

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 997  
Committee Substitute Favorable 7/14/93

Short Title: Esthetician Requirements.

(Public)

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Sponsors:

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Referred to:

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April 19, 1993

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE FOR THE REGULATION OF REGISTERED  
3 ESTHETICIANS.

4 The General Assembly of North Carolina enacts:

5 Section 1. Chapter 88 of the General Statutes is amended by adding a new  
6 section to read:

7 "**§ 88-3.1. Esthetician.**

8 An esthetician is any person, other than a registered cosmetologist, registered  
9 apprentice, or student, who engages in any of the following specialized practices, as  
10 generally recognized in the field of cosmetology: skin care, makeup artistry, facials, or  
11 body waxing."

12 Sec. 2. Chapter 88 of the General Statutes is amended by adding a new  
13 section to read:

14 "**§ 88-31. Registered esthetician.**

15 (a) A certificate of registration as a registered esthetician shall be issued by the  
16 Board of Cosmetic Art Examiners to any person who pays an application fee of thirty  
17 dollars (\$30.00), who has completed an appropriate program of study of at least 750  
18 hours in a cosmetic art school or college approved by the Board, and who has passed a  
19 satisfactory examination, conducted by the Board, to determine his or her fitness to  
20 practice as a registered esthetician, as defined in this Chapter. The Board shall adopt  
21 reasonable rules and regulations for an appropriate program of study for registered  
22 estheticians, including curriculum, sanitary management, and equipment requirements.

1 (b) A person registered pursuant to this section shall use the title 'registered  
2 esthetician.'"

3 Sec. 3. G.S. 88-21(a) reads as rewritten:

4 "(a) The following fees shall be paid to the Board:

- 5 (1) The fee to be paid by an applicant for a certificate of registration to  
6 practice cosmetic art as an apprentice shall be five dollars (\$5.00).
- 7 (2) The fee to be paid by an applicant for an examination to determine  
8 his or her fitness to receive a certificate of registration as a  
9 registered cosmetologist shall be ten dollars (\$10.00).
- 10 (3) The fee to be paid by an applicant for an examination to determine  
11 his or her fitness to receive a certificate of registration as a  
12 registered manicurist shall be five dollars (\$5.00).
- 13 (4) The license fee for a registered cosmetologist shall be thirty-three  
14 dollars (\$33.00) for three years, payable in advance.
- 15 (5) The fee for renewal of the license of a registered cosmetologist  
16 shall be thirty-three dollars (\$33.00) for three years, payable in  
17 advance, if the license is renewed before it becomes delinquent.  
18 The licenses of all registered cosmetologists shall be due for  
19 renewal in October 1986, and every three years thereafter.
- 20 (6) A delinquency penalty of ten dollars (\$10.00) shall be paid, in  
21 addition to the renewal fee, for the renewal of a registered  
22 cosmetologist's license that has become delinquent.
- 23 (7) The annual fee for a registered apprentice or certified manicurist,  
24 which shall be due on or before October 1, shall be five dollars  
25 (\$5.00).
- 26 (8) All cosmetic art shops shall pay an annual fee of three dollars  
27 (\$3.00) for each active booth, on or before February 1 of each year.
- 28 (9) A delinquency penalty of ten dollars (\$10.00) shall be paid by each  
29 cosmetic art shop that does not pay the required fees by the  
30 February 1 deadline.
- 31 (10) The fee for reissuance of an expired permit of a cosmetic art shop  
32 shall be twenty-five dollars (\$25.00).
- 33 (11) All cosmetic art schools shall pay a fee of fifty dollars (\$50.00)  
34 annually.
- 35 (12) Applicants for licensing under G.S. 88-19 shall pay an application  
36 fee of fifteen dollars (\$15.00).
- 37 (13) Registered cosmetologists licensed under G.S. 88-19 shall pay an  
38 annual license fee of eleven dollars (\$11.00) until the year in which  
39 all other registered cosmetologist licenses are due for renewal and  
40 then shall pay the fees required in subdivision (5) above.
- 41 (14) A delinquency penalty of three dollars (\$3.00) shall be paid by all  
42 registered cosmetologists licensed under G.S. 88-19, paying on an  
43 annual basis if they do not renew their license before October 1 of  
44 that year.

