

**2013 Senate Bill 395 (LRB -3473)**

An Act to amend 440.62 (3) (ar) 2., 454.02 (3) (b) and 454.06 (2) (b); and to create 454.02 (3) (bm) and 454.21 (3) of the statutes; relating to: cosmetologist training hours and exemption of makeup artists from barbering and cosmetology licensure requirements. (FE)

**2013**

11-11.	S.	Introduced by Senators <b>Harsdorf, L. Taylor, Grothman and Tiffany</b> ; cosponsored by Representatives <b>Knudson, Kooyenga, Krug, Murphy, Tittl, Ohnstad, Knodl and Murtha</b> .....	478
11-11.	S.	Read first time and referred to Committee on Health and Human Services .....	478
11-19.	S.	Senate Amendment 1 offered by Senator Harsdorf ( <b>LRB a1278</b> ) .....	499
11-20.	S.	Public hearing held	
11-21.	S.	Fiscal estimate received	
12-19.	S.	Executive action taken	
12-20.	S.	Report adoption of Senate Amendment 1 recommended by Committee on Health and Human Services, Ayes 5, Noes 0 .....	540
12-20.	S.	Report passage as amended recommended by Committee on Health and Human Services, Ayes 5, Noes 0 .....	540
12-20.	S.	Available for scheduling	

**2014**

01-13.	S.	Placed on calendar 1-14-2014 pursuant to Senate Rule 18(1) .....	562
01-14.	S.	Read a second time .....	569
01-14.	S.	<b>Senate Amendment 1 adopted</b> .....	569
01-14.	S.	Ordered to a third reading .....	569
01-14.	S.	Rules suspended .....	569
01-14.	S.	Read a third time and <b>passed</b> .....	569
01-14.	S.	Ordered immediately messaged .....	570
01-15.	A.	Received from Senate .....	533
01-15.	A.	Read first time and referred to committee on Rules .....	534
03-18.	A.	Made a special order of business at 10:35 AM on 3-20-2014 pursuant to Assembly Resolution 28 .....	767
03-20.	A.	Read a second time	
03-20.	A.	Ordered to a third reading	
03-20.	A.	Rules suspended	
03-20.	A.	Read a third time and <b>concurred in</b>	
03-20.	A.	Ordered immediately messaged	
03-21.	S.	Received from Assembly concurred in	

**2013**  
**ENROLLED BILL**

13en S B-395

**ADOPTED DOCUMENTS:**

Orig     Engr     SubAmdt

13-3473/1

Amendments to above (if none, write "NONE"): SA1 — a 1278/2

Corrections - show date (if none, write "NONE"): None

March 31, 2014: a1278/2ccc-1

Topic

Rel as amended

3-27-14

Date

J. Miller

Enrolling Drafter



## 2013 SENATE BILL 395

November 11, 2013 – Introduced by Senators HARSDORF, L. TAYLOR, GROTHMAN and TIFFANY, cosponsored by Representatives KNUDSON, KOOYENGA, KRUG, MURPHY, TITTL, OHNSTAD, KNODL and MURTHA. Referred to Committee on Health and Human Services.

1 AN ACT *to amend* 440.62 (3) (ar) 2., 454.02 (3) (b) and 454.06 (2) (b); and *to create*  
 2 454.02 (3) (bm) and 454.21 (3) of the statutes; **relating to:** cosmetologist  
 3 training (hours and) exemption of makeup artists from barbering and  
 4 cosmetology licensure requirements.

*Handwritten annotations:*  
 - A circle around the number 3.  
 - A circle around the number 4.  
 - A circle around the words "hours and".  
 - A circle around the word "requirements".  
 - A bubble containing "INS SAI-1" pointing to "(3)".  
 - A bubble containing "INS. SAI-2" pointing to "requirements".

### *Analysis by the Legislative Reference Bureau*

Under current law, an applicant for a cosmetologist license must complete at least 1,800 training hours in a course of instruction in cosmetology. This bill changes the required number of training hours to 1,550.

Also under current law, a person must be licensed in order to perform barbering, cosmetology, aesthetics, or manicuring for compensation in this state. This bill exempts the following services from those licensure requirements:

1. A service performed preparatory to a live public performance or appearance, whether in-person or through broadcast media.
2. A service performed in the course of the production of any digital, analog, or other recording of a moving or still image intended for public release or broadcast.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

SENATE BILL 395

SECTION 1

1 SECTION 1. 440.62 (3) (ar) 2. of the statutes is amended to read:

2 440.62 (3) (ar) 2. Requires as a prerequisite to graduation completion of a  
3 course of instruction in cosmetology of at least ~~1,800~~ 1,550 training hours in not less  
4 than 10 months. The course of instruction may not exceed 8 training hours in any  
5 one day for any student or 48 hours in any one week for any student.

