

**2017 DRAFTING REQUEST****Bill**

For: **Chris Kapenga (608) 266-9174** Drafter: **kpaczusk**  
 By: **Kyle** Secondary Drafters:  
 Date: **2/8/2017** May Contact:  
 Same as LRB: **-0855**

Submit via email: **YES**  
 Requester's email: **Sen.Kapenga@legis.wisconsin.gov**  
 Carbon copy (CC) to: **michael.duchek@legis.wisconsin.gov**  
**michael.gallagher@legis.wisconsin.gov**  
**konrad.paczuski@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

Mobile barbering and cosmetology and eliminating cosmetology and barbering manager licenses

**Instructions:**

Draft a companion to LRB-0855/P1

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kpaczusk 2/8/2017	anienaja 2/8/2017			
/P1	kpaczusk 2/22/2017	anienaja 2/23/2017	lparisi 2/8/2017		State
/P2	kpaczusk 2/24/2017	kfollett 2/24/2017	mbarman 2/23/2017		State
/1	kpaczusk 3/9/2017	kmochal 3/9/2017	rmilford 2/24/2017	rmilford 2/24/2017	State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2			lparisi 3/9/2017	lparisi 3/9/2017	State

FE Sent For:

<END>

→ At  
Intro.

**2017 DRAFTING REQUEST**

**Bill**

For: **Chris Kapenga (608) 266-9174** Drafter: **kpaczusk**  
 By: **Kyle** Secondary Drafters:  
 Date: **2/8/2017** May Contact:  
 Same as LRB: **-0855**

Submit via email: **YES**  
 Requester's email: **Sen.Kapenga@legis.wisconsin.gov**  
 Carbon copy (CC) to: **michael.duchek@legis.wisconsin.gov**  
**michael.gallagher@legis.wisconsin.gov**  
**konrad.paczuski@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

Mobile barbering and cosmetology and eliminating cosmetology and barbering manager licenses

**Instructions:**

Draft a companion to LRB-0855/P1

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kpaczusk 2/8/2017	anienaja 2/8/2017			
/P1	kpaczusk 2/22/2017	anienaja 2/23/2017	lparisi 2/8/2017		State
/P2	kpaczusk 2/24/2017	kfollett 2/24/2017	mbarman 2/23/2017		State
/1			rmilford 2/24/2017	rmilford 2/24/2017	State

*per KP*

JACKET

FE Sent For:

<END>



State of Wisconsin  
2017 - 2018 LEGISLATURE

2087  
LRB-0855/P1  
KP:amn

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

SA  
~~WJH~~  
RWF

IN: 2/8/2017  
OUT: 2/9/2017

No Changes

1     **AN ACT to repeal** 440.03 (13) (b) 15., 440.03 (13) (b) 19s., 440.08 (2) (a) 18., 440.08  
2           (2) (a) 24i., 440.60 (4s), 440.60 (5s), 440.62 (3) (ag) 3., 440.62 (3) (ar) 3., 454.01  
3           (7s), 454.06 (3), 454.20 (3), 454.20 (9), 454.20 (12), 454.22 (1) (b), 454.22 (1) (g)  
4           and 454.23 (3); **to amend** 440.62 (5) (a), 440.63 (3) (a) 2., 440.63 (3) (am) 2.,  
5           440.635 (1), 440.635 (2), 440.635 (3), 454.04 (1) (a), 454.04 (1) (b), 454.04 (1) (d),  
6           454.04 (2) (a), 454.04 (2) (b), 454.04 (2) (d), 454.06 (4) (b) 2., 454.06 (5) (b) 2.,  
7           454.06 (6) (b) 2., 454.06 (7), 454.07 (1), 454.08 (1) (a), 454.08 (1) (b), 454.08 (4),  
8           454.08 (6), 454.10 (3) (a), 454.13 (1) (intro.), 454.13 (2), 454.22 (2), 454.23 (4),  
9           454.23 (5), 454.23 (6) (a), 454.24 (2), 454.24 (4), 454.25 (1) (a), 454.25 (4), 454.25  
10          (5), 454.26 (3) (a), 454.27 (1) (intro.) and 454.287; and **to create** 454.08 (1) (am)  
11          of the statutes; **relating to:** practicing barbering and cosmetology outside

1 licensed establishments, regulating barbering and cosmetology managers, and  
2 granting rule-making authority.

---

***Analysis by the Legislative Reference Bureau***

This bill requires the Cosmetology Examining Board and the Department of Safety and Professional Services to promulgate rules permitting the practice of cosmetology, aesthetics, and manicuring, in the case of the board, and barbering, in the case of DSPS, outside licensed establishments. Currently, such practice is authorized only for personal care services provided to persons who are homebound or in a hospital, nursing home, correctional institution, or other institution.

The bill also eliminates the separate licensure of cosmetology managers and barbering managers. Managers of cosmetology establishments and barbering establishments ensure that those establishments operate in compliance with laws and rules regulating the provision of cosmetology and barbering services. Under the bill, a licensed cosmetologist must be designated as the manager of a cosmetology establishment, and either a licensed cosmetologist or a licensed barber must be designated as the manager of a barbering establishment. The bill converts a person who was formerly licensed as a cosmetology manager into a licensed cosmetologist and a person who was formerly licensed as a barbering manager into a licensed barber.

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:***

- 3       **SECTION 1.** 440.03 (13) (b) 15. of the statutes is repealed.
- 4       **SECTION 2.** 440.03 (13) (b) 19s. of the statutes is repealed.
- 5       **SECTION 3.** 440.08 (2) (a) 18. of the statutes is repealed.
- 6       **SECTION 4.** 440.08 (2) (a) 24i. of the statutes is repealed.
- 7       **SECTION 5.** 440.60 (4s) of the statutes is repealed.
- 8       **SECTION 6.** 440.60 (5s) of the statutes is repealed.
- 9       **SECTION 7.** 440.62 (3) (ag) 3. of the statutes is repealed.
- 10       **SECTION 8.** 440.62 (3) (ar) 3. of the statutes is repealed.
- 11       **SECTION 9.** 440.62 (5) (a) of the statutes is amended to read:

1           440.62 (5) (a) No specialty school may offer theoretical instruction for  
2 ~~managers or apprentices.~~

3           **SECTION 10.** 440.63 (3) (a) 2. of the statutes is amended to read:

4           440.63 (3) (a) 2. Completes 2,000 hours of practice as a licensed barber ~~or holds~~  
5 ~~a current barbering manager license issued by the department.~~

6           **SECTION 11.** 440.63 (3) (am) 2. of the statutes is amended to read:

7           440.63 (3) (am) 2. Completes 2,000 hours of practice as a licensed cosmetologist  
8 ~~or holds a current cosmetology manager license issued by the cosmetology examining~~  
9 ~~board.~~

10          **SECTION 12.** 440.635 (1) of the statutes is amended to read:

11          440.635 (1) No person may provide practical instruction in a specialty school  
12 of aesthetics unless the person holds ~~a current cosmetology manager license issued~~  
13 ~~by the cosmetology examining board or~~ a current cosmetology instructor or  
14 aesthetics instructor certificate issued by the department.

