

AN ACT concerning regulation.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 is amended by changing Sections 1-4, 1-7, 1-7.5, 2-2, 2-7, 3-2, 3-6, 3A-2, 3A-5, 3B-4, 3C-2, 3C-7, 3E-2, and 4-1 and by adding Sections 1-15 and 3E-8 as follows:

(225 ILCS 410/1-4)

(Section scheduled to be repealed on January 1, 2031)

Sec. 1-4. Definitions. In this Act the following words shall have the following meanings:

"Address of record" means the designated address recorded by the Department in the applicant's application file or the licensee's license file, as maintained by the Department's licensure maintenance unit.

"Apprentice" means a person who is employed under an apprenticeship agreement with a licensed salon or shop and is participating in an apprenticeship program.

"Apprenticeship program" means a program where an apprentice receives supplemental instruction established by rule and the required practical training for licensure as a cosmetologist, barber, esthetician, hair braider, or nail

technician in a licensed salon or shop and under the supervision of a licensed professional within the scope of practice of the license the apprentice seeks to obtain.

"Board" means the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Board.

"Department" means the Department of Financial and Professional Regulation.

"Email address of record" means the designated email address recorded by the Department in the applicant's application file or the licensee's license file, as maintained by the Department's licensure maintenance unit.

"Licensed barber" means an individual licensed by the Department to practice barbering as defined in this Act and whose license is in good standing.

"Licensed cosmetologist" means an individual licensed by the Department to practice cosmetology, nail technology, hair braiding, and esthetics as defined in this Act and whose license is in good standing.

"Licensed esthetician" means an individual licensed by the Department to practice esthetics as defined in this Act and whose license is in good standing.

"Licensed nail technician" means an individual licensed by the Department to practice nail technology as defined in this Act and whose license is in good standing.

"Licensed barber teacher" means an individual licensed by the Department to practice barbering as defined in this Act

and to provide instruction in the theory and practice of barbering to students in a licensed barber school.

"Licensed cosmetology teacher" means an individual licensed by the Department to practice cosmetology, esthetics, hair braiding, and nail technology as defined in this Act and to provide instruction in the theory and practice of cosmetology, esthetics, hair braiding, and nail technology to students in a licensed cosmetology, esthetics, hair braiding, or nail technology school.

"Licensed cosmetology clinic teacher" means an individual licensed by the Department to practice cosmetology, esthetics, hair braiding, and nail technology as defined in this Act and to provide clinical instruction in the practice of cosmetology, esthetics, hair braiding, and nail technology in a licensed school of cosmetology, esthetics, hair braiding, or nail technology.

"Licensed esthetics teacher" means an individual licensed by the Department to practice esthetics as defined in this Act and to provide instruction in the theory and practice of esthetics to students in a licensed cosmetology or esthetics school.

"Licensed hair braider" means an individual licensed by the Department to practice hair braiding as defined in this Act and whose license is in good standing.

"Licensed hair braiding teacher" means an individual licensed by the Department to practice hair braiding and to

provide instruction in the theory and practice of hair braiding to students in a licensed cosmetology or hair braiding school.

"Licensed nail technology teacher" means an individual licensed by the Department to practice nail technology and to provide instruction in the theory and practice of nail technology to students in a licensed nail technology or cosmetology school.

"Licensed continuing education sponsor" means an entity that is authorized by the Department to coordinate and present continuing education courses or programs for cosmetologists, cosmetology teachers, cosmetology clinic teachers, estheticians, esthetics teachers, nail technicians, nail technology teachers, hair braiders, and hair braiding teachers.

"Licensed school" means a postsecondary educational institution of cosmetology, barbering, esthetics, nail technology, or hair braiding that is authorized by the Department to provide a postsecondary education program in compliance with the requirements of this Act.

"Enrollment date" is the date upon which the student signs an enrollment agreement or student contract.

"Enrollment agreement" or "student contract" is any agreement, instrument, or contract however named, which creates or evidences an obligation binding a student to purchase a course of instruction from a school.

"Enrollment time" means the maximum number of hours a student could have attended class, whether or not the student did in fact attend all those hours.

"Elapsed enrollment time" means the enrollment time elapsed between the actual starting date and the date of the student's last day of physical attendance in the school.

"Mobile shop or salon" means a self-contained facility that may be moved, towed, or transported from one location to another and in which barbering, cosmetology, esthetics, hair braiding, or nail technology is practiced.

"Public member" means a person on the Board who is not a current or former licensed cosmetologist, barber, esthetician, nail technician, or hair braider, teacher of barbering, cosmetology, esthetics, nail technology, or hair braiding, or owner of a business that employs professionals licensed to provide services under this Act, a school licensed under this Act, or a continuing education sponsor licensed under this Act. "Public member" does not include any person with a significant financial interest in salons, shops, schools, continuing education sponsors, or products relating to cosmetology, barbering, esthetics, nail technology, or hair braiding.

