

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Regulated Industries Committee

BILL: CS/SB 1630

SPONSOR: Regulated Industries Committee and Senator King

SUBJECT: Cosmetology

DATE: April 26, 2006

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Oxamendi	Imhof	RI	Fav/CS
2.			ED	
3.			CM	
4.			GA	
5.				
6.				

I. Summary:

The bill redefines the practice of cosmetology to include hair technician services, esthetician services, and nail technician services. The term “esthetician” relates to non-medical, cosmetic facial services. The bill permits a person to obtain a license as a hair technician, esthetician, or nail technician. A cosmetologist may provide all three of these specialty services. The bill defines the services that each class of license may perform. Persons licensed as a cosmetologist or as a specialist under current law may continue to hold their current license or registration.

The bill increases minimum education requirements. It increases the minimum required education hours for licensure as a cosmetologist from 1,200 to 1,800 hours. It increases from 260 to 600 hours the minimum number of required hours for an esthetician, and from 240 to 350 the minimum number of required hours for a nail technician. The bill permits a student who has enrolled and begun his or her education before January 1, 2007, to take the exam to be licensed as a cosmetologist upon completion of 1,200 hours of training. The bill also increases the educational requirements for hair braiding providers by requiring that they take and pass a course of at least 40 hours.

The bill increases fees. It increases the statutory fee cap for original licensing, license renewal, and delinquent renewal for cosmetologist licenses from \$25 to \$50. It also applies this fee cap to hair technicians, estheticians, and nail technicians. The bill increases the fees for licensure by endorsement fee from \$50 to \$150, for license application, original licensing, license renewal and delinquent renewal fees for salons from \$50 to \$100, for registration renewal and delinquent renewal fees for specialists from \$50 to \$100, and registration fees for hair braiders and hair wrappers from \$25 to \$40. It also increases the statutory fee cap for the reactivation of an inactive license from \$50 to \$100.

The bill provides for cosmetology internships through cosmetology schools and programs. It establishes the conditions and rights applicable to cosmetology schools or programs. The student's cosmetology school is responsible for the selection and placement of the intern, and determining whether a student is eligible to become a cosmetology intern, and whether an internship sponsor meets the requirements for its educational objectives.

The bill requires that the cosmetology intern must be supervised by a licensed cosmetologist in a licensed salon. The bill would permit the cosmetology intern to only practice within the field of cosmetology in which he or she is engaged in the course of study.

The bill also provides the following requirements on the practice of cosmetology:

- Defines the term "salon" to mean a place of business where the practice of one or more of the cosmetology or specialty services are offered or performed for compensation;
- Requires that applicants be at least 16 years of age, and have a high school degree, a general equivalency diploma, or have passed an ability-to-benefit test approved by the United States Secretary of Education;¹
- Permits licensure by endorsement of current active out-of-country cosmetology licenses, provided that the out-of-country qualifications are substantially similar to, equivalent to, or greater than the qualifications required of Florida applicants;
- Permits cosmetology specialty services to be performed outside of a licensed salon when the client for health reasons is unable to go to a licensed salon;
- Permits persons holding a valid cosmetology license in any state to conduct department store demonstrations; and
- Permits licensed cosmetologists, hair technicians, estheticians, nail technicians, or registered specialists to provide cosmetology services outside of a license salon and for special events, provided that the person providing the service is employed by a licensed salon and appointments for the services are made through a licensed salon.

The bill provides an effective date of January 1, 2007.

This bill substantially amends the following sections of the Florida Statutes: 477.013, 477.0132, 477.014, 477.019, 477.0212, 477.023, 477.025, 477.026, 477.0263, 477.0265, 477.028, and 477.029. This bill creates sections 477.0131 and 477.0231, Florida Statutes. This bill repeals section 477.0201, Florida Statutes.