15          **SECTION 13.** 440.635 (2) of the statutes is amended to read:

16          440.635 (2) No person may provide practical instruction in a specialty school  
17 of electrology unless the person holds ~~a current electrologist license and a current~~  
18 ~~cosmetology manager license issued by the cosmetology examining board or an~~  
19 ~~electrology instructor certificate issued by the department.~~

          \*\*\*\*NOTE: Based on s. 454.06 (5) (b) 2., it does not appear that a person must be  
          currently licensed as an electrologist in order to provide electrology instruction if the  
          person is a certified electrology instructor.

20          **SECTION 14.** 440.635 (3) of the statutes is amended to read:

21          440.635 (3) No person may provide practical instruction in a specialty school  
22 of manicuring unless the person holds ~~a current cosmetology manager license issued~~

1 ~~by the cosmetology examining board~~ or a current cosmetology instructor or  
2 manicuring instructor certificate issued by the department.

3 **SECTION 15.** 454.01 (7s) of the statutes is repealed.

4 **SECTION 16.** 454.04 (1) (a) of the statutes is amended to read:

5 454.04 (1) (a) Except as permitted under pars. (b) and (d), sub. (1m), and subch.  
6 II, no person may engage in cosmetology unless the person has received training in  
7 the areas of service provided and holds a current cosmetologist license ~~or cosmetology~~  
8 ~~manager license~~ issued by the examining board that is not an inactive license or  
9 temporary permit issued by the examining board or is an apprentice under s. 454.10  
10 or a student in a cosmetology course of instruction.

11 **SECTION 17.** 454.04 (1) (b) of the statutes is amended to read:

12 454.04 (1) (b) No person may engage in aesthetics unless the person has  
13 received training in the areas of service provided and holds a current aesthetician  
14 license, or cosmetologist license, ~~or cosmetology manager license~~ issued by the  
15 examining board that is not an inactive license or temporary permit or training  
16 permit issued by the examining board or is an apprentice under s. 454.10 or a student  
17 in an aesthetics or cosmetology course of instruction.

18 **SECTION 18.** 454.04 (1) (d) of the statutes is amended to read:

19 454.04 (1) (d) No person may engage in manicuring unless the person has  
20 received training in the areas of service provided and holds a current manicurist  
21 license, or cosmetologist license, ~~or cosmetology manager license~~ issued by the  
22 examining board that is not an inactive license or temporary permit or training  
23 permit issued by the examining board or is an apprentice under s. 454.10 or a student  
24 in a manicuring or cosmetology course of instruction.

25 **SECTION 19.** 454.04 (2) (a) of the statutes is amended to read:



1           454.04 (2) (a) No person may use the title “cosmetologist” or any other similar  
2 title unless the person holds a current cosmetologist license ~~or cosmetology manager~~  
3 license issued by the examining board that is not an inactive license.

4           **SECTION 20.** 454.04 (2) (b) of the statutes is amended to read:

5           454.04 (2) (b) No person may use the title “aesthetician” or any other similar  
6 title unless the person holds a current aesthetician license, or cosmetologist license,  
7 ~~or cosmetology manager license~~ issued by the examining board that is not an inactive  
8 license.

9           **SECTION 21.** 454.04 (2) (d) of the statutes is amended to read:

10          454.04 (2) (d) No person may use the title “manicurist” or any other similar title  
11 unless the person holds a current manicurist license, or cosmetologist license, ~~or~~  
12 ~~cosmetology manager license~~ issued by the examining board that is not an inactive  
13 license.

14          **SECTION 22.** 454.06 (3) of the statutes is repealed.

15          **SECTION 23.** 454.06 (4) (b) 2. of the statutes is amended to read:

16          454.06 (4) (b) 2. At least 450 training hours in not less than 11 weeks and not  
17 more than 30 weeks under the supervision of a cosmetology instructor or aesthetics  
18 instructor certified under s. 440.63 (3) (am) or (b) ~~or a licensed cosmetology manager,~~  
19 in a licensed establishment that is also licensed as a specialty school of aesthetics  
20 under s. 440.62 (4) (a).

21          **SECTION 24.** 454.06 (5) (b) 2. of the statutes is amended to read:

22          454.06 (5) (b) 2. At least 450 training hours in not less than 11 weeks and not  
23 more than 30 weeks under the supervision of an electrology instructor certified  
24 under s. 440.63 (3) (c), ~~or a licensed electrologist who is also a licensed cosmetology~~

1 ~~manager~~, in a licensed establishment that is also licensed as a specialty school of  
2 electrology under s. 440.62 (4) (b).

3 **SECTION 25.** 454.06 (6) (b) 2. of the statutes is amended to read:

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

9 **SECTION 26.** 454.06 (7) of the statutes is amended to read:

10 454.06 (7) POSTING OF LICENSE CERTIFICATES. The examining board shall furnish  
11 a certificate to each licensee, certifying that the holder is licensed to practice  
12 cosmetology, aesthetics, electrology, or manicuring ~~or is a licensed cosmetology~~  
13 ~~manager~~. The licensee shall post the certificate in a conspicuous place in the licensed  
14 establishment. A licensee who holds an inactive license may not post a certificate  
15 for that inactive license.

16 **SECTION 27.** 454.07 (1) of the statutes is amended to read:

17 454.07 (1) The examining board shall, in accordance with s. 440.07 (2), conduct  
18 examinations for cosmetologist, ~~cosmetology manager~~, aesthetician, electrologist,  
19 and manicurist licenses not less than 8 times annually, at times and places  
20 determined by the examining board.

