



Sen. Bill Cunningham

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09900HB4264sam002

LRB099 13320 SMS 48993 a

1 AMENDMENT TO HOUSE BILL 4264

2 AMENDMENT NO. _____. Amend House Bill 4264 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Barber, Cosmetology, Esthetics, Hair
5 Braiding, and Nail Technology Act of 1985 is amended by adding
6 Section 1-13 and by changing Sections 3-7, 3A-6, 3C-8, and 3E-5
7 as follows:

8 (225 ILCS 410/1-13 new)

9 Sec. 1-13. Liability; domestic violence and sexual
10 assault. A person licensed under this Act who completes
11 domestic violence and sexual assault awareness education as a
12 part of his or her continuing education, or his or her
13 employer, shall not be civilly or criminally liable for acting
14 in good faith or failing to act on information obtained during
15 the course of employment concerning potential domestic
16 violence or sexual assault.

1 (225 ILCS 410/3-7) (from Ch. 111, par. 1703-7)

2 (Section scheduled to be repealed on January 1, 2026)

3 Sec. 3-7. Licensure; renewal; continuing education. The
4 holder of a license issued under this Article III may renew
5 that license during the month preceding the expiration date
6 thereof by paying the required fee, giving such evidence as the
7 Department may prescribe of completing not less than 14 hours
8 of continuing education for a cosmetologist, and 24 hours of
9 continuing education for a cosmetology teacher or cosmetology
10 clinic teacher, within the 2 years prior to renewal. The
11 training shall be in subjects approved by the Department as
12 prescribed by rule upon recommendation of the Board and may
13 include online instruction.

14 For the initial renewal of a cosmetologist's license which
15 requires continuing education, as prescribed by rule, one hour
16 of the continuing education shall include domestic violence and
17 sexual assault awareness education as prescribed by rule of the
18 Department. For every subsequent renewal of a cosmetologist's
19 license, one hour of the continuing education may include
20 domestic violence and sexual assault awareness education as
21 prescribed by rule of the Department. The one-hour domestic
22 violence and sexual assault awareness continuing education
23 course shall be provided by a continuing education provider
24 approved by the Department, except that completion from March
25 12, 2016 to March 15, 2016 of a one-hour domestic violence and

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

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

7 The Department shall establish by rule a means for the
8 verification of completion of the continuing education
9 required by this Section. This verification may be accomplished
10 through audits of records maintained by registrants, by
11 requiring the filing of continuing education certificates with
12 the Department, or by other means established by the
13 Department.

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

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

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

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

3 (d) that the licensee is incapacitated due to illness.
4 (Source: P.A. 98-911, eff. 1-1-15; 99-427, eff. 8-21-15.)

5 (225 ILCS 410/3A-6) (from Ch. 111, par. 1703A-6)

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

7 Sec. 3A-6. Licensure; renewal; continuing education;
8 examination; military service. The holder of a license issued
9 under this Article may renew such license during the month
10 preceding the expiration date thereof by paying the required
11 fee, giving evidence the Department may prescribe of completing
12 not less than 10 hours for estheticians, and not less than 20
13 hours of continuing education for esthetics teachers, within
14 the 2 years prior to renewal. The training shall be in
15 subjects, approved by the Department as prescribed by rule upon
16 recommendation of the Board.

17 For the initial renewal of an esthetician's license which
18 requires continuing education, as prescribed by rule, one hour
19 of the continuing education shall include domestic violence and
20 sexual assault awareness education as prescribed by rule of the
21 Department. For every subsequent renewal of an esthetician's
22 license, one hour of the continuing education may include
23 domestic violence and sexual assault awareness education as
24 prescribed by rule of the Department. The one-hour domestic
25 violence and sexual assault awareness continuing education

1 course shall be provided by a continuing education provider
2 approved by the Department, except that completion from March
3 12, 2016 to March 15, 2016 of a one-hour domestic violence and
4 sexual assault awareness course from a domestic violence and
5 sexual assault awareness organization shall satisfy this
6 requirement.

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

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

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

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

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

25 (4) the licensee is incapacitated due to illness.

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

1 (225 ILCS 410/3C-8) (from Ch. 111, par. 1703C-8)

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

3 Sec. 3C-8. License renewal; expiration; continuing
4 education; persons in military service. The holder of a license
5 issued under this Article may renew that license during the
6 month preceding the expiration date of the license by paying
7 the required fee and giving evidence, as the Department may
8 prescribe, of completing not less than 10 hours of continuing
9 education for a nail technician and 20 hours of continuing
10 education for a nail technology teacher, within the 2 years
11 prior to renewal. The continuing education shall be in subjects
12 approved by the Department upon recommendation of the Barber,
13 Cosmetology, Esthetics, Hair Braiding, and Nail Technology
14 Board relating to the practice of nail technology, including,
15 but not limited to, review of sanitary procedures, review of
16 chemical service procedures, review of this Act, and review of
17 the Workers' Compensation Act. However, at least 10 of the
18 hours of continuing education required for a nail technology
19 teacher shall be in subjects relating to teaching methodology,
20 educational psychology, and classroom management or in other
21 subjects related to teaching.

22 For the initial renewal of a nail technician's license
23 which requires continuing education, as prescribed by rule, one
24 hour of the continuing education shall include domestic
25 violence and sexual assault awareness education as prescribed

1 by rule of the Department. For every subsequent renewal of a
2 nail technician's license, one hour of the continuing education
3 may include domestic violence and sexual assault awareness
4 education as prescribed by rule of the Department. The one-hour
5 domestic violence and sexual assault awareness continuing
6 education course shall be provided by a continuing education
7 provider approved by the Department, except that completion
8 from March 12, 2016 to March 15, 2016 of a one-hour domestic
9 violence and sexual assault awareness course from a domestic
10 violence and sexual assault awareness organization shall
11 satisfy this requirement.

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

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

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

25 (b) the licensee's compliance with the continuing
26 education requirements would cause a substantial financial

1 hardship on the licensee;

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

4 (d) the licensee is incapacitated due to illness.

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

6 (225 ILCS 410/3E-5)

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

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

13 For the initial renewal of a hair braider's license which
14 requires continuing education, as prescribed by rule, one hour
15 of the continuing education shall include domestic violence and
16 sexual assault awareness education as prescribed by rule of the
17 Department. For every subsequent renewal of a hair braider's
18 license, one hour of the continuing education may include
19 domestic violence and sexual assault awareness education as
20 prescribed by rule of the Department. The one-hour domestic
21 violence and sexual assault awareness continuing education
22 course shall be provided by a continuing education provider
23 approved by the Department, except that completion from March
24 12, 2016 to March 15, 2016 of a one-hour domestic violence and
25 sexual assault awareness course from a domestic violence and

1 sexual assault awareness organization shall satisfy this
2 requirement.

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

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