

Senate Bill 485

By: Senators Payne of the 54th, Anavitarte of the 31st, Kirkpatrick of the 32nd, Setzler of the 37th, Robertson of the 29th and others

AS PASSED

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 barbers and cosmetologists, so as to require that an applicant for a certificate of registration
3 as a nail technician provides a photocopy of such applicant's driver's license or identification
4 card with his or her application; to require that the holder of such certificate of registration
5 provides a photocopy of such holder's driver's license or identification card upon application
6 for renewal of such certificate; to require beauty shops and beauty salons which are training
7 nail technician apprentices to include a photocopy of such apprentices' driver's licenses or
8 identification cards to the division director upon registration of such apprentices; to require
9 the display of photographs of holders of certificates of registration and apprentices in the
10 beauty shop, beauty salon, or barber shop; to amend Article 1 of Chapter 10A of Title 43 of
11 the Official Code of Georgia Annotated, relating to examination regarding professional
12 counselors, social workers, and marriage and family therapists, so as to authorize applicants
13 for a license in social work enrolled in a master's degree program to take the master's social
14 work licensing examination in their final semester of the program; to amend Code Section
15 43-7A-2 of the Official Code of Georgia Annotated, relating to definitions regarding the
16 practice of applied behavior analysis, so as to require a certifying entity for the Behavior
17 Analyst Certification Board to be a nonprofit organization; to provide for related matters; to
18 repeal conflicting laws; and for other purposes.

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

20 SECTION 1.

21 Chapter 10 of Title 43 of the Official Code of Georgia Annotated, relating to barbers and
22 cosmetologists, is amended in Code Section 43-10-9, relating to application for certificate
23 of registration, by revising subsection (d) as follows:

24 "(d)(1) Any individual desiring to obtain a certificate of registration to enable him or her
25 to engage in the occupation of a nail technician shall make application through the
26 division director to the board and shall present proof that he or she has obtained a high
27 school diploma, a state approved high school equivalency (HSE) diploma, or a
28 postsecondary education or college degree. If, after review of the application, it is
29 determined that the applicant is at least 17 years of age; has met the minimum educational
30 requirements; has completed a 525 credit hour study course of at least four months at a
31 board approved school or has served as an apprentice in a beauty shop, beauty salon, or
32 barber shop for a period of at least 1,050 credit hours; has practiced or studied nail care
33 as defined in paragraph (12) of Code Section 43-10-1; is possessed of the requisite skill
34 to perform properly these services; and has passed both a written and a practical
35 examination approved by the board, a certificate of registration shall be issued to the
36 applicant entitling the applicant to practice the occupation of nail technician.

37 (2) On and after July 1, 2028, any applicant for a certificate of registration pursuant to
38 this subsection shall include with his or her application a photocopy of such applicant's
39 driver's license or identification card compliant with Section 202 of the federal REAL ID
40 Act of 2005 and the standards established by 6 C.F.R. 37.11.

41 (3) Notwithstanding any other provisions of this subsection, the board shall allow
42 endorsement to an applicant who submits a complete application, along with a fee, and
43 verification that he or she holds an active license or certificate of registration as a nail
44 technician or an instructor or teacher of the occupation of a nail technician in another

45 state or territory of the United States. The board may pass requirements for endorsement
46 by rule."

47 **SECTION 2.**

48 Said chapter is further amended in Code Section 43-10-10, relating to display of certificate
49 of registration, renewal, reinstatement, continuing education requirements, and exemptions,
50 by adding new subsections to read as follows:

51 "(a.1) On and after July 1, 2028, the holder of a certificate of registration issued to a nail
52 technician under subsection (d) of Code Section 43-10-9 shall display a copy of the
53 photograph from such certificate holder's driver's license or identification card of not less
54 than two inches by two inches in size with the display of his or her certificate of
55 registration in a conspicuous place in his or her beauty shop, beauty salon, or barber shop."

