

AMENDED IN ASSEMBLY APRIL 16, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1153

Introduced by Assembly Member Eggman
(Coauthor: Senator Wyland)

February 22, 2013

An act to amend Sections ~~7324 and 7364~~ of 7324, 7364, and 7423 of, and to add Sections 7320.6 and 7324.5 to, the Business and Professions Code, relating to barbering and cosmetology.

LEGISLATIVE COUNSEL'S DIGEST

AB 1153, as amended, Eggman. ~~Esthetician: advanced skin care course. Master esthetician: license.~~

~~Existing law requires an applicant for an esthetician license to meet certain educational requirements and authorizes the State Board of Barbering and Cosmetology to approve schools that are licensed by the Bureau for Private Postsecondary and Vocational Education, or a public school in this state, and that provide a course of instruction approved by the board. A skin care course established by a school consists of not less than 600 hours of practical training and technical instruction in accordance with a curriculum established by board regulation. law, the Barbering and Cosmetology Act, provides for the licensure and regulation of barbers and cosmetologists, including the practice of skin care by licensed estheticians, by the State Board of Barbering and Cosmetology in the Department of Consumer Affairs. The act requires an applicant for an esthetician license to complete an application, pay an application and examination fee, pass the examination, and meet other educational and practice qualifications such as the completion of an approved skin care course of instruction that includes no less than~~

600 hours of practical training and technical instruction that accords with the curriculum established by the board. A violation of the act is a crime, unless otherwise provided.

This bill would provide for the licensure and regulation of master estheticians. The bill would require an applicant for a master esthetician license to complete an application, pay an application and examination fee, pass the examination, and meet other educational and practice qualifications, such as the completion of a 1,200-hour advanced skin care course approved by the board. The bill would ~~allow a school to establish~~ provide that an advanced skin care course shall consist of not less than ~~600~~ 1,200 hours of practical training and technical instruction in accordance with a curriculum established by board regulation. ~~The advanced skin care course would not be a requirement of obtaining an esthetician license.~~ This bill would also prohibit a person who is not licensed as a master esthetician from representing himself or herself as a master esthetician. Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 7320.6 is added to the Business and
- 2 Professions Code, to read:
- 3 7320.6. Persons who are not licensed as master estheticians
- 4 in this state shall not represent themselves as a master esthetician.
- 5 ~~SECTION 1.~~
- 6 SEC. 2. Section 7324 of the Business and Professions Code is
- 7 amended to read:
- 8 7324. The board shall admit to examination for a license as an
- 9 esthetician to practice skin-care; care any person who has made
- 10 application to the board in proper-form; form and paid the
- 11 application and examination fee required by this chapter, and who
- 12 is qualified as follows:

- 1 (a) Is not less than 17 years of age.
- 2 (b) Has completed the 10th grade ~~in the public schools of this~~
3 ~~state or its equivalent.~~
- 4 (c) Is not subject to denial pursuant to Section 480.
- 5 (d) Has done any of the following:
- 6 (1) Completed a course in skin care, as described in subdivision
7 (a) of Section 7364, from a school approved by the board.
- 8 (2) Practiced skin care, as defined in this chapter, outside of this
9 state for a period of time equivalent to the study and training of a
10 qualified person who has completed a course in skin care from a
11 school the curriculum of which complied with requirements
12 adopted by the board. Each three months of practice shall be
13 deemed the equivalent of 100 hours of training for qualification
14 under paragraph (1).
- 15 (3) Completed the apprenticeship program in skin care specified
16 in Article 4 (commencing with Section 7332).

