

SENATE BILL No. 398

AN ACT concerning the Kansas state board of cosmetology; relating to cosmetology; licensure; senior status license; requirements; amending K.S.A. 2017 Supp. 65-1904 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2017 Supp. 65-1904 is hereby amended to read as follows: 65-1904.(a) Unless revoked for cause, all licenses of cosmetologists, cosmetology technicians, estheticians, electrologists and manicurists issued or renewed by the board shall expire on the expiration dates established by rules and regulations adopted by the board under this section. Subject to the other provisions of this subsection, each such license shall be renewable on a biennial basis upon the filing of a renewal application prior to the expiration of the license, payment of the nonrefundable license renewal fee established under this section and the filing of a successfully completed written renewal examination prescribed by the board under this subsection. For renewal applications, the board shall prescribe a written renewal examination for each classification of licensee under this subsection ~~which~~ *that* will test the applicant's understanding of the laws relating to the practice for which the applicant holds a license, will test the applicant's understanding of health and sanitation matters relating to the practice for which the applicant holds a license and will test the understanding of the applicant about safety matters relating to the practice for which the applicant holds a license. The board shall fix the score for the successful completion of a written renewal examination. At least 30 days prior to the expiration of a license, the board shall provide to the licensee notice of the date of expiration of the license.

(b) (1) Any cosmetologist's, cosmetology technician's, esthetician's, electrologist's or manicurist's license may be renewed by the applicant within six months after the date of expiration of the applicant's last license upon submission of proof, satisfactory to the board, of the applicant's qualifications to practice as a cosmetologist, cosmetology technician, esthetician, electrologist or manicurist, successfully completing the renewal exam and payment of the applicable nonrefundable renewal fee and delinquent fee prescribed pursuant to this section.

(2) Any applicant whose license as a cosmetologist, cosmetology technician, esthetician, electrologist or manicurist has been expired for more than six months may obtain reinstatement of such license upon application to the board, upon filing with the board a successfully completed written renewal examination and upon payment of the applicable nonrefundable delinquent renewal fee and a nonrefundable renewal penalty fee of \$100.

(c) Any applicant for a license other than a renewal license shall make a verified application to the board on such forms as the board may require and, upon payment of the license application fee and the examination fee, shall be examined by the board ~~or their~~ *the board's* appointees and shall be issued a license, if found to be duly qualified to practice the profession of cosmetologist, esthetician, electrologist or manicurist.

(d) The board is hereby authorized to adopt rules and regulations fixing the amount of nonrefundable fees for the following items and to charge and collect the amounts so fixed, subject to the following limitations:

Cosmetologist license application fee, for two years—not more than	\$60
Cosmetologist license renewal fee.....	60
Delinquent cosmetologist renewal fee	25
Cosmetology technician license renewal fee, for two years—not more than.....	60
Delinquent cosmetology technician renewal fee.....	25
Electrologist license application fee, for two years—not more than	60
Electrologist license renewal fee.....	60
Delinquent electrologist renewal fee	25
Manicurist license application fee, for two years—not more than.....	60
Manicurist license renewal fee	60
Delinquent manicurist renewal fee	25
Esthetician license application fee, for two years—not more than	60
Esthetician license renewal fee.....	60

Delinquent esthetician renewal fee	25
Any apprentice license application fee—not more than....	15
New school license application fee	150
School license renewal fee—not more than	75
Delinquent school license fee—not more than	50
New cosmetology services salon or electrology clinic li- cense application fee—not more than.....	100
Cosmetology services salon or electrology clinic license re- newal fee—not more than	50
Delinquent cosmetology services salon or electrology clinic renewal fee.....	30
Cosmetologist's examination—not more than	75
Electrologist's examination—not more than	75
Manicurist's examination—not more than	75
Esthetician examination—not more than	75
Instructor's examination—not more than	75
Reciprocity application fee—not more than	75
Senior status license fee	30
Verification of licensure.....	20
Any duplicate of license.....	25
Instructor's license application fee, for two years—not more than.....	100
Renewal of instructor's license fee	75
Delinquent instructor's renewal fee—not more than	75
Temporary permit fee	15
Statutes and regulations book.....	5
Instructor-in-training permit	50

(e) Whenever the board determines that the total amount of revenue derived from the fees collected pursuant to this section is insufficient to carry out the purposes for which the fees are collected, the board may amend its rules and regulations to increase the amount of the fee, except that the amount of the fee for any item shall not exceed the maximum amount authorized by this subsection. Whenever the amount of fees collected pursuant to this section provides revenue in excess of the amount necessary to carry out the purposes for which such fees are collected, it shall be the duty of the board to decrease the amount of the fee for one or more of the items listed in this subsection by amending the rules and regulations which fix the fees.

(f) Any person who has held a license issued by the board for at least ~~40~~ 10 years and is ~~70~~ 60 years or more of age and not regularly engaged in cosmetology practice in Kansas shall be entitled to a senior status license upon application and payment of the one-time senior status license fee. The holder of the senior status license shall not be required to renew the license and shall not be entitled to practice cosmetology.

(g) Any person who failed to obtain a renewal license while in the armed forces of the United States shall be entitled to a renewal license upon filing application, paying the nonrefundable renewal fee for the current year during which the person has been discharged and successfully completing the renewal exam.

Sec. 2. K.S.A. 2017 Supp. 65-1904 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the SENATE, and passed that body

President of the Senate.

Secretary of the Senate.

Passed the HOUSE _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.