

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

1 Representative(s) Carroll offered the following:

2
3 **Amendment (with title amendment)**

4 Remove line(s) 178-636 and insert:

5 (11) "Cosmetology intern" means a student enrolled in a
6 cosmetology school or program to earn school or program hours by
7 interning under the direct supervision of a licensed
8 cosmetologist in a licensed salon.

9 (12) "Internship sponsor" means a licensed cosmetologist
10 registered with the board for the purpose of supervising a
11 cosmetology intern and ensuring compliance by the intern with
12 the laws and rules of this state and the internship requirements
13 established by the board and administered through the school or
14 program.

15 ~~(12) "Body wrapping" means a treatment program that uses~~
16 ~~herbal wraps for the purposes of cleansing and beautifying the~~
17 ~~skin of the body, but does not include:~~

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18 ~~(a) The application of oils, lotions, or other fluids to~~
19 ~~the body, except fluids contained in presoaked materials used in~~
20 ~~the wraps; or~~

21 ~~(b) Manipulation of the body's superficial tissue, other~~
22 ~~than that arising from compression emanating from the wrap~~
23 ~~materials.~~

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

34 Section 2. Section 477.0131, Florida Statutes, is created
35 to read:

36 477.0131 Hair technician, esthetician, nail technician,
37 and cosmetology licenses.--

38 (1) A person who is otherwise qualified by this chapter
39 and who is authorized to practice all of the services listed in
40 s. 477.013(4) (a) shall be licensed as a hair technician.

41 (2) A person who is otherwise qualified by this chapter
42 and who is authorized to practice all of the services listed in
43 s. 477.013(4) (b) shall be licensed as an esthetician.

44 (3) A person who is otherwise qualified by this chapter
45 and who is authorized to practice all of the services listed in
46 s. 477.013(4) (c) shall be licensed as a nail technician.

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47 (4) A person who is otherwise qualified by this chapter
48 and who is authorized to practice all of the services listed in
49 s. 477.013(4) shall be licensed as a cosmetologist.

50 Section 3. Section 477.0132, Florida Statutes, is amended
51 to read:

52 477.0132 Hair braiding, hair wrapping, and body wrapping
53 registration.--

54 (1) A person whose occupation or practice is confined
55 solely to hair braiding shall register with the department,
56 shall pay the applicable registration fees, and shall take and
57 pass a course consisting of a minimum of 40 hours, except as
58 otherwise provided in this subsection. The course shall be
59 approved by the board and shall consist of 4 hours of
60 instruction in HIV/AIDS and other communicable diseases, 5 hours
61 of instruction in sanitation and sterilization, 5 hours of
62 instruction in disorders and diseases of the scalp, 2 hours of
63 instruction regarding laws affecting hair braiding, and 24 hours
64 of instruction in the application and removal of hair braiding.
65 A person who demonstrates skill in the application and removal
66 of hair braiding through a board-approved examination may be
67 exempt from the 24 hours of instruction in the application and
68 removal of hair braiding.

69 ~~(a) Persons whose occupation or practice is confined~~
70 ~~solely to hair braiding must register with the department, pay~~
71 ~~the applicable registration fee, and take a two-day 16-hour~~
72 ~~course. The course shall be board approved and consist of 5~~
73 ~~hours of HIV/AIDS and other communicable diseases, 5 hours of~~
74 ~~sanitation and sterilization, 4 hours of disorders and diseases~~

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75 ~~of the scalp, and 2 hours of studies regarding laws affecting~~
76 ~~hair braiding.~~

77 (2)(b) ~~A person~~ Persons whose occupation or practice is
78 confined solely to hair wrapping shall ~~must~~ register with the
79 department, pay the applicable registration fee, and take a one-
80 day 6-hour course. The course shall be board approved and
81 consist of instruction ~~education~~ in HIV/AIDS and other
82 communicable diseases, sanitation and sterilization, disorders
83 and diseases of the scalp, and instruction ~~studies~~ regarding
84 laws affecting hair wrapping.

