

AN ACT concerning regulation.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Regulatory Sunset Act is amended by changing Section 4.36 and by adding Section 4.43 as follows:

(5 ILCS 80/4.36)

Sec. 4.36. Acts repealed on January 1, 2026. The following Acts are repealed on January 1, 2026:

~~The Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985.~~

The Collection Agency Act.

The Hearing Instrument Consumer Protection Act.

The Illinois Athletic Trainers Practice Act.

The Illinois Dental Practice Act.

The Illinois Roofing Industry Licensing Act.

The Illinois Physical Therapy Act.

The Professional Geologist Licensing Act.

The Respiratory Care Practice Act.

(Source: P.A. 99-26, eff. 7-10-15; 99-204, eff. 7-30-15; 99-227, eff. 8-3-15; 99-229, eff. 8-3-15; 99-230, eff. 8-3-15; 99-427, eff. 8-21-15; 99-469, eff. 8-26-15; 99-492, eff. 12-31-15; 99-642, eff. 7-28-16.)

(5 ILCS 80/4.43 new)

Sec. 4.43. Act repealed on January 1, 2031. The following Act is repealed on January 1, 2031:

The Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985.

Section 10. The Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 is amended by changing Sections 1-4, 1-6, 1-6.5, 1-7, 1-7.5, 1-7.10, 1-10, 1-11, 1-12, 2-2, 2-3, 2-4, 2-7, 2-9, 2-10, 2-11, 2-12, 3-1, 3-2, 3-3, 3-4, 3-6, 3-7, 3-7.1, 3-9, 3-10, 3-11, 3-12, 3A-1, 3A-2, 3A-3, 3A-5, 3A-6, 3A-8, 3B-2, 3B-10, 3B-11, 3B-12, 3B-13, 3B-15, 3B-16, 3C-1, 3C-2, 3C-3, 3C-7, 3C-8, 3C-10, 3D-5, 3E-2, 3E-5, 3E-7, 4-1, 4-2, 4-3, 4-4, 4-5, 4-6, 4-7, 4-8, 4-9, 4-10, 4-11, 4-13, 4-14, 4-15, 4-18.5, 4-19, and 4-22 and by adding Section 1-14 as follows:

(225 ILCS 410/1-4)

(Section scheduled to be repealed on January 1, 2026)

Sec. 1-4. Definitions. In this Act the following words shall have the following meanings:

"Address of record" means the designated address recorded by the Department in the applicant's application file or the licensee's license file, as maintained by the Department's licensure maintenance unit.

"Board" means the Barber, Cosmetology, Esthetics, Hair

Braiding, and Nail Technology Board.

"Department" means the Department of Financial and Professional Regulation.

"Email address of record" means the designated email address recorded by the Department in the applicant's application file or the licensee's license file, as maintained by the Department's licensure maintenance unit.

"Licensed barber" means an individual licensed by the Department to practice barbering as defined in this Act and whose license is in good standing.

"Licensed cosmetologist" means an individual licensed by the Department to practice cosmetology, nail technology, hair braiding, and esthetics as defined in this Act and whose license is in good standing.

"Licensed esthetician" means an individual licensed by the Department to practice esthetics as defined in this Act and whose license is in good standing.

"Licensed nail technician" means an individual licensed by the Department to practice nail technology as defined in this Act and whose license is in good standing.

"Licensed barber teacher" means an individual licensed by the Department to practice barbering as defined in this Act and to provide instruction in the theory and practice of barbering to students in a licensed ~~an approved~~ barber school.

"Licensed cosmetology teacher" means an individual licensed by the Department to practice cosmetology, esthetics,

hair braiding, and nail technology as defined in this Act and to provide instruction in the theory and practice of cosmetology, esthetics, hair braiding, and nail technology to students in a licensed ~~an approved~~ cosmetology, esthetics, hair braiding, or nail technology school.

"Licensed cosmetology clinic teacher" means an individual licensed by the Department to practice cosmetology, esthetics, hair braiding, and nail technology as defined in this Act and to provide clinical instruction in the practice of cosmetology, esthetics, hair braiding, and nail technology in a licensed ~~an approved~~ school of cosmetology, esthetics, hair braiding, or nail technology.

"Licensed esthetics teacher" means an individual licensed by the Department to practice esthetics as defined in this Act and to provide instruction in the theory and practice of esthetics to students in a licensed ~~an approved~~ cosmetology or esthetics school.

"Licensed hair braider" means an individual licensed by the Department to practice hair braiding as defined in this Act and whose license is in good standing.

"Licensed hair braiding teacher" means an individual licensed by the Department to practice hair braiding and to provide instruction in the theory and practice of hair braiding to students in a licensed ~~an approved~~ cosmetology or hair braiding school.

"Licensed nail technology teacher" means an individual

licensed by the Department to practice nail technology and to provide instruction in the theory and practice of nail technology to students in a licensed ~~an approved~~ nail technology or cosmetology school.

"Licensed continuing education sponsor" means an entity that is authorized by the Department to coordinate and present continuing education courses or programs for cosmetologists, cosmetology teachers, cosmetology clinic teachers, estheticians, esthetics teachers, nail technicians, nail technology teachers, hair braiders, and hair braiding teachers.

"Licensed school" means a postsecondary educational institution of cosmetology, barbering, esthetics, nail technology, or hair braiding that is authorized by the Department to provide a postsecondary education program in compliance with the requirements of this Act.

"Enrollment date" is the date upon which the student signs an enrollment agreement or student contract.

"Enrollment agreement" or "student contract" is any agreement, instrument, or contract however named, which creates or evidences an obligation binding a student to purchase a course of instruction from a school.

"Enrollment time" means the maximum number of hours a student could have attended class, whether or not the student did in fact attend all those hours.

"Elapsed enrollment time" means the enrollment time

elapsed between the actual starting date and the date of the student's last day of physical attendance in the school.

"Mobile shop or salon" means a self-contained facility that may be moved, towed, or transported from one location to another and in which barbering, cosmetology, esthetics, hair braiding, or nail technology is practiced.

"Public member" means a person on the Board who is not a current or former licensed cosmetologist, barber, esthetician, nail technician, or hair braider, teacher of barbering, cosmetology, esthetics, nail technology, or hair braiding, or owner of a business that employs professionals licensed to provide services under this Act, a school licensed under this Act, or a continuing education sponsor licensed under this Act. "Public member" does not include any person with a significant financial interest in salons, shops, schools, continuing education sponsors, or products relating to cosmetology, barbering, esthetics, nail technology, or hair braiding.

"Secretary" means the Secretary of the Department of Financial and Professional Regulation.

"Threading" means any technique that results in the removal of superfluous hair from the body by twisting thread around unwanted hair and then pulling it from the skin; and may also include the incidental trimming of eyebrow hair.

(Source: P.A. 98-238, eff. 1-1-14; 98-911, eff. 1-1-15; 99-427, eff. 8-21-15.)

(225 ILCS 410/1-6) (from Ch. 111, par. 1701-6)

(Section scheduled to be repealed on January 1, 2026)

Sec. 1-6. Administrative Procedure Act. The Illinois Administrative Procedure Act is hereby expressly adopted and incorporated herein as if all of the provisions of that Act were included in this Act, except that the provision of subsection (d) of Section 10-65 of the Illinois Administrative Procedure Act that provides that at hearings the licensee has the right to show compliance with all lawful requirements for retention, continuation or renewal of the license is specifically excluded. For the purpose of this Act the notice required under Section 10-25 of the Administrative Procedure Act is deemed sufficient when mailed to the address of record or emailed to the email address of record, or, if not an applicant or licensee, to the last known address or email address of a party.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/1-6.5)

(Section scheduled to be repealed on January 1, 2026)

Sec. 1-6.5. Address of record; email address of record.  
All applicants and licensees shall:

(1) provide a valid address and email address to the Department, which shall serve as the address of record and email address of record, respectively, at the time of

application for licensure or renewal of a license; and

(2) inform the Department of any change of address of record or email address of record within 14 days after the change either through the Department's website or by contacting the Department's licensure maintenance unit.

~~It is the duty of the applicant or licensee to inform the Department of any change of address within 14 days after such change either through the Department's website or by contacting the Department's licensure maintenance unit.~~

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/1-7) (from Ch. 111, par. 1701-7)

(Section scheduled to be repealed on January 1, 2026)

Sec. 1-7. Licensure required; renewal; restoration.

(a) It is unlawful for any person to practice, or to hold oneself ~~himself or herself~~ out to be a cosmetologist, esthetician, nail technician, hair braider, or barber without a license as a cosmetologist, esthetician, nail technician, hair braider or barber issued by the Department pursuant to the provisions of this Act and of the Civil Administrative Code of Illinois. It is also unlawful for any person, firm, partnership, limited liability company, professional limited liability company, corporation, or professional service corporation to own, operate, or conduct a cosmetology, esthetics, nail technology, hair braiding, or barber school without a license issued by the Department or to own or operate



a cosmetology, esthetics, nail technology, or hair braiding salon, barber shop, or other business subject to the registration requirements of this Act without a certificate of registration issued by the Department or to present continuing education courses or programs to cosmetologists, estheticians, nail technicians, hair braiders, or teachers of these professions without a license issued by the Department. It is further unlawful for any person to teach in any cosmetology, esthetics, nail technology, hair braiding, or barber college or school licensed ~~approved~~ by the Department or hold himself or herself out as a cosmetology, esthetics, hair braiding, nail technology, or barber teacher without a license as a teacher, issued by the Department or as a cosmetology clinic teacher without a license as a cosmetology clinic teacher issued by the Department.

(b) Notwithstanding any other provision of this Act, a person licensed as a cosmetologist may hold oneself ~~himself or herself~~ out as an esthetician and may engage in the practice of esthetics, as defined in this Act, without being licensed as an esthetician. A person licensed as a cosmetology teacher may teach esthetics or hold oneself ~~himself or herself~~ out as an esthetics teacher without being licensed as an esthetics teacher. A person licensed as a cosmetologist may hold oneself ~~himself or herself~~ out as a nail technician and may engage in the practice of nail technology, as defined in this Act, without being licensed as a nail technician. A person licensed

as a cosmetology teacher may teach nail technology and hold oneself ~~himself or herself~~ out as a nail technology teacher without being licensed as a nail technology teacher. A person licensed as a cosmetologist may hold oneself ~~himself or herself~~ out as a hair braider and may engage in the practice of hair braiding, as defined in this Act, without being licensed as a hair braider. A person licensed as a cosmetology teacher may teach hair braiding and hold oneself ~~himself or herself~~ out as a hair braiding teacher without being licensed as a hair braiding teacher.

(c) A person licensed as a barber teacher may hold oneself ~~himself or herself~~ out as a barber and may practice barbering without a license as a barber. A person licensed as a cosmetology teacher may hold oneself ~~himself or herself~~ out as a cosmetologist, esthetician, hair braider, and nail technologist and may practice cosmetology, esthetics, hair braiding, and nail technology without a license as a cosmetologist, esthetician, hair braider, or nail technologist. A person licensed as an esthetics teacher may hold oneself ~~himself or herself~~ out as an esthetician without being licensed as an esthetician and may practice esthetics. A person licensed as a nail technician teacher may practice nail technology and may hold oneself ~~himself or herself~~ out as a nail technologist without being licensed as a nail technologist. A person licensed as a hair braiding teacher may practice hair braiding and may hold oneself ~~himself or herself~~

out as a hair braider without being licensed as a hair braider.

(c-5) A person with an active license as a cosmetologist may obtain or restore an additional license as an esthetician, nail technician, or hair braider without having to complete the additional licensure requirements for each profession, other than payment of the fee, by filing an application provided by the Department for each additional license. A person with an active license as a cosmetology teacher may obtain or restore an additional license as an esthetics teacher, nail technology teacher, or hair braider teacher without having to complete the additional licensure requirements for each profession, other than payment of the fee, by filing an application provided by the Department for each additional license. A person with an active license as a cosmetology teacher may obtain or restore an additional license as a cosmetologist, esthetician, nail technician, or hair braider without having to complete the additional licensure requirements for each profession, other than payment of the fee, by filing an application provided by the Department for each additional license. A person with an active license as a barber teacher may also obtain or restore a barber license without having to complete the additional licensure requirements, other than payment of the fee, by filing an application provided by the Department. A person with an active license as an esthetics teacher may also obtain or restore an esthetician license without having to complete

the additional licensure requirements, other than payment of the fee, by filing an application provided by the Department. A person with an active license as a nail technology teacher may also obtain or restore a nail technician license without having to complete the additional licensure requirements, other than payment of the fee, by filing an application provided by the Department. A person with an active license as a hair braiding teacher may also obtain or restore a hair braider license without having to complete the additional licensure requirements, other than payment of the fee, filing an application provided by the Department. The Department may provide for other requirements for obtaining or restoring additional licenses by rule.

(d) The holder of a license issued under this Act may renew that license during the month preceding the expiration date of the license by paying the required fee.

(e) The expiration date, renewal period, and conditions for renewal and restoration of each license shall be established by rule.

(f) A license issued under the provisions of this Act as a barber, barber teacher, cosmetologist, cosmetology teacher, cosmetology clinic teacher, esthetician, esthetics teacher, nail technician, nail technician teacher, hair braider, or hair braiding teacher that has expired while the holder of the license was engaged (1) in federal service on active duty with the Army, Navy, Marine Corps, Air Force, Space Force, or Coast

Guard of the United States of America, or any Women's Auxiliary thereof, or the State Militia called into the service or training of the United States of America or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may be reinstated or restored without payment of any lapsed renewal fees, reinstatement fee, or restoration fee if within 2 years after the termination of such service, training, or education other than by dishonorable discharge, the holder furnishes the Department with an affidavit to the effect that the holder ~~he or she~~ has been so engaged and that the holder's ~~his or her~~ service, training, or education has been so terminated.

(Source: P.A. 103-746, eff. 1-1-25.)

(225 ILCS 410/1-7.5)

(Section scheduled to be repealed on January 1, 2026)

Sec. 1-7.5. Unlicensed practice; violation; civil penalty.

(a) Any person who practices, offers to practice, attempts to practice, or holds oneself ~~himself or herself~~ out to practice barbering, cosmetology, esthetics, hair braiding, or nail technology without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$5,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is

held in accordance with the provisions set forth in this Act regarding disciplining a licensee.

