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

SECTION 3. 440.03 (13) (b) 15. of the statutes is repealed.

SECTION 5. 440.03 (13) (b) 19s. of the statutes is repealed.

SECTION 8. 440.08 (2) (a) 7. of the statutes is repealed.

SECTION 9. 440.08 (2) (a) 17. of the statutes is repealed.

SECTION 10. 440.08 (2) (a) 18. of the statutes is repealed.

SECTION 11. 440.08 (2) (a) 24g. of the statutes is repealed.

SECTION 12. 440.08 (2) (a) 24i. of the statutes is repealed.

SECTION 13. 440.08 (2) (a) 32. of the statutes is repealed.

SECTION 14. 440.08 (2) (a) 43. of the statutes is repealed.

SECTION 15. 440.60 (4s) of the statutes is repealed.

SECTION 16. 440.60 (5s) of the statutes is repealed.

SECTION 17. 440.62 (3) (ag) 3. of the statutes is repealed.

SECTION 18. 440.62 (3) (ar) 3. of the statutes is repealed.

SECTION 19. 440.62 (5) (a) of the statutes is amended to read:

440.62 (5) (a) No specialty school may offer theoretical instruction for managers or apprentices.

SECTION 20g. 440.63 (1) of the statutes is amended to read:

440.63 (1) INSTRUCTOR CERTIFICATION REQUIRED INSTRUCTORS. (a) No person may provide practical instruction in barbering unless the person holds a current barbering instructor or cosmetology instructor certificate.
issued barber license granted by the department or cosmetologist license granted by the cosmetology examining board.

(1m) No person may use the title “Wisconsin certified barbering instructor,” use any title that implies that he or she is a Wisconsin certified barbering instructor, or represent himself or herself to be a Wisconsin certified barbering instructor unless the person is certified as a barbering instructor under this subchapter.

(b) No person may use the title “Wisconsin certified cosmetology instructor,” use any title that implies that he or she is a Wisconsin certified cosmetologist or aesthetician license granted by the cosmetology examining board.

(c) No person may provide practical instruction in aesthetics unless the person holds a current aesthetics instructor or cosmetologist instructor certificate issued by the department, aesthetician license or cosmetologist license granted by the cosmetology examining board.

(d) No person may provide practical instruction in electrology unless the person holds a current electrology instructor certificate issued by the department, electrologist license granted by the cosmetology examining board.

(e) No person may provide practical instruction in manicuring unless the person holds a current manicuring instructor or cosmetology instructor certificate issued by the department or cosmetologist license granted by the cosmetology examining board.

(f) No person may use the title “Wisconsin certified electrology instructor,” use any title that implies that he or she is a Wisconsin certified electrologist license and a current cosmetology instructor certificate issued by the department or a current cosmetology instructor or aesthetics instructor certificate issued by the department or any title that implies that he or she is a Wisconsin certified cosmetology instructor under this subchapter.

(g) No person may provide practical instruction in manicuring unless the person holds a current manicuring instructor or cosmetology instructor certificate issued by the department, manicurist license or cosmetologist license granted by the cosmetology examining board.

(h) No person may provide practical instruction in aesthetician unless the person holds a current aesthetician license or cosmetologist license granted by the department.

(1m) Use of Title. (a) No person may use the title “Wisconsin certified cosmetology instructor,” use any title that implies that he or she is a Wisconsin certified cosmetology instructor, or represent himself or herself to be a Wisconsin certified cosmetology instructor unless the person is certified as a cosmetology instructor under this subchapter.

(b) No person may use the title “Wisconsin certified electrology instructor,” use any title that implies that he or she is a Wisconsin certified electrologist license and a current cosmetology instructor certificate issued by the department, electrologist license granted by the cosmetology examining board.

(c) No person may provide practical instruction in aesthetics unless the person holds a current aesthetics instructor or cosmetologist instructor certificate issued by the department, aesthetician license or cosmetologist license granted by the cosmetology examining board.