21 **SECTION 28.** 454.08 (1) (a) of the statutes is amended to read:

22 454.08 (1) (a) The examining board ~~may~~ shall promulgate rules consistent with  
23 protection of the public health, safety, and welfare permitting the provision of  
24 personal care cosmetology, aesthetics, electrology, ~~or~~ and manicuring services  
25 outside of licensed establishments by cosmetologists, aestheticians, electrologists,

1 and manicurists to persons who are unable to leave their homes because of illness  
2 or disability or who are in hospitals, nursing homes, correctional institutions, or  
3 other institutions.

4 **SECTION 29.** 454.08 (1) (am) of the statutes is created to read:

5 454.08 (1) (am) In addition to the rules promulgated under par. (a), the  
6 examining board shall promulgate rules consistent with protection of the public  
7 health, safety, and welfare permitting the practice of cosmetology, aesthetics, and  
8 manicuring outside of licensed establishments by cosmetologists, aestheticians, and  
9 manicurists.

10 **SECTION 30.** 454.08 (1) (b) of the statutes is amended to read:

11 454.08 (1) (b) Except as permitted by rule promulgated under par. (a) or (am),  
12 no person may practice cosmetology, aesthetics, electrology, or manicuring in an  
13 establishment unless the establishment is licensed to provide that practice under  
14 sub. (2).

15 **SECTION 31.** 454.08 (4) of the statutes is amended to read:

16 454.08 (4) The examining board shall, by rule, establish minimum standards  
17 concerning the maintenance, equipment, plans, and specifications for licensed  
18 establishments as they relate to the public health and safety. The examining board  
19 may not promulgate a rule requiring the use of a tuberculocidal disinfectant by a  
20 ~~manager of, or~~ a barber or cosmetologist in, an establishment licensed under this  
21 section. The examining board may not license an establishment under this section  
22 unless it meets the standards established by the examining board. A person  
23 proposing to open an establishment in a new location shall apply to the examining  
24 board for an inspection and approval of the establishment, submitting an exact

1 description and floor plan of the proposed location of the establishment on a form  
2 provided by the department.

3 **SECTION 32.** 454.08 (6) of the statutes is amended to read:

4 454.08 (6) A person who owns a cosmetology establishment shall employ at  
5 least one person as a manager who holds a cosmetology manager license and  
6 manages the establishment on a full-time basis. The ~~cosmetology manager of a~~  
7 cosmetology establishment shall ensure that the establishment operates in  
8 compliance with this subchapter and rules promulgated by the examining board.

9 **SECTION 33.** 454.10 (3) (a) of the statutes is amended to read:

10 454.10 (3) (a) No apprentice under this section may practice cosmetology  
11 ~~except under the supervision of a licensed cosmetology manager, whose cosmetology~~  
12 ~~license is not an inactive license, or under the supervision of a licensed cosmetologist,~~  
13 ~~whose cosmetology license is not an inactive license, and to whom supervisory~~  
14 ~~authority has been delegated by a licensed cosmetology manager. A licensed~~  
15 ~~cosmetology manager may only delegate supervisory authority to a licensed~~  
16 ~~cosmetologist~~ and who has completed at least 2,000 hours of practice as a licensed  
17 cosmetologist.

18 **SECTION 34.** 454.13 (1) (intro.) of the statutes is amended to read:

19 454.13 (1) (intro.) Upon application and payment of the fee specified in s.  
20 440.05 (2), the examining board may issue a license to practice cosmetology,  
21 aesthetics, electrology, or manicuring ~~or to practice as a cosmetology manager~~ to an  
22 applicant who is licensed in another state or territory of the United States or in  
23 another country to perform services that are substantially the same as those  
24 performed by licensees in this state and to whom either of the following applies:

25 **SECTION 35.** 454.13 (2) of the statutes is amended to read:

1           454.13 (2) The examining board may enter into reciprocal agreements with  
2 officials of other states for licensing cosmetologists, aestheticians, electrologists, and  
3 manicurists, ~~and cosmetology managers~~ and grant licenses to persons licensed in  
4 other states according to the terms of such an agreement.

5           **SECTION 36.** 454.20 (3) of the statutes is repealed.

6           **SECTION 37.** 454.20 (9) of the statutes is repealed.

7           **SECTION 38.** 454.20 (12) of the statutes is repealed.

8           **SECTION 39.** 454.22 (1) (b) of the statutes is repealed.

9           **SECTION 40.** 454.22 (1) (g) of the statutes is repealed.

10          **SECTION 41.** 454.22 (2) of the statutes is amended to read:

11           454.22 (2) No person may use the title “barber” or “hairstylist” or any other  
12 similar title unless the person is a licensed barber, ~~licensed barbering manager, or~~  
13 licensed cosmetologist, ~~or licensed cosmetology manager.~~

14          **SECTION 42.** 454.23 (3) of the statutes is repealed.

15          **SECTION 43.** 454.23 (4) of the statutes is amended to read:

16           454.23 (4) POSTING OF LICENSE CERTIFICATE. The department shall issue a  
17 certificate to each person licensed under sub. (2) ~~or (3)~~, certifying that the holder is  
18 a licensed barber ~~or licensed barbering manager~~. The licensee shall post the  
19 certificate in a conspicuous place in the primary establishment where the licensee  
20 practices.

21          **SECTION 44.** 454.23 (5) of the statutes is amended to read:

22           454.23 (5) EXPIRATION AND RENEWAL. The renewal dates date for licenses a  
23 license granted under ~~subs. sub. (2) and (3)~~ are is specified under s. 440.08 (2) (a), and  
24 the renewal fees fee for those licenses are that license is determined by the  
25 department under s. 440.03 (9) (a).

1           **SECTION 45.** 454.23 (6) (a) of the statutes is amended to read:

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

8           **SECTION 46.** 454.24 (2) of the statutes is amended to read:

9           454.24 (2) The examination for a license under s. 454.23 (2) ~~or (3)~~ shall consist  
10 of written tests and practical demonstrations requiring applicants to demonstrate  
11 minimum competency in services and subjects substantially related to the practice  
12 of a barber ~~or barbering manager, as appropriate,~~ and public health and safety.

