

The House Committee on Regulated Industries offers the following substitute to SB 145:

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 define certain terms; to change certain provisions relating to the  
3 Board of Cosmetology; to provide for a certificate of registration for hair braiders and hair  
4 designers; to provide for qualifications; to provide for application and fees; to change certain  
5 provisions relating to examination fees for application for certificate of registration; to  
6 provide for reciprocity; to provide for teaching requirements; to provide for related matters;  
7 to provide an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 10 of Title 43 of the Official Code of Georgia Annotated, relating to cosmetologists,  
11 is amended by striking in its entirety Code Section 43-10-1, relating to definitions, and  
12 inserting in lieu thereof the following:

13 "43-10-1.

14 As used in this chapter, the term:

15 (1) 'Beautician' means 'cosmetologist' as such term is defined in this Code section.

16 (2) 'Beauty shop' or 'beauty salon' means any premises where one or more persons  
17 engage in the occupation of cosmetology.

18 (3) 'Board' means the State Board of Cosmetology.

19 (4) 'Cosmetologist' means any person who performs any one or more of the following  
20 services for compensation:

21 (A) Cuts or dresses the hair;

22 (B) Gives facial or scalp massage or facial and scalp treatment with oils or creams and  
23 other preparations made for this purpose, either by hand or mechanical appliance;

24 (C) Singes and shampoos the hair, dyes the hair, or does permanent waving of the hair;

1 (D) Braids the hair by hair weaving; interlocking; twisting; plaiting; wrapping by hand,  
 2 chemical, or mechanical devices; or using any natural or synthetic fiber for extensions  
 3 to the hair;

4 (E) Performs nail care, pedicure, or manicuring services as defined in paragraph(6) of  
 5 this Code section; or

6 (F) Performs the services of an esthetician as defined in paragraph (5) of this Code  
 7 section.

8 Such person shall be considered as practicing the occupation of a cosmetologist within  
 9 the meaning of this Code section.

10 (5) 'Esthetician' or 'esthetics operator' means a person who, for compensation, engages  
 11 in any one or a combination of the following practices, esthetics, or cosmetic skin care:

12 (A) Massaging the face or neck of a person;

13 (B) Trimming eyebrows;

14 (C) Dyeing eyelashes or eyebrows; or

15 (D) Waxing, stimulating, cleansing, or beautifying the face, neck, arms, or legs of a  
 16 person by any method with the aid of the hands or any mechanical or electrical  
 17 apparatus or by the use of a cosmetic preparation.

18 Such practices of esthetics shall not include the diagnosis, treatment, or therapy of any  
 19 dermatological condition.

20 (6) 'Hair braider' means any person who performs for compensation tensioning hair  
 21 strands or roots by braiding; hair weaving; interlocking; twisting; plaiting; wrapping by  
 22 hand, chemical, or mechanical devices; or using any natural or synthetic fiber for  
 23 extensions to the hair; provided, however, that such services shall not include hair cutting  
 24 or the application of dyes, reactive chemicals, or other preparations to alter the color of  
 25 the hair or to straighten, curl, or alter the structure of the hair.

26 (7) 'Hair designer' means any person who performs any one or more of the following  
 27 services for compensation:

28 (A) Cuts or dresses the hair;

29 (B) Singes and shampoos the hair, dyes the hair, or does permanent waving of the hair;  
 30 or

31 (C) Braids the hair by hair weaving; interlocking; twisting; plaiting; wrapping by hand,  
 32 chemical, or mechanical devices; or using any natural or synthetic fiber for extensions  
 33 to the hair.

34 ~~(6)~~(8) 'Master cosmetologist' means a cosmetologist who is possessed of the requisite  
 35 skill and knowledge to perform properly all the services mentioned in paragraph (4) of  
 36 this Code section for compensation.

1 ~~(7)~~(9) 'Nail technician' means a person who, for compensation, trims, files, shapes,  
2 decorates, applies sculptured or otherwise artificial nails, or in any way cares for the nails  
3 of another person.

