 2000.

15 (f) Any person desiring to obtain a certificate of registration at the nail technician level
16 under the terms of this chapter shall make application through the division director to the
17 board and shall present proof that he or she has obtained a high school diploma, a general
18 educational development (GED) diploma, or a postsecondary education or college degree.
19 If, after review of the application, it is determined that the applicant is at least 17 years of
20 age; has met the minimum educational requirements; is of good moral character; has
21 completed a 525 credit hour study course of at least four months at a board approved
22 school or has served as an apprentice in a beauty shop or beauty salon for a period of at
23 least 1,050 credit hours; has practiced or studied nail care; is possessed of the requisite skill
24 to perform properly these services; has paid ~~to the division director~~ an examination fee in
25 such amount as shall be set by the board by regulation; and has presented himself or herself
26 at the next meeting of the board held for examination of applicants at which such person
27 is scheduled for examination and has passed both a written and a practical examination, a
28 certificate of registration shall be issued to the applicant entitling the applicant to practice
29 the occupation of cosmetology at the nail technician level. Notwithstanding any other
30 provisions of this subsection, the board shall be authorized to waive any education
31 requirements under this subsection in cases of hardship, disability, or illness or under such
32 other circumstances as the board deems appropriate with respect to any applicant who was
33 enrolled in a board approved school or had completed a board approved study course as of
34 June 30, 2000.

35 (g) Nothing in this Code section shall be construed as preventing a person from obtaining
36 a certificate of registration for the occupation of cosmetology at the master level, the
37 esthetician level, or the nail technician level if such person obtains his or her credit hour

1 study at a State Board of Education approved school or a technical college under the
2 jurisdiction of the Department of Technical and Adult Education or the Department of
3 Education rather than at a board approved school.

4 (h) A person licensed to practice barbering under Chapter 7 of this title shall be eligible
5 to take the master cosmetologist examination provided for in this Code section if that
6 person completes a board approved 250 hour prescribed course in an approved
7 cosmetology school, submits a completed application, and pays the proper fees established
8 by the board."

9 **SECTION 2.**

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