

House File 652

S-3165

1 Amend House File 652, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, lines 18 and 19, by striking <cosmetologists, at
4 least one of whom is also a licensed instructor of cosmetology
5 arts and sciences;> and inserting <cosmetologists; one member
6 who is a licensed instructor of barbering and cosmetology arts
7 and sciences;>

8 2. Page 1, line 21, after <of> by inserting <barbering and>

9 3. Page 1, line 23, before <cosmetology> by inserting
10 <barbering and>

11 4. By striking page 1, line 33, through page 2, line 15, and
12 inserting:

13 <NEW SUBSECTION. 001. "*Barbering and cosmetology*" means
14 all of the following practices performed for cosmetic purposes
15 and not for the treatment of disease of physical or mental
16 ailments:

17 a. Curling, waving, press and curl hair straightening,
18 shampooing, cutting, singeing, bleaching, coloring, hair body
19 processing, blow waving, hair relaxing, applying hair tonics,
20 or similar works, upon the hair or beard of any person, or upon
21 a wig or hairpiece when done in conjunction with haircutting or
22 hairstyling by any means.

23 b. Massaging, cleansing, stimulating, exercising, or
24 beautifying the superficial epidermis of the scalp, face, neck,
25 arms, hands, legs, feet, or upper body of any person with the
26 hands or mechanical or electrical apparatus or appliances or
27 with the use of cosmetic preparations, including cleansers,
28 toners, moisturizers, masques, antiseptics, powders, oils,
29 clays, waxes, or lotions.

30 c. Removing superfluous hair from the face or body of a
31 person with the use of depilatories, wax, sugars, or tweezing.

32 d. Applying makeup or eyelashes, tinting of lashes or brows,
33 or lightening of hair on the face or body.

34 e. Cleansing, shaping, or polishing the fingernails,
35 applying sculptured nails, nail extensions, wraps, overlays,

1 nail art, or any other nail technique to the fingernails or
2 toenails of a person.

3 *f.* Shaving or trimming for hair removal by the use of a
4 straight edge razor.

5 NEW SUBSECTION. 0001. "*Barbering and cosmetology arts*
6 *and sciences*" means any or all of the following disciplines
7 performed with or without compensation by a licensee:

8 *a.* Barbering and cosmetology.

9 *b.* Electrology.

10 *c.* Esthetics.

11 *d.* Nail technology.>

12 5. Page 2, line 18, before <cosmetology> by inserting
13 <barbering and>

14 6. Page 2, line 20, by striking <subsections 1 and 4,> and
15 inserting <subsections 1, 4, and 15,>

16 7. Page 2, line 25, by striking <cosmetology,> and inserting
17 <~~cosmetology,~~ barbering and cosmetology arts and sciences>

18 8. Page 2, line 27, by striking <cosmetology> and inserting
19 <~~cosmetology~~ barbering and cosmetology arts and sciences>

20 9. Page 2, after line 30 by inserting:

21 <15. "*Instructor*" means a person licensed for the purpose of
22 teaching barbering and cosmetology arts and sciences.>

23 10. By striking page 2, line 31, through page 3, line 7, and
24 inserting:

25 <Sec. ____ . Section 157.1, subsections 5 and 6, Code 2023,
26 are amended by striking the subsections.>

27 11. Page 3, line 15, before <cosmetology> by inserting
28 <barbering and>

29 12. Page 3, before line 16 by inserting:

30 <Sec. ____ . Section 157.2, subsection 1, unnumbered
31 paragraph 1, Code 2023, is amended to read as follows:

32 It is unlawful for a person to practice barbering and
33 cosmetology arts and sciences with or without compensation
34 unless the person possesses a license issued under section
35 157.3. However, practices listed in [section 157.1](#) when

1 performed by the following persons are not defined as the
2 practice of barbering and cosmetology arts and sciences:>

3 13. Page 3, after line 17 by inserting:

4 <Sec. _____. Section 157.2, subsection 1, paragraphs c and e,
5 Code 2023, are amended to read as follows:

6 c. Students enrolled in licensed schools of barbering
7 and cosmetology arts and sciences ~~or barber schools~~ who are
8 practicing under the instruction or immediate supervision of
9 an instructor.