6 SECTION 2. 454.02 (3) (b) of the statutes is amended to read:

7 454.02 (3) (b) ~~Applying cosmetics~~ A service performed preparatory to a live  
8 public performance or appearance, whether in-person or through broadcast media,  
9 including the Internet.

10 SECTION 3. 454.02 (3) (bm) of the statutes is created to read:

11 454.02 (3) (bm) A service performed in the course of the production of any  
12 digital, analog, or other recording of a moving or still image intended for public  
13 release or broadcast, including through the Internet.

14 SECTION 4. 454.06 (2) (b) of the statutes is amended to read:

15 454.06 (2) (b) Graduates from a course of instruction of at least ~~1,800~~ 1,550  
16 training hours in not less than 10 months in a school of cosmetology licensed under  
17 s. 440.62 (3) ~~(ar) or~~ INS. SAI-3 ~~exempted under s. (440.61) or~~ INS SAI-4 has successfully completed an  
18 apprenticeship under s. 454.10. INS SAI-5

19 SECTION 5. 454.21 (3) of the statutes is created to read:

20 454.21 (3) (a) A service performed preparatory to a live public performance or  
21 appearance, whether in-person or through broadcast media, including the Internet.

22 (b) A service performed in the course of the production of any digital or analog  
23 recording of a moving or still image intended for public release or broadcast,  
24 including through the Internet. INS. SAI-6

25 (END)



State of Wisconsin  
2013-2014 LEGISLATURE

**CORRECTIONS IN:**

**SENATE AMENDMENT 1,  
TO SENATE BILL 395**

Prepared by the Legislative Reference Bureau  
(March 31, 2014)

In enrolling, the following corrections were made:

\*\*\*\*NOTE: The following items conform the presentation of amended statutory text to the convention that inserted material is shown as underscored and deleted material is shown as stricken. The substance of the enrolled bill is not affected.

1. Page 1, line 7: delete "(ar)," and substitute "(ar) ~~or~~".
2. Page 1, line 8: underscore the material beginning with ", or accredited" and ending with "by the board," on line 9.

(END)



**SENATE AMENDMENT 1,  
TO SENATE BILL 395**

November 19, 2013 - Offered by Senator HARSDORF.

1 At the locations indicated, amend the bill as follows:

2 ✓ **1.** Page 1, line 3: delete "hours and" and substitute "hours, recognition of  
3 accredited schools of barbering, cosmetology, aesthetics, manicuring, and  
4 electrology,".

SAI-1

5 ✓ **2.** Page 1, line 4: delete "requirements" and substitute "requirements, and  
6 requiring the exercise of rule-making authority".

SAI-2

7 **3.** Page 2, line 17: delete "(ar) or" and substitute "(ar)".

SAI-3

(ar) OF ↑ CC

8 **4.** Page 2, line 17: delete "440.61" and substitute "440.61, or accredited by an  
9 accrediting agency approved by the board,".

SAI-4

CC

10 **5.** Page 2, line 18: after that line insert:

SAI-5

11 SECTION 4c. 454.06 (3) (b) of the statutes is amended to read:

1           454.06 (3) (b) Completes 4,000 hours of practice as a licensed cosmetologist  
2 under the supervision of a licensed cosmetology manager or completes 2,000 hours  
3 of practice as a licensed cosmetologist and 150 training hours of theoretical  
4 instruction in a school of cosmetology licensed under s. 440.62 (3) (ar) ~~or~~, exempted  
5 under s. 440.61, or accredited by an accrediting agency approved by the board.

6           **SECTION 4g.** 454.06 (4) (b) 1. of the statutes is amended to read:

7           454.06 (4) (b) 1. A course of instruction in aesthetics of at least 450 training  
8 hours in not less than 11 weeks and not more than 30 weeks, in a school of  
9 cosmetology or a school of aesthetics licensed under s. 440.62 (3) (ar) or (b) ~~or~~,  
10 exempted under s. 440.61, or accredited by an accrediting agency approved by the  
11 board.

