



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

<b>2011 Senate Bill 489</b>	<b>Senate Substitute Amendment 1 and Senate Amendment 1 to Senate Substitute Amendment 1</b>
<i>Memo published:</i> March 14, 2012	<i>Contact:</i> Margit Kelley, Staff Attorney (266-9280)

### **CURRENT LAW**

Under current law, the Barbering and Cosmetology Examining Board issues one combined license that covers the practice of barbers and cosmetologists, including aesthetics and manicuring. The board also issues separate specialty licenses for the practice of aesthetics, manicuring, and electrology, and issues manager licenses and establishment licenses.

A person holding a barber or cosmetologist license must pass an examination, and, unless the person has successfully completed an apprenticeship, must be a graduate of a licensed school of barbering and cosmetology, completing at least 1,800 training hours. The Department of Safety and Professional Services (DSPS) directly licenses a barbering and cosmetology school, and certifies its instructors. A certified instructor may teach in all areas of barbering and cosmetology, including aesthetics and manicuring.

The board may, by rule, require continuing education for licensees.

### **2011 SENATE BILL 489**

The bill separates the licensure of a barber, barbering manager, and barbering establishment from the licensures relating to cosmetology. The bill creates a parallel structure for the barbering licensure procedure under a newly-created Barbering Examining Board. A licensed barber or manager may practice only barbering, and a cosmetologist may practice barbering, cosmetology, aesthetics, and manicuring.

The bill establishes a separate licensure for a barbering school, and certified barbering instructor. A graduate of a barbering school must complete at least 1,800 training hours, as does a graduate of a cosmetology school.

The Barbering Examining Board is not authorized to require continuing education for a licensed barber.

Lastly, the bill creates a new status, allowing a licensed barber, cosmetologist, anesthetist, manicurist, electrologist, or manager to apply to the appropriate board to have the license classified as inactive.

### **SENATE SUBSTITUTE AMENDMENT 1**

Senate Substitute Amendment 1 maintains the bill's provisions for a separate, parallel structure for licensure of a barber, barbering manager, or barbering establishment, but it is administered directly by DSPS, rather than a new Barbering Examining Board. The Secretary of DSPS must appoint an advisory committee for matters relating to the regulation of barbering licensees.

The substitute amendment maintains the bill's separate licensure for a barbering school and certified barbering instructor, but reduces the required training hours for a graduate to 1,000 hours, rather than 1,800 hours that are required for a cosmetologist.

The substitute amendment maintains the elimination of any continuing education requirements for a barber, and maintains the creation of an inactive license status for all licensees.

### **SENATE AMENDMENT 1 TO SENATE SUBSTITUTE AMENDMENT 1**

Senate Amendment 1 to the substitute amendment authorizes DSPS to require continuing education for a barber who has been licensed for eight years or less. The continuing education is limited to up to four training hours in each two-year licensing period, and cannot be limited to classroom or other on-site instruction. DSPS cannot require continuing education for a barber who has been licensed for more than eight years.

### **LEGISLATIVE HISTORY**

Senate Bill 489 was introduced on February 20, 2012, by Senator Grothman and others. On March 2, 2012, the Senate Committee on Financial Institutions and Rural Issues introduced and adopted Senate Substitute Amendment 1, and recommended passage of the bill, as amended, on votes of Ayes, 4; Noes, 1.

On March 13, 2012, Senate Amendment 1 to the substitute amendment was introduced by Senator Grothman. That same day, the Senate adopted Senate Amendment 1 to the substitute amendment, and the substitute amendment, as amended, on voice votes, and passed the bill, as amended, on a vote of Ayes, 29; Noes, 4.

MSK:ty