



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

**HB4617**

by Rep. Elga L. Jefferies

#### SYNOPSIS AS INTRODUCED:

225 ILCS 410/1-4 from Ch. 111, par. 1701-4  
225 ILCS 410/1-4.5 new  
225 ILCS 410/4-7.5 new

Amends the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985. Provides that the Department of Professional Regulation shall not refuse to issue a license to an ex-offender that may be refused a license under specified provisions of the Act if the ex-offender learned the licensable trade while incarcerated. Provides that references in this Act (i) to the Department of Professional Regulation are deemed, in appropriate contexts, to be references to the Department of Financial and Professional Regulation and (ii) to the Director of Professional Regulation are deemed, in appropriate contexts, to be references to the Secretary of Financial and Professional Regulation.

LRB095 16761 RAS 42796 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 changing Section 1-4 and by  
6 adding Sections 1-4.5 and 4-7.5 as follows:

7 (225 ILCS 410/1-4) (from Ch. 111, par. 1701-4)

8 (Section scheduled to be repealed on January 1, 2016)

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

11 "Board" means the Barber, Cosmetology, Esthetics, and Nail  
12 Technology Board.

13 "Department" means the Department of Financial and  
14 Professional Regulation. ~~Department of Professional~~  
15 ~~Regulation.~~

16 ~~"Director" means the Director of Professional Regulation.~~

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

20 "Licensed barber clinic teacher" means an individual  
21 licensed by the Department to practice barbering, as defined in  
22 this Act, and to provide clinical instruction in the practice  
23 of barbering in an approved school of barbering.

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

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

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

11 "Licensed barber teacher" means an individual licensed by  
12 the Department to practice barbering as defined in this Act and  
13 to provide instruction in the theory and practice of barbering  
14 to students in an approved barber school.

15 "Licensed cosmetology teacher" means an individual  
16 licensed by the Department to practice cosmetology, esthetics,  
17 and nail technology as defined in this Act and to provide  
18 instruction in the theory and practice of cosmetology,  
19 esthetics, and nail technology to students in an approved  
20 cosmetology, esthetics, or nail technology school.

21 "Licensed cosmetology clinic teacher" means an individual  
22 licensed by the Department to practice cosmetology, esthetics,  
23 and nail technology as defined in this Act and to provide  
24 clinical instruction in the practice of cosmetology,  
25 esthetics, and nail technology in an approved school of  
26 cosmetology, esthetics, or nail technology.

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

6 "Licensed esthetics clinic teacher" means an individual  
7 licensed by the Department to practice esthetics as defined in  
8 this Act and to provide clinical instruction in the practice of  
9 esthetics in an approved school of cosmetology or an approved  
10 school of esthetics.

11 "Licensed nail technology teacher" means an individual  
12 licensed by the Department to practice nail technology and to  
13 provide instruction in the theory and practice of nail  
14 technology to students in an approved nail technology school or  
15 cosmetology school.

16 "Licensed nail technology clinic teacher" means an  
17 individual licensed by the Department to practice nail  
18 technology as defined in this Act and to provide clinical  
19 instruction in the practice of nail technology in an approved  
20 school of cosmetology or an approved school of nail technology.

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

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

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

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

7 "Secretary" means the Secretary of Financial and  
8 Professional Regulation.

9 (Source: P.A. 94-451, eff. 12-31-05; 94-871, eff. 6-16-06.)

10 (225 ILCS 410/1-4.5 new)

11 Sec. 1-4.5. References to Department or Director of  
12 Professional Regulation. References in this Act (i) to the  
13 Department of Professional Regulation are deemed, in  
14 appropriate contexts, to be references to the Department of  
15 Financial and Professional Regulation and (ii) to the Director  
16 of Professional Regulation are deemed, in appropriate  
17 contexts, to be references to the Secretary of Financial and  
18 Professional Regulation.

19 (225 ILCS 410/4-7.5 new)

20 Sec. 4-7.5. Licensing of ex-offenders. The Department  
21 shall not refuse to issue a license to an ex-offender that may  
22 be refused a license under paragraph a. of item (1) of Section  
23 4-7 of this Act if the ex-offender learned the licensable trade  
24 while incarcerated.