"Secretary" means the Secretary of the Department of Financial and Professional Regulation.

"Threading" means any technique that results in the removal of superfluous hair from the body by twisting thread

around unwanted hair and then pulling it from the skin; and may also include the incidental trimming of eyebrow hair.

(Source: P.A. 104-153, eff. 1-1-26.)

(225 ILCS 410/1-7) (from Ch. 111, par. 1701-7)

(Section scheduled to be repealed on January 1, 2031)

Sec. 1-7. Licensure required; renewal; restoration.

(a) It is unlawful for any person to practice, or to hold oneself out to be a cosmetologist, esthetician, nail technician, hair braider, or barber without a license as a cosmetologist, esthetician, nail technician, hair braider or barber issued by the Department pursuant to the provisions of this Act and of the Civil Administrative Code of Illinois. It is also unlawful for any person, firm, partnership, limited liability company, professional limited liability company, corporation, or professional service corporation to own, operate, or conduct a cosmetology, esthetics, nail technology, hair braiding, or barber school without a license issued by the Department or to own or operate a cosmetology, esthetics, nail technology, or hair braiding salon, barber shop, or other business subject to the registration requirements of this Act without a certificate of registration issued by the Department or to present continuing education courses or programs to cosmetologists, estheticians, nail technicians, hair braiders, or teachers of these professions without a license issued by the Department. It is further unlawful for any person to teach

in any cosmetology, esthetics, nail technology, hair braiding, or barber college or school licensed by the Department or hold himself or herself out as a cosmetology, esthetics, hair braiding, nail technology, or barber teacher without a license as a teacher, issued by the Department or as a cosmetology clinic teacher without a license as a cosmetology clinic teacher issued by the Department.

(b) Notwithstanding any other provision of this Act, a person licensed as a cosmetologist may hold oneself out as an esthetician and may engage in the practice of esthetics, as defined in this Act, without being licensed as an esthetician. A person licensed as a cosmetology teacher may teach esthetics or hold oneself out as an esthetics teacher without being licensed as an esthetics teacher. A person licensed as a cosmetologist may hold oneself out as a nail technician and may engage in the practice of nail technology, as defined in this Act, without being licensed as a nail technician. A person licensed as a cosmetology teacher may teach nail technology and hold oneself out as a nail technology teacher without being licensed as a nail technology teacher. A person licensed as a cosmetologist may hold oneself out as a hair braider and may engage in the practice of hair braiding, as defined in this Act, without being licensed as a hair braider. A person licensed as a cosmetology teacher may teach hair braiding and hold oneself out as a hair braiding teacher without being licensed as a hair braiding teacher.

(c) A person licensed as a barber teacher may hold oneself out as a barber and may practice barbering without a license as a barber. A person licensed as a cosmetology teacher may hold oneself out as a cosmetologist, esthetician, hair braider, and nail technologist and may practice cosmetology, esthetics, hair braiding, and nail technology without a license as a cosmetologist, esthetician, hair braider, or nail technologist. A person licensed as an esthetics teacher may hold oneself out as an esthetician without being licensed as an esthetician and may practice esthetics. A person licensed as a nail technician teacher may practice nail technology and may hold oneself out as a nail technologist without being licensed as a nail technologist. A person licensed as a hair braiding teacher may practice hair braiding and may hold oneself out as a hair braider without being licensed as a hair braider.

(c-5) A person with an active license as a cosmetologist may obtain or restore an additional license as an esthetician, nail technician, or hair braider without having to complete the additional licensure requirements for each profession, other than payment of the fee, by filing an application provided by the Department for each additional license. A person with an active license as a cosmetology teacher may obtain or restore an additional license as an esthetics teacher, nail technology teacher, or hair braider teacher without having to complete the additional licensure

requirements for each profession, other than payment of the fee, by filing an application provided by the Department for each additional license. A person with an active license as a cosmetology teacher may obtain or restore an additional license as a cosmetologist, esthetician, nail technician, or hair braider without having to complete the additional licensure requirements for each profession, other than payment of the fee, by filing an application provided by the Department for each additional license. A person with an active license as a barber teacher may also obtain or restore a barber license without having to complete the additional licensure requirements, other than payment of the fee, by filing an application provided by the Department. A person with an active license as an esthetics teacher may also obtain or restore an esthetician license without having to complete the additional licensure requirements, other than payment of the fee, by filing an application provided by the Department. A person with an active license as a nail technology teacher may also obtain or restore a nail technician license without having to complete the additional licensure requirements, other than payment of the fee, by filing an application provided by the Department. A person with an active license as a hair braiding teacher may also obtain or restore a hair braider license without having to complete the additional licensure requirements, other than payment of the fee, filing an application provided by the Department. The Department may

provide for other requirements for obtaining or restoring additional licenses by rule.

