

1 House BILL NO. 248
 2 INTRODUCED BY Travis
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
 5 66-803, R.C.M. 1947, TO REQUIRE COSMETOLOGY SCHOOLS TO TEACH
 6 COURSES IN THE PRACTICE OF COSMETOLOGY UPON PEOPLE OF ALL
 7 RACES."

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 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 66-803, R.C.M. 1947, is amended to
 11 read as follows:
 12 "66-803. Requirements for practicing or teaching
 13 cosmetology or operating a school of cosmetology. (1) Before
 14 one may practice or teach cosmetology, or a person, firm,
 15 copartnership, or corporation may operate a school of
 16 cosmetology, the person, firm, copartnership, or corporation
 17 must obtain a license or certificate of registration from
 18 the department. To be eligible to take the examination to
 19 practice cosmetology the applicant must not be less than
 20 eighteen (18) years of age, a graduate of the eighth grade,
 21 and of good moral character. The applicant must have
 22 completed a continuous course of study of at least two
 23 thousand (2,000) hours in a registered beauty school, which
 24 course of study has been distributed over a period of not
 25 less than ten (10) months or more than fourteen (14) months,

1 and must have received a diploma from the beauty school, or
 2 must have completed the course of study in cosmetology
 3 prescribed by the board of education. The person qualified
 4 must file with the department a written application to take
 5 the examination accompanied by a health certificate issued
 6 by a registered, licensed physician on a form supplied by
 7 the department, and shall deposit with the department the
 8 required examination fee and pass an examination as to his
 9 fitness to practice cosmetology.

10 (2) Before an applicant may take an examination to
 11 obtain a license as a teacher of cosmetology, he must:

12 (a) Be a graduate of high school or possess an
 13 equivalent of a high school diploma recognized by the
 14 superintendent of public instruction.

15 (b) Meet the following requirements:

16 (i) He must have an operator's license to practice
 17 cosmetology issued by the department, been actively engaged
 18 as a beauty operator for one (1) continuous year immediately
 19 prior to taking the examination, and have received a diploma
 20 from a registered school of cosmetology approved by the
 21 board certifying satisfactory completion of five hundred
 22 (500) hours of student teacher training; or

23 (ii) He must have been actively engaged as a beauty
 24 operator for three (3) continuous years immediately prior to
 25 taking the teachers' examination.

1 (3) The applicant must qualify by filing an
2 application prescribed by the board and by taking and
3 passing the examination prescribed by the board and given by
4 the department, subject to section 82A-1603. The license
5 must be renewed annually under section 66-816.

6 (4) Anyone failing twice to pass an examination may
7 not apply to retake the examination:

8 (a) Sooner than six (6) months after the date of the
9 second failure; or

10 (b) Until he has taken two hundred (200) hours
11 additional teacher training at a registered school of
12 cosmetology approved by the board.

13 (5) The board may authorize the department to grant to
14 graduates of registered schools of this state on the payment
15 of the fee prescribed by law, a temporary license
16 authorizing the graduates to practice as an operator under
17 the supervision of a licensed cosmetologist, in the practice
18 of hairdressing and beauty culture, for a period of not to
19 exceed ninety (90) days, or until the next examination is
20 held by the department, and the results are announced. No
21 temporary license may be issued except on the presentation
22 by the applicant of a certificate of graduation from a
23 registered school of this state. The temporary licenses are
24 not renewable.

25 (6) No person, firm, copartnership, or corporation may

1 operate a school for the purpose of teaching cosmetology for
2 compensation unless a certificate of registration has been
3 first obtained from the department. Application for the
4 certificate shall be filed with the department on a form
5 prescribed by the board.

6 (7) No teacher or student teacher may be permitted to
7 practice cosmetology on the public in a school. A school
8 that enrolls student teachers for a course of student
9 teacher training may not have at any one time more than one
10 (1) student teacher for each full-time licensed teacher
11 actively engaged at the school. The student teachers may not
12 substitute for full-time teachers.

13 (8) No school for teaching cosmetology may be granted
14 a certificate of registration unless it complies, or can
15 comply, with the following requirements:

16 (a) Have in its employ a licensed teacher who is, at
17 all times, in the immediate supervision of the work of the
18 school, or other teachers the board determines are necessary
19 for the proper conduct of the school. There may not be more
20 than twenty-five (25) students to each teacher.

21 (b) It shall possess apparatus and equipment the board
22 determines is necessary for the ready and full teaching of
23 all subjects or practices of cosmetology.

24 (c) It shall maintain a school term of not less than
25 two thousand (2,000) hours, and shall prescribe a course of

1 practical training and technical instruction equal to the
 2 requirements for board examinations, which course of
 3 training and technical instruction shall be prescribed by
 4 the board.

5 (d) It shall keep a daily record of the attendance of
 6 each student, establish grades, and hold examinations before
 7 issuing diplomas.

8 (e) No owner or person in charge of a school of
 9 cosmetology may permit a person to sleep in or use for
 10 residential purposes, or any other purpose which would tend
 11 to make the room unsanitary, a room used, wholly or in part
 12 for a school of cosmetology.

13 (f) Licenses or certificates of registration may be
 14 refused, revoked, or suspended, as provided in section
 15 66-311.

16 (g) The board may make further rules necessary for the
 17 proper conduct of schools of cosmetology.

18 (h) The board shall require of the person, firm,
 19 copartnership, or corporation operating a school to furnish
 20 a good and sufficient bond in the amount of five thousand
 21 dollars (\$5,000) and in a form and manner prescribed by the
 22 board.

23 (i) No professional beauty shop may be operated in
 24 connection with a school of cosmetology.

25 (j) The board may, by rule, establish suitable

1 curriculum for teachers' training in registered schools of
 2 cosmetology.

3 (k) It includes in its curriculum, courses designed to
 4 teach the practice of cosmetology upon people of all races.

5 (9) If a licensee contracts a communicable disease,
 6 endangering the public health, the board shall, on proof of
 7 it, cancel or suspend his license until the licensee can
 8 secure a physician's certificate showing that he is free
 9 from a communicable disease."

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