13           **SECTION 47.** 454.24 (4) of the statutes is amended to read:

14           454.24 (4) An applicant for a license under s. 454.23 (2) ~~or (3)~~ shall file an  
15 application for examination in the office of the department at least 3 weeks before  
16 the examination. If an applicant fails to file the application within the required time,  
17 the department may postpone the applicant's examination to the date of the next  
18 available regular examination. The department may require an applicant who fails  
19 to appear for or to complete an examination to reapply for examination. An applicant  
20 who fails an examination may request reexamination and shall pay a fee for  
21 reexamination, according to the procedures and fees established under s. 440.06.

22           **SECTION 48.** 454.25 (1) (a) of the statutes is amended to read:

23           454.25 (1) (a) The department ~~may~~ shall promulgate rules consistent with  
24 protection of the public health, safety, and welfare permitting the provision of  
25 barbering services by a barber outside of a licensed barbering establishment or a

1 licensed cosmetology establishment ~~by a barber.~~ The rules promulgated under this  
2 paragraph shall include rules permitting the provision of barbering services to a  
3 person who is unable to leave his or her home because of illness or disability or who  
4 is in a hospital, nursing home, correctional institution, or other institution.

5 **SECTION 49.** 454.25 (4) of the statutes is amended to read:

6 454.25 (4) A person who is not a licensed barber, ~~licensed barbering manager,~~  
7 ~~or licensed cosmetologist, or licensed cosmetology manager~~ may own or operate a  
8 licensed barbering establishment, but may not practice barbering.

9 **SECTION 50.** 454.25 (5) of the statutes is amended to read:

10 454.25 (5) A person who owns a licensed barbering establishment shall employ  
11 at least one person as a manager who is a licensed ~~barbering manager~~ barber or  
12 licensed ~~cosmetology manager~~ cosmetologist and works full-time in the  
13 establishment.

14 **SECTION 51.** 454.26 (3) (a) of the statutes is amended to read:

15 454.26 (3) (a) An apprentice in barbering may not practice barbering except  
16 ~~under the supervision of a licensed barbering manager or licensed cosmetology~~  
17 ~~manager or~~ under the supervision of a licensed barber or licensed cosmetologist to  
18 ~~whom supervisory authority has been delegated by a licensed barbering manager or~~  
19 ~~licensed cosmetology manager.~~ A licensed barbering manager or licensed  
20 cosmetology manager may only delegate supervisory authority to a licensed barber  
21 or licensed cosmetologist who has completed at least 2,000 hours of practice as a  
22 licensed barber or licensed cosmetologist.

23 **SECTION 52.** 454.27 (1) (intro.) of the statutes is amended to read:

24 454.27 (1) (intro.) Upon application and payment of the fee specified in s.  
25 440.05 (2), the department may grant a license to practice barbering ~~or to practice~~

1 ~~as a barbering manager~~ to an applicant who is licensed in another state or territory  
2 of the United States or in another country to perform services that are substantially  
3 the same as those performed by a licensed barber ~~or licensed barbering manager~~ in  
4 this state and to whom at least one of the following applies:

5 **SECTION 53.** 454.287 of the statutes is amended to read:

6 **454.287 Advisory committee.** The secretary shall appoint an advisory  
7 committee under s. 440.042 to advise the department on matters relating to the  
8 regulation of barbers, ~~barbering managers~~, and barbering establishments under this  
9 subchapter and the rules required under s. 440.62 (5) (b) 2.

10 **SECTION 54. Nonstatutory provisions.**

11 (1) TRANSITIONAL PROVISIONS.

12 (a) *Cosmetology managers.* Notwithstanding sections 454.06 (2) and 454.13 (1)  
13 of the statutes, on the effective date of this paragraph, a person who, immediately  
14 prior to the effective date of this paragraph, held a valid cosmetology manager license  
15 under section 454.06 (3), 2015 stats., or 454.13 (1), 2015 stats., is considered to be a  
16 licensed cosmetologist under section 454.06 (2) or 454.13 (1) of the statutes, as  
17 appropriate, and the cosmetology examining board shall issue a cosmetologist  
18 license to the person. If the person's cosmetology manager license was classified as  
19 inactive under section 454.06 (8m) of the statutes, the cosmetologist license issued  
20 under this paragraph shall likewise be classified as inactive.

21 (b) *Barbering managers.* Notwithstanding sections 454.23 (2) and 454.27 (1)  
22 of the statutes, on the effective date of this paragraph, a person who, immediately  
23 prior to the effective date of this paragraph, held a valid barbering manager license  
24 under section 454.23 (3), 2015 stats., or 454.27 (1), 2015 stats., is considered to be a  
25 licensed barber under section 454.23 (2) or 454.27 (1) of the statutes, as appropriate,



1 and, the department of safety and professional services shall issue a barber license  
2 to the person. If the person's barbering manager license was classified as inactive  
3 under section 454.23 (6) of the statutes, the barber license issued under this  
4 paragraph shall likewise be classified as inactive.

5

(END)

## Paczuski, Konrad

---

**From:** Koenen, Kyle  
**Sent:** Tuesday, February 21, 2017 4:03 PM  
**To:** Paczuski, Konrad <Konrad.Paczuski@legis.wisconsin.gov>  
**Cc:** Duesterbeck, Melodie <Melodie.Duesterbeck@legis.wisconsin.gov>  
**Subject:** Edits on 2087/P1 and 2048.P1

Konrad,

Here are the edits to LRB-2087/P1 and LRB 2048/P1 we would like done. We would like to combine the bills, and have the Kleefisch assembly companion mirror the edits to ours. I ran the language past DSPS and they offered up most of the suggestions below. Let me know if you have any questions. I am sorry to keep bombarding you, but could we have this done fairly quickly.

