

1 House BILL NO. 386
 2 INTRODUCED BY Menahan - Requested By Board of Cosmetologists
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE BOARD
 5 OF COSMETOLOGISTS TO REGULATE AND LICENSE PERSONS ENGAGED IN
 6 THE PRACTICE OF ELECTROLOGY AND PREMISES WHERE ELECTROLOGY
 7 IS PRACTICED."
 8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Legislative finding and purpose. The
 11 legislature finds and declares that the practice of
 12 electrology in Montana affects the public health, safety and
 13 welfare and should therefore be subject to regulation and
 14 control in the public interest in order to protect the
 15 public from the unauthorized and unqualified practice of
 16 electrology.

17 Section 2. Definitions. As used in this act:

18 (1) "Electrology" means the study and professional
 19 practice of removing superfluous hair by destroying the hair
 20 roots with an electrified needle. Electrology as defined in
 21 this act shall include electrolysis and or thermolysis.

22 (2) "Board" means the board of cosmetologists.

23 (3) "Department" means the department of professional
 24 and occupational licensing.

25 (4) "Approved school" means a school which the board

1 has approved as having a course of instruction or education
 2 and training in electrology which meets the criteria
 3 established by the board.

4 Section 3. License required to practice electrology --
 5 exceptions. (1) After January 1, 1976, no person may
 6 represent himself to be an electrologist or engage in the
 7 practice of electrology unless he is licensed under this
 8 act.

9 (2) Nothing in this act prevents:

10 (a) a licensed medical doctor from performing the work
 11 of an electrologist;

12 (b) a person employed by a federal, state, county,
 13 city, or other political subdivision, or by an educational
 14 or charitable institution from performing the work of an
 15 electrologist.

16 Section 4. License -- criteria. (1) Before a license
 17 to practice electrology is granted, the applicant shall meet
 18 all of the following requirements:

19 (a) be at least eighteen (18) years of age;

20 (b) furnish satisfactory evidence of education,
 21 instruction, training and experience in the field of
 22 electrology as the board may fix by rule;

23 (c) pass an examination to the satisfaction of the
 24 board in the field of electrology, if it is required by the
 25 board.

1 (2) The department shall issue the electrologist
2 license only after it is granted by the board and all
3 requirements of this act have been met.

4 Section 5. Electrology salon license required. The
5 premises in which an electrologist or electrologists may
6 practice shall be licensed in accordance with rules adopted
7 by the board. Rules adopted by the board shall provide for
8 equipment standards and sanitary rules so that the health of
9 the individual patron is properly protected.

10 Section 6. Reciprocity. Reciprocal electrology
11 licenses may be granted by the board where the individual
12 has a valid license from another state and has fulfilled
13 requirements of this profession similar to those provided in
14 this act.

15 Section 7. Authority to create rules -- penalties.
16 (1) The board may adopt rules in accordance with the
17 Montana Administrative Procedure Act to implement this act
18 and to properly regulate this profession.

19 (2) Penalties for violations of this act and the rules
20 adopted under it are provided in section 66-811, R.C.M.
21 1947.

22 Section 8. Fees -- earmarked revenue fund. (1) The
23 fee for an original electrologist license shall not exceed
24 fifty dollars (\$50) as set by the board. The renewal shall
25 be automatic, unless revoked or suspended for cause, and the

1 renewal fee shall be set by the board.

2 (2) The fee for an original electrologist salon
3 license shall be the same as that for cosmetology salons.
4 The renewal fee shall be the same as that for cosmetology
5 salons.

6 (3) All licenses issued under this act expire on
7 December 31 and shall be renewed annually.

8 (4) All fees or moneys collected by the department
9 under this act shall be deposited in the earmarked revenue
10 fund for the use of the board in administration of the act.

-End-

Approved by Committee
on Public Health, Welfare
& Safety

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