(b) The Department has the authority and power to investigate any and all unlicensed activity.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/1-7.10)

(Section scheduled to be repealed on January 1, 2026)

Sec. 1-7.10. Abnormal skin growth education.

(a) In addition to any other requirements under this Act, the following applicants must provide proof of completion of a course approved by the Department in abnormal skin growth education, including training on identifying melanoma:

(1) An applicant who submits an application for original licensure on or after January 1, 2026.

(2) An applicant who was licensed before January 1, 2026 when submitting the applicant's first application for renewal or restoration of a license on or after January 1, 2026.

(b) Nothing in this Section shall be construed to create a cause of action or any civil liabilities or to require or

permit a licensee or applicant under this Act to practice medicine or otherwise practice outside of the scope of practice of a licensed barber, cosmetologist, esthetician, hair braider, or nail technician.

(c) A person licensed under this Act may refer an individual to seek care from a medical professional regarding an abnormal skin growth. Neither a person licensed under this Act who completes abnormal skin growth education ~~as a part of the person's continuing education,~~ nor the person's employer, shall be civilly or criminally liable for acting in good faith or failing to act on information obtained during the course of practicing in the person's profession or employment concerning potential abnormal skin growths.

(Source: P.A. 103-851, eff. 8-9-24.)

(225 ILCS 410/1-10) (from Ch. 111, par. 1701-10)

(Section scheduled to be repealed on January 1, 2026)

Sec. 1-10. Display. Every holder of a license under this Act shall display it in a prominent place in the salon or shop where clients enter or wait to receive services and in the same prominent location, every license holder shall also display a sign provided by the Department that includes information about this Act and rules, sanitary requirements, and contact information for the Department's complaint intake unit ~~in the holder's principal office, place of business or place of employment.~~ Whenever a license holder provides barber,

cosmetology, esthetics, hair braiding, or nail technology services to clients ~~licensed cosmetologist, esthetician, nail technician, hair braider, or barber practices cosmetology, esthetics, nail technology, hair braiding, or barbering~~ outside of or away from the person's salon or shop ~~the cosmetologist's, esthetician's, nail technician's, hair braider's, or barber's principal office, place of business, or place of employment,~~ the license holder ~~cosmetologist, esthetician, nail technician, hair braider, or barber~~ shall provide any person so requesting proof that the person ~~he or she~~ has a valid license issued by the Department.

Every registered shop or salon shall display its certificate of registration in a prominent place at the location of the shop or salon where clients enter or wait to receive services and, in the same prominent location, every license holder shall also display a sign provided by the Department that includes information about this Act and rules, sanitary requirements, and contact information for the Department's complaint intake unit. Each shop or salon where barber, cosmetology, esthetics, hair braiding, or nail technology services are provided shall have a certificate of registration and shall display the Department's sign as required by this Section.

(Source: P.A. 99-427, eff. 8-21-15.)



(Section scheduled to be repealed on January 1, 2026)

Sec. 1-11. Exceptions to Act.

(a) Nothing in this Act shall be construed to apply to the educational activities conducted in connection with any monthly, annual or other special educational program of any bona fide association of licensed cosmetologists, estheticians, nail technicians, hair braiders, or barbers, or licensed cosmetology, esthetics, nail technology, hair braiding, or barber schools from which the general public is excluded.

(b) Nothing in this Act shall be construed to apply to the activities and services of registered nurses or licensed practical nurses, as defined in the Nurse Practice Act, or to personal care or health care services provided by individuals in the performance of the individuals' ~~their~~ duties as employed or authorized by facilities or programs licensed or certified by State agencies. As used in this subsection (b), "personal care" means assistance with meals, dressing, movement, bathing, or other personal needs or maintenance or general supervision and oversight of the physical and mental well-being of an individual who is incapable of maintaining a private, independent residence or who is incapable of managing the ~~his or her~~ person whether or not a guardian has been appointed for that individual. The definition of "personal care" as used in this subsection (b) shall not otherwise be construed to negate the requirements of this Act or its rules.

(c) Nothing in this Act shall be deemed to require licensure of individuals employed by the motion picture, film, television, stage play or related industry for the purpose of providing cosmetology or esthetics services to actors of that industry while engaged in the practice of cosmetology or esthetics as a part of that person's employment.

(d) Nothing in this Act shall be deemed to require licensure of an inmate of the Department of Corrections who performs barbering or cosmetology with the approval of the Department of Corrections during the person's incarceration.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/1-12)

(Section scheduled to be repealed on January 1, 2026)

Sec. 1-12. Licensure by endorsement. The Department may, without examination, grant a license under this Act to an applicant who is licensed or registered for or authorized to practice the same profession under the laws of another state or jurisdiction of the United States or of a foreign country upon the physical or electronic filing of an application on forms provided by the Department, paying the required fee, and meeting such requirements as are established by rule. The Department may prescribe rules governing recognition of education and legal practice of the profession in another jurisdiction, requiring additional education, and determining when an examination may be required.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/1-14 new)

Sec. 1-14. Teacher education. The Department may accept, instead of the teacher training requirements set forth in subsection (d) of Sections 2-4, paragraph (4) of subsection (a) of Section 3-4, paragraph (4) of subsection (a) of Section 3A-3, paragraph (4) of subsection (a) of Section 3C-3, and Section 3E-3 of this Act, proof that the applicant has completed educational courses at a college or university that are similar to those included in the rules regarding teacher curriculum, including student teaching, or proof of a current professional educator license or career and technical educator license issued by the State Board of Education and proof of 2 years of experience as a teacher. Any teacher who maintains a professional educator license or career and technical educator license through the State Board of Education and completes professional development hours for that license may also use those hours the teacher's continuing education requirements at renewal of the teacher's cosmetology teacher, esthetics teacher, nail technology teacher, or hair braiding teacher licenses through the Department.

(225 ILCS 410/2-2) (from Ch. 111, par. 1702-2)

(Section scheduled to be repealed on January 1, 2026)

Sec. 2-2. Licensure as a barber; qualifications. A person

is qualified to receive a license as a barber if that person has applied in writing or electronically on forms provided ~~prescribed~~ by the Department, has paid the required fees, and:

- a. Is at least 16 years of age; and
- b. Has a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, or persons who are beyond the age of compulsory school attendance; and
- c. Has graduated from a licensed school of barbering or school of cosmetology ~~approved by the Department,~~ having completed a total of 1500 hours in the study of barbering extending over a period of not less than 9 months ~~nor more than 3 years~~. A licensed school of barbering may, at its discretion, consistent with the rules of the Department, accept up to 1,000 hours of cosmetology school training at a licensed ~~recognized~~ cosmetology school toward the 1500 hour course requirement of barbering. Time spent in such study under the laws of another state or territory of the United States or of a foreign country or province shall be credited toward the period of study required by the provisions of this paragraph; and
- d. Has passed an examination caused to be conducted by the Department or its designated testing service to determine fitness to receive a license as a barber; and
- e. Has met all other requirements of this Act or by

rule.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/2-3) (from Ch. 111, par. 1702-3)

(Section scheduled to be repealed on January 1, 2026)

Sec. 2-3. Licensure as a barber by a cosmetology school graduate. A person is qualified to receive a license as a barber if that person has applied in writing or electronically on forms provided by the Department, paid the required fees, and:

a. Is at least 16 years of age; and

b. Has a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, or persons who are beyond the age of compulsory school attendance; and

c. Has graduated from a cosmetology school approved by the Department having completed a minimum of 1500 hours in the study of cosmetology; and

d. Has graduated from a licensed school of barbering or cosmetology ~~approved by the Department~~ having completed a minimum of 500 additional hours in the study of barbering extending over a period of no less than 3 months ~~nor more than one year~~. Time spent in such study under the laws of another state or territory of the United States or of a foreign country or province shall be credited toward the period of study required by the provisions of this

paragraph; and

e. Has passed an examination caused to be conducted by the Department, or its designated testing service, to determine fitness to receive a license as a barber; and

f. Has met any other requirements set forth in this Act or by rule.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/2-4) (from Ch. 111, par. 1702-4)

(Section scheduled to be repealed on January 1, 2026)

Sec. 2-4. Licensure as a barber teacher; qualifications. A person is qualified to receive a license as a barber teacher if that person files an application electronically on forms provided by the Department, pays the required fee, and:

- a. Is at least 18 years of age;
- b. Has graduated from high school or its equivalent;
- c. Has a current license as a barber or cosmetologist;
- d. Has graduated from a licensed barber school or school of cosmetology ~~approved by the Department~~ having:

(1) completed a total of 500 hours in barber teacher training extending over a period of not less than 3 months nor more than 2 years and has had 3 years of practical experience as a licensed barber;

(2) completed a total of 1,000 hours of barber teacher training extending over a period of not less than 6 months nor more than 2 years; or

(3) completed the cosmetology teacher training as specified in paragraph (4) of subsection (a) of Section 3-4 of this Act and completed a supplemental barbering course as established by rule;

e. Has passed an examination authorized by the Department to determine fitness to receive a license as a barber teacher or a cosmetology teacher; and

f. Has met any other requirements set forth in this Act or by rule.

An applicant who is issued a license as a barber teacher is not required to maintain a barber license in order to practice barbering as defined in this Act.

(Source: P.A. 98-911, eff. 1-1-15; 99-78, eff. 7-20-15; 99-427, eff. 8-21-15; 99-642, eff. 7-28-16.)

(225 ILCS 410/2-7) (from Ch. 111, par. 1702-7)

(Section scheduled to be repealed on January 1, 2026)

Sec. 2-7. Examination of applicants. The Department shall hold examinations of applicants for licensure as barbers and barber teachers ~~of barbering~~ at such times and places as it may determine. Upon request, the examinations shall be administered in Spanish and any other language as determined by the Department to be necessary pursuant to the Language Equity and Access Act.

Each applicant shall be given an ~~a written~~ examination testing both theoretical and practical knowledge of the

following subjects insofar as they are related and applicable to the practice of barber science and art: (1) anatomy, (2) physiology, (3) skin diseases, (4) hygiene and sanitation, (5) barber history, (6) this Act and the rules for the administration of this Act, (7) hair cutting and styling, (8) shaving, shampooing, and permanent waving, (9) massaging, (10) bleaching, tinting, and coloring, and (11) implements.

The examination of applicants for licensure as a barber teacher shall include: (a) practice of barbering and styling, (b) theory of barbering, (c) methods of teaching, and (d) school management.

An applicant for licensure as a barber who has completed 1,200 hours in the study of barbering may take the examination. If an applicant for licensure as a barber fails to pass 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 100 ~~250~~ hours of additional study of barbering in a licensed ~~an approved~~ school of barbering or cosmetology since the applicant last took the examination. If an applicant for licensure as a barber teacher fails to pass 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 80 hours of additional study in teaching methodology and educational psychology in a licensed ~~an approved~~ school of barbering or cosmetology since the applicant last took the examination. ~~An applicant who~~



~~fails to pass the fourth examination shall not again be admitted to an examination unless: (i) in the case of an applicant for licensure as a barber, the applicant again takes and completes a program of 1,500 hours in the study of barbering in an approved school of barbering or cosmetology extending over a period that commences after the applicant fails to pass the fourth examination and that is not less than 8 months nor more than 7 consecutive years in duration; or (ii) in the case of an applicant for licensure as a barber teacher, the applicant again takes and completes a program of 1,000 hours of teacher training in an approved school of barbering or cosmetology, except that if the applicant had 2 years of practical experience as a licensed barber within the 5 years preceding the initial examination taken by the applicant, the applicant must again take and complete a program of 500 hours of teacher training in an approved school of barbering or cosmetology.~~ The requirements for remedial training set forth in this Section may be waived in whole or in part by the Department upon proof to the Department that the applicant has demonstrated competence to again sit for the examination or if the Department otherwise determines a waiver is appropriate. The Department shall adopt rules establishing standards by which this determination shall be made.

~~This Act does not prohibit the practice as a barber or barber teacher by one who has applied in writing to the Department, in form and substance satisfactory to the~~

~~Department, for a license and has complied with all the provisions of this Act in order to qualify for a license except the passing of an examination, until: (a) the expiration of 6 months after the filing of such written application, or (b) the decision of the Department that the applicant has failed to pass an examination within 6 months or failed without an approved excuse to take an examination conducted within 6 months by the Department, or (c) the withdrawal of the application.~~

(Source: P.A. 99-427, eff. 8-21-15; 100-642, eff. 1-1-19; 100-934, eff. 1-1-19.)

(225 ILCS 410/2-9)

(Section scheduled to be repealed on January 1, 2026)

Sec. 2-9. Certification in barbering at a cosmetology school. A licensed school of cosmetology may offer a certificate in barbering, as defined by this Act, provided that the school of cosmetology complies with subsections (c), (d), and (e) of Section 2-2 of this Act; utilizes barber teachers properly licensed under Section 2-4 of this Act; and complies with Sections 2A-7 and 3B-10 of this Act.

(Source: P.A. 98-911, eff. 1-1-15; 99-427, eff. 8-21-15.)

(225 ILCS 410/2-10)

(Section scheduled to be repealed on January 1, 2026)

Sec. 2-10. Licensed cosmetologist seeking license as a

barber. A licensed cosmetologist who submits to the Department an application for licensure as a barber must meet all requirements of this Act for licensure as a barber, except that such applicant shall be given credit for hours of instruction completed for the applicant's ~~his or her~~ cosmetologist license in subjects that are common to both barbering and cosmetology and shall complete an additional 500 hours of instruction in subjects not within the scope of practice of a cosmetologist. The Department shall provide for the implementation of this provision by rule.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/2-11)

(Section scheduled to be repealed on January 1, 2026)

Sec. 2-11. Inactive status. Any barber or barber teacher who notifies the Department in writing or electronically on forms prescribed by the Department may elect to place the barber's or barber teacher's ~~his or her~~ license on inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until the barber or barber teacher ~~he or she~~ notifies the Department in writing or electronically of the barber or barber teacher's ~~his or her~~ desire to resume active status. Any barber or barber teacher requesting restoration from inactive status shall be required to pay the current renewal fee and to qualify for the restoration of the ~~his or her~~ license, subject to rules of the

Department. Any barber or barber teacher whose license is in inactive status shall not practice in the State of Illinois.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/2-12)

Sec. 2-12. Licensed cosmetology teacher seeking license as a barber teacher. A licensed cosmetology teacher who submits to the Department an application for licensure as a barber teacher must meet all requirements of this Act for licensure as a barber teacher, except that an applicant who has at least 3 years of experience as a licensed cosmetology teacher shall be given credit for hours of instruction completed for the applicant's ~~his or her~~ cosmetology teacher license in subjects that are common to both barbering and cosmetology in the supplemental barber course. The Department shall provide for the implementation of this provision by rule.