(d) The holder of a license issued under this Act may renew that license during the month preceding the expiration date of the license by paying the required fee.

(e) The expiration date, renewal period, and conditions for renewal and restoration of each license shall be established by rule.

(f) A license issued under the provisions of this Act as a barber, barber teacher, cosmetologist, cosmetology teacher, cosmetology clinic teacher, esthetician, esthetics teacher, nail technician, nail technician teacher, hair braider, or hair braiding teacher that has expired while the holder of the license was engaged (1) in federal service on active duty with the Army, Navy, Marine Corps, Air Force, Space Force, or Coast Guard of the United States of America, or any Women's Auxiliary thereof, or the State Militia called into the service or training of the United States of America or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may be reinstated or restored without payment of any lapsed renewal fees, reinstatement fee, or restoration fee if within 2 years after the termination of such service, training, or education other than by dishonorable discharge, the holder furnishes the Department with an affidavit to the effect that the holder has been so engaged and that the holder's service,

training, or education has been so terminated.

(g) In this subsection, "person who is incarcerated" means a person who is committed to the Illinois Department of Corrections, a county jail, a county department of corrections, or a Federal Bureau of Prisons facility located in this State.

An application shall not be automatically placed on hold, delayed, denied, or otherwise not processed by the Department because it was submitted by a person who is incarcerated. The Department shall process applications for licensure, including for the renewal, endorsement, or restoration of a license, submitted by a person who is incarcerated without any additional requirements or delays, and the Department shall issue licenses to, and renew and restore the licenses of, a person who is incarcerated, who has submitted an application, and who otherwise qualifies for licensure. The Department may waive the 3-year time limitations under subsections (c) and (d) of Section 4-5 and any continuing education requirements for a person who is incarcerated. When determining the qualifications of a person who is incarcerated for licensure, including the renewal, endorsement, and restoration of a license, the Department shall consider any relevant experience that was supervised by a licensee in the same manner as training and experience gained in another jurisdiction.

(Source: P.A. 103-746, eff. 1-1-25; 104-153, eff. 1-1-26.)

(225 ILCS 410/1-7.5)

(Section scheduled to be repealed on January 1, 2031)

Sec. 1-7.5. Unlicensed practice; violation; civil penalty.

(a) Except for a person who is an apprentice and working in the salon or shop that is part of the person's apprenticeship program or a student at a licensed school working in the school clinic or at a licensed salon or shop in an internship program, any ~~Any~~ person who practices, offers to practice, attempts to practice, or holds oneself out to practice barbering, cosmetology, esthetics, hair braiding, or nail technology without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$5,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding disciplining a licensee.

(b) The Department has the authority and power to investigate any and all unlicensed activity.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 104-153, eff. 1-1-26.)

(225 ILCS 410/1-15 new)

Sec. 1-15. Apprenticeship.

(a) All apprentices shall be employed under an apprenticeship agreement between the sponsoring salon or shop and the apprentice. All apprentices shall, at a minimum, be compensated at the rate of the minimum wage of this State, and the agreement between the sponsoring salon or shop and the apprentice shall include provisions for increases in wages as the apprentice gains competency and experience and for the apprentice to be offered employment or employment opportunity assistance by the sponsoring salon, shop, or supervising professional licensed under this Act, if feasible, after the completion of the apprenticeship program.

(b) Apprentices for cosmetology or barbering shall receive at least 3,000 hours of practical training from a sponsoring licensed salon or shop, including 180 hours of related supplemental instruction from a licensed salon or shop or a licensed school, as established by rule, to complete the apprenticeship program and be eligible to take the examination for a cosmetologist or barber license.

(c) Apprentices for an esthetician license shall receive at least 1,500 hours of practical training from a sponsoring licensed salon or shop, including 90 hours of related supplemental instruction from a licensed salon or shop or a licensed school, as established by rule, to complete the apprenticeship program and be eligible to take the examination

for an esthetician license.

(d) Apprentices for a nail technician license shall receive at least 700 hours of practical training from a sponsoring licensed salon or shop, including 42 hours of related supplemental instruction from a licensed salon or shop or a licensed school, as established by rule, to complete the apprenticeship program and be eligible to take the examination for a nail technician license.