85 (3) A person holding a registration in body wrapping
86 before January 1, 2007, may continue to practice body wrapping
87 as described in s. 477.013(4)(b)6. The board shall adopt by rule
88 continuing education requirements for the renewal of body
89 wrapping registrations.

90 ~~(c) Unless otherwise licensed or exempted from licensure~~
91 ~~under this chapter, any person whose occupation or practice is~~
92 ~~body wrapping must register with the department, pay the~~
93 ~~applicable registration fee, and take a two day 12 hour course.~~
94 ~~The course shall be board approved and consist of education in~~
95 ~~HIV/AIDS and other communicable diseases, sanitation and~~
96 ~~sterilization, disorders and diseases of the skin, and studies~~
97 ~~regarding laws affecting body wrapping.~~

98 (4)(d) Only the board may review, evaluate, and approve a
99 course and text required of an applicant for registration under
100 this section ~~subsection~~ in the occupation or practice of hair
101 braiding or, hair wrapping, ~~or body wrapping~~. A provider of such
102 a course is not required to hold a license under chapter 1005.

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103 ~~(5)(2)~~ Hair braiding ~~and~~, hair wrapping, ~~and~~ body wrapping
 104 are not required to be practiced in a ~~cosmetology~~ salon ~~or~~
 105 ~~specialty~~ salon. When hair braiding ~~or~~, hair wrapping, ~~or~~ body
 106 wrapping is practiced outside a ~~cosmetology~~ salon ~~or~~ ~~specialty~~
 107 ~~salon~~, disposable implements shall ~~must~~ be used or all
 108 implements shall ~~must~~ be sanitized in a disinfectant approved
 109 for hospital use or approved by the federal Environmental
 110 Protection Agency.

111 ~~(3)~~ Pending issuance of registration, a person is eligible
 112 to practice hair braiding, hair wrapping, or body wrapping upon
 113 submission of a registration application that includes proof of
 114 successful completion of the education requirements and payment
 115 of the applicable fees required by this chapter.

116 Section 4. Section 477.014, Florida Statutes, is amended
 117 to read:

118 477.014 Qualifications for practice.--

119 (1) On and after January 1, 2007, a ~~1979~~, no person who is
 120 not other than a duly licensed or registered under this chapter
 121 may not ~~cosmetologist~~ shall practice in any of the cosmetology
 122 areas provided in s. 477.013(4) or use the name or title of
 123 cosmetologist, hair technician, esthetician, or nail technician.

124 (2) A person licensed or registered under this chapter on
 125 or after January 1, 2007, may not practice or hold himself or
 126 herself out as qualified to practice in an area in which he or
 127 she is not specifically licensed or registered under this
 128 chapter.

129 (3) A cosmetologist licensed before January 1, 2007, may
 130 perform all the services of a licensed cosmetologist as defined
 131 in this chapter.

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132 (4) A facial specialist registered or enrolled in a
133 cosmetology school before January 1, 2007, may take the
134 examination for an esthetician license.

135 (5) A manicure, pedicure, and nail extension specialist
136 registered or enrolled in a cosmetology school before January 1,
137 2007, may take the examination for a nail technician license.

138 (6) A specialist registered under this chapter before
139 January 1, 2007, may continue to practice under the name of his
140 or her specialty registration without taking the respective
141 licensure examination. Renewal of all registrations existing
142 before January 1, 2007, shall be accomplished pursuant to rules
143 adopted by the board. Such renewal shall include a full
144 specialty registration, which combines facial and manicure,
145 pedicure, and nail extension.

146 Section 5. Section 477.019, Florida Statutes, is amended
147 to read:

148 477.019 Cosmetologists; hair technicians; estheticians;
149 nail technicians; qualifications; licensure; supervised
150 practice; license renewal; endorsement; continuing education.--

151 (1) A person desiring to be licensed in the field of
152 cosmetology ~~as a cosmetologist~~ shall apply to the department for
153 licensure.

