

House Engrossed

**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fifty-first Legislature  
First Regular Session  
2013

CHAPTER 5

# **HOUSE BILL 2096**

AN ACT

AMENDING SECTIONS 32-501, 32-506 AND 32-513, ARIZONA REVISED STATUTES;  
RELATING TO COSMETOLOGY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-501, Arizona Revised Statutes, is amended to  
3 read:

4 32-501. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Aesthetician" means a person who is licensed to practice skin care  
7 pursuant to this chapter.

8 2. "Aesthetics" means any one or a combination of the following  
9 practices if they are performed for cosmetic purposes:

10 (a) Massaging, cleansing, stimulating, manipulating, exercising,  
11 beautifying or applying oils, creams, antiseptics, clays, lotions or other  
12 preparations, either by hand or by mechanical or electrical appliances.

13 (b) Arching eyebrows or tinting eyebrows and eyelashes.

14 (c) Removing superfluous hair by means other than electrolysis OR  
15 THREADING.

16 3. "Board" means the board of cosmetology.

17 4. "Cosmetic purposes" means for the purpose of beautifying,  
18 preserving or conferring comeliness, excluding therapeutic massage and  
19 manipulations.

20 5. "Cosmetologist" means a person WHO IS licensed to practice  
21 cosmetology pursuant to this chapter.

22 6. "Cosmetology" means any one or a combination of the following  
23 practices if they are performed for cosmetic purposes:

24 (a) Cutting, clipping or trimming hair.

25 (b) Massaging, cleansing, stimulating, manipulating, exercising,  
26 beautifying or applying oils, creams, antiseptics, clays, lotions or other  
27 preparations, either by hand or by mechanical or electrical appliances.

28 (c) Styling, arranging, dressing, curling, waving, permanent waving,  
29 straightening, cleansing, singeing, bleaching, dyeing, tinting, coloring or  
30 similarly treating hair.

31 (d) Arching eyebrows or tinting eyebrows and eyelashes.

32 (e) Removing superfluous hair by means other than electrolysis OR  
33 THREADING.

34 (f) Nail technology.

35 7. "Electrical appliances" means devices that use electrical current  
36 and includes lasers and IPL devices as defined in section 32-516.

37 8. "Instructor" means a person WHO IS licensed to teach cosmetology,  
38 aesthetics or nail technology, or any combination thereof, pursuant to this  
39 chapter.

40 9. "Nail technician" means a person WHO IS licensed to practice nail  
41 technology pursuant to this chapter.

42 10. "Nail technology" means:

43 (a) Cutting, trimming, polishing, coloring, tinting, cleansing or  
44 otherwise treating a person's nails.

45 (b) Applying artificial nails.

1 (c) Massaging and cleaning a person's hands, arms, legs and feet.

2 11. "Salon" means any of the following:

3 (a) An establishment THAT IS operated for the purpose of engaging in  
4 the practice of cosmetology, aesthetics or nail technology, or any  
5 combination of the listed practices.

6 (b) An establishment together with a retrofitted motor vehicle for  
7 exclusive use as a mobile facility for the purpose of engaging in the  
8 practice of cosmetology, aesthetics or nail technology, or any combination of  
9 the listed practices, that is operated and dispatched through the  
10 establishment.

11 (c) A retrofitted motor vehicle exclusively used as a mobile facility  
12 for the purpose of engaging in the practice of cosmetology, aesthetics or  
13 nail technology, or any combination of the listed practices that is operated  
14 and dispatched from a business that has a physical street address that is on  
15 file with the board.

16 12. "School" means an establishment THAT IS operated for the purpose of  
17 teaching cosmetology, aesthetics or nail technology, or any combination of  
18 the listed practices.

19 13. "THREADING" MEANS A SERVICE THAT RESULTS IN THE REMOVAL OF HAIR  
20 FROM ITS FOLLICLE FROM AROUND THE EYEBROWS AND FROM OTHER PARTS OF THE FACE  
21 WITH THE USE OF A SINGLE STRAND OF COTTON THREAD AND AN OVER-THE-COUNTER  
22 ASTRINGENT, IF THE SERVICE DOES NOT USE CHEMICALS OF ANY KIND, WAX OR ANY  
23 IMPLEMENTS, INSTRUMENTS OR TOOLS TO REMOVE HAIR.

24 Sec. 2. Section 32-506, Arizona Revised Statutes, is amended to read:

25 32-506. Nonapplicability of chapter

26 This chapter does not apply to the following persons while in the  
27 proper discharge of their professional duties:

28 1. Practices done for the treatment of physical or mental ailments or  
29 disease by medical practitioners licensed pursuant to this title.