II. Present Situation:

The Board of Cosmetology (board) within the Department of Business and Professional Regulation (department) is the agency charged with the regulation of cosmetology under ch. 477, F.S.

¹ The federal law under 20 U.S.C. s. 1091(d) provides for the standards that a student can meet to receive federal educational assistance if that student does not have a high school graduation certificate. The section requires that "[t]he student shall take an independently administered examination and shall achieve a score, specified by the Secretary [of Education], demonstrating that such student can benefit from the education or training being offered. Such examination shall be approved by the Secretary on the basis of compliance with such standards for development, administration, and scoring as the Secretary may prescribe in regulations."

Section 477.014, F.S., provides that no person other than a duly licensed cosmetologist shall practice cosmetology or use the name or title of a cosmetologist.

Section 477.013, F.S., defines “cosmetology” as:

the mechanical or chemical treatment of the head, face, and scalp for aesthetic rather than medical purposes, including, but not limited to, hair shampooing, hair cutting, hair arranging, hair coloring, permanent waving, and hair relaxing for compensation. This term also includes performing hair removal, including wax treatments, manicures, pedicures, and skin care services.

Licensure of Cosmetologists

Section 477.019, F.S., requires that an applicant for licensure as a cosmetologist must be at least 16 years of age or have received a high school diploma, and must pay the required application fee.

An applicant for licensure as a cosmetologist must satisfy an experience requirement or education requirement. The experience requirement consists of being authorized to practice cosmetology in another state or country for at least a year. The education requirement consists of receiving a minimum of 1,200 hours of training from a school of cosmetology licensed pursuant to ch. 1005, F.S., a cosmetology program within the public school system, the Cosmetology Division of the Florida School for the Deaf and the Blind, or a government-operated cosmetology program in this state.

An applicant for a cosmetology license is required to achieve a passing score on a licensure examination, which the applicant is qualified to take after completing a minimum of 1,000 actual school hours of the required training. The applicant may retake the examination once, but must complete the full requirements for license qualification before retaking the examination.

Following the completion of the first licensing examination and pending the results of the examination, a graduate of a licensed cosmetology school or program may practice cosmetology under the supervision of a licensed cosmetologist. A graduate who fails the first examination may continue to practice under supervision if the graduate applies for the next available examination and until the graduate receives the examination results. The graduate may not practice if he or she fails the second examination.

Section 477.025, F.S., provides that no cosmetology salon or specialty salon shall operate without a license issued by the department. Section 477.0263(1), F.S., also requires that cosmetology services may only be performed in a licensed salon. However, s. 477.0263(2), F.S., provides an exception for cosmetology services performed by a licensed cosmetologist in a location other than a licensed salon, including, but not limited to, a nursing home, hospital, or residence, when the client for medical reasons is unable to go to a licensed salon. Section 477.025, F.S., also exempts nursing homes and assisted living facilities licensed under parts II and III, respectively, of ch. 400, F.S., from the licensed salon requirement when a licensed cosmetologist provides salon services exclusively to facility residents.

Section 477.0263(3), F.S., also permits a person who holds a valid cosmetology license in any country, territory, or jurisdiction of the United States to perform cosmetology services in a location other than a licensed salon when the services are performed in connection with the motion picture, fashion photography, theatrical, or television industry; a photography studio salon; a manufacturer trade show demonstration; or an educational seminar.

Cosmetology Specialties

Section 477.013(6), F.S., provides that a cosmetology “specialty” means the following:

- (a) Manicuring, or the cutting, polishing, tinting, coloring, cleansing, adding, or extending of the nails, and massaging of the hands. This term includes any procedure or process for the affixing of artificial nails, except those nails which may be applied solely by use of a simple adhesive.
- (b) Pedicuring, or the shaping, polishing, tinting, or cleansing of the nails of the feet, and massaging or beautifying of the feet.
- (c) Facials, or the massaging or treating of the face or scalp with oils, creams, lotions, or other preparations, and skin care services.