12           **SECTION 4n.** 454.06 (5) (b) 1. of the statutes is amended to read:

13           454.06 (5) (b) 1. A course of instruction in electrology of at least 450 training  
14 hours in not less than 11 weeks and not more than 30 weeks, in a school of  
15 cosmetology, or a school of electrology licensed under s. 440.62 (3) (ar) or (c) ~~or~~,  
16 exempted under s. 440.61, or accredited by an accrediting agency approved by the  
17 board.

18           **SECTION 4r.** 454.06 (6) (b) 1. of the statutes is amended to read:

19           454.06 (6) (b) 1. A course of instruction in manicuring of at least 300 training  
20 hours in not less than 7 weeks and not more than 20 weeks, in a school of cosmetology  
21 or a school of manicuring licensed under s. 440.62 (3) (ar) or (d) ~~or~~, exempted under  
22 s. 440.61, or accredited by an accrediting agency approved by the board.

23           **SECTION 4t.** 454.075 of the statutes is created to read:

24           **454.075 Examining board approval of accrediting agencies.** The  
25 examining board shall identify by rule the accrediting agencies it approves to

1 accredit schools for the purpose of satisfying educational requirements for an initial  
2 license or a license renewal under this subchapter.

3 **SECTION 4w.** 454.10 (2) of the statutes is amended to read:

4 454.10 (2) Apprentices shall receive at least 3,712 hours of practical training  
5 and at least 288 training hours of theoretical instruction in a school of cosmetology  
6 licensed under s. 440.62 (3) (ar), exempted under s. 440.61, or accredited by an  
7 accrediting agency approved by the board in order to complete the apprenticeship  
8 program and be eligible to take the examination for a cosmetologist license.  
9 Apprentices shall receive training for a total of at least 32 hours per week. The  
10 training shall be completed in not less than 2 years and not more than 4 years.”

11 **6.** Page 2, line 24: after that line insert:

SAI-6

12 “**SECTION 5e.** 454.23 (2) (d) of the statutes is amended to read:

13 454.23 (2) (d) The applicant graduates from a course of instruction in barbering  
14 of at least 1,000 training hours in barbering in not less than 10 months in a school  
15 of barbering licensed under s. 440.62 (3) (ag) or accredited by an accrediting agency  
16 approved by the department, a school of cosmetology licensed under s. 440.62 (3) (ar)  
17 or accredited by an accrediting agency approved by the cosmetology examining  
18 board, or a school that is exempted under s. 440.61 or the applicant successfully  
19 completes an apprenticeship under s. 454.26.

20 **SECTION 5m.** 454.23 (3) (b) of the statutes is amended to read:

21 454.23 (3) (b) The person completes 4,000 hours of practice as a licensed barber  
22 or licensed cosmetologist under the supervision of a licensed barbering manager or  
23 licensed cosmetology manager or completes 2,000 hours of practice as a licensed  
24 barber or licensed cosmetologist and 150 training hours of theoretical instruction in



1 barbering in a school of barbering licensed under s. 440.62 (3) (ag) or accredited by  
2 an accrediting agency approved by the department, a school of cosmetology licensed  
3 under s. 440.62 (3) (ar) or accredited by an accrediting agency approved by the  
4 cosmetology examining board, or a school that is exempted under s. 440.61.

5 **SECTION 5q.** 454.245 of the statutes is created to read:

6 **454.245 Department approval of accrediting agencies.** The department  
7 shall identify by rule the accrediting agencies it approves to accredit schools for the  
8 purpose of satisfying educational requirements for an initial license or a license  
9 renewal under this subchapter.

10 **SECTION 5s.** 454.26 (2) of the statutes is amended to read:

11 454.26 (2) An apprentice in barbering shall receive at least 3,712 hours of  
12 practical training in barbering and at least 288 training hours of instruction in  
13 barbering in a school of barbering licensed under s. 440.62 (3) (ag) or accredited by  
14 an accrediting agency approved by the department, a school of cosmetology licensed  
15 under s. 440.62 (3) (ar) or accredited by an accrediting agency approved by the  
16 cosmetology examining board, or a school that is exempted under s. 440.61 in order  
17 to complete the apprenticeship program and be eligible to take the examination for  
18 a barber license. An apprentice in barbering shall receive training in barbering for  
19 a total of at least 32 hours per week. The training shall be completed in not less than  
20 2 years and not more than 4 years.".

21 (END)