

4-5-93 Motion to R/c by Carpenter & Running
4-6-93 Motion to R/c Loat

SENATE FILE 286
BY COMMITTEE ON HUMAN RESOURCES
Substituted for HF 546 4-6-93
(SUCCESSOR TO SSB 253)

Passed Senate, Date ^(P. 925) 3-19-93 Passed House, Date ^(P. 1050) 4-5-93
Vote: Ayes 39 Nays 2 Vote: Ayes 96 Nays 3
Approved April 28, 1993

Repealed 50%
(P. 1241) 4/20/93

A BILL FOR

1 An Act relating to an exclusion from the definition of the
2 practice of cosmetology arts and sciences for the purpose of
3 licensure.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 157.2, Code 1993, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 8. Persons who apply samples of make up,
4 nail polish or other nail care products, cosmetics, or other
5 cosmetology or esthetics preparations to persons to
6 demonstrate the products in the regular course of business.

7 EXPLANATION

8 This bill provides an additional exception to the practice
9 of cosmetology arts and sciences for the purposes of
10 licensure. The exception applies to persons who apply samples
11 of products for the purpose of demonstrating the products in
12 the regular course of business.

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SENATE FILE 288

H-3619

1 Amend Senate File 288, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1, the
4 following:

5 "Section 1. Section 157.1, subsections 2, 3, 6, 8,
6 9, 10, 12, 13, and 16, Code 1993, are amended to read
7 as follows:

8 2. "Cosmetologist" means a person who ~~performs the~~
9 ~~practice of~~ licensed to practice cosmetology, or
10 ~~otherwise by the person's occupation claims to have~~
11 ~~knowledge or skill particular to the practice of~~
12 cosmetology. Cosmetologists shall not represent
13 themselves to the public as being primarily in the
14 practice of haircutting unless that function is, in
15 fact, their primary specialty. A cosmetologist shall
16 not practice the full scope of esthetics or represent
17 oneself to the public as an esthetician unless
18 additional study in that practice qualifies the
19 cosmetologist for licensure as an esthetician.

20 3. "Cosmetology" means ~~all~~ practices which include
21 but are not limited to any of the following practices:

22 a. Arranging, braiding, dressing, curling, waving,
23 shampooing, cutting, singeing, bleaching, coloring, or
24 similar works, upon the hair of any person; or upon a
25 wig or hairpiece when done in conjunction with
26 haircutting or hairstyling by any means.

27 b. Massaging, cleansing, stimulating, exercising,
28 beautifying, or similar techniques upon the scalp,
29 face, neck, arms, hands, feet, or upper part of the
30 body of any person with the hands or mechanical or
31 electrical apparatus or appliances or with the use of
32 cosmetic preparations, antiseptics, tonics, lotions,
33 creams, or other preparations.

34 c. Applying artificial extensions and preparations
35 to the hair or nails for beautification purposes.

36 ~~e. d.~~ Manicuring the nails of any person.

37 ~~d. Electrology.~~

38 e. Esthetics.

39 f. Nail technology.

40 6. "Electrologist" means a person who ~~performs the~~
41 ~~practice of~~ licensed to practice electrology.

42 8. "Esthetician" means a person who ~~performs the~~
43 ~~practice of~~ licensed to practice esthetics.

44 9. "Esthetics" means practices which include but
45 are not limited to any of the following:

46 a. Beautifying, massaging, cleansing, or
47 stimulating the skin of a person, except the scalp, by
48 the use of cosmetic preparations, antiseptics, tonics,
49 lotions, or creams ~~or any device, electrical or~~
50 ~~otherwise,~~ for the care of the skin.

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1 b. The use of any machine or device, electrical or
2 otherwise, for the esthetic care of the skin.

3 ~~b. c.~~ Applying The use of various chemical or
4 other peels, all types of makeup application including
5 corrective makeup, or applying eyelashes to-a-person,
6 tinting eyelashes or eyebrows, or lightening hair on
7 the body except the scalp.

8 ~~e. d.~~ Removing superfluous hair from the body of a
9 person by the use of depilatories, waxing, or manual
10 tweezers.

11 10. "Instructor" means a person licensed for the
12 purpose of teaching any of the cosmetology arts and
13 sciences.

14 12. "Manicurist" means a person ~~who performs the~~
15 licensed to practice of manicuring.

16 13. "Nail technologist" means a person ~~who~~
17 performs the licensed to practice of nail technology.

18 16. "School of cosmetology arts and sciences"
19 means an establishment licensed for the purpose of
20 teaching all cosmetology and any of the cosmetology
21 arts and sciences."

22 2. Page 1, by inserting after line 6, the
23 following:

24 "Sec. ____ . Section 157.10, subsection 1, Code
25 1993, is amended to read as follows:

26 1. The course of study required for licensure for
27 the practice of cosmetology shall be a minimum of two
28 thousand one hundred hours. The hours of a course of
29 study required for licensure for the practices of
30 electrology, esthetics, and nail technology shall be
31 established by the board. The board shall adopt rules
32 to define the course and content of study for each
33 practice of cosmetology arts and sciences.