(d) No person may provide practical instruction in electrology unless the person holds a current electrology instructor certificate issued by the department, electrologist license granted by the cosmetology examining board.

(e) No person may provide practical instruction in manicuring unless the person holds a current manicuring instructor or cosmetology instructor certificate issued by the department or cosmetologist license granted by the cosmetology examining board.

(f) No person may use the title “Wisconsin certified electrology instructor,” use any title that implies that he or she is a Wisconsin certified electrologist license and a current cosmetology instructor certificate issued by the department, electrologist license granted by the cosmetology examining board.

(g) No person may provide practical instruction in manicuring unless the person holds a current manicuring instructor or cosmetology instructor certificate issued by the department or cosmetologist license granted by the cosmetology examining board.

(h) No person may use the title “Wisconsin certified electrology instructor,” use any title that implies that he or she is a Wisconsin certified electrologist license and a current cosmetology instructor certificate issued by the department, electrologist license granted by the cosmetology examining board.

(i) No person may provide practical instruction in manicuring unless the person holds a current manicuring instructor or cosmetology instructor certificate issued by the department or cosmetologist license granted by the cosmetology examining board.

(j) No person may use the title “Wisconsin certified electrology instructor,” use any title that implies that he or she is a Wisconsin certified electrologist license and a current cosmetology instructor certificate issued by the department, electrologist license granted by the cosmetology examining board.

(k) No person may provide practical instruction in manicuring unless the person holds a current manicuring instructor or cosmetology instructor certificate issued by the department or cosmetologist license granted by the cosmetology examining board.

(l) No person may use the title “Wisconsin certified electrology instructor,” use any title that implies that he or she is a Wisconsin certified electrologist license and a current cosmetology instructor certificate issued by the department, electrologist license granted by the cosmetology examining board.

(m) No person may provide practical instruction in manicuring unless the person holds a current manicuring instructor or cosmetology instructor certificate issued by the department or cosmetologist license granted by the cosmetology examining board.

(n) No person may use the title “Wisconsin certified electrology instructor,” use any title that implies that he or she is a Wisconsin certified electrologist license and a current cosmetology instructor certificate issued by the department, electrologist license granted by the cosmetology examining board.

(o) No person may provide practical instruction in manicuring unless the person holds a current manicuring instructor or cosmetology instructor certificate issued by the department or cosmetologist license granted by the cosmetology examining board.

(p) No person may use the title “Wisconsin certified electrology instructor,” use any title that implies that he or she is a Wisconsin certified electrologist license and a current cosmetology instructor certificate issued by the department, electrologist license granted by the cosmetology examining board.

(q) No person may provide practical instruction in manicuring unless the person holds a current manicuring instructor or cosmetology instructor certificate issued by the department or cosmetologist license granted by the cosmetology examining board.

(r) No person may use the title “Wisconsin certified electrology instructor,” use any title that implies that he or she is a Wisconsin certified electrologist license and a current cosmetology instructor certificate issued by the department, electrologist license granted by the cosmetology examining board.

(s) No person may provide practical instruction in manicuring unless the person holds a current manicuring instructor or cosmetology instructor certificate issued by the department or cosmetologist license granted by the cosmetology examining board.

(t) No person may use the title “Wisconsin certified electrology instructor,” use any title that implies that he or she is a Wisconsin certified electrologist license and a current cosmetology instructor certificate issued by the department, electrologist license granted by the cosmetology examining board.

(u) No person may provide practical instruction in manicuring unless the person holds a current manicuring instructor or cosmetology instructor certificate issued by the department or cosmetologist license granted by the cosmetology examining board.

(v) No person may use the title “Wisconsin certified electrology instructor,” use any title that implies that he or she is a Wisconsin certified electrologist license and a current cosmetology instructor certificate issued by the department, electrologist license granted by the cosmetology examining board.

(w) No person may provide practical instruction in manicuring unless the person holds a current manicuring instructor or cosmetology instructor certificate issued by the department or cosmetologist license granted by the cosmetology examining board.