30 2. Commissioned physicians and surgeons serving in the armed forces of  
31 the United States or other federal agencies.

32 3. Persons licensed pursuant to chapter 3 or 12 of this title.

33 4. Students attending schools licensed pursuant to this chapter while  
34 they are on school premises during school hours.

35 5. Persons employed by theatrical groups who apply makeup, oils and  
36 cosmetics.

37 6. Persons who sell makeup, oils and cosmetics and who apply such  
38 products during the process of selling such products.

39 7. Shampoo assistants who shampoo hair under the direction of a  
40 cosmetologist licensed pursuant to this chapter.

41 8. Services performed by and for persons in the custody of the state  
42 department of corrections.

43 9. Persons who apply makeup, oils and cosmetics to patients in a  
44 hospital, nursing home or residential care institution with the consent of  
45 the patient and the hospital, nursing home or residential care institution.

1           10. Persons who provide a service that results in tension on hair  
2 strands or roots by twisting, wrapping, weaving, extending, locking or  
3 braiding, if the service does not include the application of dyes, reactive  
4 chemicals or other preparations to alter the color of the hair or to  
5 straighten, curl or alter the structure of the hair.

6           11. ~~Persons who provide a service that results in the removal of hair  
7 from its follicle from around the eyebrows and from other parts of the face  
8 with the use of a single strand of cotton thread and an over-the-counter  
9 astringent, if the service does not use chemicals of any kind, wax, or any  
10 implements, instruments or tools to remove hair~~ THREADING.

11           12. Persons who provide tanning services by means of airbrushing,  
12 tanning beds or spray tanning.

13           Sec. 3. Section 32-513, Arizona Revised Statutes, is amended to read:

14           32-513. Reciprocity

15           Notwithstanding sections 32-510, 32-511 and 32-512, a person is  
16 entitled to receive a cosmetologist, aesthetician or nail technician license  
17 if the person:

18           1. Submits to the board an application for a cosmetologist,  
19 aesthetician or nail technician license on a form supplied by the board.

20           2. Submits to the board satisfactory evidence that the person is  
21 licensed in another state or country.

22           3. Takes and completes a class relating to infection protection and a  
23 ~~class relating to~~ law review that is given PROVIDED by the board or its  
24 designee. The board shall determine the amount of the fees for ~~these classes~~  
25 THE CLASS. The applicant shall pay ~~these~~ THE fees directly to the board or  
26 its designee.

27           4. Pays the prescribed reciprocity license fees.

APPROVED BY THE GOVERNOR MARCH 21, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 21, 2013.

Passed the House February 6, 2013

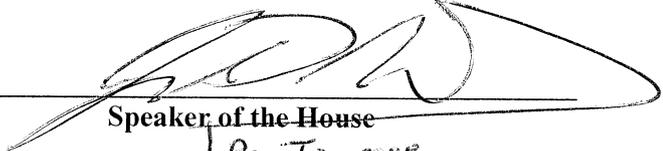
Passed the Senate March 11, 2013

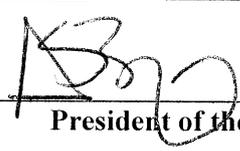
by the following vote: 59 Ayes,

by the following vote: 24 Ayes,

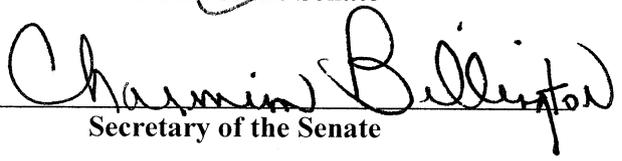
0 Nays, 1 Not Voting

4 Nays, 2 Not Voting

  
Speaker of the House  
Pro Tempore

  
President of the Senate

  
Cheryl Laube  
Chief Clerk of the House

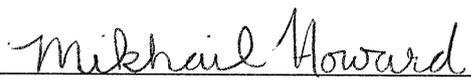
  
Charmin Bellington  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

18 day of March, 2013

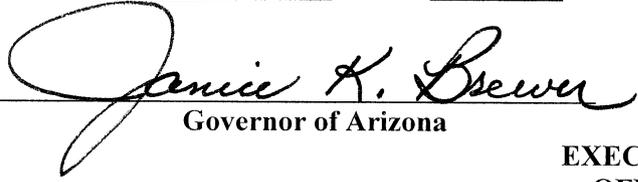
at 3:00 o'clock P M.

  
Mikhail Howard  
Secretary to the Governor

Approved this 21<sup>st</sup> day of

March

at 3:15 o'clock P M.

  
Janice K. Brewer  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 21 day of March, 2013

at 4:53 o'clock P M.

  
Klu Blum  
Secretary of State