34 Sec. ____ . Section 157.12, Code 1993, is amended to
35 read as follows:

36 157.12 SUPERVISORS.

37 A person who directly supervises the work of
38 practitioners of cosmetology arts and sciences shall
39 be licensed in the practice supervised, shall be a
40 licensed cosmetologist, or shall be a barber licensed
41 under section 158.3.

42 Sec. ____ . 1992 Iowa Acts, chapter 1205, section
43 25, is amended to read as follows:

44 SEC. 25. APPLICABILITY. This Act does not apply
45 to persons holding a valid license issued by the board
46 of cosmetology examiners before or on July 1, 1992.

47 A person who can document that the person practiced
48 esthetics or nail technology in this state before or
49 on July 1, 1992, shall be issued an appropriate
50 license without meeting any additional requirements

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1 imposed by this Act. The board shall not accept
2 documentation under this provision after July 1,
3 1993."

4 3. Title page, line 1, by inserting after the
5 word "to" the following: "cosmetology including by
6 providing".

7 4. By renumbering as necessary.

By RUNNING of Linn

H-3619 FILED APRIL 1, 1993

WITHDRAWN
4-5-93

SENATE FILE 288

H-3618

1 Amend Senate File 288, as passed by the Senate, as
2 follows:

3 1. Page 1, line 4, by striking the words
4 "cosmetics, or other" and inserting the following:
5 "or cosmetics".

6 2. Page 1, by striking line 5, and inserting the
7 following: "to persons to".

By RUNNING of Linn

H-3618 FILED APRIL 1, 1993

Last 4-5-93 (p. 1050)

SENATE FILE 288

H-3510

1 Amend Senate File 288, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting before line 1, the
4 following:

5 "Section 1. Section 157.1, subsection 16, Code
6 1993, is amended to read as follows:

7 16. "School of cosmetology arts and sciences"
8 means an establishment licensed for the purpose of
9 teaching ~~and of~~ the cosmetology arts and sciences."

10 2. Page 1, by inserting after line 6, the
11 following:

12 "Sec. ____ . Section 157.2, Code 1993, is amended by
13 adding the following new unnumbered paragraph:

14 NEW UNNUMBERED PARAGRAPH. Cosmetologists shall not
15 represent themselves to the public as electrologists,
16 estheticians, or nail technologists unless the
17 cosmetologist has completed the additional course
18 study for the respective practice as prescribed by the
19 board pursuant to section 157.10."

20 3. Title page, line 1, by inserting after the
21 word "to" the following: "cosmetology including
22 providing".

23 4. By renumbering as necessary.

By BODDICKER of Cedar
CARPENTER of Polk
BEATTY of Warren

Adopted 4-5-93 (p. 1050)
3510 FILED MARCH 26, 1993

HOUSE AMENDMENT TO
SENATE FILE 288

S-3420

- 1 Amend Senate File 288, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting before line 1, the
4 following:
5 "Section 1. Section 157.1, subsection 16, Code
6 1993, is amended to read as follows:
7 16. "School of cosmetology arts and sciences"
8 means an establishment licensed for the purpose of
9 teaching ~~all-of-the~~ cosmetology arts and sciences."
10 2. Page 1, by inserting after line 6, the
11 following:
12 "Sec. ____ . Section 157.2, Code 1993, is amended by
13 adding the following new unnumbered paragraph:
14 NEW UNNUMBERED PARAGRAPH. Cosmetologists shall not
15 represent themselves to the public as electrologists,
16 estheticians, or nail technologists unless the
17 cosmetologist has completed the additional course
18 study for the respective practice as prescribed by the
19 board pursuant to section 157.10."
20 3. Title page, line 1, by inserting after the
21 word "to" the following: "cosmetology including
22 providing".
23 4. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3420 FILED APRIL 7, 1993

Senate Concurred
4/20/93
(P. 1240)

STURGEON, W.
VARN
BARTZ

SSB 253
HUMAN RESOURCES

SENATE FILE 288
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON SZYMONIAK)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

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has completed the additional course study for the respective practice as prescribed by the board pursuant to section 157.10.

SENATE FILE 288

AN ACT

RELATING TO COSMETOLOGY INCLUDING PROVIDING AN EXCLUSION FROM THE DEFINITION OF THE PRACTICE OF COSMETOLOGY ARTS AND SCIENCES FOR THE PURPOSE OF LICENSURE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 157.1, subsection 16, Code 1993, is amended to read as follows:

16. "School of cosmetology arts and sciences" means an establishment licensed for the purpose of teaching ~~all-of-the~~ cosmetology arts and sciences.

Sec. 2. Section 157.2, Code 1993, is amended by adding the following new subsection:

NEW SUBSECTION. 8. Persons who apply samples of make up, nail polish or other nail care products, cosmetics, or other cosmetology or esthetics preparations to persons to demonstrate the products in the regular course of business.

Sec. 3. Section 157.2, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Cosmetologists shall not represent themselves to the public as electrologists, estheticians, or nail technologists unless the cosmetologist

LEONARD L. BOSWELL
President of the Senate

HAROLD VAN KAALEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 288, Seventy-fifth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved  1993

TERRY E. BRANSTAD
Governor