



General Assembly

January Session, 2001

Amendment

LCO No. 5556

Offered by:

SEN. ANISKOVICH, 12th Dist.

To: Subst. Senate Bill No. 592

File No. 366

Cal. No. 280

"AN ACT CONCERNING THE INSPECTION OF SALONS."

1 Strike out everything after the enacting clause and substitute the
2 following in lieu thereof:

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 Section 20-241 of the general statutes is repealed and the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

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

15 Sec. 2. Section 20-250 of the general statutes is repealed and the

16 following is substituted in lieu thereof:

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

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

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

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

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

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

43 (6) "Salon" means any shop, store or other commercial establishment
44 at which hairdressing and cosmetology, the practice of barbering
45 pursuant to section 20-234 or the practice of a nail technician, as

46 defined in section 20-266a, or any combination thereof, is offered and
47 provided, and includes any hairdressing shop or salon, barber shop,
48 nail salon or day spa at which any such hair or nail services are
49 provided; and

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

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

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

79 prescribed by the department with the advice and assistance of the
80 board and shall be administered by the department under the
81 supervision of the board. The department shall establish a passing
82 score for examinations with the advice and assistance of the board
83 which shall be the same as the passing score established in section 20-
84 236.

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

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

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

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

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

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

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

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

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

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

152 Each [such registered shop, store or place] salon licensed pursuant
153 to this chapter shall be under the management of a registered
154 hairdresser and cosmetician or a master barber licensed pursuant to
155 chapter 386, provided each licensed salon that offers and provides only
156 the services of a nail technician, as defined in section 20-266a, shall be
157 under the management of a nail technician licensed pursuant to section
158 20-266c.

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

161 No person who is not licensed under the provisions of this chapter
162 or chapter 386 shall engage in the cutting, styling or arranging of hair
163 in any [shop, store or place registered under the provisions of section
164 20-258] salon licensed pursuant to this chapter.

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

167 The [Commissioner of Public Health or his] commissioner or a
168 representative designated by [him] the commissioner may investigate
169 any alleged violation of the provisions of this chapter and, if there
170 appears to be reasonable cause therefor, on reasonable notice to any
171 person accused of any such violation, may refer the matter to the board
172 for hearing; may make complaint to the prosecuting authority having
173 jurisdiction of any such complaint or may examine into all acts of
174 alleged abuse, fraud, or incompetence. The board may suspend the

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