4 ~~(8)~~(10) 'School of cosmetology' means any establishment that receives compensation for  
5 training more than one person in the occupation of cosmetology as defined in  
6 paragraph (4) of this Code section. Technical colleges whose programs have been  
7 approved by the Department of Technical and Adult Education or the Department of  
8 Education are not 'schools of cosmetology' within the meaning of this chapter; provided,  
9 however, that all such colleges and their programs shall be considered to be 'board  
10 approved.'

11 ~~(9)~~(11) 'School of esthetics' means any establishment that receives compensation for  
12 training more than one person in the occupation of esthetics as defined in paragraph (5)  
13 of this Code section. Technical colleges whose programs have been approved by the  
14 Department of Technical and Adult Education or the Department of Education are not  
15 'schools of esthetics' within the meaning of this chapter; provided, however, that all such  
16 colleges and their programs shall be considered to be 'board approved.'

17 (12) 'School of hair braiding' means any establishment that receives compensation for  
18 training more than one person in the occupation of hair braiding as defined in  
19 paragraph (6) of this Code section. Technical colleges whose programs have been  
20 approved by the Department of Technical and Adult Education or the Department of  
21 Education are not schools of hair braiding within the meaning of this chapter; provided,  
22 however, that all such colleges and their programs shall be considered to be 'board  
23 approved.'

24 (13) 'School of hair design' means any establishment that receives compensation for  
25 training more than one person in the occupation of hair design as defined in paragraph (7)  
26 of this Code section. Technical colleges whose programs have been approved by the  
27 Department of Technical and Adult Education or the Department of Education are not  
28 schools of hair design within the meaning of this chapter; provided, however, that all such  
29 colleges and their programs shall be considered to be 'board approved.'

30 ~~(10)~~(14) 'School of nail care' means any establishment that receives compensation for  
31 training more than one person in the occupation of nail care or manicuring as defined in  
32 paragraph ~~(6)~~ (9) of this Code section. Technical colleges whose programs have been  
33 approved by the Department of Technical and Adult Education or the Department of  
34 Education are not 'schools of nail care' within the meaning of this chapter; provided,  
35 however, that all such colleges and their programs shall be considered to be 'board  
36 approved.'"



1 practicing at the master cosmetologist level as defined in paragraph (4) of Code Section  
2 43-10-1.

3 (c)(1) Notwithstanding any other provisions of this chapter, any person desiring to  
4 perform solely hair braiding services shall be allowed to obtain a certificate of  
5 registration at the hair braiding level upon completing the required hours therefor, which  
6 certifies that the holder thereof shall be authorized to perform some or all of the services  
7 mentioned in paragraph (6) of Code Section 43-10-1.

8 (2) Notwithstanding the provisions of paragraph (1) of this subsection, any person  
9 residing in the state who is actively practicing hair braiding in this state on July 1, 2006,  
10 shall, upon application made before July 1, 2007, be issued a license as a hair braider  
11 without meeting any other requirements for such licensure upon documentation, to the  
12 satisfaction of the board, that the applicant meets the requirements of this exemption.  
13 Persons who are issued a license pursuant to this exemption must comply with all  
14 requirements for license renewal. Persons who are exempt from licensure as a hair  
15 braider under this Code section shall not be exempt from licensure required for other  
16 professions or facilities under the provisions of this chapter including, but not limited to,  
17 licensure for cosmetology shops and salons.

18 (d) Notwithstanding any other provisions of this chapter, any person desiring to perform  
19 solely hair design services shall be allowed to obtain a certificate of registration at the hair  
20 design level upon completing the required hours therefor, which certifies that the holder  
21 thereof shall be authorized to perform some or all of the services mentioned in paragraph  
22 (7) of Code Section 43-10-1.

23 (e)(e) Notwithstanding any other provisions of this chapter, any person desiring to perform  
24 solely cosmetic skin care services shall be allowed to obtain a certificate of registration at  
25 the esthetician level upon completing the required hours therefor, which certifies that the  
26 holder thereof shall be authorized to perform some or all of the services mentioned in  
27 paragraph (5) of Code Section 43-10-1.

28 (d)(f)(1) Notwithstanding any other provisions of this chapter, any person desiring to  
29 perform solely cosmetic nail care services shall be allowed to obtain a certificate of  
30 registration at the nail technician level upon completing the required hours therefor,  
31 which certifies that the holder thereof shall be authorized to perform some or all of the  
32 services mentioned in paragraph (6) of Code Section 43-10-1.

