



General Assembly

January Session, 2001

Committee Bill No. 592

LCO No. 3874

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING THE LICENSING AND INSPECTION OF SALONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-241 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 All barber shops [and] shall be inspected in accordance with section
4 20-258, as amended by this act. All barber schools shall be inspected
5 regarding their sanitary condition by the Department of Public Health
6 whenever the department deems it necessary, and any authorized
7 representative of the department shall have full power to enter and
8 inspect any such [shop or] school during usual business hours. If any
9 [shop or] barber school, upon such inspection, is found to be in an
10 [insanitary] unsanitary condition, the commissioner or [his] the
11 commissioner's designee shall make written order that such [shop or]
12 school be placed in a sanitary condition.

13 Sec. 2. Section 20-250 of the general statutes is repealed and the
14 following is substituted in lieu thereof:

15 [The following terms when] As used in this chapter, [shall have the
16 following meanings] unless the context otherwise [indicates] requires:

17 (1) "Board" means the [board of examiners] Connecticut Examining
18 Board for Barbers, Hairdressers and Cosmeticians established under
19 section 20-235a;

20 (2) "Commissioner" means the Commissioner of Public Health;

21 (3) "Department" means the Department of Public Health;

22 (4) "Hairdressing and cosmetology" means the art of dressing,
23 arranging, curling, waving, weaving, cutting, singeing, bleaching and
24 coloring the hair and treating the scalp of any person, and massaging,
25 cleansing, stimulating, manipulating, exercising or beautifying with
26 the use of the hands, appliances, cosmetic preparations, antiseptics,
27 tonics, lotions, creams, powders, oils or clays and doing similar work
28 on the face, neck and arms, and manicuring the fingernails and, for
29 cosmetic purposes only, trimming, filing and painting the healthy
30 toenails, excluding cutting nail beds, corns and calluses or other
31 medical treatment involving the foot or ankle, of any person for
32 compensation, provided nothing in this [definition] subdivision shall
33 prohibit an unlicensed person from performing facials, eyebrow
34 arching, shampooing or braiding hair;

35 (5) "Registered hairdresser and cosmetician" means any person [(A)]
36 who (A) has successfully completed the ninth grade or [(B) who] has
37 passed an equivalency examination, evidencing such education,
38 prepared by the Commissioner of Education and conducted by the
39 [Department of Public Health] department, and [who] (B) holds a
40 license to practice as a registered hairdresser and cosmetician;

41 (6) "Salon" means any shop, store or other commercial establishment
42 at which hairdressing and cosmetology, the practice of barbering
43 pursuant to section 20-234 or the practice of a nail technician, as
44 defined in section 20-266a, or any combination thereof, is offered and

45 provided, and includes any hairdressing shop or salon, barber shop,
46 nail salon or day spa at which any such hair or nail services are
47 provided; and

48 [(6)] (7) "Student" means any person who is engaged in learning or
49 acquiring a knowledge of hairdressing and cosmetology at a school
50 approved in accordance with the provisions of this chapter who has
51 successfully completed ninth grade or its equivalent. The provisions of
52 this [section] subdivision shall not apply to schools conducted by the
53 State Board of Education.

54 Sec. 3. Section 20-252 of the general statutes is repealed and the
55 following is substituted in lieu thereof:

56 (a) No person shall engage in the occupation of registered
57 hairdresser and cosmetician without having obtained a license from
58 the department. Persons desiring such licenses shall apply in writing
59 on forms furnished by the department. No license shall be issued,
60 except a renewal [certificate] of a license, to a registered hairdresser
61 and cosmetician unless the applicant has shown to the satisfaction of
62 the department that [he] the applicant has complied with the laws and
63 the regulations [of] administered or adopted by the department. No
64 applicant shall be licensed as a registered hairdresser and cosmetician,
65 except by renewal of a license, until [he] the applicant has made
66 written application to the department, setting forth by affidavit that
67 [he] the applicant has successfully completed the eighth grade or [he]
68 has passed an equivalency examination, evidencing such education,
69 prepared by the Commissioner of Education and conducted by the
70 [Department of Public Health] department and that [he] the applicant
71 has completed a course of not less than fifteen hundred hours of study
72 in a school approved in accordance with the provisions of this chapter
73 or in a school teaching hairdressing and cosmetology under the
74 supervision of the State Board of Education and until [he] the applicant
75 has passed a written examination satisfactory to the department.
76 Examinations required for licensure under this chapter shall be

77 prescribed by the department with the advice and assistance of the
78 board and shall be administered by the department under the
79 supervision of the board. The department shall establish a passing
80 score for examinations with the advice and assistance of the board
81 which shall be the same as the passing score established in section 20-
82 236.

83 (b) No registered hairdresser and cosmetician, master barber
84 licensed pursuant to chapter 386 or nail technician, as defined in
85 section 20-266a and licensed pursuant to section 20-266c, shall operate
86 any salon without having obtained a license from the department for
87 each such salon. Applications for a salon license shall be made on a
88 form furnished by the department. Any such salon license may be
89 renewed annually by the department in accordance with section 20-
90 253, as amended by this act. The commissioner may adopt regulations,
91 in accordance with chapter 54, to establish requirements and
92 procedures for the operation of salons, the issuance of licenses under
93 this subsection, and the renewal, suspension and revocation of such
94 licenses.