(Source: P.A. 103-675, eff. 1-1-25.)

(225 ILCS 410/3-1) (from Ch. 111, par. 1703-1)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3-1. Cosmetology defined. Any one or any combination of the following practices constitutes the practice of cosmetology when done for cosmetic or beautifying purposes and not for the treatment of disease or of muscular or nervous disorder: arranging, braiding, dressing, cutting, trimming, curling, waving, chemical restructuring, shaping, singeing,

bleaching, coloring or similar work, upon the hair of the head or any cranial prosthesis; chemical restructuring, lightening, coloring, cutting, or trimming facial hair of any person; any practice of manicuring, pedicuring, decorating nails, applying sculptured nails or otherwise artificial nails by hand or with mechanical or electrical apparatus or appliances, or in any way caring for the nails or the skin of the hands or feet including massaging the hands, arms, elbows, feet, lower legs, and knees of another person for other than the treatment of medical disorders; any practice of epilation or depilation of any person; any practice for the purpose of cleansing, massaging or toning the skin of the scalp; beautifying, massaging, cleansing, exfoliating, or stimulating the stratum corneum of the epidermis by the use of cosmetic preparations, body treatments, body wraps, the use of hydrotherapy, or any device, electrical, mechanical, or otherwise; applying make-up or eyelashes to any person or chemical restructuring or lightening or coloring hair on the body and removing superfluous hair from the body of any person by the use of depilatories, waxing, threading, or tweezers. The term "cosmetology" does not include the services provided by an electrologist. Nail technology is the practice and the study of cosmetology only to the extent of manicuring, pedicuring, decorating, and applying sculptured or otherwise artificial nails, or in any way caring for the nail or the skin of the hands or feet including massaging the hands, arms, elbows,

feet, lower legs, and knees. Cosmetologists are prohibited from using any technique, product, or practice intended to affect the living layers of the skin. The term cosmetology includes rendering advice on what is cosmetically appealing, but no person licensed under this Act shall render advice on what is appropriate medical treatment for diseases of the skin. Purveyors of cosmetics may demonstrate such cosmetic products in conjunction with any sales promotion and shall not be required to hold a license under this Act. Nothing in this Act shall be construed to prohibit the shampooing of hair by persons employed for that purpose and who perform that task under the direct supervision of a licensed cosmetologist or licensed cosmetology teacher.

(Source: P.A. 98-911, eff. 1-1-15.)

(225 ILCS 410/3-2) (from Ch. 111, par. 1703-2)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3-2. Licensure; qualifications.

(1) A person is qualified to receive a license as a cosmetologist who has filed an application in writing or electronically on forms provided by the Department, pays the required fees, and:

- a. Is at least 16 years of age; and
- b. Is beyond the age of compulsory school attendance or has received a certificate of graduation from a school providing secondary education, or the recognized

equivalent of that certificate; and

c. Has graduated from a licensed school of cosmetology ~~approved by the Department~~, having completed a program of 1,500 hours in the study of cosmetology extending over a period of not less than 8 months ~~nor more than 7 consecutive years~~. A licensed school of cosmetology may, at its discretion, consistent with the rules of the Department, accept up to 1,000 hours of barber school training at a licensed ~~recognized~~ barber school toward the 1,500 hour program requirement of cosmetology. Time spent in such study under the laws of another state or territory of the United States or of a foreign country or province shall be credited toward the period of study required by the provisions of this paragraph; and

d. Has passed an examination authorized by the Department to determine eligibility to receive a license as a cosmetologist; and

e. Has met any other requirements set forth in ~~of~~ this Act or by rule.

(2) (Blank).

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/3-3) (from Ch. 111, par. 1703-3)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3-3. Licensure as a cosmetologist by a barber school graduate. A person is qualified to receive a license as a

cosmetologist if that person has filed an application in writing or electronically on forms provided by the Department, has paid the required fees, and:

- a. Is at least 16 years of age; and
- b. Has a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, or is beyond the age of compulsory school attendance; and
- c. Has graduated from a licensed school of barbering ~~approved by the Department~~ having completed 1500 hours in the study of barbering, and a minimum of 500 additional hours in the study of cosmetology extending over a period of no less than 3 months ~~nor more than one year~~. Time spent in such study under the laws of another state or territory of the United States or of a foreign country or province shall be credited toward the period of study required by the provisions of this paragraph; and
- d. Has passed an examination authorized by the Department to determine fitness to receive a license as a cosmetologist; and
- e. Has met any other requirements of this Act and rules.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/3-4) (from Ch. 111, par. 1703-4)

(Section scheduled to be repealed on January 1, 2026)



Sec. 3-4. Licensure as cosmetology teacher or cosmetology clinic teacher; qualifications.

(a) A person is qualified to receive license as a cosmetology teacher if that person has applied in writing or electronically on forms provided by the Department, has paid the required fees, and:

- (1) is at least 18 years of age;
- (2) has graduated from high school or its equivalent;
- (3) has a current license as a cosmetologist;

(4) has either: (i) completed a program of 500 hours of teacher training in a licensed school of cosmetology and had 2 years of practical experience as a licensed cosmetologist within 5 years preceding the examination; (ii) completed a program of 1,000 hours of teacher training in a licensed school of cosmetology; or (iii) completed the barber teacher training as specified in subsection (d) of Section 2-4 of this Act and completed a supplemental cosmetology course as established by rule;

(5) has passed an examination authorized by the Department to determine eligibility to receive a license as a cosmetology teacher or barber teacher; and

(6) has met any other requirements of this Act and rules.

An individual who receives a license as a cosmetology teacher shall not be required to maintain an active cosmetology license in order to practice cosmetology as

defined in this Act.

(b) A person is qualified to receive a license as a cosmetology clinic teacher if he or she has applied in writing or electronically on forms provided by the Department, has paid the required fees, and:

- (1) is at least 18 years of age;
- (2) has graduated from high school or its equivalent;
- (3) has a current license as a cosmetologist;
- (4) has (i) completed a program of 250 hours of clinic teacher training in a licensed school of cosmetology or (ii) within 5 years preceding the examination, has obtained a minimum of 2 years of practical experience working at least 30 full-time hours per week as a licensed cosmetologist and has completed an instructor's institute of 20 hours, as prescribed by the Department, prior to submitting an application for examination;
- (5) has passed an examination authorized by the Department to determine eligibility to receive a license as a cosmetology teacher; and
- (6) has met any other requirements of this Act and rules.

The Department shall not issue any new cosmetology clinic teacher licenses after January 1, 2009. Any person issued a license as a cosmetology clinic teacher before January 1, 2009, may renew the license after that date under this Act and that person may continue to renew the license or have the

license restored during the person's ~~his or her~~ lifetime, subject only to the renewal or restoration requirements for the license under this Act; however, such licensee and license shall remain subject to the provisions of this Act, including, but not limited to, provisions concerning renewal, restoration, fees, continuing education, discipline, administration, and enforcement.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/3-6) (from Ch. 111, par. 1703-6)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3-6. Examination. The Department shall authorize examinations of applicants for licensure as cosmetologists and teachers of cosmetology at the times and places it may determine. Upon request, the examinations shall be administered in Spanish and any other language as may be determined by the Department to be necessary pursuant to the Language Equity and Access Act. The Department may provide by rule for the administration of the examination prior to the completion of the applicant's program of training as required in Section 3-2, 3-3, or 3-4. Notwithstanding Section 3-2, 3-3, or 3-4, an applicant for licensure as a cosmetologist who has completed 1,200 hours in the study of cosmetology may take the examination. If an applicant for licensure as a cosmetologist fails to pass 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination,

furnish evidence of not less than 100 ~~250~~ hours of additional study of cosmetology in a licensed ~~an approved~~ school of cosmetology since the applicant last took the examination. If an applicant for licensure as a cosmetology teacher fails to pass 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 80 hours of additional study in teaching methodology and educational psychology in a licensed ~~an approved~~ school of cosmetology since the applicant last took the examination. ~~An applicant who fails to pass the fourth examination shall not again be admitted to an examination unless: (i) in the case of an applicant for licensure as a cosmetologist, the applicant again takes and completes a program of 1500 hours in the study of cosmetology in an approved school of cosmetology extending over a period that commences after the applicant fails to pass the fourth examination and that is not less than 8 months nor more than 7 consecutive years in duration; (ii) in the case of an applicant for licensure as a cosmetology teacher, the applicant again takes and completes a program of 1000 hours of teacher training in an approved school of cosmetology, except that if the applicant had 2 years of practical experience as a licensed cosmetologist within the 5 years preceding the initial examination taken by the applicant, the applicant must again take and complete a program of 500 hours of teacher training in an approved school of cosmetology, esthetics, or~~

~~nail technology; or (iii) in the case of an applicant for licensure as a cosmetology clinic teacher, the applicant again takes and completes a program of 250 hours of clinic teacher training in a licensed school of cosmetology or an instructor's institute of 20 hours.~~ The requirements for remedial training set forth in this Section may be waived in whole or in part by the Department upon proof to the Department that the applicant has demonstrated competence to again sit for the examination or if the Department otherwise determines a waiver is appropriate. The Department shall adopt rules establishing the standards by which this determination shall be made. Each cosmetology applicant shall be given an ~~a written~~ examination testing both theoretical and practical knowledge, which shall include, but not be limited to, questions that determine the applicant's knowledge of product chemistry, sanitary rules, sanitary procedures, chemical service procedures, hazardous chemicals and exposure minimization, knowledge of the anatomy of the skin, scalp, hair, and nails as they relate to applicable services under this Act and labor and compensation laws.

The examination of applicants for licensure as a cosmetology, esthetics, or nail technology teacher may include all of the elements of the exam for licensure as a cosmetologist, esthetician, or nail technician and also include teaching methodology, classroom management, record keeping, and any other related subjects that the Department in

its discretion may deem necessary to ensure ~~insure~~ competent performance.

~~This Act does not prohibit the practice of cosmetology by one who has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a cosmetologist, or the teaching of cosmetology by one who has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a cosmetology teacher or cosmetology clinic teacher, if the person has complied with all the provisions of this Act in order to qualify for a license, except the passing of an examination to be eligible to receive a license, until: (a) the expiration of 6 months after the filing of the written application, (b) the decision of the Department that the applicant has failed to pass an examination within 6 months or failed without an approved excuse to take an examination conducted within 6 months by the Department, or (c) the withdrawal of the application.~~

(Source: P.A. 99-427, eff. 8-21-15; 100-642, eff. 1-1-19; 100-934, eff. 1-1-19.)

(225 ILCS 410/3-7) (from Ch. 111, par. 1703-7)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3-7. Licensure; renewal; continuing education. The holder of a license issued under this Article III may renew that license during the month preceding the expiration date

thereof by paying the required fee, giving such evidence as the Department may prescribe of completing not less than 14 hours of continuing education for a cosmetologist, and 24 hours of continuing education for a cosmetology teacher or cosmetology clinic teacher, within the 2 years prior to renewal. The training shall be in subjects approved by the Department as prescribed by rule upon recommendation of the Board and may include online instruction.

For the initial renewal of a cosmetologist's license which requires continuing education, as prescribed by rule, one hour of the continuing education shall include domestic violence and sexual assault awareness education as prescribed by rule of the Department. For every subsequent renewal of a cosmetologist's license, one hour of the continuing education may include domestic violence and sexual assault awareness education as prescribed by rule of the Department. The one-hour domestic violence and sexual assault awareness continuing education course shall be provided by a continuing education provider approved by the Department, except that completion from March 12, 2016 to March 15, 2016 of a one-hour domestic violence and sexual assault awareness course from a domestic violence and sexual assault awareness organization shall satisfy this requirement.

The Department may prescribe rules regarding the requirements for domestic violence and sexual assault awareness continuing education courses and teachers.

The Department shall establish by rule methods ~~a means~~ for the verification of completion of the continuing education required by this Section and for restoration of a license under Section 3-7.1. This verification may be accomplished through audits of records maintained by continuing education sponsors and individual licensees ~~registrants~~, by requiring the filing of continuing education certificates with the Department, by accepting attestations of completion of continuing education from licensees, or by any other means established by the Department.

The Department, in its discretion, may waive enforcement of the continuing education requirement in this Section, including the domestic violence and sexual assault awareness education requirement, and shall adopt rules defining the standards and criteria for that waiver under the following circumstances:

(a) the licensee resides in a locality where it is demonstrated that the absence of opportunities for such education would interfere with the ability of the licensee to provide service to the public;

(b) that to comply with the continuing education requirements would cause a substantial financial hardship on the licensee;

(c) that the licensee is serving in the United States Armed Forces; ~~or~~

(d) that the licensee is incapacitated due to



illness;~~;~~

(e) that the licensee has been caring for an ill or disabled family member; or

(f) other circumstances as provided by rule.

(Source: P.A. 98-911, eff. 1-1-15; 99-427, eff. 8-21-15; 99-766, eff. 1-1-17.)

(225 ILCS 410/3-7.1) (from Ch. 111, par. 1703-7.1)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3-7.1. Inactive status ~~Status~~. Any cosmetologist, cosmetology teacher, or cosmetology clinic teacher who notifies the Department in writing or electronically on forms prescribed by the Department, may elect to place a ~~his or her~~ license on an inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until that person ~~he or she~~ notifies the Department in writing or electronically of the person's ~~his or her~~ desire to resume active status.

Any cosmetologist, cosmetology teacher, or cosmetology clinic teacher requesting restoration from inactive status shall be required to pay the current renewal fee and to qualify for the restoration of the ~~his or her~~ license, subject to rules of the Department. A license shall not be restored from inactive status unless the cosmetologist, cosmetology teacher, or cosmetology clinic teacher requesting the restoration completes the number of hours of continuing education required

for renewal of a license under Section 3-7.