Cosmetologists also provide body wrapping and skin care services. Section 477.013(12), F.S., defines the term “body wrapping” to mean:

- a treatment program that uses herbal wraps for the purposes of cleansing and beautifying the skin of the body, but does not include:
- (a) The application of oils, lotions, or other fluids to the body, except fluids contained in presoaked materials used in the wraps; or
 - (b) Manipulation of the body's superficial tissue, other than that arising from compression emanating from the wrap materials.

Section 477.013(13), F.S., defines the term “skin care services” to mean:

the treatment of the skin of the body, other than the head, face, and scalp, by the use of a sponge, brush, cloth, or similar device to apply or remove a chemical preparation or other substance, except that chemical peels may be removed by peeling an applied preparation from the skin by hand. Skin care services must be performed by a licensed cosmetologist or facial specialist within a licensed cosmetology or specialty salon, and such services may not involve massage, as defined in s. 480.033(3), through manipulation of the superficial tissue.

Section 477.013(8), F.S., defines the term “specialty salon” to mean “any place of business wherein the practice of one or all of the specialties as defined in subsection (6) [as a specialty] are engaged in or carried on.”

Section 477.0132, F.S., requires registration for persons whose occupation is solely confined to hair braiding, hair wrapping, and body wrapping. These occupations must meet an educational requirement related to HIV/AIDS education, but no additional training is required.

Nail specialists and facial specialists may registration without an examination. A full specialist registration, which combines the facial and nail specialties is currently offered without examination, but not provided in ch. 477, F.S., or rule of the board.

The current educational hour requirements for cosmetology specialties are as follows:

Nail Specialist:	240 hours ²
Facial Specialist:	260 hours ³
Full Specialist:	500 hours

The following chart represents the number of active and inactive licensees per licensee class based on information provided by the department:

	Active	Inactive
Cosmetologist	84,213	1,352
Nail Specialist	38,136	424
Facial Specialist	14,583	147
Full Specialist	10,663	55
Body Wrapper	1,206	2
Hair Wrapper	195	0
Hair Braider	1,459	1

According to the department, there are 19,699 active cosmetology salons, and 11 active mobile cosmetology salons.

Since November 2005, the number of licensees in all categories has declined while the number of salons has increased.⁴

Board of Cosmetology Fees

Section 477.026, F.S., establishes the following schedule of fee caps:

- \$25 for cosmetologists, fees for original licensing, license renewal, and delinquent renewal.
- \$50 for cosmetologists, fees for endorsement application, examination, and reexamination.
- \$50 for cosmetology and specialty salons, fees for license application, original licensing, license renewal, and delinquent renewal.
- \$30 for specialists, fees for application and endorsement registration.
- \$50 for specialists, fees for initial registration, registration renewal, and delinquent renewal.

² See Rule 61G5-22.016, F.A.C.

³ See Rule 61G5-22.015(2), F.A.C.

⁴ See *January 2006 Newsletter*, Board of Cosmetology, Department of Business and Professional Regulation, at http://www.myflorida.com/dbpr/dbpr/news/division_newsletters/cosmo/cosmo_news.pdf (last visited April 23, 2006).

- \$25 for hair braiders, hair wrappers, and body wrappers, fees for registration.

According to the department, the Board of Cosmetology had a deficit of \$1,042,545 as of December 31, 2005. The department estimates that, if the fee caps are not raised, the board will have a projected deficit of \$5,151,823 by June 30, 2009.

The current \$25 cosmetology fee cap for a cosmetology license, license renewal, and delinquent renewal was established in 1978.⁵ The fee cap for endorsement applications (reciprocity applications) set at the current level of \$50 in 1982.⁶

There are currently no internship programs for cosmetology students.

III. Effect of Proposed Changes:

Definitions and License Classifications

The bill amends s. 477.013(3)(a), F.S., to redefine the term “cosmetologist” to include all cosmetology services. The bill would include the following specialty services under the cosmetology license:

- Hair technician;
- Esthetician; and
- Nail technician.