95 Sec. 4. Section 20-253 of the general statutes is repealed and the
96 following is substituted in lieu thereof:

97 License or examination fees shall be paid to the department at the
98 time of application as follows: For examination as a registered
99 hairdresser and cosmetician, the sum of fifty dollars; for annual
100 renewal of any hairdresser and cosmetician license, the sum of twenty-
101 five dollars; for an initial salon license, the sum of one hundred dollars
102 per location and for annual renewal of any salon license, the sum of
103 one hundred dollars per location. Each person engaged in the
104 occupation of registered hairdresser and cosmetician shall, at all times,
105 conspicuously display [his] such person's hairdresser and cosmetician
106 license within the place where such occupation is being conducted.
107 Each person operating a salon shall, at all times, conspicuously display
108 such person's salon license within the salon. All hairdresser and

109 cosmetician licenses, except as otherwise provided in this chapter,
110 shall expire in accordance with the provisions of section 19a-88. No
111 person shall carry on the occupation of hairdressing and cosmetology
112 or operate a salon after the expiration of [his] such person's license
113 until [he] such person has made application to [said] the department
114 for the renewal of such license. Such application shall be in writing,
115 addressed to [said] the department and signed by the person applying
116 for such renewal. [Said] The department may renew any hairdresser
117 and [cosmetician's] cosmetician license or salon license if application
118 for such renewal is received by [said] the department within ninety
119 days after the expiration of such license.

120 Sec. 5. Section 20-257 of the general statutes is repealed and the
121 following is substituted in lieu thereof:

122 [Each] Any salon operator or registered hairdresser and cosmetician
123 licensed under the provisions of this chapter, who rents, loans or
124 allows the use of [his] such license to any person, or any such
125 registered hairdresser and cosmetician who aids or abets the practice
126 of hairdressing and cosmetology by an unlicensed person, shall be
127 fined not more than one hundred dollars and shall forfeit [his] such
128 license.

129 Sec. 6. Section 20-258 of the general statutes is repealed and the
130 following is substituted in lieu thereof:

131 All [hairdressing shops] salons shall be inspected regarding their
132 sanitary condition (1) by the [Department of Public Health]
133 department whenever the department deems it necessary, and [any]
134 (2) by the local director of health on an annual basis. Any authorized
135 representative of the department or the local director of health shall
136 have full power to enter and inspect any such [shop] salon during
137 usual business hours. If any [shop] salon, upon such inspection, is
138 found to be in an unsanitary condition, the commissioner, or [his] the
139 commissioner's designee, or the local director of health shall make
140 written order that such shop be placed in a sanitary condition. No

141 person, other than a person operating a hairdressing shop or barber
142 shop on May 17, 1982, or a person licensed as a nail technician
143 pursuant to section 20-266c and operating a nail salon on the effective
144 date of this act, may operate any [hairdressing shop] salon unless such
145 person has been licensed as a registered hairdresser and cosmetician or
146 barber or as a nail technician pursuant to section 20-266c for not less
147 than two years.

148 Sec. 7. Section 20-259 of the general statutes is repealed and the
149 following is substituted in lieu thereof:

150 Each [such registered shop, store or place] salon licensed pursuant
151 to this chapter shall be under the management of a registered
152 hairdresser and cosmetician or a master barber licensed pursuant to
153 chapter 386, provided each licensed salon that offers and provides only
154 the services of a nail technician, as defined in section 20-266a, shall be
155 under the management of a nail technician licensed pursuant to section
156 20-266c.

157 Sec. 8. Section 20-260 of the general statutes is repealed and the
158 following is substituted in lieu thereof:

159 No person who is not licensed under the provisions of this chapter
160 or chapter 386 shall engage in the cutting, styling or arranging of hair
161 in any [shop, store or place registered under the provisions of section
162 20-258] salon licensed pursuant to this chapter.

163 Sec. 9. Section 20-263 of the general statutes is repealed and the
164 following is substituted in lieu thereof:

165 The [Commissioner of Public Health or his] commissioner or a
166 representative designated by [him] the commissioner may investigate
167 any alleged violation of the provisions of this chapter and, if there
168 appears to be reasonable cause therefor, on reasonable notice to any
169 person accused of any such violation, may refer the matter to the board
170 for hearing; may make complaint to the prosecuting authority having

171 jurisdiction of any such complaint or may examine into all acts of
172 alleged abuse, fraud, or incompetence. The board may suspend the
173 license of any [operator,] registered hairdresser and cosmetician or any
174 [shop registration] salon or school license, and may revoke [the license
175 or shop registration of] any license issued pursuant to this chapter that
176 is held by any person convicted of violating any provision of this
177 chapter or any regulation adopted [hereunder] under this chapter or
178 take any of the actions set forth in section 19a-17 for any of the
179 following reasons: (1) The employment of fraud or deception in
180 obtaining a license; (2) abuse or excessive use of drugs, including
181 alcohol, narcotics or chemicals; (3) engaging in fraud or material
182 deception in the course of professional services or activities; (4)
183 physical or mental illness, emotional disorder or loss of motor skill,
184 including, but not limited to, deterioration through the aging process;
185 [.] or (5) illegal, incompetent or negligent conduct in the course of
186 professional activities. The [Commissioner of Public Health]
187 commissioner may order a license holder to submit to a reasonable
188 physical or mental examination if [his] the physical or mental capacity
189 of the license holder to practice safely is the subject of an investigation.
190 [Said] The commissioner may petition the superior court for the
191 judicial district of Hartford to enforce such order or any action taken
192 pursuant to section 19a-17. No license [or shop registration] issued
193 pursuant to this chapter shall be revoked or suspended under this
194 section until the licensee [or registrant] has been given notice and
195 opportunity for hearing as provided in the regulations adopted by the
196 [Commissioner of Public Health] commissioner.

Statement of Purpose:

To require the licensing and inspection of salons.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. HARP, 10th Dist.