

HOUSE BILL 595

By Parkinson

AN ACT to amend Tennessee Code Annotated, Title 62,
Chapter 4, relative to cosmetologists.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 4, is amended by adding the following language as new sections:

62-4-137.

(a)

(1) Any holder of a license as a cosmetologist, manicurist, aesthetician, or natural hair stylist who obtains an initial license on or after July 1, 2015, shall, within the sixty (60) days prior to the anniversary date of the license, submit to the board satisfactory proof, in a manner prescribed by the board, that the licensee has attended a board-approved continuing education program for a minimum of sixteen (16) hours.

(2) A penalty fee as set by the board shall be assessed against any holder of a license found to be in violation of subdivision (a)(1).

(b) Any person who held a license as a cosmetologist, manicurist, aesthetician, or natural hair stylist prior to July 1, 2015, but is not a holder of a valid license on or after July 1, 2015, for reasons including, but not limited to, the revocation of the prior license pursuant to § 62-4-127(b) or the failure to renew such license pursuant to § 62-4-117(d) for three (3) years or more, shall not be reinstated with a new license until the person:

(1) Pays the assessed penalty fee as set by the board;

(2) Passes the state law and practical examination, if applicable; or

(3) Demonstrates compliance with any additional penalties prescribed by the board.

(c) Notwithstanding subsection (a), the board may, in its discretion, grant up to one (1) additional year for a licensee to submit proof of compliance with the continuing education requirements upon a showing of good cause, including, but not limited to, illness or emergency; provided, that no extension of time shall relieve a licensee from compliance with additional requirements for license holders pursuant to this chapter.

(d) The license of any licensee who fails to provide proof of compliance with subsection (a) within sixty (60) days of renewal pursuant to subsection (a), or upon the expiration of an extension granted under subsection (c), shall be deemed invalid by the board until such time as the licensee:

(1) Provides proof to the board that the licensee completed the required continuing education pursuant to subsection (a); and

(2) Pays the penalty fee for violations of subsection (a) as set by the board.

(e) If a licensee is found to be in violation of subsection (a) and more than sixty (60) days have passed since the licensee's license was determined to be invalid by the board, then the licensee shall reapply for such license pursuant to § 62-4-110.

62-4-138.

(a)

(1) The board shall establish and administer a scholarship program to provide money to publicly funded colleges, universities, and secondary schools for the purpose of administering, funding, establishing, or otherwise operating a program of cosmetology, manicuring, aesthetics, or natural hair styling.

(2) The board shall charge a fee of two dollars (\$2.00) in addition to any fees charged for the issuance or renewal of any cosmetology, manicuring, shampoo technician, aesthetics, or natural hair styling license, to fund the

scholarship program pursuant to subdivision (a)(1). The board shall promulgate rules for the application, award, and disbursement of the fee.

(b) The funds received under this section shall be deposited by the board in a separate account exclusively for the board, and shall be used by the board to provide grants described in subdivision (a)(1) and to defray any expenses necessary to administer this grant program. Any unexpended funds remaining in this account at the end of any fiscal year shall not revert to the general fund, but shall be carried forward into the subsequent fiscal year for the sole purpose of funding the scholarship program in subdivision (a)(1).

SECTION 2. The state board of cosmetology and barber examiners is authorized to promulgate rules to effectuate the purposes of this act. All rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. For purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2015, the public welfare requiring it.