The bill includes within the definition of a “cosmetologist” any person licensed before January 1, 2007 to engage in the practice of cosmetology. This provision would permit persons licensed as a cosmetologist as of January 1, 2007, the effective date of this bill, to maintain their license without obtaining the additional training required under this bill.

The bill also amends s. 477.013(3), F.S., to redefine the term cosmetology to mean the practice of performing or offering to perform for compensation any of the listed services for aesthetic rather than medical services. The bill includes, within the definition of “cosmetology,” definitions for hair technician services, esthetician services, and nail technician services that detail the permitted services for each specialty.

The term “esthetician” relates to non-medical, cosmetic facial services. The bill includes the tinting of eyebrows or eyelashes among the services that the esthetician can perform. It also provides that an esthetician can weave or braid a person’s hair; and that a nail technician can manipulate the superficial tissue of a person’s forearms, hands or legs below the knee or feet. The bill includes the body wrapping service within the esthetician license classification.

The bill deletes the current definition for the term “specialty salon.” It defines the term “salon” to mean a place of business where the practice of one or more of the cosmetology or specialty services are offered or performed for compensation.

⁵ See ch. 78-253, L.O.F.

⁶ See ch. 82-179, L.O.F.

The bill deletes the term “specialty” and includes the current definition for that term within the meaning of the term “specialist.” In addition, bill deletes the current definitions for the terms “body wrapping” and “skin care services” and redefines those terms within the meaning of “specialist.”

The bill amends the definition for the term “shampooing” to mean “cleansing” of the hair rather than “washing” of the hair. It also deletes the reference to applying of tonics from the definition.

The bill amends the definition of “hair braiding” to mean “the weaving or interweaving of a person’s own natural hair” rather than “the weaving or interweaving of natural human hair.”

Scope of Cosmetologist License

The bill creates s. 477.0131, F.S., to provide that a person who is otherwise qualified to practice all of the services listed in s. 477.013, F.S., shall be licensed as a hair technician, esthetician, nail technician, and cosmetologist.

Hair Braiding, Hair Wrapping and Body Wrapping Registration

The bill amends s. 477.0132, F.S., to require hair braiding providers to take and pass a course of at least 40 hours. The current requirement is 16 hours. The course must consist of four hours of instruction on HIV/AIDS, five hours of instruction on sanitation and sterilization, five hours of instruction on diseases and disorders of the scalp, two hours of instruction on Florida laws and rules, and 24 hours of hands-on instruction in the application and removal of hair braiding. The bill provides an exemption from the 24 hours of instruction in the application and removal of hair braiding for persons who demonstrate skill in the application and removal of hair braiding through a board-approved examination.

The bill provides that persons holding a registration in body wrapping issued before January 1, 2007, may continue to practice as a body wrapper. The board is required to adopt continuing education requirements for the renewal of body wrapping registrations.

The bill deletes the ability of hair braiders, hair wrappers, and body wrappers to practice their occupations upon submission of an application and payment of the applicable fees.

Current Licensees, Registrants, and Students

The bill amends s. 477.014, F.S., to prohibit persons from practicing, holding themselves out as qualified to practice, or using the name or title of a cosmetologist, hair technician, esthetician, or nail technician unless duly licensed or registered to provide such services.

The bill provides that a cosmetologist licensed before January 1, 2007, to perform all of the services of a licensed cosmetologist may continue to practice his or her profession. It permits facial specialists and manicure, pedicure, and nail extension specialists who are registered or enrolled in school before January 1, 2007, to take the examination for licensure.

The bill permits specialists registered before January 1, 2007, including full specialty registrants, to continue to practice under the name of their respective specialty registration without taking the respective licensure exam. It also authorizes the board to adopt rules for renewal of registrations existing before January 1, 2007.