33 (2) Notwithstanding any other provisions of this chapter, any person who has actively  
34 engaged in the practice of cosmetology, hair braiding, hair design, esthetics, or nail care  
35 on a military installation in Georgia for three years prior to July 1, 1985, shall be eligible  
36 to receive a certificate of registration at the cosmetology, hair braiding, hair design,

1 esthetics, or nail care level upon proper proof of experience, application, and appropriate  
2 fee being submitted to the board on or before September 1, 1985.

3 ~~(e)~~(g) It shall also be unlawful for any person or persons to operate a beauty shop, beauty  
4 salon, hair braiding salon, hair design salon, school of cosmetology, school of hair  
5 braiding, school of hair design, school of esthetics, or school of nail care without first  
6 having obtained a certificate of registration for such shop, salon, or school as provided in  
7 this chapter. Any beauty shop, salon, or school shall register with the division director of  
8 the professional licensing boards prior to opening.

9 ~~(f)~~(h) This chapter shall have uniform application throughout the state so that no  
10 cosmetologist, hair braider, hair designer, beauty shop, school of cosmetology, school of  
11 hair braiding, school of hair design, school of esthetics, or school of nail care shall be  
12 exempt from regulation."

### 13 SECTION 5.

14 Said chapter is further amended by striking in its entirety Code Section 43-10-9, relating to  
15 applications for certificates of registration, examination, and reciprocity, and inserting in lieu  
16 thereof the following:

17 "43-10-9.

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

1 requirements under this subsection in cases of hardship, disability, or illness or under such  
 2 other circumstances as the board deems appropriate with respect to any applicant who was  
 3 enrolled in a board approved school or had completed a board approved study course as of  
 4 June 30, 2000.

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

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

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

31 (e)(1) Any person desiring to obtain a certificate of registration to enable him or her to  
 32 engage in the occupation of hair braiding shall make application through the division  
 33 director and shall present proof that he or she has obtained a high school diploma, a  
 34 general educational development (GED) diploma, or a postsecondary education or  
 35 college degree. If, after review of the application, it is determined that the applicant is at  
 36 least 17 years of age; has met the minimum educational requirements; is of good moral  
 37 character; has completed 100 credit hour study course with at least two months at a board

1 approved school or has served as an apprentice in a beauty shop, beauty salon, or hair  
2 braiding salon for a period of at least 200 credit hours; has practiced or studied the  
3 occupation of hair braiding; is possessed of the requisite skill in such occupation to  
4 perform properly all the duties of the occupation, including his or her ability in the  
5 preparation of tools, in performing the services mentioned in paragraph (6) of Code  
6 Section 43-10-1, and in all the duties and services incident thereto; and has passed both  
7 a written and a practical examination approved by the board, a certificate of registration  
8 shall be issued to him or her entitling him or her to practice the occupation of hair  
9 braiding. Notwithstanding any other provisions of this subsection, the board shall be  
10 authorized to waive any education requirements under this subsection in cases of  
11 hardship, disability, or illness or under such other circumstances as the board deems  
12 appropriate with respect to any applicant who was enrolled in a board approved school  
13 or had completed a board approved study course as of June 30, 2006.

14 (2) Should an applicant under this subsection fail to pass the written or the practical  
15 examination, the board shall furnish the applicant a statement in writing, stating in what  
16 manner the applicant was deficient. Nothing in this chapter shall be construed to prevent  
17 applicants from making subsequent applications to qualify under this subsection,  
18 provided they again pay the required examination fee.

19 (3) An approved applicant for examination under this subsection may be issued a work  
20 permit authorizing him or her to practice such occupation until the release of the results  
21 of the written and the practical examination for which the applicant is scheduled. If the  
22 applicant fails to appear for the examination or fails any portion of the examination, the  
23 work permit shall be revoked unless the applicant provides just cause to the board as to  
24 why the applicant was unable to appear for the examination.

