



**SENATE AMENDMENT 5,
TO SENATE BILL 109**

May 2, 2017 - Offered by Senator KAPENGA.

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

2 **1.** Page 2, line 3: delete “managers, and” and substitute “managers,”.

3 **2.** Page 2, line 4: delete “professions” and substitute “professions, and
4 granting rule-making authority”.

5 **3.** Page 9, line 1: delete the material beginning with that line and ending with
6 line 10 and substitute:

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

8 454.08 (1) (ag) 1. The examining board shall promulgate rules permitting the
9 practice of electrology outside of a licensed establishment.

10 2. The examining board shall promulgate rules permitting the use of a chemical
11 process in the practice of cosmetology, aesthetics, or manicuring outside of a licensed
12 establishment, except that the examining board may not promulgate any rule that
13 restricts the use of a chemical process in cutting or styling hair in the practice of

1 cosmetology or applying cosmetics, oils, lotions, clay, creams, antiseptics, powders,
2 or tonics in the practice of aesthetics.

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

4 454.08 (1) (ar) A person may practice cosmetology, aesthetics, or manicuring
5 outside of a licensed establishment if all of the following apply:

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

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

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

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

15 454.08 (1) (b) Except as permitted by rule promulgated under par. (a) (ag) or
16 (ar), no person may practice cosmetology, aesthetics, electrology, or manicuring in an
17 establishment unless the establishment is licensed to provide that practice under
18 sub. (2).”.

19 **4.** Page 12, line 22: delete the material beginning with that line and ending
20 with page 13, line 7, and substitute:

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

22 454.25 (1) (ag) The department shall promulgate rules permitting the use of
23 a chemical process in the practice of barbering outside of a licensed establishment,

1 except that the department may not promulgate any rule that restricts the use of a
2 chemical process in cutting or styling hair in the practice of barbering.

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

4 454.25 (1) (ar) A person may practice barbering outside of a licensed
5 establishment if all of the following apply:

- 6 1. The person owns, manages, is employed by, or is affiliated with a barbering
7 establishment licensed under sub. (2) or a cosmetology establishment licensed under
8 s. 454.08 (2).
- 9 2. The person brings the certificate issued to the person under s. 454.23 (4), or
10 a copy, to the location where barbering is practiced.
- 11 3. The service provided by the person does not involve the use of a chemical
12 process, except for the use of a chemical process in cutting or styling hair in the
13 practice of barbering outside of a licensed establishment.

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

15 454.25 (1) (b) Except as permitted by rule promulgated under par. (a) (ag) or
16 (ar), no person may practice barbering in an establishment unless the establishment
17 is a licensed barbering establishment under sub. (2) or licensed cosmetology
18 establishment under s. 454.08 (2).”.

19 (END)