154 (2) An applicant ~~is shall be~~ eligible for licensure by
155 examination to practice cosmetology, hair technician services,
156 esthetician services, or nail technician services if the
157 applicant:

158 (a) Is at least 16 years of age or has received a high
159 school diploma or graduate equivalency diploma or has passed an
160 ability-to-benefit test, which is an independently administered
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161 test approved by the United States Secretary of Education as
162 provided in 20 U.S.C. s. 1091(d).~~†~~

163 (b) Pays the required application fee, which is not
164 refundable, and the required examination fee, which is
165 refundable if the applicant is determined to not be eligible for
166 licensure for any reason other than failure to successfully
167 complete the licensure examination.~~†~~ ~~and~~

168 (c)1. Is authorized to practice cosmetology in another
169 state or country, has been so authorized for at least 1 year,
170 and does not qualify for licensure by endorsement as provided
171 for in subsection (6); or

172 2.a. Has received a minimum number of hours of training as
173 follows:

174 (I) For a hair technician, 1,000 hours.

175 (II) For an esthetician, 600 hours.

176 (III) For a nail technician, 350 hours.

177 (IV) For a cosmetologist, 1,800 hours.

178 b. The training ~~Has received a minimum of 1,200 hours of~~
179 ~~training as established by the board, which shall include, but~~
180 ~~need shall~~ not be limited to, the equivalent of completion of
181 services directly related to the practice of cosmetology at one
182 of the following:

183 (I)~~a.~~ A school of cosmetology licensed pursuant to chapter
184 1005.

185 (II)~~b.~~ A cosmetology program within the public school
186 system.

187 (III)~~e.~~ The Cosmetology Division of the Florida School for
188 the Deaf and the Blind, provided the division meets the
189 standards of this chapter.

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190 (IV) d. A government-operated cosmetology program in this
191 state.

192 c. A person who has enrolled and begun his or her
193 education before January 1, 2007, may take the examination to be
194 licensed as a cosmetologist upon completion of 1,200 hours of
195 education.

196 d. A person who begins his or her education on or after
197 January 1, 2007, shall comply with the hour requirements in sub-
198 paragraph a. in order to qualify to take his or her
199 respective examination.

200
201 ~~The board shall establish by rule procedures whereby the school~~
202 ~~or program may certify that a person is qualified to take the~~
203 ~~required examination after the completion of a minimum of 1,000~~
204 ~~actual school hours. If the person then passes the examination,~~
205 ~~he or she shall have satisfied this requirement; but if the~~
206 ~~person fails the examination, he or she shall not be qualified~~
207 ~~to take the examination again until the completion of the full~~
208 ~~requirements provided by this section.~~

209 (3) Upon an applicant receiving a passing grade, as
210 established by board rule, on the examination and paying the
211 initial licensing fee, the department shall issue a license to
212 practice in the applicant's respective area of cosmetology
213 provided in s. 477.013(4).

214 (4) After submitting a complete application to take the
215 first available examination for licensure as a cosmetologist,
216 hair technician, esthetician, or nail technician, a graduate of
217 a licensed cosmetology school or a program within the public
218 school system, which school or program is certified by the

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219 Department of Education, is eligible to practice in the
220 graduate's respective area for a maximum period of 60 days,
221 provided such graduate practices under the supervision of a
222 professional licensed under this chapter in a licensed salon. A
223 graduate who fails to pass an examination the first time may
224 continue to practice under the supervision of a professional
225 licensed under this chapter in a licensed salon for an
226 additional 60-day period, provided the graduate applies for the
227 next available examination. A graduate may not continue to
228 practice under this subsection if the graduate fails the
229 examination twice. Following the completion of the first
230 licensing examination and pending the results of that
231 examination and issuance of a license to practice cosmetology,
232 graduates of licensed cosmetology schools or cosmetology
233 programs offered in public school systems, which schools or
234 programs are certified by the Department of Education, are
235 eligible to practice cosmetology, provided such graduates
236 practice under the supervision of a licensed cosmetologist in a
237 licensed cosmetology salon. A graduate who fails the first
238 examination may continue to practice under the supervision of a
239 licensed cosmetologist in a licensed cosmetology salon if the
240 graduate applies for the next available examination and until
241 the graduate receives the results of that examination. No
242 graduate may continue to practice under this subsection if the
243 graduate fails the examination twice.