(x) No person may use the title “Wisconsin certified electrology instructor,” use any title that implies that he or she is a Wisconsin certified electrologist license and a current cosmetology instructor certificate issued by the department, electrologist license granted by the cosmetology examining board.

(y) No person may provide practical instruction in manicuring unless the person holds a current manicuring instructor or cosmetology instructor certificate issued by the department or cosmetologist license granted by the cosmetology examining board.

(z) No person may use the title “Wisconsin certified electrology instructor,” use any title that implies that he or she is a Wisconsin certified electrologist license and a current cosmetology instructor certificate issued by the department, electrologist license granted by the cosmetology examining board.
assess against a school, or specialty school or instructor a forfeiture of not less than $100 nor more than $5,000 for each violation enumerated under par. (b).

SECTION 31. 454.01 (7s) of the statutes is repealed.

SECTION 32. 454.04 (1) (a) of the statutes is amended to read:

454.04 (1) (a) Except as permitted under pars. (b) and (d), sub. (1m), and subch. II, no person may engage in cosmetology unless the person has received training in the areas of service provided and holds a current cosmetologist license or cosmetology manager license or any other similar title unless the person holds a current manicurist license, or temporary permit or training permit issued by the examining board or is an apprentice under s. 454.10 or a student in a cosmetology course of instruction.

SECTION 33. 454.04 (1) (b) of the statutes is amended to read:

454.04 (1) (b) No person may engage in aesthetics unless the person has received training in the areas of service provided and holds a current aesthetician license, or cosmetologist license, or cosmetology manager license issued by the examining board that is not an inactive license or temporary permit issued by the examining board or is an apprentice under s. 454.10 or a student in an aesthetics or cosmetology course of instruction.

SECTION 34. 454.04 (1) (d) of the statutes is amended to read:

454.04 (1) (d) No person may engage in manicuring unless the person has received training in the areas of service provided and holds a current manicurist license, or cosmetologist license, or cosmetology manager license issued by the examining board that is not an inactive license or temporary permit or training permit issued by the examining board or is an apprentice under s. 454.10 or a student in a manicuring or cosmetology course of instruction.

SECTION 35. 454.04 (2) (a) of the statutes is amended to read:

454.04 (2) (a) No person may use the title “cosmetologist” or any other similar title unless the person holds a current cosmetologist license or cosmetology manager license issued by the examining board that is not an inactive license.

SECTION 36. 454.04 (2) (b) of the statutes is amended to read:

454.04 (2) (b) No person may use the title “aesthetician” or any other similar title unless the person holds a current aesthetician license, or cosmetologist license, or cosmetology manager license issued by the examining board that is not an inactive license.

SECTION 37. 454.04 (2) (d) of the statutes is amended to read:

454.04 (2) (d) No person may use the title “manicurist” or any other similar title unless the person holds a current manicurist license, or cosmetologist license, or cosmetology manager license issued by the examining board that is not an inactive license.

SECTION 38. 454.06 (3) of the statutes is repealed.

SECTION 39. 454.06 (4) (b) 2. of the statutes is amended to read:

454.06 (4) (b) 2. At least 450 training hours in not less than 11 weeks and not more than 30 weeks under the supervision of a cosmetology instructor or aesthetics instructor certified under s. 440.63 (3) (am) or (b) or a licensed cosmetology manager, licensed cosmetologist or aesthetician in a licensed establishment that is also licensed as a specialty school of aesthetics under s. 440.62 (4) (a).

SECTION 40. 454.06 (5) (b) 2. of the statutes is amended to read:

454.06 (5) (b) 2. At least 450 training hours in not less than 11 weeks and not more than 30 weeks under the supervision of an electrology instructor certified under s. 440.63 (3) (c), or a licensed electrologist who is also a licensed cosmetology manager, in a licensed establishment that is also licensed as a specialty school of electrology under s. 440.62 (4) (b).