(e) Apprentices for a hair braiding license shall receive at least 600 hours of practical training from a sponsoring licensed salon or shop, including 36 hours of related supplemental instruction from a licensed salon or shop or a licensed school, as established by rule, to complete the apprenticeship program and be eligible to take the examination for a hair braiding license.

(f) An apprentice under this Section shall only provide services under the supervision of an actively licensed cosmetologist, barber, esthetician, hair braider, or nail technician, and the services provided by the apprentice shall only be within the scope of services for which the supervising licensed professional is licensed to practice.

(g) A supervising licensed professional must have at least 3 years of licensed experience or hold a teacher license for the same profession that the apprentice is seeking to be licensed in. The supervising licensed professional's license must be active at all times when supervising any apprentice,

and the supervising licensed professional must not have any disciplinary history on his or her license in the previous 10 years, except for discipline as a result of owing taxes or child support, to be able to participate in the apprenticeship program. Any licensed salon or shop participating in an apprenticeship program must also display a sign in the area where patrons enter that notifies patrons that an apprentice is working there.

(h) Apprentices shall be trained in all branches of practical work and related supplemental instruction for the scope of practice for the license the apprentice seeks to obtain. The salon or shop owner and licensed supervising professional are responsible for ensuring the education, training, skills, and competence of the persons who provide services in the salon or shop.

(225 ILCS 410/2-2) (from Ch. 111, par. 1702-2)

(Section scheduled to be repealed on January 1, 2031)

Sec. 2-2. Licensure as a barber; qualifications. A person is qualified to receive a license as a barber if that person has applied in writing or electronically on forms provided by the Department, has paid the required fees, and:

- a. Is at least 16 years of age; and
- b. Has a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, or persons who are

beyond the age of compulsory school attendance; and

c. Has graduated from a licensed school of barbering or school of cosmetology, having completed a total of 1500 hours in the study of barbering extending over a period of not less than 9 months, or has completed 3,000 hours in an apprenticeship program for barbers under Section 1-15. A licensed school of barbering may, at its discretion, consistent with the rules of the Department, accept up to 1,000 hours of cosmetology school training at a licensed cosmetology school toward the 1500 hour course requirement of barbering. Time spent in such study under the laws of another state or territory of the United States or of a foreign country or province shall be credited toward the period of study required by the provisions of this paragraph; and

d. Has passed an examination caused to be conducted by the Department or its designated testing service to determine fitness to receive a license as a barber; and

e. Has met all other requirements of this Act or by rule.

(Source: P.A. 104-153, eff. 1-1-26.)

(225 ILCS 410/2-7) (from Ch. 111, par. 1702-7)

(Section scheduled to be repealed on January 1, 2031)

Sec. 2-7. Examination of applicants. The Department shall hold examinations of applicants for licensure as barbers and

barber teachers at such times and places as it may determine. Upon request, the examinations shall be administered in Spanish and any other language as determined by the Department to be necessary pursuant to the Language Equity and Access Act.

Each applicant shall be given an examination testing both theoretical and practical knowledge of the following subjects insofar as they are related and applicable to the practice of barber science and art: (1) anatomy, (2) physiology, (3) skin diseases, (4) hygiene and sanitation, (5) barber history, (6) this Act and the rules for the administration of this Act, (7) hair cutting and styling, (8) shaving, shampooing, and permanent waving, (9) massaging, (10) bleaching, tinting, and coloring, and (11) implements.

The examination of applicants for licensure as a barber teacher shall include: (a) practice of barbering and styling, (b) theory of barbering, (c) methods of teaching, and (d) school management.

~~An applicant for licensure as a barber who has completed 1,200 hours in the study of barbering may take the examination.~~ If an applicant for licensure as a barber fails to pass 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 100 hours of additional study of barbering in a licensed school of barbering or cosmetology since the applicant last took the examination. If

an applicant for licensure as a barber teacher fails to pass 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 80 hours of additional study in teaching methodology and educational psychology in a licensed school of barbering or cosmetology since the applicant last took the examination. The requirements for remedial training set forth in this Section may be waived in whole or in part by the Department upon proof to the Department that the applicant has demonstrated competence to again sit for the examination or if the Department otherwise determines a waiver is appropriate. The Department shall adopt rules establishing standards by which this determination shall be made.

(Source: P.A. 104-153, eff. 1-1-26.)

(225 ILCS 410/3-2) (from Ch. 111, par. 1703-2)

(Section scheduled to be repealed on January 1, 2031)

Sec. 3-2. Licensure; qualifications.