244 (5) Renewal of license registration shall be accomplished
245 pursuant to rules adopted by the board.

246 (6) The board shall adopt rules specifying procedures for
247 the licensure by endorsement of practitioners desiring to be
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248 licensed in this state who hold a current active license in
249 another state or country and who have met qualifications
250 substantially similar to, equivalent to, or greater than the
251 qualifications required of applicants from this state. For
252 purposes of this subsection, work experience may be substituted
253 for required educational hours in the amount and manner provided
254 by board rule.

255 (7) (a) The board shall prescribe by rule continuing
256 education requirements for licensees and registered specialists
257 that intended to ensure the protection of the public through
258 updated training of licensees and registered specialists, not to
259 exceed 16 hours biennially, as a condition for renewal of a
260 license or registration as a specialist under this chapter.
261 Continuing education courses shall include, but not be limited
262 to, the following subjects as they relate to the practice of
263 cosmetology: HIV/AIDS ~~human immunodeficiency virus and acquired~~
264 ~~immune deficiency syndrome~~; Occupational Safety and Health
265 Administration regulations; workers' compensation issues; state
266 and federal laws and rules as they pertain to cosmetologists,
267 the practice of cosmetology, salons, specialists, ~~specialty~~
268 ~~salons~~, and booth renters; chemical makeup as it pertains to
269 hair, skin, and nails; and environmental issues. Courses given
270 at educational ~~cosmetology~~ conferences may be counted toward the
271 number of continuing education hours required if approved by the
272 board.

273 (b) Any person whose occupation or practice is confined
274 solely to hair braiding or, hair wrapping, ~~or body wrapping~~ is
275 exempt from the continuing education requirements of this
276 subsection.

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277 (c) The board may, by rule, require any licensee in
278 violation of a continuing education requirement to take a
279 refresher course or refresher course and examination in addition
280 to any other penalty. ~~The number of hours for the refresher~~
281 ~~course may not exceed 48 hours.~~

282 Section 6. Section 477.0212, Florida Statutes, is amended
283 to read:

284 477.0212 Inactive status.--

285 (1) A ~~cosmetologist's~~ license issued under this chapter
286 that has become inactive may be reactivated under s. 477.019
287 upon application to the department.

288 (2) The board shall adopt ~~promulgate~~ rules relating to
289 licenses that ~~which~~ have become inactive and for the renewal of
290 inactive licenses. The board shall prescribe by rule a fee not
291 to exceed \$100 ~~\$50~~ for the reactivation of an inactive license
292 and a fee not to exceed ~~\$50~~ for the renewal of an inactive
293 license. The board shall prescribe by rule the continuing
294 education requirements to be met prior to license renewal or
295 reactivation.

296 Section 7. Section 477.023, Florida Statutes, is amended
297 to read:

298 477.023 Schools of cosmetology; licensure.--~~A~~ No private
299 school of cosmetology may not ~~shall be permitted to~~ operate
300 without a license issued by the Commission for Independent
301 Education pursuant to chapter 1005. However, this chapter does
302 not ~~nothing herein shall be construed to~~ prevent certification
303 by the Department of Education of grooming and salon services
304 and cosmetology training programs within the public school

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305 system or ~~to~~ prevent government operation of any other program
306 of cosmetology in this state.

307 Section 8. Section 477.0231, Florida Statutes, is created
308 to read:

309 477.0231 Cosmetology internships.--

310 (1) The selection and placement of cosmetology interns
311 shall be determined by the cosmetology school or program. The
312 school or program shall determine whether a student is eligible
313 to become a cosmetology intern and whether an internship sponsor
314 meets the requirements for its educational objectives. The
315 school program, on behalf of the student, shall provide written
316 notice to the board that an internship sponsor has been selected
317 and name the cosmetology intern to be supervised. The school or
318 program shall determine the length and schedule of an individual
319 cosmetology internship, but such internship may not exceed 24
320 months.