17 *SEC. 3. Section 7324.5 is added to the Business and Professions*
18 *Code, to read:*

19 *7324.5. The board shall admit to examination for a license as*
20 *a master esthetician to practice advanced skin care any person*
21 *who has made application to the board in proper form and paid*
22 *the application and examination fee required by this chapter, and*
23 *who is qualified as follows:*

- 24 (a) *Is not less than 17 years of age.*
- 25 (b) *Has completed the 10th grade or its equivalent.*
- 26 (c) *Is not subject to denial pursuant to Section 480.*
- 27 (d) *Has done at least one of the following:*
- 28 (1) *Completed a course in advanced skin care as described in*
29 *subdivision (b) of Section 7364, from a school approved by the*
30 *board.*
- 31 (2) *Earned a national or international diploma or certification*
32 *in advanced or master esthetics that is recognized by the board.*
- 33 (3) *Holds a current esthetician's license pursuant to Section*
34 *7324 and either:*
- 35 (A) *Provides satisfactory evidence that he or she has worked*
36 *as an esthetician for a minimum of 2,000 client contact hours, at*
37 *least 500 hours of which consisted of supervised, advanced skin*
38 *care treatments.*
- 39 (B) *Has completed continuing education coursework in*
40 *advanced skin care that complies with requirements established*

1 by the board and demonstrated that he or she has worked as a
2 master esthetician for a period of time established by the board
3 prior to the effective date of the act that added this section.

4 ~~SEC. 2.~~

5 SEC. 4. Section 7364 of the Business and Professions Code is
6 amended to read:

7 7364. (a) A skin care course established by a school shall
8 consist of not less than 600 hours of practical training and technical
9 instruction in accordance with a curriculum established by board
10 regulation.

11 (b) An advanced skin care course established by a school shall
12 consist of not less than ~~600~~ ~~additional~~ 1,200 hours of practical
13 training and technical instruction in accordance with a curriculum
14 established by board regulation. The advanced skin care course is
15 not a requirement of obtaining an esthetician license.

16 SEC. 5. Section 7423 of the Business and Professions Code is
17 amended to read:

18 7423. The amounts of the fees required by this chapter relating
19 to licenses for individual practitioners are as follows:

20 (a) (1) Cosmetologist application and examination fee shall be
21 the actual cost to the board for developing, purchasing, grading,
22 and administering the examination.

23 (2) A cosmetologist initial license fee shall not be more than
24 fifty dollars (\$50).

25 (b) (1) An esthetician *or master esthetician* application and
26 examination fee shall be the actual cost to the board for developing,
27 purchasing, grading, and administering the examination.

28 (2) An esthetician *or master esthetician* initial license fee shall
29 not be more than forty dollars (\$40).

30 (c) (1) A manicurist application and examination fee shall be
31 the actual cost to the board for developing, purchasing, grading,
32 and administering the examination.

33 (2) A manicurist initial license fee shall not be more than
34 thirty-five dollars (\$35).

35 (d) (1) A barber application and examination fee shall be the
36 actual cost to the board for developing, purchasing, grading, and
37 administering the examination.

38 (2) A barber initial license fee shall be not more than fifty dollars
39 (\$50).

1 (e) (1) An electrologist application and examination fee shall
2 be the actual cost to the board for developing, purchasing, grading,
3 and administering the examination.

4 (2) An electrologist initial license fee shall be not more than
5 fifty dollars (\$50).

6 (f) An apprentice application and license fee shall be not more
7 than twenty-five dollars (\$25).

8 (g) The license renewal fee for individual practitioner licenses
9 that are subject to renewal shall be not more than fifty dollars
10 (\$50).

11 (h) Notwithstanding Section 163.5 the license renewal
12 delinquency fee shall be 50 percent of the renewal fee in effect on
13 the date of renewal.

14 (i) Any preapplication fee shall be established by the board in
15 an amount sufficient to cover the costs of processing and
16 administration of the preapplication.

17 *SEC. 6. No reimbursement is required by this act pursuant to*
18 *Section 6 of Article XIII B of the California Constitution because*
19 *the only costs that may be incurred by a local agency or school*
20 *district will be incurred because this act creates a new crime or*
21 *infraction, eliminates a crime or infraction, or changes the penalty*
22 *for a crime or infraction, within the meaning of Section 17556 of*
23 *the Government Code, or changes the definition of a crime within*
24 *the meaning of Section 6 of Article XIII B of the California*
25 *Constitution.*