Any cosmetologist, cosmetology teacher, or cosmetology clinic teacher whose license is in ~~an~~ inactive status shall not practice in the State of Illinois.

(Source: P.A. 89-387, eff. 1-1-96; 90-302, eff. 8-1-97.)

(225 ILCS 410/3-9)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3-9. Licensed barber seeking license as cosmetologist. A licensed barber who submits to the Department an application for licensure as a cosmetologist must meet all requirements of this Act for licensure as a cosmetologist, except that such applicant shall be given credit for hours of instruction completed for the applicant's ~~his or her~~ barber license in subjects that are common to both barbering and cosmetology and shall complete an additional 500 hours of instruction in subjects not within the scope of practice of a barber. The Department shall provide for the implementation of this provision by rule.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/3-10)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3-10. Licensed esthetician or licensed nail technician seeking license as a cosmetologist. A licensed esthetician or licensed nail technician who submits to the

Department an application for licensure as a cosmetologist must meet all requirements of this Act for licensure as a cosmetologist except that such applicant shall be given credit for hours of instruction completed for the applicant's ~~his or her~~ esthetician or nail technician license in subjects that are common to both esthetics or nail technology and cosmetology. The Department shall provide for the implementation of this provision by rule.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/3-11)

Sec. 3-11. Licensed barber teacher seeking license as cosmetology teacher. A licensed barber teacher who submits to the Department an application for licensure as a cosmetology teacher must meet all requirements of this Act for licensure as a cosmetology teacher, except that an applicant who has at least 3 years of experience as a licensed barber teacher shall be given credit for hours of instruction completed for the applicant's ~~his or her~~ barber teacher license in subjects that are common to both barbering and cosmetology in the supplemental cosmetology course. The Department shall provide for the implementation of this provision by rule.

(Source: P.A. 103-675, eff. 1-1-25.)

(225 ILCS 410/3-12)

Sec. 3-12. Licensed esthetician teacher or licensed nail

technician teacher seeking license as a cosmetology teacher. A licensed esthetician teacher or licensed nail technician teacher who submits to the Department an application for licensure as a cosmetology teacher must meet all requirements of this Act for licensure as a cosmetology teacher, except that an applicant who has at least 3 years of experience as a licensed esthetician teacher or licensed nail technician teacher shall be given credit for hours of instruction completed for the applicant's ~~his or her~~ esthetician teacher or nail technician teacher license in subjects that are common to both esthetics or nail technology and cosmetology. The Department shall provide for the implementation of this provision by rule.

(Source: P.A. 103-675, eff. 1-1-25.)

(225 ILCS 410/3A-1) (from Ch. 111, par. 1703A-1)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3A-1. Esthetics defined.

(A) Any one or combination of the following practices, when done for cosmetic or beautifying purposes and not for the treatment of disease or of a muscular or nervous disorder, constitutes the practice of esthetics:

1. Beautifying, massaging, cleansing, exfoliating, or stimulating the stratum corneum of the epidermis by the use of cosmetic preparations, body treatments, body wraps, hydrotherapy, or any device, electrical, mechanical, or

otherwise, for the care of the skin except the scalp;

2. Applying make-up or eyelashes to any person or chemical restructuring or lightening or coloring hair on the body except the scalp; and

3. Removing superfluous hair from the body of any person.

However, esthetics does not include the services provided by a cosmetologist or electrologist. Estheticians are prohibited from using techniques, products, and practices intended to affect the living layers of the skin. The term esthetics includes rendering advice on what is cosmetically appealing, but no person licensed under this Act shall render advice on what is appropriate medical treatment for diseases of the skin.

(B) "Esthetician" means any person who, with hands or mechanical or electrical apparatus or appliances, engages only in the use of cosmetic preparations, body treatments, body wraps, hydrotherapy, makeups, antiseptics, tonics, lotions, creams or other preparations or in the practice of massaging, cleansing, exfoliating the stratum corneum of the epidermis, stimulating, manipulating, beautifying, grooming, threading, or similar work on the face, neck, arms and hands or body in a superficial mode, and not for the treatment of medical disorders.

(Source: P.A. 98-911, eff. 1-1-15.)

(225 ILCS 410/3A-2) (from Ch. 111, par. 1703A-2)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3A-2. Licensure as an esthetician; qualifications. A person is qualified to receive a license as a licensed esthetician if that person has applied in writing or electronically on forms provided by the Department, paid any required fees, and:

a. Is at least 16 years of age; and

b. Has a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, or a person ~~persons~~ who is ~~are~~ beyond the age of compulsory school attendance; and

c. Has graduated from a school of cosmetology or esthetics licensed ~~approved~~ by the Department, having completed a program of 750 hours in the study of esthetics extending over a period of not less than 18 weeks ~~nor more than 4 consecutive years~~. Time spent in such study under the laws of another state or territory of the United States or of a foreign country or province shall be credited toward the period of study required by the provisions of this paragraph; and

d. Has passed an examination authorized by the Department to determine fitness to receive a license as a licensed esthetician; and

e. Has met any other requirements of this Act and rules.

(Source: P.A. 91-863, eff. 7-1-00.)

(225 ILCS 410/3A-3) (from Ch. 111, par. 1703A-3)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3A-3. Licensure as an esthetics teacher; qualifications.

(a) A person is qualified to receive a license as an esthetics teacher if that person has applied in writing or electronically on forms supplied by the Department, paid the required fees, and:

(1) is at least 18 years of age;

(2) has graduated from high school or its equivalent;

(3) has a current license as a licensed cosmetologist or esthetician;

(4) has either: (i) completed a program of 500 hours of teacher training in a licensed school of cosmetology or a licensed esthetics school and had 2 years of practical experience as a licensed cosmetologist or esthetician within 5 years preceding the examination; or (ii) completed a program of 750 hours of teacher training in a licensed school of cosmetology approved by the Department to teach esthetics or a licensed esthetics school;

(5) has passed an examination authorized by the Department to determine eligibility to receive a license as a licensed cosmetology or esthetics teacher;

(6) (blank); and

(7) has met any other requirements as required by this Act and any rules.

(b) (Blank).

(c) An applicant who is issued a license as an esthetics teacher is not required to maintain an esthetics license in order to practice as an esthetician as defined in this Act.

(Source: P.A. 98-911, eff. 1-1-15.)

(225 ILCS 410/3A-5) (from Ch. 111, par. 1703A-5)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3A-5. Examination.

(a) The Department shall authorize examinations of applicants for a license as an esthetician or teacher of esthetics at such times and places as it may determine. Upon request, the examinations shall be administered in Spanish and any other language as may be determined by the Department to be necessary pursuant to the Language Equity and Access Act. The Department shall authorize no fewer than 4 examinations for a license as an esthetician or a teacher of esthetics in a calendar year. An applicant for licensure as an esthetician who has completed 600 hours in the study of esthetics may take the examination.

If an applicant neglects, fails without an approved excuse, or refuses to take the next available examination offered for licensure under this Act, the fee paid by the applicant shall be forfeited to the Department and the application denied. If an applicant fails to pass an examination for licensure under this Act within 3 years after



filing his or her application, the application shall be denied. However, such applicant may thereafter make a new application for examination, accompanied by the required fee, if he or she meets the requirements in effect at the time of reapplication. If an applicant for licensure as an esthetician is unsuccessful at 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 50 ~~125~~ hours of additional study of esthetics in a licensed ~~an approved~~ school of cosmetology or esthetics since the applicant last took the examination. If an applicant for licensure as an esthetics teacher is unsuccessful at 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 50 ~~80~~ hours of additional study in teaching methodology and educational psychology in a licensed school of cosmetology or esthetics since the applicant last took the examination. The requirements for remedial training set forth in this Section may be waived in whole or in part by the Department upon proof to the Department that the applicant has demonstrated competence to again sit for the examination or if the Department otherwise determines a waiver is appropriate. The Department shall adopt rules establishing the standards by which this determination shall be made. ~~An applicant who fails to pass a fourth examination shall not again be admitted to an examination unless (i) in the case of an applicant for~~

~~licensure as an esthetician, the applicant shall again take and complete a program of 750 hours in the study of esthetics in a licensed school of cosmetology approved to teach esthetics or a school of esthetics, extending over a period that commences after the applicant fails to pass the fourth examination and that is not less than 18 weeks nor more than 4 consecutive years in duration; or (ii) in the case of an applicant for a license as an esthetics teacher, the applicant shall again take and complete a program of 750 hours of teacher training in a school of cosmetology approved to teach esthetics or a school of esthetics, except that if the applicant had 2 years of practical experience as a licensed cosmetologist or esthetician within 5 years preceding the initial examination taken by the applicant, the applicant must again take and complete a program of 500 hours of teacher training in licensed cosmetology or a licensed esthetics school.~~

(b) Each applicant shall be given a written examination testing both theoretical and practical knowledge which shall include, but not be limited to, questions that determine the applicant's knowledge, as provided by rule.

(c) The examination of applicants for licensure as an esthetics teacher may include:

- (1) teaching methodology;
- (2) classroom management; and
- (3) record keeping and any other subjects that the

Department may deem necessary to ensure ~~insure~~ competent performance.

(d) (Blank). ~~This Act does not prohibit the practice of esthetics by one who has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as an esthetician or an esthetics teacher and has complied with all the provisions of this Act in order to qualify for a license, except the passing of an examination to be eligible to receive such license certificate, until: (i) the expiration of 6 months after the filing of such written application, or (ii) the decision of the Department that the applicant has failed to pass an examination within 6 months or failed without an approved excuse to take an examination conducted within 6 months by the Department, or (iii) the withdrawal of the application.~~

(Source: P.A. 100-642, eff. 1-1-19; 100-934, eff. 1-1-19.)

(225 ILCS 410/3A-6) (from Ch. 111, par. 1703A-6)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3A-6. Licensure; renewal; continuing education; examination; military service. The holder of a license issued under this Article may renew such license during the month preceding the expiration date thereof by paying the required fee, giving evidence the Department may prescribe of completing not less than 10 hours for estheticians, and not less than 20 hours of continuing education for esthetics

teachers, within the 2 years prior to renewal. The training shall be in subjects<sup>7</sup> approved by the Department as prescribed by rule upon recommendation of the Board.

For the initial renewal of an esthetician's license which requires continuing education, as prescribed by rule, one hour of the continuing education shall include domestic violence and sexual assault awareness education as prescribed by rule of the Department. For every subsequent renewal of an esthetician's license, one hour of the continuing education may include domestic violence and sexual assault awareness education as prescribed by rule of the Department. The one-hour domestic violence and sexual assault awareness continuing education course shall be provided by a continuing education provider approved by the Department, except that completion from March 12, 2016 to March 15, 2016 of a one-hour domestic violence and sexual assault awareness course from a domestic violence and sexual assault awareness organization shall satisfy this requirement.

The Department may prescribe rules regarding the requirements for domestic violence and sexual assault awareness continuing education courses and teachers.

The Department shall establish by rule methods for verification of completion of the continuing education required by this Section. This verification may be accomplished through audits of records maintained by continuing education sponsors and licensees, by requiring the

filing of continuing education certificates with the Department, by accepting attestations of completion of continuing education from licensees, or by any other means established by the Department.

The Department, in its discretion, may waive enforcement of the continuing education requirement in this Section, including the domestic violence and sexual assault awareness education requirement, and shall adopt rules defining the standards and criteria for such waiver, under the following circumstances:

(1) the licensee resides in a locality where it is demonstrated that the absence of opportunities for such education would interfere with the ability of the licensee to provide service to the public;

(2) the licensee's compliance with the continuing education requirements would cause a substantial financial hardship on the licensee;

(3) the licensee is serving in the United States Armed Forces; ~~or~~

(4) the licensee is incapacitated due to illness; ~~or~~

(5) that the licensee has been caring for an ill or disabled family member; or

(6) other circumstances as provided by rule.

(Source: P.A. 98-911, eff. 1-1-15; 99-427, eff. 8-21-15; 99-766, eff. 1-1-17.)

(225 ILCS 410/3A-8)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3A-8. Inactive status. Any esthetician or esthetician teacher who notifies the Department in writing or electronically on forms prescribed by the Department may elect to place a ~~his or her~~ license on inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until that person ~~he or she~~ notifies the Department in writing of the person's ~~his or her~~ desire to resume active status.

Any esthetician or esthetician teacher requesting restoration from inactive status shall be required to pay the current renewal fee and to qualify for the restoration of the ~~his or her~~ license, subject to rules of the Department. A license shall not be restored from inactive status unless the esthetician or esthetician teacher requesting the restoration completes the number of hours of continuing education required for renewal of a license under Section 3A-6.

Any esthetician or esthetician teacher whose license is in inactive status shall not practice in the State of Illinois.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/3B-2) (from Ch. 111, par. 1703B-2)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3B-2. Investigations by Department upon its own motion or upon complaint; opportunity for corrections. The

Department may upon its own motion and shall upon the complaint in writing of any person setting forth facts which if proved would constitute grounds for refusal to renew or revocation under this Act, investigate the actions of any applicant or any person or persons holding or claiming to hold a license.

Any student or employee of a school licensed ~~approved~~ by this Act who believes he has been aggrieved by a violation of this Act shall have the right to file a written complaint within one year of the alleged violation. The Department shall acknowledge receipt of such written complaint, commence an investigation of the alleged violation, and forward to the Attorney General and any appropriate State's Attorney's office copies of complaints as required by Section 3B-3. The Department shall inform the chief operating officer of the school cited in the complaint of the nature or substance of the complaint and afford the school an opportunity to either resolve the complaint to the satisfaction of the complainant or submit a written response to the Department.