(1) A person is qualified to receive a license as a cosmetologist who has filed an application in writing or electronically on forms provided by the Department, pays the required fees, and:

- a. Is at least 16 years of age; and
- b. Is beyond the age of compulsory school attendance or has received a certificate of graduation from a school providing secondary education, or the recognized

equivalent of that certificate; and

c. Has graduated from a licensed school of cosmetology, having completed a program of 1,500 hours in the study of cosmetology extending over a period of not less than 8 months, or has completed 3,000 in an apprenticeship program for cosmetologists under Section 1-15. A licensed school of cosmetology may, at its discretion, consistent with the rules of the Department, accept up to 1,000 hours of barber school training at a licensed barber school toward the 1,500 hour program requirement of cosmetology. Time spent in such study under the laws of another state or territory of the United States or of a foreign country or province shall be credited toward the period of study required by the provisions of this paragraph; and

d. Has passed an examination authorized by the Department to determine eligibility to receive a license as a cosmetologist; and

e. Has met any other requirements set forth in this Act or by rule.

(2) (Blank).

(Source: P.A. 104-153, eff. 1-1-26.)

(225 ILCS 410/3-6) (from Ch. 111, par. 1703-6)

(Section scheduled to be repealed on January 1, 2031)

Sec. 3-6. Examination. The Department shall authorize

examinations of applicants for licensure as cosmetologists and teachers of cosmetology at the times and places it may determine. Upon request, the examinations shall be administered in Spanish and any other language as may be determined by the Department to be necessary pursuant to the Language Equity and Access Act. The Department may provide by rule for the administration of the examination prior to the completion of the applicant's program of training as required in Section 3-2, 3-3, or 3-4. ~~Notwithstanding Section 3-2, 3-3, or 3-4, an applicant for licensure as a cosmetologist who has completed 1,200 hours in the study of cosmetology may take the examination.~~ If an applicant for licensure as a cosmetologist fails to pass 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 100 hours of additional study of cosmetology in a licensed school of cosmetology since the applicant last took the examination. If an applicant for licensure as a cosmetology teacher fails to pass 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 80 hours of additional study in teaching methodology and educational psychology in a licensed school of cosmetology since the applicant last took the examination. The requirements for remedial training set forth in this Section may be waived in whole or in part by the Department upon proof to the Department that the applicant has demonstrated

competence to again sit for the examination or if the Department otherwise determines a waiver is appropriate. The Department shall adopt rules establishing the standards by which this determination shall be made. Each cosmetology applicant shall be given an examination testing both theoretical and practical knowledge, which shall include, but not be limited to, questions that determine the applicant's knowledge of product chemistry, sanitary rules, sanitary procedures, chemical service procedures, hazardous chemicals and exposure minimization, knowledge of the anatomy of the skin, scalp, hair, and nails as they relate to applicable services under this Act and labor and compensation laws.

The examination of applicants for licensure as a cosmetology, esthetics, or nail technology teacher may include all of the elements of the exam for licensure as a cosmetologist, esthetician, or nail technician and also include teaching methodology, classroom management, record keeping, and any other related subjects that the Department in its discretion may deem necessary to ensure competent performance.

(Source: P.A. 104-153, eff. 1-1-26.)

(225 ILCS 410/3A-2) (from Ch. 111, par. 1703A-2)

(Section scheduled to be repealed on January 1, 2031)

Sec. 3A-2. Licensure as an esthetician; qualifications. A person is qualified to receive a license as a licensed

esthetician if that person has applied in writing or electronically on forms provided by the Department, paid any required fees, and:

- a. Is at least 16 years of age; and
- b. Has a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, or a person who is beyond the age of compulsory school attendance; and
- c. Has graduated from a school of cosmetology or esthetics licensed by the Department, having completed a program of 750 hours in the study of esthetics extending over a period of not less than 18 weeks, or has completed an apprenticeship program for estheticians under Section 1-15. Time spent in such study under the laws of another state or territory of the United States or of a foreign country or province shall be credited toward the period of study required by the provisions of this paragraph; and
- d. Has passed an examination authorized by the Department to determine fitness to receive a license as a licensed esthetician; and
- e. Has met any other requirements of this Act and rules.

(Source: P.A. 104-153, eff. 1-1-26.)

(225 ILCS 410/3A-5) (from Ch. 111, par. 1703A-5)

(Section scheduled to be repealed on January 1, 2031)

Sec. 3A-5. Examination.