321 (2) Each internship sponsor shall obtain approval from a
322 school or cosmetology program and shall register with the board
323 before accepting placement of each cosmetology intern. The
324 application for registration shall include the name and contact
325 person of the school or program placing the intern, the names
326 and addresses of the internship sponsor, and other information
327 that the board requires.

328 (3) The internship sponsor shall actively supervise the
329 cosmetology intern in the practice of cosmetology pursuant to
330 rules established by the board. A cosmetology intern may only
331 practice within the field of cosmetology in which he or she is
332 engaged in the course of study. The internship sponsor shall
333 ensure that the cosmetology intern is complying with the laws

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334 and rules governing cosmetology and is complying with the
335 educational objectives and guidelines established by the
336 cosmetology school or program and the board.

337 (4) All services provided by the cosmetology intern shall
338 be expressly approved by the internship sponsor and contracted
339 for by the internship sponsor. The internship sponsor shall
340 ensure that the public is clearly informed that the cosmetology
341 intern is not a licensed cosmetologist.

342 (5) Pursuant to rules established by the board, the
343 cosmetology salon in which a cosmetology intern is engaged in
344 the practice of cosmetology shall post notice in a conspicuous
345 manner within the salon indicating that a student intern is
346 providing services on the premises.

347 (6) While engaged in the practice of cosmetology, a
348 cosmetology intern shall possess written documentation of his or
349 her authorization to engage in the practice of cosmetology from
350 the student's cosmetology school or program and shall furnish
351 such documentation to the department before engaging in the
352 practice of cosmetology and upon request by department
353 personnel.

354 (7) The board shall establish by rule the education
355 prerequisites for cosmetology internships, including the minimum
356 number of hours of classroom instruction and required course
357 work. The board shall establish by rule the number of permitted
358 cosmetology internships per internship sponsor, the minimum and
359 maximum number of internship hours, and the recommended
360 educational objectives and guidelines for an internship program
361 in a cosmetology school or program.

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362 (8) The board may terminate the internship of any
363 cosmetology intern and the sponsorship of any internship sponsor
364 for a violation of the laws and rules governing cosmetology. The
365 board shall provide notice of termination of an internship to
366 the internship sponsor, the cosmetology school or program, and
367 the cosmetology intern. In the case of a terminated cosmetology
368 internship, the school or program shall determine the
369 educational status of the cosmetology intern. A cosmetology
370 intern whose internship sponsor has been terminated, has been
371 otherwise disciplined by the board, or has voluntarily withdrawn
372 from sponsorship remains eligible for new placement through the
373 school or program.

374 Section 9. Section 477.025, Florida Statutes, is amended
375 to read:

376 477.025 ~~Cosmetology salons; specialty Salons; requisites;~~
377 ~~licensure; inspection; mobile cosmetology salons.--~~

378 (1) No ~~cosmetology salon or specialty~~ salon shall be
379 permitted to operate without a license issued by the department
380 except as provided in subsection (11).

381 (2) The board shall adopt rules governing the licensure
382 and operation of salons ~~and specialty salons~~ and their
383 facilities, personnel, safety and sanitary requirements, and the
384 license application and granting process.

385 (3) Any person, firm, or corporation desiring to operate a
386 ~~cosmetology salon or specialty~~ salon in the state shall submit
387 to the department a salon ~~an~~ application form ~~upon forms~~
388 provided by the department, ~~and accompanied by~~ any relevant
389 information requested by the department, ~~and by~~ an application
390 fee.

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391 (4) Upon receiving the application, the department may
392 cause an investigation to be made of the proposed ~~cosmetology~~
393 ~~salon or specialty~~ salon.

394 (5) When an applicant fails to meet all the requirements
395 provided herein, the department shall deny the application in
396 writing and shall list the specific requirements not met. No
397 applicant denied licensure because of failure to meet the
398 requirements herein shall be precluded from reapplying for
399 licensure.

400 (6) When the department determines that the proposed
401 ~~cosmetology salon or specialty~~ salon may reasonably be expected
402 to meet the requirements set forth herein, the department shall
403 grant the license upon such conditions as it shall deem proper
404 under the circumstances and upon payment of the original
405 licensing fee.