10 e. Employees of hospitals, health care facilities, orphans'
11 homes, juvenile homes, and other similar facilities who perform
12 barbering and cosmetology services for any resident without
13 receiving direct compensation from the person receiving the
14 service.>

15 14. Page 3, after line 24 by inserting:

16 <Sec. _____. Section 157.2, subsection 3, Code 2023, is
17 amended by striking the subsection.>

18 15. Page 3, by striking lines 27 through 31 and inserting:

19 <An applicant who has graduated from high school or its
20 equivalent shall be issued a license to practice any of the
21 barbering and cosmetology arts and sciences by the department
22 when the applicant satisfies all of the following:>

23 16. Page 3, line 32, by striking <paragraph a> and inserting
24 <paragraphs a and c>

25 17. Page 3, line 33, by striking <is> and inserting <are>

26 18. Page 4, after line 10 by inserting:

27 <c. Passes an examination prescribed by the board. The
28 examination may include both practical demonstrations and
29 written or oral tests and shall not be confined to any
30 specific system or method. However, a member of the board
31 who is a licensed instructor of barbering and cosmetology
32 arts and sciences shall not be involved in the selection or
33 administration of the exam.

34 Sec. _____. Section 157.3, subsection 2, Code 2023, is amended
35 to read as follows:

1 2. Notwithstanding [subsection 1](#), a person who completes
2 the application form prescribed by the board and who submits
3 satisfactory proof of having been licensed in a practice of the
4 barbering and cosmetology arts and sciences in another state
5 for at least twelve months in the twenty-four month period
6 preceding the submission of the application shall be allowed to
7 take the examination for a license to practice the appropriate
8 practice of the barbering and cosmetology arts and sciences.
9 However, the examination requirement shall be waived for those
10 persons who submit evidence of licensure in another state
11 which has a reciprocal agreement with the state of Iowa under
12 sections 147.44, [147.48](#), and [147.49](#).>

13 19. Page 4, by striking lines 11 through 15.

14 20. Page 5, before line 15 by inserting:

15 <Sec. _____. Section 157.4, subsection 1, Code 2023, is
16 amended to read as follows:

17 1. The department may issue a temporary permit which allows
18 the applicant to practice in the barbering and cosmetology arts
19 and sciences for purposes determined by rule. The board shall
20 determine and state its recommendations and the length of time
21 the temporary permit issued under [this subsection](#) is valid.

22 Sec. _____. Section 157.4, subsection 3, unnumbered paragraph
23 1, Code 2023, is amended to read as follows:

24 Notwithstanding [section 157.13, subsection 1](#), the board
25 may issue a temporary permit to practice in the barbering and
26 cosmetology arts and sciences for the purpose of demonstrating
27 barbering and cosmetology arts and sciences services to the
28 public or for providing barbering and cosmetology arts and
29 sciences services to the public at not-for-profit events. A
30 permit issued pursuant to [this subsection](#) shall be subject to
31 the following requirements:>

32 21. Page 5, line 15, by striking <paragraph a,> and
33 inserting <paragraphs a, b, and g,>

34 22. Page 5, line 16, by striking <is> and inserting <are>

35 23. Page 5, after line 19 by inserting:

1 <b. The permit shall be posted and visible to the public
2 at the location where the barbering and cosmetology arts and
3 sciences services are provided.

4 g. A person providing barbering and cosmetology arts and
5 sciences services at a not-for-profit event shall hold a
6 current license to practice barbering and cosmetology arts and
7 sciences.