SECTION 41. 454.06 (6) (b) 2. of the statutes is amended to read:

454.06 (6) (b) 2. At least 300 training hours of training in not less than 7 weeks and not more than 20 weeks under the supervision of a cosmetology instructor or manicuring instructor certified under s. 440.63 (3) (am) or (d) or a licensed cosmetology manager, licensed cosmetologist or manicurist in a licensed establishment that is also licensed as a specialty school of manicuring under s. 440.62 (4) (c).

SECTION 42. 454.06 (7) of the statutes is amended to read:

454.06 (7) POSTING OF LICENSE CERTIFICATES. The examining board shall furnish a certificate to each licensee, certifying that the holder is licensed to practice cosmetology, aesthetics, electrology, or manicuring or is a licensed cosmetology manager. The licensee shall post the certificate in a conspicuous place in the licensed establishment. A licensee who holds an inactive license may not post a certificate for that inactive license.

SECTION 43. 454.07 (1) of the statutes is amended to read:

454.07 (1) The examining board shall, in accordance with s. 440.07 (2), conduct examinations for cosmetologist, cosmetology manager, aesthetician, electrologist, and manicurist licenses not less than 8 times annually, at times and places determined by the examining board.

SECTION 44. 454.08 (1) (a) of the statutes is repealed.

SECTION 45g. 454.08 (1) (ag) of the statutes is created to read:

454.08 (1) (ag) 1. The examining board shall promulgate rules permitting the practice of electrology outside of a licensed establishment.
2. The examining board shall promulgate rules permitting the use of a chemical process in the practice of cosmetology, aesthetics, or manicuring outside of a licensed establishment, except that the examining board may not promulgate any rule that restricts the use of a chemical process in cutting or styling hair in the practice of cosmetology or applying cosmetics, oils, lotions, clay, creams, antiseptics, powders, or tonics in the practice of aesthetics.

**SECTION 45r.** 454.08 (1) (ar) of the statutes is created to read:

454.08 (1) (ar) A person may practice cosmetology, aesthetics, or manicuring outside of a licensed establishment if all of the following apply:

1. The person owns, manages, is employed by, or is affiliated with an establishment that is licensed to provide that service under sub. (2).

2. The person brings the certificate furnished to the person under s. 454.06 (7), or a copy, to the location where cosmetology, aesthetics, or manicuring is practiced.

3. The service provided by the person does not involve the use of a chemical process, except for the use, outside of a licensed establishment, of a chemical process in cutting or styling hair in the practice of cosmetology or applying cosmetics, oils, lotions, clay, creams, antiseptics, powders, or tonics in the practice of aesthetics.

**SECTION 46m.** 454.08 (1) (b) of the statutes is amended to read:

454.08 (1) (b) Except as permitted by rule promulgated under par. (a) (ag) or (ar), no person may practice cosmetology, aesthetics, electrology, or manicuring in an establishment unless the establishment is licensed to provide that practice under sub. (2).

**SECTION 47.** 454.08 (4) of the statutes is amended to read:

454.08 (4) The examining board shall, by rule, establish minimum standards concerning the maintenance, equipment, plans, and specifications for licensed establishments as they relate to the public health and safety. The examining board may not promulgate a rule requiring the use of a tuberculocidal disinfectant by a manager of, or a barber or cosmetologist in, an establishment licensed under this section. The examining board may not license an establishment under this section unless it meets the standards established by the examining board. A person proposing to open an establishment in a new location shall apply to the examining board for an inspection and approval of the establishment, submitting an exact description and floor plan of the proposed location of the establishment on a form provided by the department.

**SECTION 48.** 454.08 (6) of the statutes is amended to read:

454.08 (6) A person who owns a cosmetology establishment shall employ at least one person as a manager who holds a cosmetology manager license and manages the establishment on a full-time basis. The cosmetology manager of a cosmetology establishment shall ensure that the establishment operates in compliance with this subchapter and rules promulgated by the examining board.