25 (4) Should an applicant have a current hair braider license in force from another state,  
26 country, territory of the United States, or the District of Columbia, where similar  
27 reciprocity is extended to this state and licensure requirements are substantially equal to  
28 those in this state, and have paid a fee and have submitted an application, the applicant  
29 may be issued, without examination, a certificate of registration at the appropriate level  
30 entitling him or her to practice the occupation of hair braider or the teaching of hair  
31 braiding at that level, unless the board, in its discretion, sees fit to require a written or a  
32 practical examination subject to the terms and provisions of this chapter. Notwithstanding  
33 any other provisions of this subsection, the board shall be authorized to waive any  
34 education or experience requirements applicable to any person who holds a current  
35 license or certificate to practice hair braiding outside of this state and who desires to  
36 obtain a license or certificate at a level authorized under this subsection to practice at

1 such level in this state in cases of hardship, disability, or illness or under such other  
2 circumstances as the board deems appropriate.

3 (f)(1) Any person desiring to obtain a certificate of registration to enable him or her to  
4 engage in the occupation of hair design shall make application through the division  
5 director and shall present proof that he or she has obtained a high school diploma, a  
6 general educational development (GED) diploma, or a postsecondary education or  
7 college degree. If, after review of the application, it is determined that the applicant is at  
8 least 17 years of age; has met the minimum educational requirements; is of good moral  
9 character; has completed a 1,325 credit hour study course with at least seven months at  
10 a board approved school or has served as an apprentice in a beauty shop, beauty salon,  
11 or hair design salon for a period of at least 2,650 credit hours; has practiced or studied the  
12 occupation of hair design; is possessed of the requisite skill in such occupation to perform  
13 properly all the duties of the occupation, including his or her ability in the preparation of  
14 tools, in performing the services mentioned in paragraph (7) of Code Section 43-10-1,  
15 and in all the duties and services incident thereto; and has passed both a written and a  
16 practical examination approved by the board, a certificate of registration shall be issued  
17 to him or her entitling him or her to practice the occupation of hair design.  
18 Notwithstanding any other provisions of this subsection, the board shall be authorized to  
19 waive any education requirements under this subsection in cases of hardship, disability,  
20 or illness or under such other circumstances as the board deems appropriate with respect  
21 to any applicant who was enrolled in a board approved school or had completed a board  
22 approved study course as of June 30, 2006.

23 (2) Should an applicant under this subsection fail to pass the written or the practical  
24 examination, the board shall furnish the applicant a statement in writing, stating in what  
25 manner the applicant was deficient. Nothing in this chapter shall be construed to prevent  
26 applicants from making subsequent applications to qualify under this subsection,  
27 provided they again pay the required examination fee.

28 (3) An approved applicant for examination under this subsection may be issued a work  
29 permit authorizing said applicant to practice such occupation until the release of the  
30 results of the written and the practical examination for which the applicant is scheduled.  
31 If the applicant fails to appear for the examination or fails any portion of the examination,  
32 the work permit shall be revoked unless the applicant provides just cause to the board as  
33 to why the applicant was unable to appear for the examination.

34 (4) Should an applicant have a current hair design license in force from another state,  
35 country, territory of the United States, or the District of Columbia, where similar  
36 reciprocity is extended to this state and licensure requirements are substantially equal to  
37 those in this state, and have paid a fee and have submitted an application, the applicant

1 may be issued, without examination, a certificate of registration at the appropriate level  
 2 entitling him or her to practice the occupation of hair design or the teaching of hair design  
 3 at that level, unless the board, in its discretion, sees fit to require a written or a practical  
 4 examination subject to the terms and provisions of this chapter. Notwithstanding any  
 5 other provisions of this subsection, the board shall be authorized to waive any education  
 6 or experience requirements applicable to any person who holds a current license or  
 7 certificate to practice hair design outside of this state and who desires to obtain a license  
 8 or certificate at a level authorized under this subsection to practice at such level in this  
 9 state in cases of hardship, disability, or illness or under such other circumstances as the  
 10 board deems appropriate.