56 "(b.1) On and after July 1, 2028, notwithstanding subsection (a) of this Code section and
57 in addition to the requirements of subsection (b) of this Code section, at the time of renewal
58 of a certificate of registration issued to a nail technician under subsection (d) of Code
59 Section 43-10-9, the holder of such certificate shall provide a photocopy of such certificate
60 holder's driver's license or identification card compliant with Section 202 of the federal
61 REAL ID Act of 2005 and the standards established by 6 C.F.R. 37.11."

62 **SECTION 3.**

63 Said chapter is further amended in Code Section 43-10-14, relating to study by individuals
64 16 years of age and older, registration of apprentices, registration certificate, and waiver of
65 education requirements, by revising subsection (b) as follows:

66 "(b) Every beauty shop, beauty salon, and barber shop owner shall have the responsibility
67 for registering apprentices with the division director. The shop ~~of~~ or salon owner shall file
68 a statement in writing, showing the apprentice's name and the address of the shop; provided
69 that, on and after July 1, 2028, for any individual apprenticing as a nail technician, the shop

70 or salon owner shall additionally provide a photocopy of such apprentice's driver's license
71 or identification card compliant with Section 202 of the federal REAL ID Act of 2005 and
72 the standards established by 6 C.F.R. 37.11; provided, further, that the shop or salon owner
73 shall cause a copy of the photograph from such driver's license or identification card of not
74 less than two inches by two inches in size to be displayed in a conspicuous place in such
75 beauty shop, beauty salon, or barber shop. The board shall have the authority to require
76 the shop or salon owner or master cosmetologist, hair designer, esthetician, nail technician,
77 or master barber who is supervising the apprentice to furnish to the board the number of
78 hours completed by the apprentice. The shop or salon owner shall remit to the division
79 director a fee in such amount as shall be set by the board by regulation for the registration
80 of the apprentice. The apprentice shall receive a certificate of registration showing the
81 capacity in which he or she is permitted to practice barbering or the occupation of a
82 cosmetologist. The certificate of registration shall be effective for a period of four years.
83 A certificate of registration authorizing a person to learn barbering or the occupation of a
84 cosmetologist under a cosmetologist, master cosmetologist, hair designer, esthetician, nail
85 technician, or master barber shall not be renewed; and, upon the expiration of certificate
86 of registration issued, such person shall not be permitted to practice in any capacity."

87 **SECTION 4.**

88 Article 1 of Chapter 10A of Title 43 of the Official Code of Georgia Annotated, relating to
89 examination regarding professional counselors, social workers, and marriage and family
90 therapists, is amended by revising Code Section 43-10A-9, relating to examination, as
91 follows:

92 "43-10A-9.

93 (a) The board shall provide for the conduct of examinations for licensure in each specialty
94 at least twice a year. Examinations may be written, oral, experiential, or any combination
95 thereof and shall deal with such theoretical and applied fields as prescribed by the board.

96 The examinee's name shall not be disclosed to any person grading the examination until
97 that grading is complete.

98 (b) An applicant for a license in social work enrolled in a master's degree in social work
99 program accredited by the Council on Social Work Education may sit for the master's
100 social work licensing examination in such applicant's final semester of the program. The
101 board may adopt rules and regulations to administer the provisions of this subsection."

102 **SECTION 5.**

103 Code Section 43-7A-2 of the Official Code of Georgia Annotated, relating to definitions
104 regarding the practice of applied behavior analysis, is amended by revising paragraph (5) as
105 follows:

106 "(5) 'Certifying entity' means the Behavior Analyst Certification Board, Inc., or its
107 successor, or another entity that conducts programs to certify professional practitioners
108 of behavior analysis that are accredited by the National Commission on for Certifying
109 Agencies or the American National Standards Institute as identified by the board;
110 provided, however, that such entity shall be a nonprofit organization exempt from
111 taxation under Section 501(c)(3) of the Internal Revenue Code of 1986."

112 **SECTION 6.**

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