

# SB1164



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB1164

Introduced 2/5/2019, by Sen. Ram Villivalam

#### SYNOPSIS AS INTRODUCED:

225 ILCS 410/3-6

from Ch. 111, par. 1703-6

Amends the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985. Provides that the Department of Financial and Professional Regulation shall, upon the request of an applicant, provide for the administration of any written examination in the Chinese, Korean, Spanish, or Vietnamese languages. Further provides that the Department shall adopt rules to ensure that the examinations are properly translated and that the examinations are consistent in terms of knowledge tested and difficulty. Provides that the Department is not required to administer a written examination in Chinese, Korean, Spanish, or Vietnamese if it determines that knowledge of the English language is a necessary qualification for the license that the applicant is seeking.

LRB101 09276 JRG 54370 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Barber, Cosmetology, Esthetics, Hair  
5 Braiding, and Nail Technology Act of 1985 is amended by  
6 changing Section 3-6 as follows:

7 (225 ILCS 410/3-6) (from Ch. 111, par. 1703-6)

8 (Section scheduled to be repealed on January 1, 2026)

9 Sec. 3-6. Examination. The Department shall authorize  
10 examinations of applicants for licensure as cosmetologists and  
11 teachers of cosmetology at the times and places it may  
12 determine. The Department may provide by rule for the  
13 administration of the examination prior to the completion of  
14 the applicant's program of training as required in Section 3-2,  
15 3-3, or 3-4. Notwithstanding Section 3-2, 3-3, or 3-4, an  
16 applicant for licensure as a cosmetologist who has completed  
17 1,200 hours in the study of cosmetology may take the  
18 examination. If an applicant for licensure as a cosmetologist  
19 fails to pass 3 examinations conducted by the Department, the  
20 applicant shall, before taking a subsequent examination,  
21 furnish evidence of not less than 250 hours of additional study  
22 of cosmetology in an approved school of cosmetology since the  
23 applicant last took the examination. If an applicant for

1 licensure as a cosmetology teacher fails to pass 3 examinations  
2 conducted by the Department, the applicant shall, before taking  
3 a subsequent examination, furnish evidence of not less than 80  
4 hours of additional study in teaching methodology and  
5 educational psychology in an approved school of cosmetology  
6 since the applicant last took the examination. An applicant who  
7 fails to pass the fourth examination shall not again be  
8 admitted to an examination unless: (i) in the case of an  
9 applicant for licensure as a cosmetologist, the applicant again  
10 takes and completes a program of 1500 hours in the study of  
11 cosmetology in an approved school of cosmetology extending over  
12 a period that commences after the applicant fails to pass the  
13 fourth examination and that is not less than 8 months nor more  
14 than 7 consecutive years in duration; (ii) in the case of an  
15 applicant for licensure as a cosmetology teacher, the applicant  
16 again takes and completes a program of 1000 hours of teacher  
17 training in an approved school of cosmetology, except that if  
18 the applicant had 2 years of practical experience as a licensed  
19 cosmetologist within the 5 years preceding the initial  
20 examination taken by the applicant, the applicant must again  
21 take and complete a program of 500 hours of teacher training in  
22 an approved school of cosmetology, esthetics, or nail  
23 technology; or (iii) in the case of an applicant for licensure  
24 as a cosmetology clinic teacher, the applicant again takes and  
25 completes a program of 250 hours of clinic teacher training in  
26 a licensed school of cosmetology or an instructor's institute

1 of 20 hours. The requirements for remedial training set forth  
2 in this Section may be waived in whole or in part by the  
3 Department upon proof to the Department that the applicant has  
4 demonstrated competence to again sit for the examination. The  
5 Department shall adopt rules establishing the standards by  
6 which this determination shall be made. Each cosmetology  
7 applicant shall be given a written examination testing both  
8 theoretical and practical knowledge, which shall include, but  
9 not be limited to, questions that determine the applicant's  
10 knowledge of product chemistry, sanitary rules, sanitary  
11 procedures, chemical service procedures, hazardous chemicals  
12 and exposure minimization, knowledge of the anatomy of the  
13 skin, scalp, hair, and nails as they relate to applicable  
14 services under this Act and labor and compensation laws.

15 The examination of applicants for licensure as a  
16 cosmetology, esthetics, or nail technology teacher may include  
17 all of the elements of the exam for licensure as a  
18 cosmetologist, esthetician, or nail technician and also  
19 include teaching methodology, classroom management, record  
20 keeping, and any other related subjects that the Department in  
21 its discretion may deem necessary to insure competent  
22 performance. The Department shall, upon the request of an  
23 applicant, provide for the administration of any written  
24 examination in the Chinese, Korean, Spanish, or Vietnamese  
25 languages. Prior to making written examinations in Chinese,  
26 Korean, Spanish, and Vietnamese available to applicants, the

1 Department shall adopt rules to ensure that the examinations  
2 are properly translated and that the examinations are  
3 consistent in terms of knowledge tested and difficulty. The  
4 Department is not required to administer a written examination  
5 in Chinese, Korean, Spanish, or Vietnamese if it determines  
6 that knowledge of the English language is a necessary  
7 qualification for the license that the applicant is seeking.

8 This Act does not prohibit the practice of cosmetology by  
9 one who has applied in writing to the Department, in form and  
10 substance satisfactory to the Department, for a license as a  
11 cosmetologist, or the teaching of cosmetology by one who has  
12 applied in writing to the Department, in form and substance  
13 satisfactory to the Department, for a license as a cosmetology  
14 teacher or cosmetology clinic teacher, if the person has  
15 complied with all the provisions of this Act in order to  
16 qualify for a license, except the passing of an examination to  
17 be eligible to receive a license, until: (a) the expiration of  
18 6 months after the filing of the written application, (b) the  
19 decision of the Department that the applicant has failed to  
20 pass an examination within 6 months or failed without an  
21 approved excuse to take an examination conducted within 6  
22 months by the Department, or (c) the withdrawal of the  
23 application.

24 (Source: P.A. 99-427, eff. 8-21-15; 100-642, eff. 1-1-19;  
25 100-934, eff. 1-1-19.)