

# HB0640



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

**HB0640**

Introduced 2/6/2007, by Rep. Rich Brauer

#### SYNOPSIS AS INTRODUCED:

225 ILCS 410/3-1  
225 ILCS 410/3A-1

from Ch. 111, par. 1703-1  
from Ch. 111, par. 1703A-1

Amends the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985. Provides that cosmetology and esthetics include the practice of tinting eyelashes and eyebrows.

LRB095 04157 RAS 24195 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Barber, Cosmetology, Esthetics, and Nail  
5 Technology Act of 1985 is amended by changing Sections 3-1 and  
6 3A-1 as follows:

7 (225 ILCS 410/3-1) (from Ch. 111, par. 1703-1)

8 (Section scheduled to be repealed on January 1, 2016)

9 Sec. 3-1. Cosmetology defined. Any one or any combination  
10 of the following practices constitutes the practice of  
11 cosmetology when done for cosmetic or beautifying purposes and  
12 not for the treatment of disease or of muscular or nervous  
13 disorder: arranging, braiding, dressing, cutting, trimming,  
14 curling, waving, chemical restructuring, shaping, singeing,  
15 bleaching, coloring or similar work, upon the hair of the head  
16 or any cranial prosthesis; cutting or trimming facial hair of  
17 any person; any practice of manicuring, pedicuring, decorating  
18 nails, applying sculptured nails or otherwise artificial nails  
19 by hand or with mechanical or electrical apparatus or  
20 appliances, or in any way caring for the nails or the skin of  
21 the hands or feet including massaging the hands, arms, elbows,  
22 feet, lower legs, and knees of another person for other than  
23 the treatment of medical disorders; any practice of epilation

1 or depilation of any person; any practice for the purpose of  
2 cleansing, massaging or toning the skin of the scalp;  
3 beautifying, massaging, cleansing, exfoliating, or stimulating  
4 the stratum corneum of the epidermis by the use of cosmetic  
5 preparations, body treatments, body wraps, the use of  
6 hydrotherapy, or any device, electrical, mechanical, or  
7 otherwise; or applying make-up or eyelashes to any person, l  
8 tinting eyelashes and eyebrows, ~~or~~ lightening hair on the body, l  
9 or and removing superfluous hair from the body of any person by  
10 the use of depilatories, waxing or tweezers. The term  
11 "cosmetology" does not include the services provided by an  
12 electrologist. Nail technology is the practice and the study of  
13 cosmetology only to the extent of manicuring, pedicuring,  
14 decorating, and applying sculptured or otherwise artificial  
15 nails, or in any way caring for the nail or the skin of the  
16 hands or feet including massaging the hands, arms, elbows,  
17 feet, lower legs, and knees. Cosmetologists are prohibited from  
18 using any technique, product, or practice intended to affect  
19 the living layers of the skin. The term cosmetology includes  
20 rendering advice on what is cosmetically appealing, but no  
21 person licensed under this Act shall render advice on what is  
22 appropriate medical treatment for diseases of the skin.  
23 Purveyors of cosmetics may demonstrate such cosmetic products  
24 in conjunction with any sales promotion and shall not be  
25 required to hold a license under this Act. Nothing in this Act  
26 shall be construed to prohibit the shampooing of hair by

1 persons employed for that purpose and who perform that task  
2 under the direct supervision of a licensed cosmetologist or  
3 licensed cosmetology teacher.

4 (Source: P.A. 94-451, eff. 12-31-05.)

5 (225 ILCS 410/3A-1) (from Ch. 111, par. 1703A-1)

6 (Section scheduled to be repealed on January 1, 2016)

7 Sec. 3A-1. Esthetics defined.

8 (A) Any one or combination of the following practices, when  
9 done for cosmetic or beautifying purposes and not for the  
10 treatment of disease or of a muscular or nervous disorder,  
11 constitutes the practice of esthetics:

12 1. Beautifying, massaging, cleansing, exfoliating, or  
13 stimulating the stratum corneum of the epidermis by the use  
14 of cosmetic preparations, body treatments, body wraps,  
15 hydrotherapy, or any device, electrical, mechanical, or  
16 otherwise, for the care of the skin;

17 2. Applying make-up or eyelashes to any person, tinting  
18 eyelashes and eyebrows, or lightening hair on the body  
19 except the scalp; and

20 3. Removing superfluous hair from the body of any  
21 person.

22 However, esthetics does not include the services provided  
23 by a cosmetologist or electrologist. Estheticians are  
24 prohibited from using techniques, products, and practices  
25 intended to affect the living layers of the skin. The term

1 esthetics includes rendering advice on what is cosmetically  
2 appealing, but no person licensed under this Act shall render  
3 advice on what is appropriate medical treatment for diseases of  
4 the skin.

5 (B) "Esthetician" means any person who, with hands or  
6 mechanical or electrical apparatus or appliances, engages only  
7 in the use of cosmetic preparations, body treatments, body  
8 wraps, hydrotherapy, makeups, antiseptics, tonics, lotions,  
9 creams or other preparations or in the practice of massaging,  
10 cleansing, exfoliating the stratum corneum of the epidermis,  
11 stimulating, manipulating, beautifying, grooming or similar  
12 work on the face, neck, arms and hands or body in a superficial  
13 mode, and not for the treatment of medical disorders.

14 (Source: P.A. 94-451, eff. 12-31-05.)