Education Requirements

The bill amends s. 477.019, F.S., to provide that the education requirements for an application for examination may include a general equivalency diploma or the passing of an ability-to-benefit test approved by the United States Secretary of Education as provided in 20 U.S.C. s. 1091(d).⁷ These qualifications are in addition to the requirements in the current law that the applicant must be at least 16 years of age or have received a high school diploma.

The bill increases from 1,200 to 1,800 the minimum number of required hours or training for a full cosmetology license. It increases from 260 to 600 hours the minimum number of required hours for an esthetician (currently applicable to the facial specialty), and from 240 to 350 the minimum number of required hours for a nail technician.

The bill permits a student who has enrolled and begun his or her education before January 1, 2007, to take the exam to be licensed as a cosmetologist upon completion of 1,200 hours of training. It requires that a student who begins his or her education on or after January 1, 2007, to comply with the new minimum required hours of training before taking the examination.

The bill eliminates the right of students to sit for the examination after completing a minimum of 1,000 educational hours.

The bill permits a Florida student to practice in his or her respective area for a maximum of 60 days after submitting a completed application for examination for licensure as a cosmetologist, hair technician, esthetician, or nail technician. The applicant must be under the supervision of a licensed professional in a licensed salon. The bill requires that, if the applicant fails the examination, he or she may continue to practice under the supervision of a licensed professional in a licensed salon for an additional 60 days, provided that the applicant applies for the next available examination. The applicant may not continue to practice if he or she fails the examination a second time. The bill deletes the comparable provision in current law that does not provide time periods for practice as a student applicant.

The bill permits licensure by endorsement of current active out-of-country cosmetology licenses, provided that the out-of-country qualifications are substantially similar to, equivalent to, or greater than the qualifications required of Florida licensees.

The bill deletes the exemption from continuing education requirements for persons whose occupation or practice is confined solely to body wrapping, while maintaining the exemption for persons whose occupation or practice is confined solely to hair braiding or hair wrapping. The bill deletes the 48-hour cap for a continuing education refresher course.

⁷ See n. 1.

Inactive Status

The bill amends s. 477.0212, F.S., to increase the statutory fee cap for the reactivation of an inactive license from \$50 to \$100. It also requires that the board to adopt rules for license renewal or continuing education.

Schools of Cosmetology

The bill amends s. 477.023, F.S., to provide that ch. 477, F.S., does not prevent certification by the Department of Education in the grooming and salon services within the public school system.

Cosmetology Internships

The bill authorizes cosmetology students to perform cosmetology services in licensed salons under the supervision of a licensed cosmetologist.

The bill amends s. 477.013, F.S., to define a cosmetology intern as a “student enrolled in a cosmetology school or program to earn school or program hours by interning under the direct supervision of a licensed cosmetologist in a licensed salon.” The bill also defines an “internship sponsor to mean:

A licensed cosmetologist registered with the board for the purpose of supervising a cosmetology intern and ensuring compliance by the intern with the laws and rules of Florida and the internship requirements established by board and administered through the school or program.

The bill creates s. 477.0231, F.S., to provide conditions for cosmetology interns and internship supervisors. The bill establishes the conditions and rights applicable to cosmetology schools or programs. The student’s cosmetology school or program must:

- Determine the selection and placement of the intern;
- Determine whether a student is eligible to become a cosmetology intern and whether an internship sponsor meets the requirements for its educational objectives;
- On behalf of the student, provide written notice to the board that an internship sponsor has been selected and name the cosmetology intern to be supervised; and
- Determine the length and schedule of an individual cosmetology internship, but such internship shall not exceed 24 months.