**SECTION 49.** 454.10 (3) (a) of the statutes is amended to read:

454.10 (3) (a) No apprentice under this section may practice cosmetology except under the supervision of a licensed cosmetology manager, whose cosmetology license is not an inactive license, or under the supervision of a licensed cosmetologist, whose cosmetology license is not an inactive license, and to whom supervisory authority has been delegated by a licensed cosmetology manager. A licensed cosmetology manager may only delegate supervisory authority to a licensed cosmetologist and who has completed at least 2,000 hours of practice as a licensed cosmetologist.

**SECTION 50.** 454.13 (1) (intro.) of the statutes is amended to read:

454.13 (1) (intro.) Upon application and payment of the fee specified in s. 440.05 (2), the examining board may issue a license to practice cosmetology, aesthetics, electrology, or manicuring to an applicant who is licensed in another state or territory of the United States or in another country to perform services that are substantially the same as those performed by licensees in this state and to whom either of the following applies:

**SECTION 51.** 454.13 (2) of the statutes is amended to read:

454.13 (2) The examining board may enter into reciprocal agreements with officials of other states for licensing cosmetologists, aestheticians, electrologists, and manicurists, and cosmetology managers, and grant licenses to persons licensed in other states according to the terms of such an agreement.

**SECTION 52.** 454.20 (3) of the statutes is repealed.

**SECTION 53.** 454.20 (9) of the statutes is repealed.

**SECTION 54.** 454.20 (12) of the statutes is repealed.

**SECTION 55.** 454.20 (1) (b) of the statutes is repealed.

**SECTION 56.** 454.22 (1) (g) of the statutes is repealed.

**SECTION 57.** 454.22 (1) (g) of the statutes is repealed.

**SECTION 58.** 454.22 (2) of the statutes is amended to read:

454.22 (2) No person may use the title “barber” or “hairstylist” or any other similar title unless the person is a licensed barber, licensed barbering manager, or licensed cosmetologist, or licensed cosmetology manager.

**SECTION 59.** 454.23 (3) of the statutes is repealed.

**SECTION 60.** 454.23 (4) of the statutes is amended to read:

454.23 (4) POSTING OF LICENSE CERTIFICATE. The department shall issue a certificate to each person licensed under sub. (2) or (3), certifying that the holder
is a licensed barber or licensed barbering manager. The licensee shall post the certificate in a conspicuous place in the primary establishment where the licensee practices.

**SECTION 61.** 454.23 (5) of the statutes is amended to read:

454.23 (5) **Expiration and renewal.** The renewal dates for licenses a license granted under subs. sub. (2) and (3) are specified under s. 440.08 (2) (a), and the renewal fee for those licenses are that license is determined by the department under s. 440.03 (9) (a).

**SECTION 62.** 454.23 (6) (a) of the statutes is amended to read:

454.23 (6) (a) Any person who is issued a license under sub. (2) or (3) may apply to the department to classify that license as inactive. Upon application under this paragraph, the department may classify a license as inactive if the department determines that the person who holds that license is in good standing with the department and intends to refrain from practicing during the period that the license is inactive.

**SECTION 63.** 454.24 (2) of the statutes is amended to read:

454.24 (2) The examination for a license under s. 454.23 (2) or (3) shall consist of written tests and practical demonstrations requiring applicants to demonstrate minimum competency in services and subjects substantially related to the practice of a barber or barbering manager, as appropriate, and public health and safety.

**SECTION 64.** 454.24 (4) of the statutes is amended to read:

454.24 (4) An applicant for a license under s. 454.23 (2) or (3) shall file an application for examination in the office of the department at least 3 weeks before the examination. If an applicant fails to file the application within the required time, the department may postpone the applicant’s examination to the date of the next available regular examination. The department may require an applicant who fails to appear for or to complete an examination to reapply for examination. An applicant who fails an examination may request reexamination and shall pay a fee for reexamination, according to the procedures and fees established under s. 440.06.

**SECTION 65.** 454.25 (1) (a) of the statutes is repealed.

**SECTION 66g.** 454.25 (1) (ag) of the statutes is created to read:

454.25 (1) (ag) The department shall promulgate rules permitting the use of a chemical process in the practice of barbering outside of a licensed establishment, except that the department may not promulgate any rule that restricts the use of a chemical process in cutting or styling hair in the practice of barbering.