11 ~~(e)(g)(1)~~ Any person desiring to obtain a certificate of registration at the esthetician level  
 12 under the terms of this chapter shall make application through the division director to the  
 13 board and shall present proof that he or she has obtained a high school diploma, a general  
 14 educational development (GED) diploma, or a postsecondary education or college degree.  
 15 If, after review of the application, it is determined that the applicant is at least 17 years  
 16 of age; has met the minimum educational requirements; is of good moral character; has  
 17 completed a 1,000 credit hour study course of at least nine months at a board approved  
 18 school or has served as an apprentice in a beauty shop or beauty salon for a period of at  
 19 least 2,000 credit hours; has practiced or studied cosmetic skin care as defined in  
 20 paragraph (5) of Code Section 43-10-1; is possessed of the requisite skill to perform  
 21 properly these services; ~~has paid to the division director an examination fee in such~~  
 22 ~~amount as shall be set by the board by regulation; and has presented himself or herself~~  
 23 ~~at the next meeting of the board for examination of applicants at which such person is~~  
 24 ~~scheduled for examination~~ and has passed a written and a practical examination approved  
 25 by the board, a certificate of registration shall be issued to the applicant entitling the  
 26 applicant to practice the occupation of cosmetology at the esthetician level.  
 27 Notwithstanding any other provisions of this subsection, the board shall be authorized to  
 28 waive any education requirements under this subsection in cases of hardship, disability,  
 29 or illness or under such other circumstances as the board deems appropriate with respect  
 30 to any applicant who was enrolled in a board approved school or had completed a board  
 31 approved study course as of June 30, 2000.

32 (2) Should an applicant have a current esthetician license in force from another state,  
 33 country, territory of the United States, or the District of Columbia, where similar  
 34 reciprocity is extended to this state and licensure requirements are substantially equal to  
 35 those in this state, and have paid a fee and have submitted an application, the applicant  
 36 may be issued, without examination, a certificate of registration at the appropriate level  
 37 entitling him or her to practice the occupation of esthetician or the teaching of esthetics

1 at that level, unless the board, in its discretion, sees fit to require a written or a practical  
 2 examination subject to the terms and provisions of this chapter. Notwithstanding any  
 3 other provisions of this subsection, the board shall be authorized to waive any education  
 4 or experience requirements applicable to any person who holds a current license or  
 5 certificate to practice esthetics outside of this state and who desires to obtain a license or  
 6 certificate at a level authorized under this subsection to practice at such level in this state  
 7 in cases of hardship, disability, or illness or under such other circumstances as the board  
 8 deems appropriate.

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

29 (2) Should an applicant have a current nail technician license in force from another state,  
 30 country, territory of the United States, or the District of Columbia, where similar  
 31 reciprocity is extended to this state and licensure requirements are substantially equal to  
 32 those in this state, and have paid a fee and have submitted an application, the applicant  
 33 may be issued, without examination, a certificate of registration at the appropriate level  
 34 entitling him or her to practice the occupation of nail technician or the teaching of nail  
 35 care at that level, unless the board, in its discretion, sees fit to require a written or a  
 36 practical examination subject to the terms and provisions of this chapter. Notwithstanding  
 37 any other provisions of this subsection, the board shall be authorized to waive any

1 education or experience requirements applicable to any person who holds a current  
 2 license or certificate to practice nail care outside of this state and who desires to obtain  
 3 a license or certificate at a level authorized under this subsection to practice at such level  
 4 in this state in cases of hardship, disability, or illness or under such other circumstances  
 5 as the board deems appropriate.

6 ~~(g)~~(i) Nothing in this Code section shall be construed as preventing a person from  
 7 obtaining a certificate of registration for the occupation of cosmetology at the master level,  
 8 the hair braiding level, the hair design level, the esthetician level, or the nail technician  
 9 level if such person obtains his or her credit hour study at a State Board of Education  
 10 approved school or a technical college under the jurisdiction of the Department of  
 11 Technical and Adult Education or the Department of Education rather than at a board  
 12 approved school.

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

18 (k) Board members may attend and observe all written and practical examinations held for  
 19 certificates of registration pursuant to this Code section."

## 20 SECTION 6.

21 Said chapter is further amended by striking in its entirety subsection (g) of Code Section  
 22 43-10-10, relating to display of certificate of registration, renewal, reinstatement, continuing  
 23 education requirements, and exemptions, and inserting in lieu thereof the following:

24 "(g) Courses in cosmetology, hair braiding, hair design, nail technology, esthetics,  
 25 computers, business, or health and safety issues offered by schools under the jurisdiction  
 26 of the Board of Regents of the University System of Georgia, the Department of Technical  
 27 and Adult Education, the Department of Education, or any accredited postsecondary  
 28 institution shall satisfy the continuing education requirement without a request to the board  
 29 for approval or registration."