Regards,

**Kyle Koenen**

*Chief of Staff*

Office of Senator Chris Kapenga

Office: (608)266-9174

Mobile: (262)939-7093

### LRB-2087/P1:

- Page 6, line 22: delete lines 22 to 25 and, on page 7, lines 1 to 9 and substitute:  
"454.08 (1) (a) The examining board ~~may~~ shall promulgate rules consistent with protection of the public health, safety, and welfare permitting the ~~provision of personal care~~ practice of cosmetology, aesthetics, electrology, or and manicuring services outside of licensed establishments by cosmetologists, aestheticians, electrologists, and manicurists. The rules promulgated under this paragraph shall include rules permitting the provision of personal care cosmetology, aesthetics, electrology, and manicuring services to persons who are unable to leave their homes because of illness or disability or who are in hospitals, nursing homes, correctional institutions, or other institutions."
- Page 10, line 23: delete lines 23 to 25 and, on page 11, lines 1 to 4 and substitute:  
"454.25 (1) (a) The department ~~may~~ shall promulgate rules consistent with protection of the public health, safety, and welfare permitting the provision of barbering services by a barber outside of a licensed barbering establishment or a licensed cosmetology establishment ~~by a barber~~. The rules promulgated under this paragraph shall include rules permitting the provision of barbering services to a person persons who ~~is~~ are unable to leave ~~his or her~~ their home because of illness or disability or who ~~is~~ are in a ~~hospital~~ hospitals, ~~nursing home~~ homes, ~~correctional institution~~ institutions, or other ~~institution~~ institutions."
- Page 11, line 13: after "establishment." insert The manager of a licensed barbering establishment shall ensure that the establishment operates in compliance with this subchapter and rules promulgated by the department.
- Page 12, line 15: delete "is considered to" and substitute "shall be"

- Page 12, line 16: delete the material beginning with “statutes,” and ending with “person” on line 18 and substitute “statutes”.
- Page 12, line 19: delete “issued”.
- Page 12, line 24: delete “is considered to” and substitute “shall”.
- Page 12, line 25: delete the material beginning with “statutes,” and ending with “person” on page 13, line 2 and substitute “statutes”.
- Page 13, line 3: delete “issued”.
- Page 13, line 4: after that line insert:  
**“ SECTION 55. Effective dates.** This act takes effect on the day after publication, except as follows:  
(1) The amendment of sections 454.08 (1) (a) and 454.25 (1) (a) of the statutes, take effect on the first day of the 7th month beginning after publication.”.

(NOTE: The modification proposed above (6-mo. delayed effective date) is necessary, in order to comply with the rule promulgation requirements under the “/P1” for both the cosmetology examining board and DSPS.)

LRB 2048/P1 – Section 3

- Shouldn't this be 440.03 (13) (b) 19m instead of 19s?

Section 24 - Violated subch. II or, with respect to cosmetology subch. VI of ch. 440

Section 25 – Same as above except with respect to barbering

Feel free to call me with any questions on this. Thanks!

# "RESEARCH APPENDIX"

... Drafting History Reproduction Request Form ...



## DRAFTING ATTORNEYS:

PLEASE COMPLETE THIS FORM AND GIVE TO MIKE BARMAN

(Request Made By: KP) (Date: 2 / 22 / 2017)

**Note: BOTH DRAFTS SHOULD HAVE THE SAME "REQUESTOR" (exception: companion bills)**



Please transfer the drafting file for

2015 LRB

(For: Rep. / Sen. \_\_\_\_\_)

to the drafting file for

2017 LRB

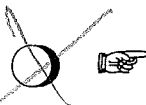
2048

(For: Rep. / Sen. \_\_\_\_\_)

\_\_\_\_\_

Kaponga

- - - OR - - -



Please copy the drafting file for

2017 LRB

2048

/

(include the version)

(For: Rep. / Sen. \_\_\_\_\_)

Kaponga

and place it in the drafting file for

2017 LRB

2087

(For: Rep. / Sen. \_\_\_\_\_)

Kaponga



Are These "Companion Bills" ?? ... Yes No

If yes, who in the initial requestor's office authorized the copy/transfer of the drafting history ("guts") from the original file: \_\_\_\_\_



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-2087/P1 <sup>ep2</sup>  
KP:amn

SA ✓  
RWJ ✓

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

IN: 2/22/2017  
OUT: 2/23/2017

INSERT

Regen. ✓

1     **AN ACT to repeal** 440.03 (13) (b) 15., 440.03 (13) (b) 19s., 440.08 (2) (a) 18., 440.08  
2           (2) (a) 24i., 440.60 (4s), 440.60 (5s), 440.62 (3) (ag) 3., 440.62 (3) (ar) 3., 454.01  
3           (7s), 454.06 (3), 454.20 (3), 454.20 (9), 454.20 (12), 454.22 (1) (b), 454.22 (1) (g)  
4           and 454.23 (3); **to amend** 440.62 (5) (a), 440.63 (3) (a) 2., 440.63 (3) (am) 2.,  
5           440.635 (1), 440.635 (2), 440.635 (3), 454.04 (1) (a), 454.04 (1) (b), 454.04 (1) (d),  
6           454.04 (2) (a), 454.04 (2) (b), 454.04 (2) (d), 454.06 (4) (b) 2., 454.06 (5) (b) 2.,  
7           454.06 (6) (b) 2., 454.06 (7), 454.07 (1), 454.08 (1) (a), 454.08 (1) (b), 454.08 (4),  
8           454.08 (6), 454.10 (3) (a), 454.13 (1) (intro.), 454.13 (2), 454.22 (2), 454.23 (4),  
9           454.23 (5), 454.23 (6) (a), 454.24 (2), 454.24 (4), 454.25 (1) (a), 454.25 (4), 454.25  
10          (5), 454.26 (3) (a), 454.27 (1) (intro.) and 454.287; and **to create** 454.08 (1) (am)  
11          of the statutes; **relating to:** practicing barbering and cosmetology outside

1 licensed establishments, regulating barbering and cosmetology managers, and  
2 granting rule-making authority

*instructor certificates for barbering,  
cosmetology, and related professions*

**Analysis by the Legislative Reference Bureau**

This bill requires the Cosmetology Examining Board and the Department of Safety and Professional Services to promulgate rules permitting the practice of cosmetology, aesthetics, and manicuring, in the case of the board, and barbering, in the case of DSPS, outside licensed establishments. Currently, such practice is authorized only for personal care services provided to persons who are homebound or in a hospital, nursing home, correctional institution, or other institution.

*are required to*

The bill also eliminates the separate licensure of cosmetology managers and barbering managers. Managers of cosmetology establishments and barbering establishments ensure that those establishments operate in compliance with laws and rules regulating the provision of cosmetology and barbering services. Under the bill, a licensed cosmetologist must be designated as the manager of a cosmetology establishment, and either a licensed cosmetologist or a licensed barber must be designated as the manager of a barbering establishment. The bill converts a person who was formerly licensed as a cosmetology manager into a licensed cosmetologist and a person who was formerly licensed as a barbering manager into a licensed barber.