However, before proceeding to a hearing on the question of whether a license shall be refused to be renewed or revoked, the Department may issue a letter granting the school in question 30 days to correct the deficiency or deficiencies. The letter shall enumerate the deficiencies and state the action on the part of the school that will remediate the deficiency or deficiencies. During the time designated to

remedy deficiencies the Department may order the school to cease and desist from all marketing and student enrollment activities.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/3B-10)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3B-10. Requisites for ownership or operation of school. No person, firm, or corporation may own, operate, or conduct a school of barbering, cosmetology, esthetics, hair braiding, or nail technology for the purpose of teaching barbering, cosmetology, esthetics, hair braiding, or nail technology for compensation unless licensed by the Department. A licensed school is a postsecondary educational institution authorized by the Department to provide a postsecondary education program in compliance with the requirements of this Act. An applicant shall apply to the Department on forms provided by the Department, pay the required fees, and comply with the following requirements:

1. The applicant must submit to the Department for approval:

a. A floor plan, drawn to a scale specified on the floor plan, showing every detail of the proposed school; and

b. A lease commitment, agreement to use the space, or proof of ownership for the location of the proposed



school; a lease commitment must provide for execution of the lease upon the Department's approval of the school's application and the lease or agreement must be for a period of at least one year, and for schools operated by a public high school, community college, university, or other governmental institution, this requirement is waived.

c. (Blank).

2. An application to own or operate a school shall include the following:

a. If the owner is a professional service corporation or a corporation, a copy of the Articles of Incorporation or, if the owner is a professional limited liability company or a limited liability company, a copy of the articles of organization;

b. If the owner is a partnership, a listing of all partners and their current addresses;

c. If the applicant is an owner, a completed attestation regarding ~~financial statement showing~~ the owner's financial ability to operate the school for at least 3 months, and for schools operated by a public high school, community college, university, or other governmental institution, this requirement is waived;

d. A copy of the official enrollment agreement or student contract to be used by the school, which shall be consistent with the requirements of this Act, ~~and~~

rules, and other applicable laws;

e. A listing of all teachers who will be in the school's employ, including their teacher license numbers;

f. A copy of the curricula that will be followed;

g. The names, addresses, and current licensure and operating status of all schools in which the applicant has previously owned any interest, and a declaration as to whether any of these schools were ever denied accreditation or licensing or lost accreditation or licensing from any governmental body or accrediting agency;

h. Each application for a certificate of approval shall be signed and certified under oath by the school's chief managing employee ~~and also by its individual owner or owners; if the applicant is a partnership or a corporation, then the application shall be signed and certified under oath by the school's chief managing employee and also by each member of the partnership or each officer of the corporation, as the case may be;~~

i. A copy of the school's official transcript;  
~~and~~

j. The required fee; and.

k. A disclosure of all licenses issued by the Department of all owners, partners, or members of the

school, including license numbers and the current status of the license.

3. Each application for a license to operate a school shall also contain the following commitments:

a. To conduct the school in accordance with this Act and the standards, and rules from time to time adopted under this Act and to meet standards and requirements at least as stringent as those required by Part H of the Federal Higher Education Act of 1965.

b. To permit the Department to inspect the school or classes thereof from time to time with or without notice; and to make available to the Department, at any time when required to do so, information including financial information pertaining to the activities of the school required for the administration of this Act and the standards and rules adopted under this Act;

c. To utilize only advertising and solicitation which is free from misrepresentation, deception, fraud, or other misleading or unfair trade practices;

d. To screen applicants to the school prior to enrollment pursuant to the requirements of the school's regional or national accrediting agency, if any, and to maintain any and all records of such screening. If the course of instruction is offered in a language other than English, the screening shall also be performed in that language;

e. To post in a conspicuous place a statement, developed by the Department, of student's rights provided under this Act.

4. The applicant shall establish to the satisfaction of the Department that the owner possesses sufficient liquid assets to meet the prospective expenses of the school for a period of 3 months. In the discretion of the Department, additional proof of financial ability may be required.

5. The applicant shall comply with all rules of the Department determining the necessary curriculum and equipment required for the conduct of the school.

6. The applicant must demonstrate employment of a sufficient number of qualified teachers who are holders of a current license issued by the Department.

7. A final inspection of the barber, cosmetology, esthetics, hair braiding, or nail technology school shall be made by the Department before the school may commence classes.

8. A written inspection report must be made by the State Fire Marshal or a local fire authority approving the use of the proposed premises as a barber, cosmetology, esthetics, hair braiding, or nail technology school.

(Source: P.A. 98-238, eff. 1-1-14; 98-911, eff. 1-1-15; 99-427, eff. 8-21-15.)

(225 ILCS 410/3B-11)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3B-11. Periodic review of barber, cosmetology, esthetics, hair braiding, and nail technology schools. All licensed ~~approved~~ schools and courses of instruction are subject to review by the Department. The review shall include consideration of a comparison between the graduation or completion rate for the school and the graduation or completion rate for the schools within that classification of schools. The review may also require the school to provide the Department with the enrollment agreement and curricula of the school to ensure compliance requirements of this Act, any applicable rules, and other applicable laws. The Department may also inspect the school premises and school records for requirements of this Act and any applicable rules. Consideration shall be given to complaints and information forwarded to the Department by the Federal Trade Commission, Better Business Bureaus, the Illinois Attorney General's Office, a State's Attorney's Office, other State or official approval agencies, local school officials, and interested persons. The Department shall investigate all complaints filed with the Department about a school or its sales representatives.

A school shall retain the records, as defined by rule, of a student who withdraws from or drops out of the school, by written notice of cancellation or otherwise, for ~~any period~~

~~longer than~~ 7 years from the student's first day of attendance. However, a school shall retain indefinitely the transcript of each student who completes the program and graduates from the school.

(Source: P.A. 98-911, eff. 1-1-15; 99-427, eff. 8-21-15.)

(225 ILCS 410/3B-12)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3B-12. Enrollment agreements.

(a) As used in this Section, "clear and conspicuous" means at least 10 point bold type and larger than other text.

Enrollment agreements shall be used by barber, cosmetology, esthetics, hair braiding, and nail technology schools licensed to operate by the Department and shall include the following written disclosures:

(1) The name and address of the school and the addresses where instruction will be given;

(2) The name and description of the course of instruction, including the number of clock hours in each course and an approximate number of weeks or months required for completion;

(3) The scheduled starting date and calculated completion date;

(4) The total cost of the course of instruction including any charges made by the school for tuition, books, materials, supplies, and other expenses;

(5) A clear and conspicuous statement that the contract is a legally binding instrument when signed by the student and accepted by the school;

(6) A clear and conspicuous caption in bold type that is at least 10 point, larger than the other text in the agreement, and in all capital letters that states<sup>7</sup> "BUYER'S RIGHT TO CANCEL" under which it is explained that the student has the right to cancel the initial enrollment agreement until midnight of the fifth business day after the student's enrollment date ~~student has been enrolled~~; and if notice of the right to cancel is not given to any prospective student at the time the enrollment agreement is signed, then the student has the right to cancel the agreement at any time and receive a refund of all monies paid to date within 10 days of cancellation;

(7) A notice to the students that the cancellation must be in writing and given to the registered agent, if any, or managing employee of the school;

(8) The school's refund policy for unearned tuition, fees, and other charges;

(9) The date of the student's signature and the date of the student's admission;

(10) The name of the school employee or agent responsible for procuring, soliciting, or enrolling the student;

(11) A clear statement that the institution does not

guarantee employment and a statement describing the school's placement assistance procedures;

(12) The graduation requirements of the school;

(13) The contents of the following notice, in at least 10 point bold type and larger than the other text in the agreement:

"NOTICE TO THE STUDENT"

"Do not sign this contract before you read it or if it contains any blank space. You are entitled to an exact copy of the contract you sign."

(14) A statement either in the enrollment agreement or separately provided and acknowledged by the student indicating the number of students who did not complete the course of instruction for which they enrolled for the past calendar year as compared to the number of students who enrolled in school during the school's past calendar year;

(15) The following clear and conspicuous caption, in at least 10 point bold type, larger than the other text in the agreement, and in all capital letters: "COMPLAINTS AGAINST THIS SCHOOL MAY BE REGISTERED WITH THE DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION", set forth with the address, and telephone number, and website address for ~~of~~ the Department's Complaint Intake Unit.

(b) If the enrollment is negotiated orally in a language other than English, then copies of the above disclosures shall be tendered in the language in which the contract was



negotiated prior to executing the enrollment agreement.

(c) The school shall comply with all applicable requirements of the Retail Installment Sales Act in its enrollment agreement or student contracts.

(d) No enrollment agreement or student contract shall contain a wage assignment provision or a confession of judgment clause.

(e) Any provision in an enrollment agreement or student contract that purports to waive the student's right to assert against the school, or any assignee, any claim or defense the student ~~he or she~~ may have against the school arising under the contract, including a claim or defense pursuant to Section 3B-6, shall be void. No enrollment agreement or student contract shall contain provisions requiring student confidentiality or non-disclosure related to the school and any claim or defense the student may have against the school, and any such provisions shall be void.

(f) Two copies of the enrollment agreement shall be signed by the student. One copy shall be given to the student and the school shall retain the other copy as part of the student's permanent record.

(g) The school shall comply with all applicable requirements of the Student Debt Assistance Act.

(h) At any time upon the Department's request, a licensed school shall provide its current enrollment agreement to the Department for review and compliance with the requirements of

this Act, any applicable rules, and other applicable laws. A licensed school shall be required to have Department review and approval of all enrollment agreements and contracts with students.

(i) Licensed public schools will be deemed to be in compliance with this Section if the schools comply with the requirements of its public institution.

(Source: P.A. 98-911, eff. 1-1-15; 99-427, eff. 8-21-15.)

(225 ILCS 410/3B-13)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3B-13. Rules; refunds. Schools regulated under this Section shall issue refunds based on the following schedule. The refund policy shall provide that:

(1) Schools shall, when a student gives written notice of cancellation, provide a refund in the amount of at least the following:

(a) When notice of cancellation is given within 5 days after the ~~date~~ of enrollment date, all application and registration fees, tuition, and any other charges shall be refunded to the student.

(b) When notice of cancellation is given after the fifth day following the enrollment date but before the completion of the student's first day of class attendance, the school may retain no more than the application and registration fee, plus the cost of any

books or materials which have been provided by the school and retained by the student.

(c) When notice of cancellation is given after the student's completion of the first day of class attendance but prior to the student's completion of 5% of the course of instruction, the school may retain the application and registration fee and an amount not to exceed 10% of the tuition and other instructional charges or \$300, whichever is less, plus the cost of any books or materials which have been provided by the school.

(d) When a student has completed 5% or more of the course of instruction, the school may retain the application and registration fee and the cost of any books or materials which have been provided by the school but shall refund a part of the tuition and other instructional charges in accordance with the requirements of the school's regional or national accrediting agency, if any, or rules that the Department shall promulgate for purposes of this Section.

(2) Applicants not accepted by the school shall receive a refund of all tuition and fees paid.

(3) Application and registration fees shall be chargeable at initial enrollment and shall not exceed \$100. All fees must be disclosed in the student contract.

(4) Deposits or down payments shall become part of the tuition.

(5) The school shall mail a written acknowledgement of a student's cancellation or written withdrawal to the student within 15 calendar days of the date of notification. Written acknowledgement is not necessary if a refund has been mailed to the student within the 15 calendar days.

(6) If the school cancels or discontinues a course, the student shall be entitled to receive from the school such refund or partial refund of the tuition, fees, and other charges paid by the student or on behalf of the student as is provided under rules promulgated by the Department.

(7) Except as otherwise provided by this Act, all student refunds shall be made by the school within 45 calendar days after the date of notice of the student's cancellation or the date that the school determines that the student has officially or unofficially withdrawn.

(8) A student shall give notice of cancellation to the school in writing. The unexplained absence of a student from a school for more than 30 consecutive calendar days shall constitute constructive notice of cancellation to the school. For purposes of cancellation, the cancellation date shall be the last day of attendance.

(9) A school may make refunds which exceed those

required by this Section.

(10) A school shall provide each current ~~Each~~ student and former student with ~~shall be entitled to receive from the school that the student attends or attended~~ an official transcript of all hours completed by the student at that school ~~for which the applicable tuition, fees, and other charges have been paid, together~~ with the grades earned by the student for those hours, even if the current or former student owes a debt, as enumerated in the Student Debt Assistance Act, provided that a student who withdraws from or drops out of a school, by written notice of cancellation or otherwise, shall not be entitled to any transcript of completed hours following the expiration of the 7-year period that began on the student's first day of attendance at the school. A reasonable fee, not exceeding \$5 ~~\$2~~, may be charged by the school for each transcript after the first free transcript that the school is required to provide to a student or former student under this Section.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/3B-15)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3B-15. Grounds for disciplinary action. In addition to any other cause herein set forth the Department may refuse to issue or renew and may suspend, place on probation, or

revoke any license to operate a school, or take any other disciplinary or non-disciplinary action that the Department may deem proper, including the imposition of fines not to exceed \$5,000 for each violation, for any one or any combination of the following causes:

(1) Repeated violation of any provision of this Act or any standard or rule established under this Act.

(2) Knowingly furnishing false, misleading, or incomplete information to the Department or failure to furnish information requested by the Department.

(3) Violation of any commitment made in an application for a license, including failure to maintain standards that are the same as, or substantially equivalent to, those represented in the school's applications and advertising.

(4) Presenting to prospective students information relating to the school, or to employment opportunities or opportunities for enrollment in institutions of higher learning after entering into or completing courses offered by the school, that is false, misleading, or fraudulent.

(5) Failure to provide premises or equipment or to maintain them in a safe and sanitary condition as required by law.

(6) Failure to maintain financial resources adequate for the satisfactory conduct of the courses of instruction offered or to retain a sufficient and qualified

instructional and administrative staff.

(7) Refusal to admit applicants on account of race, color, creed, sex, physical or mental disability unrelated to ability, religion, or national origin.

(8) Paying a commission or valuable consideration to any person for acts or services performed in violation of this Act.

(9) Attempting to confer a fraudulent degree, diploma, or certificate upon a student.

(10) Failure to correct any deficiency or act of noncompliance under this Act or the standards and rules established under this Act within reasonable time limits set by the Department.

(11) Conduct of business or instructional services other than at locations approved by the Department.

(12) Failure to make all of the disclosures or making inaccurate disclosures to the Department or in the enrollment agreement as required under this Act.

(13) Failure to make appropriate refunds as required by this Act.

(14) Denial, loss, or withdrawal of accreditation by any accrediting agency.

(15) During any calendar year, having a failure rate of 25% or greater for those of its students who for the first time take the examination authorized by the Department to determine fitness to receive a license as a

barber, barber teacher, cosmetologist, cosmetology teacher, esthetician, esthetician teacher, hair braider, hair braiding teacher, nail technician, or nail technology teacher, provided that a student who transfers into the school having completed 50% or more of the required program and who takes the examination during that calendar year shall not be counted for purposes of determining the school's failure rate on an examination, without regard to whether that transfer student passes or fails the examination.