**SECTION 66r.** 454.25 (1) (ar) of the statutes is created to read:

454.25 (1) (ar) A person may practice barbering outside of a licensed establishment if all of the following apply:

1. The person owns, manages, is employed by, or is affiliated with a barbering establishment licensed under sub. (2) or a cosmetology establishment licensed under s. 454.08 (2).

2. The person brings the certificate issued to the person under s. 454.23 (4), or a copy, to the location where barbering is practiced.

3. The service provided by the person does not involve the use of a chemical process, except for the use of a chemical process in cutting or styling hair in the practice of barbering outside of a licensed establishment.

**SECTION 67m.** 454.25 (1) (b) of the statutes is amended to read:

454.25 (1) (b) Except as permitted by rule promulgated under par. (a) (ag) or (ar), no person may practice barbering in an establishment unless the establishment is a licensed barbering establishment under sub. (2) or licensed cosmetology establishment under s. 454.08 (2).

**SECTION 68.** 454.25 (4) of the statutes is amended to read:

454.25 (4) A person who is not a licensed barber, licensed barbering manager, or licensed cosmetologist, or licensed cosmetology manager may own or operate a licensed barbering establishment, but may not practice barbering.

**SECTION 69.** 454.25 (5) of the statutes is amended to read:

454.25 (5) A person who owns a licensed barbering establishment shall employ at least one person as a manager who is a licensed barbering manager, or licensed cosmetology manager, and works full–time in the establishment. The manager of a licensed barbering establishment shall ensure that the establishment operates in compliance with this subchapter and the rules promulgated by the department under this subchapter.

**SECTION 70.** 454.26 (3) (a) of the statutes is amended to read:

454.26 (3) (a) An apprentice in barbering may not practice barbering except under the supervision of a licensed barbering manager or licensed cosmetology manager. A licensed barbering manager or licensed cosmetology manager may only delegate supervisory authority to a licensed barber or licensed cosmetologist who has completed at least 2,000 hours of practice as a licensed barber or licensed cosmetologist.
SECTION 71. 454.27 (1) (intro.) of the statutes is amended to read:

454.27 (1) (intro.) Upon application and payment of the fee specified in s. 440.05 (2), the department may grant a license to practice barbering or to practice as a barbering manager to an applicant who is licensed in another state or territory of the United States or in another country to perform services that are substantially the same as those performed by a licensed barber or licensed barbering manager in this state and to whom at least one of the following applies:

SECTION 72. 454.287 of the statutes is amended to read:

454.287 Advisory committee. The secretary shall appoint an advisory committee under s. 440.042 to advise the department on matters relating to the regulation of barbers, barbering managers, and barbering establishments under this subchapter and the rules required under s. 440.62 (5) (b) 2.

SECTION 74. Nonstatutory provisions.
(1) Transitional provisions.
(a) Cosmetology managers. Notwithstanding sections 454.06 (2) and 454.13 (1) of the statutes, on the effective date of this paragraph, a person who, immediately prior to the effective date of this paragraph, held a valid cosmetology manager license under section 454.06 (3), 2015 stats., or 454.13 (1), 2015 stats., shall be a licensed cosmetologist under section 454.06 (2) or 454.13 (1) of the statutes. If the person’s cosmetology manager license was classified as inactive under section 454.06 (8m) of the statutes, the cosmetologist license under this paragraph shall likewise be classified as inactive.

(b) Barbering managers. Notwithstanding sections 454.23 (2) and 454.27 (1) of the statutes, on the effective date of this paragraph, a person who, immediately prior to the effective date of this paragraph, held a valid barbering manager license under section 454.23 (3), 2015 stats., or 454.27 (1), 2015 stats., shall be a licensed barber under section 454.23 (2) or 454.27 (1) of the statutes. If the person’s barbering manager license was classified as inactive under section 454.23 (6) of the statutes, the barber license under this paragraph shall likewise be classified as inactive.