*required to ensure such compliance*

*INSA*

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:**

*INS 2-2*

3 **SECTION 1.** 440.03 (13) (b) 15. of the statutes is repealed.

4 **SECTION 2.** 440.03 (13) (b) 19s. of the statutes is repealed.

5 **SECTION 3.** 440.08 (2) (a) 18. of the statutes is repealed.

6 **SECTION 4.** 440.08 (2) (a) 24i. of the statutes is repealed.

7 **SECTION 5.** 440.60 (4s) of the statutes is repealed.

8 **SECTION 6.** 440.60 (5s) of the statutes is repealed.

9 **SECTION 7.** 440.62 (3) (ag) 3. of the statutes is repealed.

10 **SECTION 8.** 440.62 (3) (ar) 3. of the statutes is repealed.

11 **SECTION 9.** 440.62 (5) (a) of the statutes is amended to read:

1 440.62 (5) (a) No specialty school may offer theoretical instruction for  
2 ~~managers or apprentices.~~

3 **SECTION 10.** 440.63 (3) (a) 2. of the statutes is amended to read:

4 440.63 (3) (a) 2. Completes 2,000 hours of practice as a licensed barber ~~or holds~~  
5 ~~a current barbering manager license issued by the department.~~

6 **SECTION 11.** 440.63 (3) (am) 2. of the statutes is amended to read:

7 440.63 (3) (am) 2. Completes 2,000 hours of practice as a licensed cosmetologist  
8 ~~or holds a current cosmetology manager license issued by the cosmetology examining~~  
9 ~~board.~~

10 **SECTION 12.** 440.635 (1) of the statutes is amended to read:

11 440.635 (1) No person may provide practical instruction in a specialty school  
12 ~~of aesthetics unless the person holds a current cosmetology manager license issued~~  
13 ~~by the cosmetology examining board or a current cosmetology instructor or~~  
14 ~~aesthetics instructor certificate issued by the department.~~

15 **SECTION 13.** 440.635 (2) of the statutes is amended to read:

16 440.635 (2) No person may provide practical instruction in a specialty school  
17 ~~of electrology unless the person holds a current electrologist license and a current~~  
18 ~~cosmetology manager license issued by the cosmetology examining board or an~~  
19 ~~electrology instructor certificate issued by the department.~~

\*\*\*NOTE: Based on s. 454.06 (5) (b) 2., it does not appear that a person must be  
currently licensed as an electrologist in order to provide electrology instruction if the  
person is a certified electrology instructor.

20 **SECTION 14.** 440.635 (3) of the statutes is amended to read:

21 440.635 (3) No person may provide practical instruction in a specialty school  
22 ~~of manicuring unless the person holds a current cosmetology manager license issued~~

INS 3-2

1 ~~by the cosmetology examining board or a current cosmetology instructor or~~  
2 ~~manicuring instructor certificate issued by the department.~~

3 **SECTION 15.** 454.01 (7s) of the statutes is repealed.

4 **SECTION 16.** 454.04 (1) (a) of the statutes is amended to read:

5 454.04 (1) (a) Except as permitted under pars. (b) and (d), sub. (1m), and subch.  
6 II, no person may engage in cosmetology unless the person has received training in  
7 the areas of service provided and holds a current cosmetologist license ~~or cosmetology~~  
8 ~~manager license~~ issued by the examining board that is not an inactive license or  
9 temporary permit issued by the examining board or is an apprentice under s. 454.10  
10 or a student in a cosmetology course of instruction.

11 **SECTION 17.** 454.04 (1) (b) of the statutes is amended to read:

12 454.04 (1) (b) No person may engage in aesthetics unless the person has  
13 received training in the areas of service provided and holds a current aesthetician  
14 license, or cosmetologist license, ~~or cosmetology manager license~~ issued by the  
15 examining board that is not an inactive license or temporary permit or training  
16 permit issued by the examining board or is an apprentice under s. 454.10 or a student  
17 in an aesthetics or cosmetology course of instruction.

18 **SECTION 18.** 454.04 (1) (d) of the statutes is amended to read:

19 454.04 (1) (d) No person may engage in manicuring unless the person has  
20 received training in the areas of service provided and holds a current manicurist  
21 license, or cosmetologist license, ~~or cosmetology manager license~~ issued by the  
22 examining board that is not an inactive license or temporary permit or training  
23 permit issued by the examining board or is an apprentice under s. 454.10 or a student  
24 in a manicuring or cosmetology course of instruction.

25 **SECTION 19.** 454.04 (2) (a) of the statutes is amended to read:



1           454.04 (2) (a) No person may use the title "cosmetologist" or any other similar  
2 title unless the person holds a current cosmetologist license ~~or cosmetology manager~~  
3 license issued by the examining board that is not an inactive license.

4           **SECTION 20.** 454.04 (2) (b) of the statutes is amended to read:

5           454.04 (2) (b) No person may use the title "aesthetician" or any other similar  
6 title unless the person holds a current aesthetician license, or cosmetologist license,  
7 ~~or cosmetology manager~~ license issued by the examining board that is not an inactive  
8 license.

9           **SECTION 21.** 454.04 (2) (d) of the statutes is amended to read:

10           454.04 (2) (d) No person may use the title "manicurist" or any other similar title  
11 unless the person holds a current manicurist license, or cosmetologist license, ~~or~~  
12 ~~cosmetology manager~~ license issued by the examining board that is not an inactive  
13 license.

INS 5-14

14           **SECTION 22.** 454.06 (3) of the statutes is repealed.

15           **SECTION 23.** 454.06 (4) (b) 2. of the statutes is amended to read:

16           454.06 (4) (b) 2. At least 450 training hours in not less than 11 weeks and not  
17 more than 30 weeks under the supervision of a cosmetology instructor or aesthetics  
18 instructor certified under s. 440.63 (3) (am) or (b) ~~or a licensed cosmetology manager,~~  
19 in a licensed establishment that is also licensed as a specialty school of aesthetics  
20 under s. 440.62 (4) (a).