(16) Failure to maintain a written record indicating the funds received per student and funds paid out per student. Such records shall be maintained for a minimum of 7 years and shall be made available to the Department upon request. Such records shall identify the funding source and amount for any student who has enrolled as well as any other item set forth by rule.

(17) Failure to maintain a copy of the student record as defined by rule.

(18) Entering into enrollment agreements or contracts with students that are not in accordance with this Act and any applicable rules.

(Source: P.A. 98-911, eff. 1-1-15; 99-143, eff. 7-27-15.)

(225 ILCS 410/3B-16)

(Section scheduled to be repealed on January 1, 2026)



Sec. 3B-16. Exceptions for public schools ~~Department of Corrections.~~ The Secretary may waive any requirement of this Act or of the rules enacted by the Department pursuant to this Act pertaining to the operation of a barber, cosmetology, esthetics, hair braiding, or nail technology school owned or operated by the Department of Corrections, Federal Bureau of Prisons, or a county jail or county department of corrections and located in a correctional facility to educate inmates that is inconsistent with the mission or operations of the Department of Corrections, Federal Bureau of Prisons, or a county jail or county department of corrections or is detrimental to the safety and security of any correctional facility or for any other reason related to the operation of the facility. The Secretary may waive any requirement of this Act or of the rules enacted by the Department pursuant to this Act pertaining to the operation of a barber, cosmetology, esthetics, hair braiding, or nail technology school owned or operated by a public Secondary School including a high school, a School for a Designated Purpose, or a Alternative High School under the School Code, and located on the school's property to educate students that is inconsistent with the mission or operations of the public school or is detrimental to the safety and security of the school, or any other reason related to the operation of the school. Nothing in this Section 3B-16 exempts the Department of Corrections, the Federal Bureau of Prisons, a county jail or county department

of corrections, or Secondary Schools defined as high schools, Schools for a Designated Purpose, and Alternative High Schools under the School Code from the necessity of licensure.

(Source: P.A. 98-911, eff. 1-1-15.)

(225 ILCS 410/3C-1) (from Ch. 111, par. 1703C-1)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3C-1. Definitions. "Nail technician" means any person who for compensation manicures, pedicures, or decorates nails, applies artificial applications by hand or with mechanical or electrical apparatus or appliances, or in any way beautifies the nails or the skin of the hands or feet including massaging the hands, arms, elbows, feet, lower legs, and knees of another person for other than the treatment of medical disorders.

However, nail technicians are prohibited from using techniques, products, and practices intended to affect the living layers of the skin. The term nail technician includes rendering advice on what is cosmetically appealing, but no person licensed under this Act shall render advice on what is appropriate medical treatment for diseases of the nails or skin.

"Nail technician teacher" means an individual licensed by the Department to provide instruction in the theory and practice of nail technology to students in a licensed ~~an approved~~ nail technology school.

(Source: P.A. 98-911, eff. 1-1-15.)

(225 ILCS 410/3C-2) (from Ch. 111, par. 1703C-2)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3C-2. License; qualifications. A person is qualified to receive a license as a nail technician if that person applies in writing or electronically on forms provided by the Department, pays the required fee, and:

(a) Is at least 16 years of age;

(b) Is beyond the age of compulsory school attendance or has a certificate of graduation from a school providing secondary education or the recognized equivalent of that certificate;

(c) Has graduated from a licensed school of cosmetology or school of nail technology ~~approved by the Department,~~ having completed a program of 350 hours in the study of nail technology extending over a period of not less than 8 weeks ~~nor more than 2 consecutive years;~~

(d) Has passed an examination authorized by the Department to determine eligibility to receive a license as a nail technician; and

(e) Has met any other requirements of this Act or any applicable rules.

Time spent in the study of nail technology under the laws of another state or territory of the United States, or of a foreign country or province, shall be credited toward the

period of study required by the provisions of subsection (c).

(Source: P.A. 94-451, eff. 12-31-05.)

(225 ILCS 410/3C-3) (from Ch. 111, par. 1703C-3)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3C-3. Licensure as a nail technology teacher; qualifications.

(a) A person is qualified to receive a license as a nail technology teacher if that person has filed an application on forms provided by the Department, paid the required fee, and:

(1) is at least 18 years of age;

(2) has graduated from high school or its equivalent;

(3) has a current license as a cosmetologist or nail technician;

(4) has either: (1) completed a program of 500 hours of teacher training in a licensed school of nail technology or cosmetology, and had 2 years of practical experience as a nail technician; or (2) has completed a program of 625 hours of teacher training in a licensed school of cosmetology approved to teach nail technology or school of nail technology; ~~and~~

(5) who has passed an examination authorized by the Department to determine eligibility to receive a license as a cosmetology or nail technology teacher; and.

(6) has met any other requirements of this Act and any applicable rules.

(b) An applicant who receives a license as a nail technology teacher shall not be required to maintain a license as a nail technician.

(Source: P.A. 98-911, eff. 1-1-15.)

(225 ILCS 410/3C-7) (from Ch. 111, par. 1703C-7)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3C-7. Examinations; failure or refusal to take examination. The Department shall authorize examinations of applicants for licenses as nail technicians and teachers of nail technology at the times and places as it may determine. Upon request, the examinations shall be administered in Spanish and any other language as may be determined by the Department to be necessary pursuant to the Language Equity and Access Act. An applicant for licensure as a nail technician who has completed 280 hours in the study of nail technology may take the examination.

The Department shall authorize not less than 4 examinations for licenses as nail technicians, and nail technology teachers in a calendar year.

If an applicant neglects, fails without an approved excuse, or refuses to take the next available examination offered for licensure under this Act, the fee paid by the applicant shall be forfeited to the Department and the application denied. If an applicant fails to pass an examination for licensure under this Act within 3 years after

filing an application, the application shall be denied. Nevertheless, the applicant may thereafter make a new application for examination, accompanied by the required fee, if he or she meets the requirements in effect at the time of reapplication. If an applicant for licensure as a nail technician or nail technology teacher is unsuccessful at 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of successfully completing (i) for a nail technician, not less than 24 ~~60~~ hours of additional study of nail technology in a licensed school of cosmetology approved to teach nail technology or nail technology and (ii) for a nail technology teacher, not less than 80 hours of additional study in teaching methodology and educational psychology in a licensed ~~an approved~~ school of cosmetology or nail technology since the applicant last took the examination. The requirements for remedial training set forth in this Section may be waived in whole or in part by the Department upon proof to the Department that the applicant has demonstrated competence to sit for the examination again or if the Department otherwise determines a waiver is appropriate. The Department shall adopt rules establishing the standards by which this determination shall be made.

~~An applicant who fails the fourth examination shall not again be admitted to an examination unless: (i) in the case of an applicant for a license as a nail technician, the applicant~~

~~again takes and completes a total of 350 hours in the study of nail technology in an approved school of cosmetology or nail technology extending over a period that commences after the applicant fails to pass the fourth examination and that is not less than 8 weeks nor more than 2 consecutive years in duration; or (ii) in the case of an applicant for licensure as a nail technology teacher, the applicant again takes and completes a program of 625 hours of teacher training in a licensed school of cosmetology, or nail technology, except that if the applicant had 2 years of practical experience as a licensed nail technician within 5 years preceding the initial examination taken by the applicant, the applicant must again take and complete a program of 500 hours of teacher training in a licensed school of cosmetology approved to teach nail technology, or a licensed school of nail technology.~~

Each applicant for licensure as a nail technician shall be given an ~~a written~~ examination testing both theoretical and practical knowledge, which shall include, but not be limited to, questions that determine the applicant's knowledge of product chemistry, sanitary rules, sanitary procedures, hazardous chemicals and exposure minimization, this Act, and labor and compensation laws.

The examination for licensure as a nail technology teacher may include knowledge of the subject matter, teaching methodology, classroom management, record keeping, and any other subjects that the Department in its discretion may deem

necessary to ensure ~~insure~~ competent performance.

~~This Act does not prohibit the practice of nail technology by a person who has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a nail technician, or the teaching of nail technology by one who has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a nail technology teacher, if the person has complied with all the provisions of this Act in order to qualify for a license, except the passing of an examination to be eligible to receive a license, until: (a) the expiration of 6 months after the filing of the written application, or (b) the decision of the Department that the applicant has failed to pass an examination within 6 months or failed without an approved excuse to take an examination conducted within 6 months by the Department, or (c) the withdrawal of the application.~~

(Source: P.A. 100-642, eff. 1-1-19; 100-934, eff. 1-1-19.)

(225 ILCS 410/3C-8) (from Ch. 111, par. 1703C-8)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3C-8. License renewal; expiration; continuing education; persons in military service. The holder of a license issued under this Article may renew that license during the month preceding the expiration date of the license by paying the required fee and giving evidence, as the



Department may prescribe, of completing not less than 10 hours of continuing education for a nail technician and 20 hours of continuing education for a nail technology teacher, within the 2 years prior to renewal. The continuing education shall be in subjects approved by the Department as set by rule ~~upon recommendation of the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Board~~ relating to the practice of nail technology, including, but not limited to, review of sanitary procedures, review of chemical service procedures, review of this Act, and review of the Workers' Compensation Act. However, at least 10 of the hours of continuing education required for a nail technology teacher shall be in subjects relating to teaching methodology, educational psychology, and classroom management or in other subjects related to teaching.

For the initial renewal of a nail technician's license which requires continuing education, as prescribed by rule, one hour of the continuing education shall include domestic violence and sexual assault awareness education as prescribed by rule of the Department. For every subsequent renewal of a nail technician's license, one hour of the continuing education may include domestic violence and sexual assault awareness education as prescribed by rule of the Department. The one-hour domestic violence and sexual assault awareness continuing education course shall be provided by a continuing education provider approved by the Department, except that completion from March 12, 2016 to March 15, 2016 of a one-hour

domestic violence and sexual assault awareness course from a domestic violence and sexual assault awareness organization shall satisfy this requirement.

The Department shall establish by rule methods for the verification of completion of the continuing education required by this Section and for the restoration of a license. This verification may be accomplished through audits of records maintained by continuing education sponsors and licensees, by requiring the filing of continuing education certificates with the Department, by accepting attestations of completion of continuing education from licensees, or by any other means established by the Department.

The Department may prescribe rules regarding the requirements for domestic violence and sexual assault awareness continuing education courses and teachers.

The Department, in its discretion, may waive enforcement of the continuing education requirement in this Section, including the domestic violence and sexual assault awareness education requirement, and shall adopt rules defining the standards and criteria for such waiver, under the following circumstances:

(a) the licensee resides in a locality where it is demonstrated that the absence of opportunities for such education would interfere with the ability of the licensee to provide service to the public;

(b) the licensee's compliance with the continuing

education requirements would cause a substantial financial hardship on the licensee;

(c) the licensee is serving in the United States Armed Forces; ~~or~~

(d) the licensee is incapacitated due to illness; ~~or~~

(e) that the licensee has been caring for an ill or disabled family member; or

(f) other circumstances as provided by rule.

(Source: P.A. 98-911, eff. 1-1-15; 99-427, eff. 8-21-15; 99-766, eff. 1-1-17.)

(225 ILCS 410/3C-10)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3C-10. Inactive status. Any nail technician or nail technology teacher who notifies the Department in writing or electronically on forms prescribed by the Department may elect to place a ~~his or her~~ license on inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until that person ~~he or she~~ notifies the Department in writing of the person's ~~his or her~~ desire to resume active status.

Any nail technician or nail technology teacher requesting restoration from inactive status shall be required to pay the current renewal fee and to qualify for the restoration of the ~~his or her~~ license, subject to rules of the Department. A license shall not be restored from inactive status unless the

nail technician or nail technology teacher requesting the restoration completes the number of hours of continuing education required for renewal of a license under Section 3C-8.

Any nail technician or nail technology teacher whose license is in inactive status shall not practice in the State of Illinois.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/3D-5)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3D-5. Requisites for ownership or operation of cosmetology, esthetics, hair braiding, and nail technology salons and barber shops.

(a) No person, firm, partnership, limited liability company, professional limited liability company, corporation, or professional service ~~or~~ corporation shall own or operate a cosmetology, esthetics, hair braiding, or nail technology salon or barber shop or employ, rent space to, or independently contract with any licensee under this Act without applying on forms provided by the Department for a certificate of registration. This registration shall be in addition to and shall not replace or supersede any other business license, registration, or permit that may be required by local municipalities or other governmental entities to own or operate a business in the governmental entity's

jurisdiction. The issuance of a license, registration, or permit by a municipality or another governmental entity to a salon or shop shall not waive the requirement to obtain a certificate of registration from the Department to own or operate a salon or shop.

(b) The application for a certificate of registration under this Section shall set forth the name, address, and telephone number of the proposed cosmetology, esthetics, hair braiding, or nail technology salon or barber shop; the name, address, and telephone number of the person, firm, partnership, limited liability company, professional limited liability company, corporation, or professional service corporation that is to own or operate the salon or shop; the license number of the owner or operator of the shop if they are licensed under the Act or the name and license number of the individual manager of the salon or shop; and, if the salon or shop is to be owned or operated by an entity other than an individual, the name, address, and telephone number of the managing partner or the chief executive officer of the corporation or other entity that owns or operates the salon or shop. A person who is not licensed under the Act may own or operate a salon or shop, but may not practice barbering, cosmetology, esthetics, hair braiding, or nail technology. An unlicensed owner or operator of a salon or shop shall employ at least one person as a manager who holds a license under the Act and manages the salon or shop. The licensed owner, operator,

or manager of a salon or shop shall ensure that the salon or shop operates in compliance with this Act and any applicable rules, and the owner's, operator's, or manager's name and license number shall be posted with the certificate of registration at the salon or shop.

(c) The Department shall be notified by the owner or operator of a salon or shop that is moved to a new location. If there is a change in the ownership or operation or manager of a salon or shop, the new owner, ~~or~~ operator, or manager shall report that change to the Department along with completion of any additional requirements set forth by rule.

(d) If a person, firm, partnership, limited liability company, professional limited liability company, corporation, or professional service corporation owns or operates more than one shop or salon, a separate certificate of registration must be obtained for each salon or shop.