(a) The Department shall authorize examinations of applicants for a license as an esthetician or teacher of esthetics at such times and places as it may determine. Upon request, the examinations shall be administered in Spanish and any other language as may be determined by the Department to be necessary pursuant to the Language Equity and Access Act. The Department shall authorize no fewer than 4 examinations for a license as an esthetician or a teacher of esthetics in a calendar year. ~~An applicant for licensure as an esthetician who has completed 600 hours in the study of esthetics may take the examination.~~

If an applicant neglects, fails without an approved excuse, or refuses to take the next available examination offered for licensure under this Act, the fee paid by the applicant shall be forfeited to the Department and the application denied. If an applicant fails to pass an examination for licensure under this Act within 3 years after filing his or her application, the application shall be denied. However, such applicant may thereafter make a new application for examination, accompanied by the required fee, if he or she meets the requirements in effect at the time of reapplication. If an applicant for licensure as an esthetician is unsuccessful at 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 50 hours of additional study of esthetics in a licensed school of cosmetology or esthetics

since the applicant last took the examination. If an applicant for licensure as an esthetics teacher is unsuccessful at 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of not less than 50 hours of additional study in teaching methodology and educational psychology in a licensed school of cosmetology or esthetics since the applicant last took the examination. The requirements for remedial training set forth in this Section may be waived in whole or in part by the Department upon proof to the Department that the applicant has demonstrated competence to again sit for the examination or if the Department otherwise determines a waiver is appropriate. The Department shall adopt rules establishing the standards by which this determination shall be made.

(b) Each applicant shall be given a written examination testing both theoretical and practical knowledge which shall include, but not be limited to, questions that determine the applicant's knowledge, as provided by rule.

(c) The examination of applicants for licensure as an esthetics teacher may include:

- (1) teaching methodology;
- (2) classroom management; and
- (3) record keeping and any other subjects that the Department may deem necessary to ensure competent performance.

(d) (Blank).

(Source: P.A. 104-153, eff. 1-1-26.)

(225 ILCS 410/3B-4) (from Ch. 111, par. 1703B-4)

(Section scheduled to be repealed on January 1, 2031)

Sec. 3B-4. Except for the violations enumerated below, any owner, operator or authorized agent of a school who knowingly violates any provision of this Act shall be guilty of a business offense.

Any owner, operator or authorized agent of a school who commits any of the following offenses shall be guilty of a Class A misdemeanor for the first offense and a Class 4 felony for the second or subsequent offense:

1. Knowingly, and for the purpose of influencing or inducing a person to enroll in the course of instruction offered by the school, makes any false or misleading statements, misrepresentations or false promises to such person regarding opportunities upon graduation from the school for (a) employment in a business, industry or trade, (b) admission to an institution of higher learning, or (c) admission to an occupational licensing examination.

2. Knowingly, and with intent to defraud, retains in excess of the school's refund policy prescribed in this Act any unearned tuition or fees paid by a student who has cancelled his enrollment agreement and is entitled to a refund.

3. Knowingly, and with intent to defraud,

misrepresents that any student who has cancelled his enrollment agreement is presently enrolled in the school, has completed the course of instruction or has graduated from the school.

4. Knowingly uses or attempts to use students in any commercial or manufacturing activity related to the operation of the school and to the school's advantage and profit; except to the extent that the school provides the student with practical experience supplemental to the course of instruction or except in the case of students who are employed by the school and compensated for such employment or who are enrolled in an apprenticeship program.

(Source: P.A. 85-1382.)

(225 ILCS 410/3C-2) (from Ch. 111, par. 1703C-2)

(Section scheduled to be repealed on January 1, 2031)

Sec. 3C-2. License; qualifications. A person is qualified to receive a license as a nail technician if that person applies in writing or electronically on forms provided by the Department, pays the required fee, and:

(a) Is at least 16 years of age;

(b) Is beyond the age of compulsory school attendance or has a certificate of graduation from a school providing secondary education or the recognized equivalent of that certificate;

(c) Has graduated from a licensed school of cosmetology or school of nail technology, having completed a program of 350 hours in the study of nail technology extending over a period of not less than 8 weeks, or has completed an apprenticeship program for nail technicians under Section 1-15;

(d) Has passed an examination authorized by the Department to determine eligibility to receive a license as a nail technician; and

(e) Has met any other requirements of this Act or any applicable rules.

Time spent in the study of nail technology under the laws of another state or territory of the United States, or of a foreign country or province, shall be credited toward the period of study required by the provisions of subsection (c).

(Source: P.A. 104-153, eff. 1-1-26.)

(225 ILCS 410/3C-7) (from Ch. 111, par. 1703C-7)

(Section scheduled to be repealed on January 1, 2031)

Sec. 3C-7. Examinations; failure or refusal to take examination. The Department shall authorize examinations of applicants for licenses as nail technicians and teachers of nail technology at the times and places as it may determine. Upon request, the examinations shall be administered in Spanish and any other language as may be determined by the Department to be necessary pursuant to the Language Equity and

~~Access Act. An applicant for licensure as a nail technician who has completed 280 hours in the study of nail technology may take the examination.~~

The Department shall authorize not less than 4 examinations for licenses as nail technicians, and nail technology teachers in a calendar year.