The bill establishes requirements and conditions on internship sponsors. Each internship sponsor is required to:

- Obtain approval from a school or cosmetology or program;
- Register with the board before accepting placement of each cosmetology intern;
- Actively supervise the cosmetology intern in the practice of cosmetology pursuant to rules established by the board;

- Ensure that the cosmetology intern is complying with the laws and rules governing cosmetology and is complying with the educational objectives and guidelines established by the cosmetology school or program and the board; and
- Ensure that the public is clearly informed that the cosmetology intern is not a licensed cosmetologist by posting notice in a conspicuous manner within the salon indicating that a student intern is providing services on the premises.

The bill establishes the requirements and conditions on cosmetology interns. Each intern must only:

- Provide services expressly approved by the internship sponsor and contracted for by the internship sponsor;
- Only practice within the field of cosmetology in which he or she is engaged in the course of study; and
- Possess written documentation of his or her authorization to engage in the practice of cosmetology from the student's cosmetology school or program and furnish such documentation to the department prior to engaging in the practice of cosmetology and upon request by department personnel.

The bill requires the board to establish by rule:

- The education prerequisites for cosmetology internships, including the minimum number of hours of classroom instruction and required course work; and
- The number of permitted cosmetology internships per internship sponsor, the minimum and maximum number of internship hours, and the recommended educational objectives and guidelines for an internship program in a cosmetology school or program.

The board may also terminate the internship of any cosmetology intern and the sponsorship of any internship sponsor for a violation of the laws and rules governing cosmetology. The board must also provide notice of the termination to the internship sponsor, the cosmetology school or program, and the cosmetology intern. If a cosmetology internship is terminated, the school or program must determine the educational status of the cosmetology intern.

The bill provides that a cosmetology intern whose internship sponsor has been terminated, disciplined by the board, or voluntarily withdrawn from sponsorship shall remain eligible for new placement through the school or program.

Salons

The bill amends s. 477.025, F.S., relating to cosmetology salon and specialty salons, to eliminate the distinction between a cosmetology salon and a specialty salon.

License and Registration Fees

The bill amends s. 477.026, F.S., to include hair technicians, estheticians, and nail technicians in the fee structure. It increases the statutory fee cap from \$25 to \$50 for original licensing, license

renewal, and delinquent renewal for cosmetologist licenses. It also applies this fee cap to hair technicians, estheticians, and nail technicians.

The bill also increases the following fees:

- Licensure by endorsement fee from \$50 to \$150;
- License application, original licensing, license renewal and delinquent renewal fees for salons from \$50 to \$100;
- Registration renewal and delinquent renewal fees for specialists from \$50 to \$100; and
- Registration fees for hair braiders and hair wrappers from \$25 to \$40.

The bill also provides a maximum registration fee of \$30 for internship supervisors.

Cosmetology Services Outside of a Licensed Salon

The bill amends s. 477.0263, F.S., to provide that cosmetology and specialty services shall be performed only by licensed cosmetologists, hair technicians, estheticians, nail technicians, or registered specialists in licensed salons. The bill permits hair technicians, estheticians, nail technicians, or registered specialists to perform services outside of a licensed salon when the client for health reasons is unable to go to a licensed salon.

The bill permits persons holding a valid cosmetology license in any state to conduct department store demonstrations.

The bill also permits licensed cosmetologists, hair technicians, estheticians, nail technicians, or registered specialists to provide cosmetology services outside of a license salon and for special events. The person providing the service must be employed by a licensed salon and appointments for the services must be made through a licensed salon.

Conforming Provisions

The bill amends s. 477.0265, F.S., relating to the acts prohibited under ch. 477, F.S., to change the term “cosmetology” to “in the field of cosmetology.” It also references authorized and supervised cosmetology interns in the context of prohibited unlicensed activity and the persons who can legally practice cosmetology.

The bill amends s. 477.028, F.S., relating to disciplinary proceeding, to reference “hair technician, esthetician, or nail technician” and to change the term “cosmetology” to “in the field of cosmetology.”

The bill amends s. 477.029, F.S., relating to penalties, to include “hair technician, esthetician, or nail technician” and to delete the reference to “cosmetology” salon.