(e) A certificate of registration granted under this Section may be revoked in accordance with the provisions of Article IV and the holder of the certificate and any licensed managers may be otherwise disciplined by the Department in accordance with rules adopted under this Act.

(f) The Department may promulgate rules to establish additional requirements for owning or operating a salon or shop.

(g) The requirement of a certificate of registration as set forth in this Section shall also apply to any person, firm,

partnership, limited liability company, professional limited liability company, corporation, or professional service corporation providing barbering, cosmetology, esthetics, hair braiding, or nail technology services at any location not owned or rented by such person, firm, partnership, limited liability company, professional limited liability company, corporation, or professional service corporation for these purposes or from a mobile shop or salon. Notwithstanding any provision of this Section, applicants for a certificate of registration under this subsection (g) shall report in its application the address and telephone number of its office and shall not be required to report the location where services are or will be rendered. Nothing in this subsection (g) shall apply to a sole proprietor who has no employees or contractors and is not operating a mobile shop or salon.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/3E-2)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3E-2. Hair braider licensure; qualifications.

(a) A person is qualified to receive a license as a hair braider if he or she has filed an application in writing or electronically on forms provided by the Department, paid the required fees, and meets the following qualifications:

- (1) Is at least 16 years of age;
- (2) Is beyond the age of compulsory school attendance

or has received a certificate of graduation from a school providing secondary education, or the recognized equivalent of that certificate; ~~and~~

(3) Has completed a program consisting of a minimum of 300 clock hours or a 10 credit hour equivalency of instruction, as defined by rule, in a licensed cosmetology school teaching a hair braiding curriculum or in a licensed hair braiding school as follows:

(A) Basic training consisting of 35 hours of classroom instruction in general theory, practical application, and technical application in the following subject areas: history of hair braiding, personal hygiene and public health, professional ethics, disinfection and sanitation, bacteriology, disorders and diseases of the hair and scalp, OSHA standards relating to material safety data sheets (MSDS) on chemicals, hair analysis and scalp care, and technical procedures;

(B) Related concepts consisting of 35 hours of classroom instruction in the following subject areas: Braid removal and scalp care; basic styling knowledge; tools and equipment; growth patterns, styles and sectioning; client consultation and face shapes; and client education, pre-care, post-care, home care and follow-up services;

(C) Practices and procedures consisting of 200



hours of instruction, which shall be a combination of classroom instruction and clinical practical application, in the following subject areas: single braids with and without extensions; cornrows with and without extensions; twists and knots; multiple strands; hair locking; weaving/sewn-in; other procedures as they relate to hair-braiding; and product knowledge as it relates to hair braiding; and

(D) Business practices consisting of 30 hours of classroom instruction in the following subject areas: Illinois Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 and Rules; salon management; human relations and salesmanship; and Workers' Compensation Act; ~~and-~~

(4) Has met any other requirements of this Act and any applicable rules.

(b) The expiration date and renewal period for each license issued under this Act shall be set by rule.

(c) Within 2 years after the effective date of this amendatory Act of the 96th General Assembly, the Department may issue a hair braider license to any applicant who does not meet the requirements of items (2) and (3) of subsection (a) of this Section if the applicant: (1) files an application in accordance with subsection (a), (2) pays the required fee, (3) has not committed an offense that would be grounds for discipline under this Act, and (4) is able to demonstrate to

the Department through tax records or affidavits that he or she has practiced hair braiding for at least 2 consecutive years immediately prior to the date of his or her application.

A hair braider who obtains his or her license under this subsection (c) may renew his or her license if he or she applies to the Department for renewal and has completed at least 65 hours of relevant training in health, safety, hygiene, and business management in accordance with the requirements of this Section or any rule adopted pursuant to this Section. A hair braider who renews his or her license under this subsection (c) may thereafter only renew his or her license if he or she meets the requirements of Section 3E-5 of this Act.

(Source: P.A. 96-1246, eff. 1-1-11; 97-333, eff. 8-12-11.)

(225 ILCS 410/3E-5)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3E-5. License renewal. To renew a license issued under this Article, an individual must produce proof of successful completion of 10 hours of continuing education for a hair braider license and 20 hours of continuing education for a hair braiding teacher license.

For the initial renewal of a hair braider's license which requires continuing education, as prescribed by rule, one hour of the continuing education shall include domestic violence and sexual assault awareness education as prescribed by rule

of the Department. For every subsequent renewal of a hair braider's license, one hour of the continuing education may include domestic violence and sexual assault awareness education as prescribed by rule of the Department. The one-hour domestic violence and sexual assault awareness continuing education course shall be provided by a continuing education provider approved by the Department, except that completion from March 12, 2016 to March 15, 2016 of a one-hour domestic violence and sexual assault awareness course from a domestic violence and sexual assault awareness organization shall satisfy this requirement.

The Department may prescribe rules regarding the requirements for domestic violence and sexual assault awareness continuing education courses and teachers.

The Department may accept certifications of completion of continuing education from licensees for renewals and shall establish by rule a means for the verification of completion of the continuing education required under this Section. This verification may be accomplished through audits of records maintained by continuing education sponsors and licensees, by requiring the filing of continuing education certificates with the Department, by accepting attestations of completion of continuing education from licensees, or by other means established by the Department.

The Department may waive enforcement of the continuing education requirement in this Section, including the domestic

violence and sexual assault awareness education requirement, and shall adopt rules defining the standards and criteria for such waiver, under the following circumstances:

(1) the licensee resides in a locality where it is demonstrated that the absence of opportunities for such education would interfere with the ability of the licensee to provide service to the public;

(2) the licensee's compliance with the continuing education requirements would cause a substantial financial hardship on the licensee;

(3) the licensee is serving in the United States Armed Forces;

(4) the licensee is incapacitated due to illness;

(5) the licensee has been caring for an ill or disabled family member; or

(6) other circumstances as provided by rule.

(Source: P.A. 99-427, eff. 8-21-15; 99-766, eff. 1-1-17.)

(225 ILCS 410/3E-7)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3E-7. Inactive status. Any hair braider or hair braiding teacher who notifies the Department in writing or electronically on forms prescribed by the Department may elect to place a ~~his or her~~ license on inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until that person ~~he or she~~ notifies the

Department in writing or electronically of the person's ~~his or her~~ desire to resume active status.

Any hair braider or hair braiding teacher requesting restoration from inactive status shall be required to pay the current renewal fee and to qualify for the restoration of the ~~his or her~~ license, subject to rules of the Department. A license shall not be restored from inactive status unless the hair braider or hair braiding teacher requesting the restoration completes the number of hours of continuing education required for renewal of a license under Section 3E-5.

Any hair braider or hair braiding teacher whose license is in inactive status shall not practice in the State of Illinois.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/4-1)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-1. Powers and duties of Department. The Department shall exercise, subject to the provisions of this Act, the following functions, powers and duties:

(1) To cause to be conducted examinations to ascertain the qualifications and fitness of applicants for licensure as cosmetologists, estheticians, nail technicians, hair braiders, or barbers and as cosmetology, esthetics, nail technology, hair braiding, or barber teachers.

(2) To determine the qualifications for licensure as (i) a cosmetologist, esthetician, nail technician, hair braider, or barber, or (ii) a cosmetology, esthetics, nail technology, hair braiding, or barber teacher, or (iii) a cosmetology clinic teacher for persons currently holding similar licenses outside the State of Illinois or the continental U.S.

(3) To prescribe rules for:

(i) The method of examination of candidates for licensure as a cosmetologist, esthetician, nail technician, hair braider, or barber or cosmetology, esthetics, nail technology, hair braiding, or barber teacher.

(ii) Minimum standards as to what constitutes an approved cosmetology, esthetics, nail technology, hair braiding, or barber school.

(iii) Minimum standards as to what constitutes an approved continuing education sponsor for the professions under this Act.

(4) To conduct investigations or hearings on proceedings to determine disciplinary action.

(5) To conduct inspections of cosmetology, esthetics, nail technology, hair braiding, or barber schools, salons, or shops for compliance with this Act and any applicable rules and to prescribe reasonable rules governing the sanitary regulation and inspection of cosmetology,

esthetics, nail technology, hair braiding, or barber schools, salons, or shops.

(6) To prescribe reasonable rules for the method of renewal for each license as a cosmetologist, esthetician, nail technician, hair braider, or barber or cosmetology, esthetics, nail technology, hair braiding, or barber teacher or cosmetology clinic teacher or for schools and continuing education sponsors.

(7) To prescribe reasonable rules for the method of registration, the issuance, fees, renewal and discipline of a certificate of registration for the ownership or operation of cosmetology, esthetics, hair braiding, and nail technology salons and barber shops.

(8) To adopt rules concerning sanitation requirements, requirements for education on sanitation, and any other health concerns associated with threading.

(Source: P.A. 97-333, eff. 8-12-11; 98-911, eff. 1-1-15.)

(225 ILCS 410/4-2) (from Ch. 111, par. 1704-2)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-2. The Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Board. There is established within the Department the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Board, composed of 11 persons appointed by the Secretary, which shall serve in an advisory capacity to the Secretary in all matters related to the

practice of barbering, cosmetology, esthetics, hair braiding, and nail technology.

The 11 members of the Board shall be appointed as follows:  
4 ~~6~~ licensed cosmetologists or cosmetology teachers, all of whom hold a current license as a cosmetologist or cosmetology teacher and, for appointments made after the effective date of this amendatory Act of 1996, at least one ~~2~~ of whom shall be an owner of or a major stockholder in a school of cosmetology, one ~~2~~ of whom shall be a representative ~~representatives~~ of either a franchiser or an owner operating salons in 2 or more locations within the State, and one of whom shall be an independent salon owner, ~~and no one of the cosmetologist members shall be a manufacturer, jobber, or stockholder in a factory of cosmetology articles or an immediate family member of any of the above;~~ one of whom shall be a licensed barber, esthetician, nail technician, or hair braider or a teacher of one these professions who shall be an owner of or major stockholder in a school of barbering, esthetics, nail technology, or hair braiding; one of whom shall be a licensed barber, esthetician, nail technician, or hair braider and an owner operating one or more shops or salons registered under this Act; one of whom shall be a licensed barber or barber teacher ~~holding a current license~~; one member who shall be a licensed esthetician or esthetics teacher; one member who shall be a licensed nail technician or nail technology teacher; one member who shall be a licensed hair braider or



hair braiding teacher; and one public member, as defined in Section 1-4 of this Act, who holds no licenses issued by the Department under this Act; and none of the members shall be a manufacturer, jobber, or stockholder in a factory of cosmetology articles or an immediate family member of a manufacturer, jobber, or stockholder in a factory of cosmetology articles. The Secretary shall give due consideration for membership to recommendations by members of the professions and by their professional organizations. Each member ~~Members~~ shall serve a term of 4 years or year terms and until their successors are appointed and qualified. No member shall serve on ~~be reappointed to~~ the Board for more than 2 full consecutive terms or for a term that would cause the member's continuous service on the Board to be longer than 10 years. A member who has served 2 full consecutive terms or who has served on the Board for 10 years shall not again serve as a member of the board until 4 years have passed since the member's last term of service. In the case of a Board member position that is vacated before the end of the member's term, an individual may be appointed to serve the unexpired portion of that term, and appointments ~~Appointments~~ to fill vacancies shall be made in the same manner as original appointments ~~for the unexpired portion of the vacated term.~~ Members of the Board in office on the effective date of any Public Act that makes changes to the requirements for membership to the Board ~~this amendatory Act of 1996~~ shall

continue to serve for the duration of the terms to which they have been appointed, but beginning on the ~~that~~ effective date of a new Public Act, all appointments of new licensed ~~cosmetologists and barbers to serve as~~ members to ~~of~~ the Board shall be made in a manner that will effect at the earliest possible date the changes made by the Public Act ~~this amendatory Act of 1996~~ in the representative composition of the Board.

~~For the initial appointment of a member who shall be a hair braider or hair braiding teacher to the Board, such individual shall not be required to possess a license at the time of appointment, but shall have at least 5 years active practice in the field of hair braiding and shall obtain a license as a hair braider or a hair braiding teacher within 18 months after appointment to the Board.~~

A majority of the Board members currently appointed shall constitute a quorum. A vacancy in the membership of the Board shall not impair the right of a quorum to perform all duties of the Board. ~~Six members of the Board shall constitute a quorum.~~ A majority is required for Board decisions.

The Board shall elect a chairperson and a vice chairperson annually.

The Secretary has the authority to remove any member of the Board for cause at any time. The Secretary shall be the sole arbiter of cause. The Secretary may remove a member of the Board who does not attend 2 consecutive meetings.

Board members are not liable for their acts, omissions, decisions, or other conduct in connection with their duties on the Board, except those determined to be willful, wanton, or intentional misconduct.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/4-3) (from Ch. 111, par. 1704-3)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-3. Applications. Every person who desires to obtain a license shall apply therefor to the Department in writing or electronically, on forms prepared and furnished by the Department. Each application shall contain proof of the particular qualifications required of the applicant, shall be verified by the applicant under oath, and shall be accompanied by the required fee.

(Source: P.A. 89-387, eff. 1-1-96; 89-706, eff. 1-31-97.)

(225 ILCS 410/4-4) (from Ch. 111, par. 1704-4)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-4. Issuance of license. Whenever the provisions of this Act and any applicable rules have been complied with, the Department shall issue a license as a cosmetologist, esthetician, nail technician, hair braider, or barber, a license as a cosmetology, esthetics, nail technology, hair braiding, or barber teacher, or a license as a cosmetology clinic teacher as the case may be.

(Source: P.A. 98-911, eff. 1-1-15.)

(225 ILCS 410/4-5) (from Ch. 111, par. 1704-5)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-5. Fees; time limitations.

(a) Except as provided in paragraph (b) below, the fees for the administration and enforcement of this Act, including but not limited to fees for original licensure, renewal, and restoration shall be set by the Department by rule. The fees shall not be refundable.

(b) Applicants for examination shall be required to pay, either to the Department or the designated testing service, a fee covering the cost of initial screening to determine eligibility and providing the examination. Failure to appear for the examination on the scheduled date at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.