If an applicant neglects, fails without an approved excuse, or refuses to take the next available examination offered for licensure under this Act, the fee paid by the applicant shall be forfeited to the Department and the application denied. If an applicant fails to pass an examination for licensure under this Act within 3 years after filing an application, the application shall be denied. Nevertheless, the applicant may thereafter make a new application for examination, accompanied by the required fee, if he or she meets the requirements in effect at the time of reapplication. If an applicant for licensure as a nail technician or nail technology teacher is unsuccessful at 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of successfully completing (i) for a nail technician, not less than 24 hours of additional study of nail technology in a licensed school of cosmetology approved to teach nail technology or nail technology and (ii) for a nail technology teacher, not less than 80 hours of additional study in teaching methodology and educational psychology in a licensed

school of cosmetology or nail technology since the applicant last took the examination. The requirements for remedial training set forth in this Section may be waived in whole or in part by the Department upon proof to the Department that the applicant has demonstrated competence to sit for the examination again or if the Department otherwise determines a waiver is appropriate. The Department shall adopt rules establishing the standards by which this determination shall be made.

Each applicant for licensure as a nail technician shall be given an examination testing both theoretical and practical knowledge, which shall include, but not be limited to, questions that determine the applicant's knowledge of product chemistry, sanitary rules, sanitary procedures, hazardous chemicals and exposure minimization, this Act, and labor and compensation laws.

The examination for licensure as a nail technology teacher may include knowledge of the subject matter, teaching methodology, classroom management, record keeping, and any other subjects that the Department in its discretion may deem necessary to ensure competent performance.

(Source: P.A. 104-153, eff. 1-1-26.)

(225 ILCS 410/3E-2)

(Section scheduled to be repealed on January 1, 2031)

Sec. 3E-2. Hair braider licensure; qualifications.

(a) A person is qualified to receive a license as a hair braider if he or she has filed an application in writing or electronically on forms provided by the Department, paid the required fees, and meets the following qualifications:

(1) Is at least 16 years of age;

(2) Is beyond the age of compulsory school attendance or has received a certificate of graduation from a school providing secondary education, or the recognized equivalent of that certificate;

(3) Has completed a program consisting of a minimum of 300 clock hours or a 10 credit hour equivalency of instruction, as defined by rule, in a licensed cosmetology school ~~teaching a hair braiding curriculum~~ or in a licensed hair braiding school teaching the hair braiding curriculum set by rule, or has completed an apprenticeship program for hair braiders under Section 1-15; as follows:

~~(A) Basic training consisting of 35 hours of classroom instruction in general theory, practical application, and technical application in the following subject areas: history of hair braiding, personal hygiene and public health, professional ethics, disinfection and sanitation, bacteriology, disorders and diseases of the hair and scalp, OSHA standards relating to material safety data sheets (MSDS) on chemicals, hair analysis and scalp care, and technical procedures;~~

~~(B) Related concepts consisting of 35 hours of classroom instruction in the following subject areas: Braid removal and scalp care; basic styling knowledge; tools and equipment; growth patterns, styles and sectioning; client consultation and face shapes; and client education, pre care, post care, home care and follow up services;~~

~~(C) Practices and procedures consisting of 200 hours of instruction, which shall be a combination of classroom instruction and clinical practical application, in the following subject areas: single braids with and without extensions; cornrows with and without extensions; twists and knots; multiple strands; hair locking; weaving/sewn in; other procedures as they relate to hair braiding; and product knowledge as it relates to hair braiding; and~~

~~(D) Business practices consisting of 30 hours of classroom instruction in the following subject areas: Illinois Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 and Rules; salon management; human relations and salesmanship; and Workers' Compensation Act; and~~

(4) Has passed an examination authorized by the Department to determine eligibility to receive a license as a hair braider; and

(5) Has met any other requirements of this Act and any

applicable rules.

(b) The expiration date and renewal period for each license issued under this Act shall be set by rule.

(c) Within 2 years after the effective date of this amendatory Act of the 96th General Assembly, the Department may issue a hair braider license to any applicant who does not meet the requirements of items (2) and (3) of subsection (a) of this Section if the applicant: (1) files an application in accordance with subsection (a), (2) pays the required fee, (3) has not committed an offense that would be grounds for discipline under this Act, and (4) is able to demonstrate to the Department through tax records or affidavits that he or she has practiced hair braiding for at least 2 consecutive years immediately prior to the date of his or her application.

A hair braider who obtains his or her license under this subsection (c) may renew his or her license if he or she applies to the Department for renewal and has completed at least 65 hours of relevant training in health, safety, hygiene, and business management in accordance with the requirements of this Section or any rule adopted pursuant to this Section. A hair braider who renews his or her license under this subsection (c) may thereafter only renew his or her license if he or she meets the requirements of Section 3E-5 of this Act.