8 Sec. _____. Section 157.4B, subsection 1, paragraph a, Code
9 2023, is amended to read as follows:

10 a. Advertise or market barbering or cosmetology services.>

11 24. Page 6, line 9, before <cosmetology> by inserting

12 <barbering and>

13 25. Page 6, line 11, before <cosmetology> by inserting

14 <barbering and>

15 26. Page 7, after line 7 by inserting:

16 <Sec. _____. Section 157.8, subsection 3, paragraph c, Code
17 2023, is amended to read as follows:

18 c. A person employed as an instructor in the barbering
19 and cosmetology arts and sciences by a licensed school shall
20 be licensed in the practice and shall possess a separate
21 instructor's license which shall be renewed biennially. An
22 instructor shall file an application with the department on
23 forms prescribed by the board. Requirements for licensure as
24 an instructor shall be determined by the board by rule.>

25 27. By striking page 7, line 22, through page 8, line 18,
26 and inserting:

27 <Sec. _____. Section 157.10, Code 2023, is amended to read as
28 follows:

29 **157.10 Course of study.**

30 1. a. The course of study required for licensure for the
31 practice of barbering and cosmetology shall be ~~two thousand~~
32 ~~one hundred clock hours, or seventy~~ a minimum of one thousand
33 five hundred fifty clock hours, or fifty-one semester credit
34 hours or the equivalent thereof as determined pursuant
35 to administrative rule and regulations promulgated by the

1 United States department of education. The clock hours, and
2 equivalent number of semester credit hours or the equivalent
3 thereof as determined pursuant to administrative rule and
4 regulations promulgated by the United States department of
5 education, of a course of study required for licensure for
6 the practices of electrology, and esthetics, nail technology,
7 ~~manicuring, and pedicuring~~ shall be established by the board.
8 The board shall adopt rules to define the course and content of
9 study for each practice of cosmetology arts and sciences.

10 b. The course of study required for licensure which is
11 limited to the practice of esthetics shall be a minimum of six
12 hundred hours.

13 c. The course of study required for licensure which is
14 limited to the practice of nail technology shall be a minimum
15 of three hundred twenty-five hours.

16 2. A person licensed in or a student of a practice of
17 barbering and cosmetology arts and sciences shall be granted
18 full credit for each course successfully completed which meets
19 the requirements for licensure in another practice of barbering
20 and cosmetology arts and sciences.

21 3. A ~~barber licensed under chapter 158~~ or a student in
22 a barber school who ~~applies for licensure in a practice of~~
23 ~~cosmetology arts and sciences or who enrolls in a school of~~
24 barbering and cosmetology arts and sciences shall be granted,
25 at the discretion of the school, at least half credit and
26 up to full credit for each course successfully completed for
27 licensure ~~as a barber~~ in the practice of barbering which meets
28 the requirements for licensure in a practice of barbering and
29 cosmetology arts and sciences.>

30 28. Page 8, line 33, before <cosmetology> by inserting
31 <barbering and>

32 29. Page 8, line 34, before <cosmetology> by inserting
33 <barbering and>

34 30. Page 9, before line 1 by inserting:

35 <Sec. _____. Section 157.12, Code 2023, is amended to read as

1 follows:

2 **157.12 Supervisors.**

3 A person who directly supervises the work of practitioners
4 of barbering and cosmetology arts and sciences shall be
5 licensed in the practice supervised ~~or a barber licensed under~~
6 ~~section 158.3.~~>

7 31. Page 9, line 25, before <cosmetology> by inserting
8 <barbering and>

9 32. Page 9, line 33, by striking <paragraph a,> and
10 inserting <paragraphs a and b,>

11 33. Page 9, line 34, by striking <is> and inserting <are>

12 34. Page 10, after line 5 by inserting:

13 <b. Notwithstanding section 157.12, when the licensee is
14 employed by a physician and provides barbering and cosmetology
15 services at the place of practice of a physician and is under
16 the supervision of a physician licensed to practice pursuant to
17 chapter 148.>

18 35. Page 10, lines 8 and 9, by striking <It is unlawful for
19 a licensee to claim to be a licensed barber unless the licensee
20 is a licensed barber, however a> and inserting <~~It is unlawful~~
21 ~~for a licensee to claim to be a licensed barber, however a~~ A>

22 36. Page 13, line 11, by striking <hairstyling> and
23 inserting <cosmetology>

24 37. Page 13, line 12, by striking <hairstyling> and
25 inserting <cosmetology>

26 38. By renumbering as necessary.

CHRIS COURNOYER