(c) If an applicant fails to pass an examination for licensure under this Act within 3 years after filing his application, the application shall be denied. However, such applicant may thereafter make a new application for examination accompanied by the required fee.

(d) An individual applying on the basis of endorsement or restoration of licensure has 3 years from the date of

application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee forfeited. The applicant may reapply, but shall meet the requirements in effect at the time of reapplication.

(e) An applicant has 3 years ~~one year~~ from the date of notification of successful completion of the examination to apply to the Department for a license. If an applicant fails to apply within 3 years, ~~one year~~ the applicant shall be required to take and pass the examination again.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/4-6) (from Ch. 111, par. 1704-6)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-6. Payments; penalty for insufficient funds. Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of \$50. The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a nonrenewed license. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the

date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or certificate or deny the application, without hearing. If, after termination or denial, the person seeks a license or certificate, the person ~~he or she~~ shall apply to the Department for restoration or issuance of the license or certificate and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license or certificate to pay all expenses of processing this application. The Secretary may waive the fines due under this Section in individual cases where the Secretary finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 96-1246, eff. 1-1-11.)

(225 ILCS 410/4-7) (from Ch. 111, par. 1704-7)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-7. Refusal, suspension and revocation of licenses; causes; disciplinary action.

(1) The Department may refuse to issue or renew, and may suspend, revoke, place on probation, reprimand or take any other disciplinary or non-disciplinary action as the Department may deem proper, including civil penalties not to exceed \$500 for each violation, with regard to any license or registration for any one, or any combination, of the following causes:

a. For licensees, conviction of any crime under the laws of the United States or any state or territory thereof that is (i) a felony, (ii) a misdemeanor, an essential element of which is dishonesty, or (iii) a crime which is related to the practice of the profession and, for initial applicants, convictions set forth in Section 4-6.1 of this Act.

b. Conviction of any of the violations listed in Section 4-20.

c. Material misstatement in furnishing information to the Department.

d. Making any misrepresentation for the purpose of obtaining a license or violating any provision of this Act or its rules.

e. Aiding or assisting another person in violating any provision of this Act or its rules.

f. Failing, within 60 days, to provide information in response to a written request made by the Department.

g. Discipline by another state, territory, or country if at least one of the grounds for the discipline is the same as or substantially equivalent to those set forth in this Act.

h. Practice in the barber, nail technology, esthetics, hair braiding, or cosmetology profession, or an attempt to practice in those professions, by fraudulent misrepresentation.

- i. Gross malpractice or gross incompetency.
- j. Continued practice by a person knowingly having an infectious or contagious disease.
- k. Solicitation of professional services by using false or misleading advertising.
- l. A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.
- m. Directly or indirectly giving to or receiving from any person, firm, corporation, professional service corporation, partnership, limited liability company, professional limited liability company, or association any fee, commission, rebate, or other form of compensation for any professional services not actually or personally rendered.
- n. Violating any of the provisions of this Act or rules adopted pursuant to this Act.
- o. Willfully making or filing false records or reports relating to a licensee's practice, including but not limited to, false records filed with State agencies or departments.
- p. Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in the inability to practice with reasonable judgment, skill, or safety.
- q. Engaging in dishonorable, unethical or



unprofessional conduct of a character likely to deceive, defraud, or harm the public as may be defined by rules of the Department, or violating the rules of professional conduct which may be adopted by the Department.

r. Permitting any person to use for any unlawful or fraudulent purpose one's diploma or license or certificate of registration as a cosmetologist, nail technician, esthetician, hair braider, or barber or cosmetology, nail technology, esthetics, hair braiding, or barber teacher or salon or shop or cosmetology clinic teacher or a school or continuing education sponsor.

s. Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

t. Operating a school, salon, or shop without a valid license or registration.

u. Failure to complete required continuing education hours.

v. Operating, owning, or managing a school, salon, or shop that is cited for sanitary violations by the Department.

(2) In rendering an order, the Secretary shall take into

consideration the facts and circumstances involving the type of acts or omissions in paragraph (1) of this Section including, but not limited to:

(a) the extent to which public confidence in the cosmetology, nail technology, esthetics, hair braiding, or barbering profession was, might have been, or may be, injured;

(b) the degree of trust and dependence among the involved parties;

(c) the character and degree of harm which did result or might have resulted;

(d) the intent or mental state of the licensee at the time of the acts or omissions.

(3) The Department may reissue the license or registration upon certification by the Board that the disciplined licensee or registrant has complied with all of the terms and conditions set forth in the final order or has been sufficiently rehabilitated to warrant the public trust.

(4) The Department shall refuse to issue or renew or suspend without hearing the license or certificate of registration of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied as determined by the Department

of Revenue.

(5) (Blank).

(6) All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or in accordance with the terms set forth in the order imposing the fine.

(Source: P.A. 99-427, eff. 8-21-15; 99-876, eff. 1-1-17; 100-872, eff. 8-14-18.)

(225 ILCS 410/4-8) (from Ch. 111, par. 1704-8)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-8. Persons in need of mental treatment. The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. Such suspension shall end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the patient; and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume practicing ~~his practice~~.

(Source: P.A. 98-911, eff. 1-1-15.)

(225 ILCS 410/4-9) (from Ch. 111, par. 1704-9)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-9. Practice without a license or after suspension

or revocation thereof.

(a) If any person, association, firm, partnership, limited liability company, professional limited liability company, corporation, or professional service corporation violates the provisions of this Act, the Secretary may, in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois, petition, for an order enjoining such violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition in such court, the court may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin such violation, and if it is established that such person, association, firm, partnership, limited liability company, professional limited liability company, corporation, or professional service corporation has violated or is violating the injunction, the Court may punish the offender for contempt of court. Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(b) If any person shall practice as a barber, cosmetologist, nail technician, hair braider, or esthetician, or teacher thereof or cosmetology clinic teacher or hold himself or herself out as such without being licensed under the provisions of this Act, any licensee, any interested party, or any person injured thereby may, in addition to the Secretary, petition for relief as provided in subsection (a)

of this Section.

(c) Whenever in the opinion of the Department any person, association, partnership, firm, limited liability company, professional limited liability company, corporation, professional service corporation, or other legal entity has violated any provision of Section 1-7 or 3D-5 of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against that person, firm, corporation, or legal entity. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately.

(Source: P.A. 98-911, eff. 1-1-15; 99-427, eff. 8-21-15.)

(225 ILCS 410/4-10) (from Ch. 111, par. 1704-10)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-10. Refusal, suspension and revocation of licenses; investigations and hearing. The Department may upon its own motion and shall, upon the verified complaint in writing of any person setting forth the facts which if proven would constitute grounds for disciplinary action as set forth in Section 4-7, investigate the actions of any person, association, firm, partnership, limited liability company, professional limited liability company, corporation, or

professional service corporation holding or claiming to hold a license or certificate of registration. The Department shall, at least 30 days prior to the date set for the hearing, notify in writing the applicant or the holder of that license or certificate of registration of any charges made and shall afford the accused ~~person~~ an opportunity to be heard personally ~~in person~~ or by counsel in reference thereto. The Department shall direct the applicant or licensee to file a written answer to the Board under oath within 20 days after the service of the notice and inform the applicant or licensee that failure to file an answer will result in default being taken against the applicant or licensee and that the license may be suspended, revoked, placed on probationary status, or other disciplinary action may be taken, including limiting the scope, nature or extent of practice, as the Secretary may deem proper. The ~~written~~ notice may be served by the delivery of the notice personally to the accused ~~person~~, or by mailing the notice by registered or certified mail to the address of record or by email to the email address of record. In case the accused ~~person~~ fails to file an answer after receiving notice, the ~~his or her~~ license or certificate of registration may, in the discretion of the Department be suspended, revoked, or placed on probationary status, or the Department, may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts

charged constitute sufficient grounds for such action under this Act. At the time and place fixed in the notice, the Board shall proceed to hearing of the charges and the accused person shall be accorded ample opportunity to present in person or by counsel, any statements, testimony, evidence and arguments as may be pertinent to the charges or their defense. The Board may continue a hearing from time to time.

(Source: P.A. 98-911, eff. 1-1-15; 99-427, eff. 8-21-15.)

(225 ILCS 410/4-11) (from Ch. 111, par. 1704-11)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-11. Record of proceedings. The Department, at its expense, shall provide a certified shorthand reporter ~~stenographer~~ to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a license or a certificate of registration is revoked, ~~or~~ suspended, placed on probationary status, reprimanded, fined, or subject to other disciplinary action authorized under this Act and any rules adopted pursuant to this Act. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Board and the orders of the Department shall be the record of such proceedings. The record may be made available to any person interested in the hearing upon payment of the fee required by Section 2105-115 of the Department of Professional Regulation Law of the Civil

Administrative Code of Illinois.

(Source: P.A. 98-911, eff. 1-1-15.)

(225 ILCS 410/4-13) (from Ch. 111, par. 1704-13)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-13. Attendance of witnesses and production of documents. Any circuit court or any judge thereof, upon the application of the accused person or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of license, and the court or judge may compel obedience to its or the judge's ~~his~~ order by proceedings for contempt.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/4-14) (from Ch. 111, par. 1704-14)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-14. Report of Board; rehearing. The Board shall present to the Secretary its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this Section for the service of the notice. Within 20 days after such service, said accused person may present to the Department the accused's ~~his or her~~ motion in writing for rehearing, which written motion shall specify the



particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this Section, the time elapsing thereafter and before such transcript is ready for delivery to the accused ~~him or her~~ shall not be counted as part of such 20 days. Whenever the Secretary is satisfied that substantial justice has not been done, the Secretary ~~he or she~~ may order a re-hearing by the same or a special committee. At the expiration of the time specified for filing a motion or a rehearing the Secretary shall have the right to take the action recommended by the Board. Upon the suspension or revocation of a ~~his or her~~ license, a licensee shall be required to surrender the ~~his or her~~ license to the Department, and upon the licensee's ~~his or her~~ failure or refusal so to do, the Department shall have the right to seize the same.

(Source: P.A. 98-911, eff. 1-1-15; 99-427, eff. 8-21-15.)

(225 ILCS 410/4-15) (from Ch. 111, par. 1704-15)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-15. Hearing officer. Notwithstanding the provisions of Section 4-10, the Secretary shall have the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue or renew, or discipline of a license. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report any ~~his~~

~~or her~~ findings and recommendations to the Board and the Secretary. The Board shall have 60 days from receipt of the report to review the report of the hearing officer and present their findings of fact, conclusions of law, and recommendations to the Secretary. If the Board fails to present its report within the 60 day period, then the Secretary shall issue an order based on the report of the hearing officer. If the Secretary disagrees in any regard with the Board's report, then the Secretary ~~he or she~~ may issue an order in contravention of the Board's report.

(Source: P.A. 98-911, eff. 1-1-15; 99-427, eff. 8-21-15.)

(225 ILCS 410/4-18.5)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-18.5. Citations.

(a) The Department shall adopt rules to permit the issuance of citations for unlicensed practice, practice on an expired license, failure to register a salon or shop, operating a salon or shop on an expired registration, aiding and abetting unlicensed practice, failure to display a license as required by this Act, or any violation of sanitary rules. A nondisciplinary fee may be assessed for a first citation for any one of the violations. For additional citations, or if there are multiple violations cited, the Department may assess a nondisciplinary fee or a disciplinary fine, as provided by rule. The citation may ~~shall~~ be issued to the licensee or other

person alleged to have committed one or more of the preceding violations and shall contain the licensee's or other person's name and address, the licensee's license number, if any, a brief factual statement, the Sections of this Act or the rules allegedly violated, and the penalty imposed, which shall not exceed \$500 per violation. The citation must clearly state that if the cited person wishes to dispute the citation, the cited person ~~he or she~~ may request in writing, within 30 days after the citation is served, a hearing before the Department. If the cited person does not request a hearing within 30 days after the citation is served, then the citation shall become a final order and, if issued with a disciplinary fine, shall constitute discipline and any nondisciplinary fee or fine imposed is due and payable. If the cited person requests a hearing within 30 days after the citation is served, the Department shall afford the cited person a hearing conducted in the same manner as a hearing provided in this Act for any violation of this Act and shall determine whether the cited person committed the violation as charged and whether the nondisciplinary fee or fine as levied is warranted. No nondisciplinary fee or fine shall be increased but may be reduced. If the violation is found, any nondisciplinary fee or fine shall be due and payable within 30 days of the order of the Secretary. Failure to comply with any final order may subject the licensee or unlicensed person to further discipline or other action by the Department or a referral to

the State's Attorney.

(b) A citation must be issued within 6 months after the reporting of a violation that is the basis for the citation.

(c) Service of a citation shall be made by personal service or ~~certified~~ mail to the licensee or certificate of registration holder at the licensee's or certificate of registration holder's address of record or by email to the licensee's or certificate of registration holder's email address of record, or to an unlicensed person at the person's ~~his or her~~ last known address and email address.

(d) Nothing in this Section shall prohibit or limit the Department from taking further action pursuant to this Act and rules for additional, repeated, or continuing violations.

(Source: P.A. 99-427, eff. 8-21-15.)

(225 ILCS 410/4-19) (from Ch. 111, par. 1704-19)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-19. Emergency suspension. The Secretary may temporarily suspend the license of a barber, cosmetologist, nail technician, hair braider, esthetician or teacher thereof or of a cosmetology clinic teacher without a hearing, simultaneously with the institution of proceedings for a hearing provided for in Section 4-10 of this Act, if the Secretary finds that evidence in the Secretary's ~~his~~ possession indicates that the licensee's continuation in practice would constitute an imminent danger to the public. In

the event that the Secretary suspends, temporarily, this license without a hearing, a hearing must be commenced within 30 days after such suspension has occurred.

(Source: P.A. 98-911, eff. 1-1-15.)

(225 ILCS 410/4-22) (from Ch. 111, par. 1704-22)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4-22. Certifications of record; costs. The Department shall not be required to certify any record to the Court or file any answer in court or otherwise appear in any Court in a judicial review proceeding, unless and until the Department has received from the plaintiff payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. ~~Exhibits shall be certified without cost.~~ Failure on the part of the plaintiff to file a receipt in Court shall be grounds for dismissal of the action.

(Source: P.A. 98-911, eff. 1-1-15.)

Section 99. Effective date. Section 5 and this Section take effect upon becoming law.

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