(Source: P.A. 104-153, eff. 1-1-26.)

(225 ILCS 410/3E-8 new)

Sec. 3E-8. Examinations; failure or refusal to take examination. The Department shall authorize examinations of applicants for licenses as hair braiders and teachers of hair braiding at the times and places as it may determine. Upon request, the examinations shall be administered in Spanish and any other language as may be determined by the Department to be necessary pursuant to the Language Equity and Access Act.

The Department shall authorize not less than 4 examinations for licenses as hair braiders and hair braiding teachers in a calendar year.

If an applicant neglects, fails without an approved excuse, or refuses to take the next available examination offered for licensure under this Act, the fee paid by the applicant shall be forfeited to the Department and the application denied. If an applicant fails to pass an examination for licensure under this Act within 3 years after filing an application, the application shall expire. Nevertheless, the applicant may thereafter make a new application for examination, accompanied by the required fee, if the applicant meets the requirements in effect at the time of reapplication. If an applicant for licensure as a hair braider and hair braiding teacher is unsuccessful at 3 examinations conducted by the Department, the applicant shall, before taking a subsequent examination, furnish evidence of successfully completing: (i) for a hair braider, not less than

20 hours of additional study of hair braiding in a licensed school of cosmetology approved to teach hair braiding or (ii) for a hair braiding teacher, not less than 76 hours of additional study in teaching methodology and educational psychology in a licensed school of cosmetology or hair braiding since the applicant last took the examination. The requirements for remedial training in this Section may be waived in whole or in part by the Department upon submitting proof to the Department that the applicant has demonstrated competence to sit for the examination again or if the Department otherwise determines a waiver is appropriate. The Department shall adopt rules establishing the standards by which this determination shall be made.

Each applicant for licensure as a hair braider shall be given an examination testing both theoretical and practical knowledge, which shall include, but not be limited to, questions that determine the applicant's knowledge of sanitary rules, sanitary procedures, hair braiding practices and procedures, diseases and health of the hair and scalp, this Act, and labor and compensation laws.

The examination for licensure as a hair braiding teacher may include knowledge of the subject matter, teaching methodology, classroom management, recordkeeping, and any other subjects that the Department in its discretion may deem necessary to ensure competent performance.

(225 ILCS 410/4-1)

(Section scheduled to be repealed on January 1, 2031)

Sec. 4-1. Powers and duties of Department. The Department shall exercise, subject to the provisions of this Act, the following functions, powers and duties:

(1) To cause to be conducted examinations to ascertain the qualifications and fitness of applicants for licensure as cosmetologists, estheticians, nail technicians, hair braiders, or barbers and as cosmetology, esthetics, nail technology, hair braiding, or barber teachers.

(2) To determine the qualifications for licensure as (i) a cosmetologist, esthetician, nail technician, hair braider, or barber, or (ii) a cosmetology, esthetics, nail technology, hair braiding, or barber teacher, or (iii) a cosmetology clinic teacher for persons currently holding similar licenses outside the State of Illinois or the continental U.S.

(3) To prescribe rules for:

(i) The method of examination of candidates for licensure as a cosmetologist, esthetician, nail technician, hair braider, or barber or cosmetology, esthetics, nail technology, hair braiding, or barber teacher.

(ii) Minimum standards as to what constitutes an approved cosmetology, esthetics, nail technology, hair braiding, or barber school, and requirements for

apprenticeship programs.

(iii) Minimum standards as to what constitutes an approved continuing education sponsor for the professions under this Act.

(4) To conduct investigations or hearings on proceedings to determine disciplinary action.

(5) To conduct inspections of cosmetology, esthetics, nail technology, hair braiding, or barber schools, salons, or shops for compliance with this Act and any applicable rules and to prescribe reasonable rules governing the sanitary regulation and inspection of cosmetology, esthetics, nail technology, hair braiding, or barber schools, salons, or shops.

(6) To prescribe reasonable rules for the method of renewal for each license as a cosmetologist, esthetician, nail technician, hair braider, or barber or cosmetology, esthetics, nail technology, hair braiding, or barber teacher or cosmetology clinic teacher or for schools and continuing education sponsors.

(7) To prescribe reasonable rules for the method of registration, the issuance, fees, renewal and discipline of a certificate of registration for the ownership or operation of cosmetology, esthetics, hair braiding, and nail technology salons and barber shops.

(8) To adopt rules concerning sanitation requirements, requirements for education on sanitation, and any other

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health concerns associated with threading.

(Source: P.A. 104-153, eff. 1-1-26.)