21           **SECTION 24.** 454.06 (5) (b) 2. of the statutes is amended to read:

22           454.06 (5) (b) 2. At least 450 training hours in not less than 11 weeks and not  
23 more than 30 weeks under the supervision of an electrology instructor certified  
24 under s. 440.63 (3) (c), ~~or a licensed electrologist who is also a licensed cosmetology~~

1 ~~manager~~, in a licensed establishment that is also licensed as a specialty school of  
2 electrology under s. 440.62 (4) (b).

3 **SECTION 25.** 454.06 (6) (b) 2. of the statutes is amended to read:

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

9 **SECTION 26.** 454.06 (7) of the statutes is amended to read:

10 454.06 (7) POSTING OF LICENSE CERTIFICATES. The examining board shall furnish  
11 a certificate to each licensee, certifying that the holder is licensed to practice  
12 cosmetology, aesthetics, electrology, or manicuring ~~or is a licensed cosmetology~~  
13 ~~manager~~. The licensee shall post the certificate in a conspicuous place in the licensed  
14 establishment. A licensee who holds an inactive license may not post a certificate  
15 for that inactive license.

16 **SECTION 27.** 454.07 (1) of the statutes is amended to read:

17 454.07 (1) The examining board shall, in accordance with s. 440.07 (2), conduct  
18 examinations for cosmetologist, ~~cosmetology manager~~, aesthetician, electrologist,  
19 and manicurist licenses not less than 8 times annually, at times and places  
20 determined by the examining board.

INS 6-20

21 **SECTION 28.** 454.08 (1) (a) of the statutes is amended to read:

22 454.08 (1) (a) The examining board ~~may~~ shall promulgate rules consistent with  
23 protection of the public health, safety, and welfare permitting the provision of  
24 personal care cosmetology, aesthetics, electrology, ~~or~~ and manicuring services  
25 outside of licensed establishments by cosmetologists, aestheticians, electrologists,

1 and manicurists to persons who are unable to leave their homes because of illness  
2 or disability or who are in hospitals, nursing homes, correctional institutions, or  
3 other institutions.

4 **SECTION 29.** 454.08 (1) (am) of the statutes is created to read:

5 454.08 (1) (am) In addition to the rules promulgated under par. (a), the  
6 examining board shall promulgate rules consistent with protection of the public  
7 health, safety, and welfare permitting the practice of cosmetology, aesthetics, and  
8 manicuring outside of licensed establishments by cosmetologists, aestheticians, and  
9 manicurists.

10 **SECTION 30.** 454.08 (1) (b) of the statutes is amended to read:

11 454.08 (1) (b) Except as permitted by rule promulgated under par. (a) or (am),  
12 no person may practice cosmetology, aesthetics, electrology, or manicuring in an  
13 establishment unless the establishment is licensed to provide that practice under  
14 sub. (2).

15 **SECTION 31.** 454.08 (4) of the statutes is amended to read:

16 454.08 (4) The examining board shall, by rule, establish minimum standards  
17 concerning the maintenance, equipment, plans, and specifications for licensed  
18 establishments as they relate to the public health and safety. The examining board  
19 may not promulgate a rule requiring the use of a tuberculocidal disinfectant by a  
20 ~~manager of, or a barber or cosmetologist in,~~ an establishment licensed under this  
21 section. The examining board may not license an establishment under this section  
22 unless it meets the standards established by the examining board. A person  
23 proposing to open an establishment in a new location shall apply to the examining  
24 board for an inspection and approval of the establishment, submitting an exact

1 description and floor plan of the proposed location of the establishment on a form  
2 provided by the department.

3 **SECTION 32.** 454.08 (6) of the statutes is amended to read:

4 454.08 (6) A person who owns a cosmetology establishment shall employ at  
5 least one person as a manager who holds a cosmetology manager license and  
6 manages the establishment on a full-time basis. The ~~cosmetology manager of a~~  
7 cosmetology establishment shall ensure that the establishment operates in  
8 compliance with this subchapter and rules promulgated by the examining board.

9 **SECTION 33.** 454.10 (3) (a) of the statutes is amended to read:

10 454.10 (3) (a) No apprentice under this section may practice cosmetology  
11 ~~except under the supervision of a licensed cosmetology manager, whose cosmetology~~  
12 ~~license is not an inactive license, or under the supervision of a licensed cosmetologist,~~  
13 ~~whose cosmetology license is not an inactive license, and to whom supervisory~~  
14 ~~authority has been delegated by a licensed cosmetology manager. A licensed~~  
15 ~~cosmetology manager may only delegate supervisory authority to a licensed~~  
16 ~~cosmetologist~~ and who has completed at least 2,000 hours of practice as a licensed  
17 cosmetologist.

18 **SECTION 34.** 454.13 (1) (intro.) of the statutes is amended to read:

19 454.13 (1) (intro.) Upon application and payment of the fee specified in s.  
20 440.05 (2), the examining board may issue a license to practice cosmetology,  
21 aesthetics, electrology, or manicuring ~~or to practice as a cosmetology manager~~ to an  
22 applicant who is licensed in another state or territory of the United States or in  
23 another country to perform services that are substantially the same as those  
24 performed by licensees in this state and to whom either of the following applies:

25 **SECTION 35.** 454.13 (2) of the statutes is amended to read:

INS 9-4

1 454.13 (2) The examining board may enter into reciprocal agreements with  
2 officials of other states for licensing cosmetologists, aestheticians, electrologists, and  
3 manicurists, ~~and cosmetology managers~~ and grant licenses to persons licensed in  
4 other states according to the terms of such an agreement.

5 SECTION 36. 454.20 (3) of the statutes is repealed.

6 SECTION 37. 454.20 (9) of the statutes is repealed.

7 SECTION 38. 454.20 (12) of the statutes is repealed.

8 SECTION 39. 454.22 (1) (b) of the statutes is repealed.

9 SECTION 40. 454.22 (1) (g) of the statutes is repealed.

10 SECTION 41. 454.22 (2) of the statutes is amended to read:

11 454.22 (2) No person may use the title "barber" or "hairstylist" or any other  
12 similar title unless the person is a licensed barber, ~~licensed barbering manager, or~~  
13 licensed cosmetologist, ~~or licensed cosmetology manager.~~

14 SECTION 42. 454.23 (3) of the statutes is repealed.

15 SECTION 43. 454.23 (4) of the statutes is amended to read:

16 454.23 (4) POSTING OF LICENSE CERTIFICATE. The department shall issue a  
17 certificate to each person licensed under sub. (2) ~~or (3)~~, certifying that the holder is  
18 a licensed barber ~~or licensed barbering manager~~. The licensee shall post the  
19 certificate in a conspicuous place in the primary establishment where the licensee  
20 practices.