1 (15) Apprentice cosmetologists, licensed under G.S. 88-19, shall pay an  
2 annual license fee of five dollars (\$5.00) for the first year, or part of  
3 the year, in addition to the application fee required by subdivision  
4 (12) above.

5 (16) All cosmetic art teachers shall be licensed by the Board and shall  
6 pay a fee of ten dollars (\$10.00) for that license which shall be  
7 renewed every two years.

8 (17) The fee to be paid by an applicant for examination to determine his  
9 or her fitness to receive a certificate of registration as a registered  
10 esthetician is thirty dollars (\$30.00). Registered estheticians shall  
11 pay a registration fee of thirty dollars (\$30.00) and an annual  
12 renewal fee of thirty dollars (\$30.00). The renewal fee shall be due  
13 on October 1 of each year."

14 Sec. 4. G.S. 88-1 reads as rewritten:

15 **"§ 88-1. Practice of cosmetology regulated; permits for operation of cosmetic art**  
16 **shops.**

17 (a) On and after June 30, 1933, no person or combination of persons shall, for  
18 pay or reward, either directly or indirectly, practice or attempt to practice cosmetic art as  
19 hereinafter defined in the State of North Carolina without a certificate of registration,  
20 either as a registered apprentice or registered 'cosmetologist,' issued pursuant to the  
21 provisions of this Chapter by the State Board of Cosmetic Art Examiners hereinafter  
22 established and, except as provided in G.S. 88-7.1; the practice of cosmetic art shall not  
23 be performed outside of a licensed and regularly inspected beauty establishment.

24 (b) On or after the effective date of this subsection, any person may practice  
25 as an esthetician without a certificate of registration as a registered cosmetologist.

26 (c) On or after January 1, 1994, no person may advertise or otherwise hold  
27 himself or herself out as a 'registered esthetician' or use any other title indicating that he  
28 or she is registered pursuant to this Article without a certificate of registration as a  
29 registered esthetician.

30 (d) The operator of a cosmetic art shop, beauty parlor or hairdressing  
31 establishment may employ unlicensed personnel to do shampooing only, where the  
32 shampooing is done under the supervision of a registered cosmetologist. As used in this  
33 paragraph, 'shampooing' includes only the application of shampoo to hair and the  
34 removal of the shampoo from the hair, and does not include any arranging, dressing,  
35 waving, marcelling or other treatment of hair. This paragraph does not apply to  
36 barbershops. This paragraph shall not apply to the following counties: Guilford, Jones,  
37 Lenoir, Mecklenburg, Onslow, Richmond, Sampson.

38 (e) On and after February 1, 1976, any person, firm or corporation, before  
39 establishing or opening a cosmetic art shop not heretofore licensed by the State Board of  
40 Cosmetic Art, shall make application to the Board, on forms to be furnished by the  
41 Board, for a permit to operate a cosmetic art shop. The shop of such applicant shall be  
42 inspected and approved by the State Board of Cosmetic Art by an agent designated for  
43 such purpose by the Board before such cosmetic art shop shall be opened for business.  
44 It shall be unlawful to open a new cosmetic art shop for the practice of cosmetology

1 until such shop has been inspected, as heretofore required, and determined by the Board  
2 to be in compliance with the requirements set forth in this Chapter. Upon the  
3 determination by the Board that the applicant has complied with the requirements of this  
4 Chapter, the Board shall issue to such applicant a permit to operate a cosmetic art shop.  
5 A fee of twenty-five dollars (\$25.00) shall be paid to the Board for the inspection of a  
6 cosmetic art shop. Such fee must accompany the application for a permit to operate a  
7 cosmetic art shop at the time such application is filed with the Board.

8 All cosmetic art shops in operation as of February 1, 1976, shall be required to make  
9 application to the Board of Cosmetic Art, on forms supplied by the Board, for a permit  
10 to operate. The fee required for such permit shall be three dollars (\$3.00) per active  
11 booth in said shop.

12 Thereafter, all permits shall be renewed as of the first day of February of each and  
13 every year, and the fee for annual renewal of cosmetic art shop permits shall be as set  
14 forth in G.S. 88-21. No permit or certificate shall be transferable from one location to  
15 another or from one owner to another at the same location. Each cosmetic art shop  
16 permit shall be conspicuously posted within such cosmetic art shop for which same is  
17 issued."

18 Sec. 5. This act is effective upon ratification.