## 30 SECTION 7.

31 Said chapter is further amended by striking in its entirety Code Section 43-10-11, relating  
 32 to registration of shops, salons, and schools, and inserting in lieu thereof the following:

33 "43-10-11.

34 All beauty shops, salons, schools of cosmetology, schools of hair braiding, schools of hair  
 35 design, schools of esthetics, and schools of nail care shall be registered with the division

1 director by the owner or manager. Such registration shall be made by the filing of an  
 2 application on forms furnished by the division director; shall include the name and location  
 3 of the beauty shop, salon, or school, the name and address of the owner, and the names and  
 4 addresses of all instructors of the shop, salon, or school at the time of registration; and shall  
 5 be accompanied by a registration fee in such amount as shall be set by the board by  
 6 regulation. The board is authorized and directed to issue a certificate of registration to each  
 7 shop, salon, or school so registering and paying such fee, which certificate shall be  
 8 displayed in a conspicuous place in the registered shop, salon, or school."

### 9 SECTION 8.

10 Said chapter is further amended by striking in its entirety subsection (e) of Code Section  
 11 43-10-12, relating to regulation and permits for schools and teachers and instructors, and  
 12 inserting in lieu thereof the following:

13 "(e)(1) All teachers or instructors shall devote their entire time to instruction of students.  
 14 Any person desiring to teach or instruct in any school of cosmetology, school of esthetics,  
 15 or school of nail care shall first file his or her application with the division director for  
 16 a license, shall pay a fee in such amount as shall be set by the board by regulation, and  
 17 shall successfully pass both a written and a practical examination to become an instructor.

18 (2)(A) A person desiring to teach at the master level shall satisfy the board that he or  
 19 she:

20 (i) Holds a current cosmetology license at the master level and is a high school  
 21 graduate, has a general educational development (GED) diploma, or has a  
 22 postsecondary education or college degree;

23 (ii) Has ~~1,500~~ 750 hours of instructor training in cosmetology at a board approved  
 24 school; and

25 (iii) Has one year of work experience at the master level.

26 (B) A person holding a current cosmetology license at the master level who is a high  
 27 school graduate, has a general educational development (GED) diploma, or has a  
 28 postsecondary education or college degree; who has completed the required board  
 29 approved hours of continuing education; and has board approved work experience as  
 30 an instructor or in education may, at the board's discretion, be permitted to take the  
 31 written and the practical examination to become an instructor at the master level.

32 (3)(A) A person desiring to teach at the esthetician level shall satisfy the board that he  
 33 or she:

34 (i) Holds a current cosmetology license at the esthetician or master level and is a high  
 35 school graduate, has a general educational development (GED) diploma, or has a  
 36 postsecondary education or college degree;

- 1 (ii) Has ~~1,000~~ 500 hours of board approved instructor training in esthetics of at least  
 2 nine months;
- 3 (iii) Has one year of work experience at the esthetician or master level; and
- 4 (iv) Has passed both a written and a practical examination to become an instructor  
 5 in esthetics.

6 (B) A person holding a current cosmetology license at the esthetician or master level  
 7 who is a high school graduate, has a general educational development (GED) diploma,  
 8 or has a postsecondary education or college degree; who has completed the required  
 9 board approved hours of continuing education; and has board approved work  
 10 experience as an instructor or in education may, at the board's discretion, be permitted  
 11 to take the written and the practical examination to become an instructor at the  
 12 esthetician level.

13 (4)(A) A person desiring to teach at the nail technician level shall satisfy the board that  
 14 he or she:

- 15 (i) Holds a current cosmetology license at the nail technician or master level and is  
 16 a high school graduate, has a general educational development (GED) diploma, or has  
 17 a postsecondary education or college degree;
- 18 (ii) Has ~~525~~ 250 hours of board approved instructor training in nail care of at least  
 19 four months;
- 20 (iii) Has one year of work experience at the nail technician or master level; and
- 21 (iv) Has passed both a written and a practical examination to become an instructor  
 22 in nail care.