406 (7) No license for operation of a ~~cosmetology salon or~~
407 ~~specialty~~ salon may be transferred from the name of the original
408 licensee to another. It may be transferred from one location to
409 another only upon approval by the department, which approval
410 shall not be unreasonably withheld.

411 (8) Renewal of license registration for ~~cosmetology salons~~
412 ~~or specialty~~ salons shall be accomplished pursuant to rules
413 adopted by the board. The board is further authorized to adopt
414 rules governing delinquent renewal of licenses and may impose
415 penalty fees for delinquent renewal.

416 (9) The board is authorized to adopt rules governing the
417 periodic inspection of ~~cosmetology salons and specialty~~ salons
418 licensed under this chapter.

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419 (10) (a) The board shall adopt rules governing the
420 licensure, operation, and inspection of mobile ~~cosmetology~~
421 salons, including their facilities, personnel, and safety and
422 sanitary requirements.

423 (b) Each mobile salon must comply with all licensure and
424 operating requirements specified in this chapter or chapter 455
425 or rules of the board or department that apply to ~~cosmetology~~
426 salons at fixed locations, except to the extent that such
427 requirements conflict with this subsection or rules adopted
428 pursuant to this subsection.

429 (c) A mobile ~~cosmetology~~ salon must maintain a permanent
430 business address, located in the inspection area of the local
431 department office, at which records of appointments,
432 itineraries, license numbers of employees, and vehicle
433 identification numbers of the licenseholder's mobile salon shall
434 be kept and made available for verification purposes by
435 department personnel, and at which correspondence from the
436 department can be received.

437 (d) To facilitate periodic inspections of mobile
438 ~~cosmetology~~ salons, prior to the beginning of each month each
439 mobile salon licenseholder must file with the board a written
440 monthly itinerary listing the locations where and the dates and
441 hours when the mobile salon will be operating.

442 (e) The board shall establish fees for mobile ~~cosmetology~~
443 salons, not to exceed the fees for ~~cosmetology~~ salons at fixed
444 locations.

445 (f) The operation of mobile ~~cosmetology~~ salons must be in
446 compliance with all local laws and ordinances regulating
447 business establishments, with all applicable requirements of the
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448 Americans with Disabilities Act relating to accommodations for
449 persons with disabilities, and with all applicable OSHA
450 requirements.

451 (11) Facilities licensed under part II or part III of
452 chapter 400 shall be exempt from the provisions of this section
453 and a cosmetologist licensed pursuant to s. 477.019 may provide
454 salon services exclusively for facility residents.

455 Section 10. Section 477.026, Florida Statutes, is amended
456 to read:

457 477.026 Fees; disposition.--

458 (1) The board shall set fees according to the following
459 schedule:

460 (a) For hair technicians, estheticians, nail technicians,
461 or cosmetologists, fees for original licensing, license renewal,
462 and delinquent renewal may shall not exceed \$50 ~~\$25~~.

463 (b) For hair technicians, estheticians, nail technicians,
464 or cosmetologists, fees for endorsement application,
465 examination, and reexamination may shall not exceed \$150 ~~\$50~~.

466 (c) For ~~cosmetology and specialty~~ salons, fees for license
467 application, original licensing, license renewal, and delinquent
468 renewal may shall not exceed \$100 ~~\$50~~.

469 ~~(d) For specialists, fees for application and endorsement~~
470 ~~registration shall not exceed \$30.~~

471 ~~(d)(e)~~ For specialists, fees for ~~initial registration,~~
472 ~~registration renewal,~~ and delinquent renewal may shall not
473 exceed \$100 ~~\$50~~.

474 ~~(e)(f)~~ For hair braiders and, hair wrappers, ~~and body~~
475 ~~wrappers,~~ fees for registration may shall not exceed \$40 ~~\$25~~.

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476 (f) For internship sponsors, fees for registration may not
477 exceed \$30.

478 (2) All moneys collected by the department from fees
479 authorized by this chapter shall be paid into the Professional
480 Regulation Trust Fund, which fund is created in the department,
481 and shall be applied in accordance with ss. 215.37 and 455.219.
482 The Legislature may appropriate any excess moneys from this fund
483 to the General Revenue Fund.

