

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, and Nail
5 Technology Act of 1985 is amended by changing Sections 1-4, 1-7
6 and 2-4 as follows:

7 (225 ILCS 410/1-4) (from Ch. 111, par. 1701-4)

8 (Section scheduled to be repealed on January 1, 2016)

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

11 "Board" means the Barber, Cosmetology, Esthetics, and Nail
12 Technology Board.

13 "Department" means the Department of Professional
14 Regulation.

15 "Director" means the Director of Professional Regulation.

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

19 "Licensed barber clinic teacher" means an individual
20 licensed by the Department to practice barbering, as defined in
21 this Act, and to provide clinical instruction in the practice
22 of barbering in an approved school of barbering.

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

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

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

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

5 "Licensed cosmetology teacher" means an individual
6 licensed by the Department to practice cosmetology, esthetics,
7 and nail technology as defined in this Act and to provide
8 instruction in the theory and practice of cosmetology,
9 esthetics, and nail technology to students in an approved
10 cosmetology, esthetics, or nail technology school.

11 "Licensed cosmetology clinic teacher" means an individual
12 licensed by the Department to practice cosmetology, esthetics,
13 and nail technology as defined in this Act and to provide
14 clinical instruction in the practice of cosmetology,
15 esthetics, and nail technology in an approved school of
16 cosmetology, esthetics, or nail technology.

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

22 "Licensed esthetics clinic teacher" means an individual
23 licensed by the Department to practice esthetics as defined in
24 this Act and to provide clinical instruction in the practice of
25 esthetics in an approved school of cosmetology or an approved
26 school of esthetics.

27 "Licensed nail technology teacher" means an individual
28 licensed by the Department to practice nail technology and to
29 provide instruction in the theory and practice of nail
30 technology to students in an approved nail technology school or
31 cosmetology school.

32 "Licensed nail technology clinic teacher" means an
33 individual licensed by the Department to practice nail
34 technology as defined in this Act and to provide clinical
35 instruction in the practice of nail technology in an approved
36 school of cosmetology or an approved school of nail technology.

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

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

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

10 "Elapsed enrollment time" means the enrollment time
11 elapsed between the actual starting date and the date of the
12 student's last day of physical attendance in the school.

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

14 (225 ILCS 410/1-7) (from Ch. 111, par. 1701-7)

15 (Section scheduled to be repealed on January 1, 2016)

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

17 (a) It is unlawful for any person to practice, or to hold
18 himself or herself out to be a cosmetologist, esthetician, nail
19 technician, or barber without a license as a cosmetologist,
20 esthetician, nail technician, or barber issued by the
21 Department of Professional Regulation pursuant to the
22 provisions of this Act and of the Civil Administrative Code of
23 Illinois. It is also unlawful for any person, firm,
24 partnership, or corporation to own, operate, or conduct a
25 cosmetology, esthetics, nail technology, or barber school
26 without a license issued by the Department or to own or operate
27 a cosmetology, esthetics, or nail technology salon or barber
28 shop without a certificate of registration issued by the
29 Department. It is further unlawful for any person to teach in
30 any cosmetology, esthetics, nail technology, or barber college
31 or school approved by the Department or hold himself or herself
32 out as a cosmetology, esthetics, nail technology, or barber
33 teacher without a license as a teacher, issued by the
34 Department or as a barber clinic teacher or cosmetology,
35 esthetics, or nail technology clinic teacher without a license

1 as a clinic teacher issued by the Department.

2 (b) Notwithstanding any other provision of this Act, a
3 person licensed as a cosmetologist may hold himself or herself
4 out as an esthetician and may engage in the practice of
5 esthetics, as defined in this Act, without being licensed as an
6 esthetician. A person licensed as a cosmetology teacher may
7 teach esthetics or hold himself or herself out as an esthetics
8 teacher without being licensed as an esthetics teacher. A
9 person licensed as a cosmetologist may hold himself or herself
10 out as a nail technician and may engage in the practice of nail
11 technology, as defined in this Act, without being licensed as a
12 nail technician. A person licensed as a cosmetology teacher may
13 teach nail technology and hold himself or herself out as a nail
14 technology teacher without being licensed as a nail technology
15 teacher.

16 (c) A person licensed as a barber teacher may hold himself
17 or herself out as a barber and may practice barbering without a
18 license as a barber. A person licensed as a cosmetology teacher
19 may hold himself or herself out as a cosmetologist,
20 esthetician, and nail technologist and may practice
21 cosmetology, esthetics, and nail technology without a license
22 as a cosmetologist, esthetician, or nail technologist. A person
23 licensed as an esthetics teacher may hold himself or herself
24 out as an esthetician without being licensed as an esthetician
25 and may practice esthetics. A person licensed as a nail
26 technician teacher may practice nail technology and may hold
27 himself or herself out as a nail technologist without being
28 licensed as a nail technologist.

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

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

33 (225 ILCS 410/2-4) (from Ch. 111, par. 1702-4)

34 (Section scheduled to be repealed on January 1, 2016)

35 Sec. 2-4. Licensure as a barber teacher; qualifications.

1 (1) A person is qualified to receive a license as a barber
2 teacher if that person files an application on forms provided
3 by the Department, pays the required fee, and:

4 a. Is at least 18 years of age;

5 b. Has graduated from high school or its equivalent;

6 c. Has a current license as a barber;

7 d. Has graduated from a barber school approved by the
8 Department having either:

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

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

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

19 f. Has met any other requirements set forth in this
20 Act.

21 An applicant who is issued a license as a Barber
22 Teacher is not required to maintain a barber license in
23 order to practice barbering as defined in this Act.

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

27 (A) is at least 18 years of age;

28 (B) has graduated from high school or its equivalent;

29 (C) has a current license as a barber;

30 (D) has (i) completed a program of 250 hours of clinic
31 teacher training in a licensed school of barbering or (ii)
32 within 5 years preceding the required examination, has
33 obtained a minimum of 2 years of practical experience
34 working at least 30 full-time hours per week as a licensed
35 barber and has completed an instructor's institute of 20
36 hours, as prescribed by the Department, prior to submitting

1 an application for examination;

2 (E) has passed an examination authorized by the
3 Department to determine eligibility to receive a license as
4 a barber teacher; and

5 (F) has met any other requirements of this Act.

6 The Department shall not issue any new barber clinic
7 teacher licenses after January 1, 2009. Any person issued a
8 license as a barber clinic teacher before January 1, 2009, may
9 renew the license after that date under this Act and that
10 person may continue to renew the license or have the license
11 restored during his or her lifetime, subject only to the
12 renewal or restoration requirements for the license under this
13 Act; however, such licensee and license shall remain subject to
14 the provisions of this Act, including, but not limited to,
15 provisions concerning renewal, restoration, fees, continuing
16 education, discipline, administration, and enforcement.

17 (Source: P.A. 89-387, eff. 1-1-96.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.