21 SECTION 44. 454.23 (5) of the statutes is amended to read:

22 454.23 (5) EXPIRATION AND RENEWAL. The renewal dates date for licenses a  
23 license granted under ~~subs. sub. (2) and (3)~~ are is specified under s. 440.08 (2) (a), and  
24 the renewal fees fee for ~~those licenses~~ are that license is determined by the  
25 department under s. 440.03 (9) (a).

1           **SECTION 45.** 454.23 (6) (a) of the statutes is amended to read:

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

8           **SECTION 46.** 454.24 (2) of the statutes is amended to read:

9           454.24 (2) The examination for a license under s. 454.23 (2) ~~or (3)~~ shall consist  
10 of written tests and practical demonstrations requiring applicants to demonstrate  
11 minimum competency in services and subjects substantially related to the practice  
12 of a barber ~~or barbering manager, as appropriate,~~ and public health and safety.

13           **SECTION 47.** 454.24 (4) of the statutes is amended to read:

14           454.24 (4) An applicant for a license under s. 454.23 (2) ~~or (3)~~ shall file an  
15 application for examination in the office of the department at least 3 weeks before  
16 the examination. If an applicant fails to file the application within the required time,  
17 the department may postpone the applicant's examination to the date of the next  
18 available regular examination. The department may require an applicant who fails  
19 to appear for or to complete an examination to reapply for examination. An applicant  
20 who fails an examination may request reexamination and shall pay a fee for  
21 reexamination, according to the procedures and fees established under s. 440.06.

22           **SECTION 48.** 454.25 (1) (a) of the statutes is amended to read:

23           454.25 (1) (a) The department ~~may~~ shall promulgate rules consistent with  
24 protection of the public health, safety, and welfare permitting the provision of  
25 barbering services by a barber outside of a licensed barbering establishment or a

INS 10-21

1

2

1 licensed cosmetology establishment by a barber. The rules promulgated under this  
2 paragraph shall include rules permitting the provision of barbering services to a  
3 person who is unable to leave his or her home because of illness or disability or who  
4 is in a hospital, nursing home, correctional institution, or other institution.

5 **SECTION 49.** 454.25 (4) of the statutes is amended to read:

6 454.25 (4) A person who is not a licensed barber, ~~licensed barbering manager,~~  
7 ~~or licensed cosmetologist, or licensed cosmetology manager~~ may own or operate a  
8 licensed barbering establishment, but may not practice barbering.

9 **SECTION 50.** 454.25 (5) of the statutes is amended to read:

10 454.25 (5) A person who owns a licensed barbering establishment shall employ  
11 at least one person as a manager who is a licensed ~~barbering manager~~ barber or  
12 ~~licensed cosmetology manager~~ cosmetologist and works full-time in the  
13 establishment.

14 **SECTION 51.** 454.26 (3) (a) of the statutes is amended to read:

15 454.26 (3) (a) An apprentice in barbering may not practice barbering except  
16 ~~under the supervision of a licensed barbering manager or licensed cosmetology~~  
17 ~~manager or under the supervision of a licensed barber or licensed cosmetologist to~~  
18 ~~whom supervisory authority has been delegated by a licensed barbering manager or~~  
19 ~~licensed cosmetology manager. A licensed barbering manager or licensed~~  
20 ~~cosmetology manager may only delegate supervisory authority to a licensed barber~~  
21 ~~or licensed cosmetologist who has completed at least 2,000 hours of practice as a~~  
22 licensed barber or licensed cosmetologist.

23 **SECTION 52.** 454.27 (1) (intro.) of the statutes is amended to read:

24 454.27 (1) (intro.) Upon application and payment of the fee specified in s.  
25 440.05 (2), the department may grant a license to practice barbering ~~or to practice~~

INS 11-8

1 as a ~~barbering manager~~ to an applicant who is licensed in another state or territory  
2 of the United States or in another country to perform services that are substantially  
3 the same as those performed by a licensed barber or ~~licensed barbering manager~~ in  
4 this state and to whom at least one of the following applies:

5 SECTION 53. 454.287 of the statutes is amended to read:

6 454.287 Advisory committee. The secretary shall appoint an advisory  
7 committee under s. 440.042 to advise the department on matters relating to the  
8 regulation of barbers, ~~barbering managers~~, and barbering establishments under this  
9 subchapter and the rules required under s. 440.62 (5) (b) 2.

INS 12-9 n

10 SECTION 54. Nonstatutory provisions.

11 (1) TRANSITIONAL PROVISIONS.

12 (a) *Cosmetology managers.* Notwithstanding sections 454.06 (2) and 454.13 (1)  
13 of the statutes, on the effective date of this paragraph, a person who, immediately  
14 prior to the effective date of this paragraph, held a valid cosmetology manager license  
15 under section 454.06 (3), 2015 stats., or 454.13 (1), 2015 stats., <sup>shall</sup> is considered to be a  
16 licensed cosmetologist under section 454.06 (2) or 454.13 (1) of the statutes, as  
17 appropriate, and the cosmetology examining board shall issue a cosmetologist  
18 license to the person. If the person's cosmetology manager license was classified as  
19 inactive under section 454.06 (8m) of the statutes, the cosmetologist license <sup>issued</sup>  
20 under this paragraph shall likewise be classified as inactive.

21 (b) *Barbering managers.* Notwithstanding sections 454.23 (2) and 454.27 (1)  
22 of the statutes, on the effective date of this paragraph, a person who, immediately  
23 prior to the effective date of this paragraph, held a valid barbering manager license  
24 under section 454.23 (3), 2015 stats., or 454.27 (1), 2015 stats., <sup>shall</sup> is considered to be a  
25 licensed barber under section 454.23 (2) or 454.27 (1) of the statutes, as appropriate,



1 and, the department of safety and professional services shall issue a barber license  
2 to the person. If the person's barbering manager license was classified as inactive  
3 under section 454.23 (6) of the statutes, the barber license issued under this  
4 paragraph shall likewise be classified as inactive.

INS 13-41  
5

(END)