484 (3) The department, with the advice of the board, shall
485 prepare and submit a proposed budget in accordance with law.

486 Section 11. Section 477.0263, Florida Statutes, is amended
487 to read:

488 477.0263 Cosmetology services to be performed in licensed
489 salon; exceptions ~~exception~~.--

490 (1) Cosmetology or specialty services shall be performed
491 only by licensed cosmetologists, hair technicians, estheticians,
492 nail technicians, or registered specialists in licensed salons,
493 except as otherwise provided in this section.

494 (2) Pursuant to rules established by the board,
495 cosmetology or specialty services may be performed by a licensed
496 cosmetologist, hair technician, esthetician, nail technician, or
497 registered specialist in a location other than a licensed salon,
498 including, but not limited to, a nursing home, hospital, or
499 residence, when a client for reasons of ill health is unable to
500 go to a licensed salon. Arrangements for the performance of such
501 cosmetology or specialty services in a location other than a
502 licensed salon shall be made only through a licensed salon.

503 (3) Any person who holds a valid cosmetology license in
504 any state or who is authorized to practice cosmetology in any
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505 country, territory, or jurisdiction of the United States may
506 perform cosmetology services in a location other than a licensed
507 salon when such services are performed in connection with the
508 motion picture, fashion photography, theatrical, or television
509 industry; a photography studio salon; a manufacturer trade show
510 demonstration; a department store demonstration; or an
511 educational seminar.

512 (4) Pursuant to rules established by the board,
513 cosmetology, hair technician, esthetician, nail technician, or
514 specialty services may be performed in a location other than a
515 licensed salon when such services are performed in connection
516 with a special event and are performed by a person who is
517 employed by a licensed salon and who holds the proper license or
518 specialty registration. Scheduling an appointment for the
519 performance of such services in a location other than a licensed
520 salon shall be made through a licensed salon.

521 Section 12. Section 477.0265, Florida Statutes, is amended
522 to read:

523 477.0265 Prohibited acts.--

524 (1) It is unlawful for any person to:

525 (a) Engage in the practice of cosmetology or a specialty
526 without an active license in the field of cosmetology ~~as a~~
527 ~~cosmetologist~~ or registration as a specialist issued by the
528 department pursuant to the provisions of this chapter unless
529 authorized as a cosmetology intern pursuant to this chapter and
530 supervised by a licensed cosmetologist.

531 (b) Own, operate, maintain, open, establish, conduct, or
532 have charge of, either alone or with another person or persons,
533 a ~~cosmetology salon or specialty salon~~:

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Amendment No. (for drafter's use only)

534 1. Which is not licensed under the provisions of this
535 chapter; or

536 2. In which a person not licensed in the field of
537 cosmetology, authorized as a cosmetology intern, or registered
538 as a ~~cosmetologist~~ or a specialist is permitted to perform
539 cosmetology services or any specialty.

540 (c) Engage in willful or repeated violations of this
541 chapter or of any rule adopted by the board.

542 (d) Permit an employed person to engage in the practice of
543 cosmetology or of a specialty unless such person holds a valid,
544 active license in the field of cosmetology ~~as a cosmetologist~~ or
545 a registration as a specialist ~~or is authorized as a cosmetology~~
546 intern pursuant to this chapter and supervised by a licensed
547 cosmetologist.

548

549 ===== T I T L E A M E N D M E N T =====

550 Remove line(s) 43-47 and insert:

551 certification; creating s. 477.0231, F.S.; providing for
552 cosmetology internships; providing requirements for the board,
553 cosmetology interns, internship sponsors, and cosmetology salons
554 relating to cosmetology internships; amending s. 477.025, F.S.,
555 relating to cosmetology and specialty salons, requisites,
556 licensure, inspection, and mobile cosmetology salons, to
557 conform; amending s. 477.026, F.S.; revising fee provisions to
558 conform; increasing fee caps for certain fees; providing a fee
559 cap for internship sponsors; amending s.