The bill repeals s. 477.0201, F.S., relating to specialty registration, qualifications, registration renewal, and endorsement.

Effective Date

The bill provides a January 1, 2007 effective date.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The bill increases license fee caps for cosmetologist, hair technicians, estheticians, and nail technicians. It increases the statutory fee cap for original licensing, license renewal, and delinquent renewal for cosmetologist license from \$25 to \$50. It also applies this fee cap to hair technicians, estheticians, and nail technicians. The bill increases the fee caps for licensure by endorsement from \$50 to \$150, for license application, original licensing, license renewal and delinquent renewal for salons from \$50 to \$100, for registration renewal and delinquent renewal for specialists from \$50 to \$100, and registration fees for hair braiders and hair wrappers from \$25 to \$40. It also increases the statutory fee cap for the reactivation of an inactive license from \$50 to \$100.

Persons who seek a full cosmetology license may also experience an increase in the cost of their education of approximately one-third based on the increase from 1,200 to 1,800 in the minimum number of hours of training required for a full cosmetology license.

The current cost of 1,200 hours in cosmetology education is dependent on the institution attended. On the low end of expense, a community college education costs approximately \$2,000 for tuition only, plus the costs of books and supplies. Other public and private institutions may be more expensive. For example, in Leon County, a 1,200 hour cosmetology education at Lively Technical Center is approximate \$3,500 to \$3,800 for tuition, books, and supplies. The cost of a 1,200 private school cosmetology education, also in Leon County, is approximately \$7,500, for tuition, books, and supplies.

A representative for the community colleges represents that students who opt for the hair technician license, which requires 1,000 minimum hours of training, may save in education expenses because of the lower required hours. This representative also asserts that most cosmetology students intend to only provide hair related services and would seek the hair technician education. However, one educator indicated that some schools may charge the same amount for the 1,000 hour hair technician education that is currently being charged for a 1,200 hour education. Consequently, it is not clear whether this bill would provide any cost savings for student's who seek the hair technician education.

A student who does not pursue a full 1,800 cosmetology education and intends to perform a combination of specialty services may also experience increased education expenses, e.g., a person who intends to provide hair technician and esthetician services or hair technician and nail technician services.

C. Government Sector Impact:

According to the Department of Business and Professional Regulation, the Board of Cosmetology had a deficit of \$1,042,545 as of December 31, 2005. The department estimates that, if the fee caps are not raised, the board will have a projected deficit of \$5,151,823 by June 30, 2009. The department anticipates that, if the fee cap increases in this bill are not enacted, the department will issue a special assessment⁸ of \$30 per licensee. If the fee cap increases in this bill are enacted, the department still anticipates that it will issue a special assessment of \$20 per licensee before raising any current fees. The department anticipates that it will not need to raise fees until there is a need for additional revenue. The department believes that it may not need to raise fees until FY 2010-11, and that, because of the large number of licenses, it will not be a significant increase.

The department anticipates increased regulatory costs. For the Board of Cosmetology, the department anticipates that it will need one additional full time OPS position and approximately \$65,000 to provide rulemaking and increased board meetings. For the Bureau of Education and Testing, the department anticipates a non-recurring cost of \$37,380 to develop and enhance exams, and the need for five additional OPS staff at an average cost of \$21,600 per year to accommodate the increased workload. For the Central Intake Unit, the department anticipates the need for an additional five OPS positions at an average cost of \$21,600 per year to accommodate anticipated increased licensure by endorsement applications.

VI. Technical Deficiencies:

None.

⁸ Section 455.219(2), authorizes each board within the Department of Business and Professional Regulation, or the department if there is no board, to assess and collect a one-time fee from each active and each voluntary inactive licensee in an amount necessary to eliminate a cash deficit. The department or board may not make more than one such assessment in any four-year period without specific legislative authorization.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

VIII. Summary of Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