23 (B) A person holding a current cosmetology license at the nail technician or master  
 24 level who is a high school graduate, has a general educational development (GED)  
 25 diploma, or has a postsecondary education or college degree; who has completed the  
 26 required board approved hours of continuing education; and has board approved work  
 27 experience as an instructor or in education may, at the board's discretion, be permitted  
 28 to take the written and the practical examination to become an instructor at the nail  
 29 technician level.

30 (5)(A) A person desiring to teach at the hair braider level shall satisfy the board that  
 31 he or she:

- 32 (i) Holds a current cosmetology license at the hair braider or master level and is a  
 33 high school graduate, has a general educational development (GED) diploma, or has  
 34 a postsecondary education or college degree;
- 35 (ii) Has 250 hours of board approved instructor training in hair braiding of at least  
 36 four months;
- 37 (iii) Has one year of work experience at the hair braider or master level; and

1 (iv) Has passed both a written and a practical examination to become an instructor  
 2 in hair braiding.

3 (B) A person holding a current cosmetology license at the hair braider or master level  
 4 who is a high school graduate, has a general educational development (GED) diploma,  
 5 or has a postsecondary education or college degree; who has completed the required  
 6 board approved hours of continuing education; and has board approved work  
 7 experience as an instructor or in education may, at the board's discretion, be permitted  
 8 to take the written and the practical examinations to become an instructor at the hair  
 9 braider level.

10 (6)(A) A person desiring to teach at the hair designer level shall satisfy the board that  
 11 he or she:

12 (i) Holds a current cosmetology license at the hair designer or master level and is a  
 13 high school graduate, has a general educational development (GED) diploma, or has  
 14 a postsecondary education or college degree;

15 (ii) Has 750 hours of board approved instructor training in hair design of at least four  
 16 months;

17 (iii) Has one year of work experience at the hair designer or master level; and

18 (iv) Has passed both a written and a practical examination to become an instructor  
 19 in hair design.

20 (B) A person holding a current cosmetology license at the hair designer or master level  
 21 who is a high school graduate, has a general educational development (GED) diploma,  
 22 or has a postsecondary education or college degree; who has completed the required  
 23 board approved hours of continuing education; and has board approved work  
 24 experience as an instructor or in education may, at the board's discretion, be permitted  
 25 to take the written and the practical examinations to become an instructor at the hair  
 26 designer level.

27 ~~(5)~~(7) Any teacher or instructor shall renew his or her license to teach cosmetology  
 28 biennially in odd years by remitting with his or her application a renewal fee in such  
 29 amount as shall be set by the board by regulation; provided, however, any teacher or  
 30 instructor who fails to renew his or her certificate of registration to practice as a  
 31 cosmetologist, esthetician, or nail technician on or before the date established by the  
 32 board by regulation shall automatically have his or her license to teach or instruct ~~revoked~~  
 33 suspended. A person failing to renew his or her instructor's license within two years after  
 34 expiration shall be required to ~~qualify under this chapter for both a written and a practical~~  
 35 ~~examination for an instructor's license~~ pay a reinstatement fee after board review.

36 ~~(6)~~(8) Nothing in this Code section shall be construed as preventing a person from  
 37 obtaining a certificate of registration as teacher or instructor who is certified by the

1 Department of Education to teach cosmetology in the state public schools. The  
 2 certification is limited to those persons who hold a current cosmetology license at the  
 3 master level and also hold a diploma or certificate of 1,500 credit hours from a board  
 4 approved school and have completed the three-year teachers training program required  
 5 by the Department of Education. Such persons shall also pass both a written and a  
 6 practical examination satisfactory to the board and, upon passage thereof, shall receive  
 7 a license to teach cosmetology."

#### 8 SECTION 9.

9 Said chapter is further amended by striking in its entirety subsection (a) of Code Section  
 10 43-10-13, relating to the right to set course of study for students and application for  
 11 examination, and inserting in lieu thereof the following:

12 "(a) The board shall have the right to set a course of study for all students of the schools  
 13 of cosmetology, schools of hair braiding, schools of hair design, schools of esthetics, and  
 14 schools of nail care within this state."

