

SENATE BILL NO. 271

Introduced: 01/24/83

Referred to Committee on Public Health, Welfare, & Safety:
01/24/83

Hearing: 2/4/83

Report: 02/15/83, Do Not Pass. Report Adopted.

Bill Killed.

Senate BILL NO. *271*

INTRODUCED BY *Mazurkiewicz*
BY REQUEST OF THE BOARD OF COSMETOLOGISTS

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE LAWS RELATING TO THE PRACTICE OF COSMETOLOGY; AMENDING SECTIONS 37-31-304, 37-31-305, 37-31-307, 37-31-308, AND 37-31-323, MCA."

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

Section 1. Section 37-31-304, MCA, is amended to read:

"37-31-304. Qualifications of applicants for license to practice. (1) Before one may practice or teach cosmetology or a person, firm, partnership, or corporation may operate a school of cosmetology, the person, firm, partnership, or corporation must obtain a license or certificate of registration from the department.

(2) (a) To be eligible to take the examination to practice cosmetology, the applicant must be:

(i) not less than 17 years of age; ~~a graduate of the 8th grade and~~

(ii) of good moral character; and

(iii) a graduate of high school or a holder of a high school equivalency diploma recognized by the superintendent of public instruction.

(b) The applicant must have completed a continuous course of study of at least 2,000 hours in a registered beauty school, which course of study has been distributed over a period of not less than 10 months or more than 14 months, and must have received a diploma from the beauty school or must have completed the course of study in cosmetology prescribed by the board of public education.

(3) The person qualified must file with the department a written application to take the examination, accompanied by a health certificate issued by a registered, licensed physician on a form supplied by the department, and shall deposit with the department the required examination fee and pass an examination as to his fitness to practice cosmetology."

Section 2. Section 37-31-305, MCA, is amended to read:

"37-31-305. Qualifications of applicants for license to teach. Before an applicant may take an examination to obtain a license as a teacher of cosmetology, he must:

(1) be a graduate of high school or possess an equivalent of a high school diploma recognized by the superintendent of public instruction; and

(2) (a) have a license to practice cosmetology issued by the department, been actively engaged as a beauty operator for 1 continuous year immediately prior to taking the examination, and have received a diploma from a

1 registered school of cosmetology approved by the board,
2 certifying satisfactory completion of 500 hours of student
3 teacher training; or

4 (b) have been actively engaged as a beauty operator
5 for 3 continuous years ~~immediately~~ prior to taking the
6 teachers' examination."

7 Section 3. Section 37-31-307, MCA, is amended to read:

8 "37-31-307. Temporary ~~license~~ permit pending
9 examination. The board may authorize the department to grant
10 to a graduate of a registered school of any state, on the
11 payment of the fee prescribed by law, a temporary ~~license~~
12 permit authorizing the graduate to practice under the
13 supervision of a licensed cosmetologist in the practice of
14 hairdressing and beauty culture for a period of not to
15 exceed 90 days or until the next examination is held by the
16 department and the results are announced. No temporary
17 ~~license~~ permit may be issued except on the presentation by
18 the applicant of a certificate of graduation from such a
19 registered school. The temporary ~~licenses~~ are ~~permit~~ is not
20 renewable."

21 Section 4. Section 37-31-308, MCA, is amended to read:

22 "37-31-308. Examination -- reexamination -- exemption
23 for handicapped persons. (1) Examinations for a license to
24 practice shall be held at a place and time specified by the
25 board ~~at least two times a year and not more than five times~~

1 ~~e--year as often as necessary in the judgment of the board,~~
2 and for a teacher's license once ~~examinations shall be held~~
3 ~~twice~~ each year. The examinations shall be conducted by the
4 department, subject to 37-1-101. The examinations may not
5 be confined to a specific method or system.

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

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

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

13 (3) Physically handicapped persons trained for
14 cosmetology by the department of social and rehabilitation
15 services shall, for a period of 1 year immediately following
16 their graduation, be exempt from the examination and the
17 fees described in 37-31-323. On certification from the
18 department of social and rehabilitation services that a
19 department of social and rehabilitation services beneficiary
20 has successfully completed the required apprenticeship or
21 training in a shop or beauty school, the department shall
22 issue the person the necessary certificate or license to
23 practice the profession in this state."

24 Section 5. Section 37-31-323, MCA, is amended to read:

25 "37-31-323. Fees. (1) Fees for licenses, permits, and

1 certificates of registration shall be paid to the department
2 in amounts prescribed by the board.

3 (2) The licenses, ~~permits~~, and registration fees shall
4 be paid annually, unless otherwise provided by board rule,
5 in advance to the department.

6 (3) No other or additional ~~license-or-registration fee~~
7 may be imposed by a municipal corporation or other political
8 subdivision of this state for the practice or teaching of
9 cosmetology."

-End-