#### 15 SECTION 10.

16 Said chapter is further amended by striking in its entirety subsection (a) of Code Section  
 17 43-10-14, relating to study by persons 17 years of age and older, registration of students and  
 18 apprentices, and registration certificate, and inserting in lieu thereof the following:

19 "(a) Nothing in this chapter shall prohibit any person at least 17 years of age from learning  
 20 the occupation of cosmetology under a master cosmetologist, provided that such  
 21 cosmetologist has had at least 36 months' experience and has held a certificate of a master  
 22 cosmetologist for at least 36 months. In addition, nothing in this chapter shall prohibit any  
 23 person at least 17 years of age from learning the occupation of cosmetology under an  
 24 instructor in a school of cosmetology who has been a cosmetologist for a period of at least  
 25 one year and has registered under this chapter. Nothing in this chapter shall prohibit any  
 26 person at least 17 years of age from learning the occupation of hair braiding under a  
 27 cosmetologist holding a master cosmetologist certificate or a hair braiding certificate,  
 28 provided that such cosmetologist has had at least 36 months' experience, or under an  
 29 instructor in a school of cosmetology or school of hair braiding who has held a certificate  
 30 as a cosmetologist for a period of at least one year, is qualified to teach said practices, and  
 31 has registered under this chapter. Nothing in this chapter shall prohibit any person at least  
 32 17 years of age from learning the occupation of hair designer under a cosmetologist  
 33 holding a master cosmetologist certificate or a hair design certificate, provided that such  
 34 cosmetologist has had at least 36 months' experience, or under an instructor in a school of  
 35 cosmetology or school of hair design who has held a certificate as a cosmetologist for a

1 period of at least one year, is qualified to teach said practices, and has registered under this  
2 chapter. Nothing in this chapter shall prohibit any person at least 17 years of age from  
3 learning the occupation of esthetics under a cosmetologist holding a master cosmetologist  
4 certificate or an esthetician certificate, provided that such cosmetologist has had at least 36  
5 months' experience, or under an instructor in a school of cosmetology or school of esthetics  
6 who has held a certificate as a cosmetologist for a period of at least one year, is qualified  
7 to teach said practices, and has registered under this chapter. Nothing in this chapter shall  
8 prohibit any person at least 17 years of age from learning the occupation of nail care or  
9 manicuring under a cosmetologist holding a master cosmetologist certificate or a nail  
10 technician certificate, provided that such cosmetologist has had at least 36 months'  
11 experience, or under an instructor in a school of cosmetology or school of nail care who  
12 has been a licensed cosmetologist for a period of at least one year, is qualified to teach said  
13 practices, and has registered under this chapter. Any person registered as an apprentice  
14 under this Code section on June 30, 1997, shall be eligible to continue such apprenticeship  
15 under the person from whom that apprentice was learning the occupation of cosmetology,  
16 hair braiding, hair design, esthetics, or nail care or manicuring at the time of registration  
17 notwithstanding that the person under whom the apprentice was learning such occupation  
18 does not meet the 36 months' experience otherwise required by this Code section. Every  
19 shop owner shall have the responsibility for registering apprentices with the division  
20 director. The shop owner shall file a statement in writing, showing the apprentice's name  
21 and the address of the shop. The board shall have the authority to require the shop owner  
22 to furnish to the board the number of hours completed by the apprentice. The shop owner  
23 shall remit to the division director a fee in such amount as shall be set by the board by  
24 regulation for the registration of the apprentice. The apprentice shall receive a certificate  
25 of registration showing the capacity in which he or she is permitted to practice  
26 cosmetology. The certificate of registration shall be effective for a period of two years and  
27 may be renewed at the end of such period upon the filing of an application on forms  
28 furnished by the division director and the payment of a renewal fee in such amount as shall  
29 be set by the board by regulation. A certificate of registration authorizing a person to learn  
30 the occupation of cosmetology under a cosmetologist shall not be renewed more than one  
31 time; and, upon the expiration of the last certificate of registration issued, such person shall  
32 not be permitted to practice in any capacity."

### SECTION 11.

34 Said chapter is further amended by striking in its entirety subsection (a) of Code Section  
35 43-10-19, relating to a penalty, and inserting in lieu thereof the following:

