S-3485.1

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**SENATE BILL 6528**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Senators Fain, Palumbo, Angel, Bailey, Braun, Miloscia, Wilson, Zeiger, Padden, and Rivers

AN ACT Relating to eliminating various occupational licensure and certification requirements through creation of a state review web site; amending RCW 18.11.050, 18.11.070, 18.11.085, 18.11.095, 18.11.160, 18.11.200, 18.11.220, 18.11.240, 18.16.020, 18.16.050, 18.16.060, 18.16.130, 18.16.170, 18.16.175, 18.16.190, 18.16.200, 18.16.290, and 67.08.100; adding a new section to chapter 67.08 RCW; adding a new chapter to Title 18 RCW; repealing RCW 18.11.060, 18.11.121, 18.11.130, 18.11.140, 18.11.170, 18.11.180, 18.11.190, 18.11.205, 18.11.210, 18.11.270, and 18.11.280; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of licensing.

(2) "Registered individual" means an individual performing one or more of the occupations listed in section 2 of this act who has met the registration requirements with Washington effective licensing port.

(3) "Washington effective licensing port" means the web site created by the department for purposes of registering individuals working in one or more of the occupations listed in section 2 of this act.

NEW SECTION. **Sec.**  Any individual working in the state in one or more of the following occupations must have an active registration profile on the Washington effective licensing port web site:

(1) Auctioneer;

(2) Boxing announcer; and

(3) Manicurist.

NEW SECTION. **Sec.**  The department shall create a comprehensive and user-friendly web site for public comment on and review of all individuals working in one or more of the occupations listed in section 2 of this act. The department may contract with outside vendors and experts to assist in the development of the web site. The web site must allow any individual working in one or more of the occupations in section 2 of this act to register and create a profile that lists business contact information and allows for public comment and review of that individual's service. The web site must also allow any individual working in one or more of the occupations in section 2 of this act who registers and creates a profile on the web site to include information about any training, degrees, or certificates that the individual holds. The department may charge a fee of no more than twenty-five dollars for the individual's first creation of their profile. The web site must allow any member of the public to view postings regarding registered individuals and allow consumers to post reviews of registered individuals. The consumer's post must include a "star" rating on a scale of one to five stars, with five stars being the highest rating of service, and the consumer must be allowed to post additional comments if they choose. Prior to posting a review, the web site should require the consumer to attest that they actually received services from the registered individual and that the information provided in the review is accurate to his or her knowledge. The consumer must attest by checking a box provided on the web site. The web site should include a searchable list of all registered individuals in each occupational category, with links to any enforcement actions by the department. The web site should list contact information for the department so as to facilitate complaints against individuals performing work in the above-referenced occupations that are not registered with Washington effective licensing port.

NEW SECTION. **Sec.**  (1) The department is authorized to take one or more of the actions listed in subsection (2) of this section in any case in which the department finds that an individual has:

(a) Performed work in which he or she should be registered with Washington effective licensing port under section 2 of this act, but failed or refused to comply with the registration requirements; or

(b) Failed or refused to post their current star rating in a conspicuous place at their location of business within the previous three hundred sixty-four days. The department shall determine the form of posting of the current star rating.

(2) When authorized by subsection (1) of this section, the department may take one or more of the following actions:

(a) Refuse to allow the individual to register with Washington effective licensing port;

(b) Revoke the individual's registration with Washington effective licensing port;

(c) Suspend the individual's registration with Washington effective licensing port until the individual posts their current star rating as required by subsection (1) of this section; or

(d) Impose civil penalties of up to one thousand dollars for each violation.

**Sec.**  RCW 18.11.050 and 1986 c 324 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Auctioneer" means an individual who calls bids at an auction.

(2) "Auction" means a transaction conducted by means of exchanges between an auctioneer and the members of his or her audience, constituting a series of invitations for offers for the purchase of goods or real property made by the auctioneer, offers by members of the audience, and the acceptance of the highest or most favorable offer.

(3) "Auction mart" means any fixed or established place designed, intended, or used for the conduct of auctions.

(4) "Auction company" means a sole proprietorship, partnership, corporation, or other legal or commercial entity that sells or offers to sell goods or real estate at auction or arranges, sponsors, or manages auctions. The term "auction company" shall exclude any sole proprietorship owned by an auctioneer licensed under this chapter whose gross annual sales do not exceed twenty-five thousand dollars.

(5) ((~~"Department" means the department of licensing.~~

~~(6) "Director" means the director of licensing.~~

~~(7)~~)) "Person" means an individual, partnership, association, corporation, or any other form of business enterprise.

((~~(8)~~)) (6) "Goods" means wares, chattels, merchandise, or personal property owned or consigned, which may be lawfully kept or offered for sale.

((~~(9) "License" means state authority to operate as an auctioneer or auction company, which authority is conferred by issuance of a certificate of registration subject to annual renewal.~~

~~(10) "Licensee" means an auctioneer or auction company registered under this chapter.~~))

**Sec.**  RCW 18.11.070 and 1999 c 398 s 1 are each amended to read as follows:

(1) It is unlawful for any person to act as an auctioneer or for an auction company to engage in any business in this state without ((~~a license~~)) registering with Washington effective licensing port in accordance with section 2 of this act.

(2) This chapter does not apply to:

(a) An auction of goods conducted by an individual who personally owns those goods and who did not acquire those goods for resale;

(b) An auction conducted by or under the direction of a public authority;

(c) An auction held under judicial order in the settlement of a decedent's estate;

(d) An auction which is required by law to be at auction;

(e) An auction conducted by or on behalf of a political organization or a charitable corporation or association if the person conducting the sale receives no compensation;

(f) An auction of livestock or agricultural products which is conducted under chapter 16.65 or 20.01 RCW. Auctions not regulated under chapter 16.65 or 20.01 RCW shall be fully subject to the provisions of this chapter;

(g) An auction held under chapter 19.150 RCW;

(h) An auction of an abandoned vehicle under chapter 46.55 RCW; or

(i) An auction of fur pelts conducted by any cooperative association organized under chapter 23.86 RCW or its wholly owned subsidiary. In order to qualify for this exemption, the fur pelts must be from members of the association. However, the association, without loss of the exemption, may auction pelts that it purchased from nonmembers for the purpose of completing lots or orders, so long as the purchased pelts do not exceed fifteen percent of the total pelts auctioned.

**Sec.**  RCW 18.11.085 and 2002 c 86 s 206 are each amended to read as follows:

Every individual, before acting as an auctioneer, shall ((~~obtain an auctioneer certificate of registration. To be licensed as an auctioneer, an individual shall meet all of the following requirements:~~

~~(1) Be at least eighteen years of age or sponsored by a licensed auctioneer.~~

~~(2) File with the department a completed application on a form prescribed by the director.~~

~~(3) Show that the proper tax registration certificate required by RCW 82.32.030 has been obtained from the department of revenue.~~

~~(4) Pay the auctioneer registration fee required under the agency rules adopted pursuant to this chapter.~~

~~(5) Except as otherwise provided under RCW 18.11.121, file with the department an auctioneer surety bond in the amount and form required by RCW 18.11.121 and the agency rules adopted pursuant to this chapter.~~

~~(6)~~)) have no disqualifications under RCW 18.11.160 or 18.235.130 and register with Washington effective licensing port in accordance with section 2 of this act. Nothing in this section removes the obligations under RCW 18.235.130.

**Sec.**  RCW 18.11.095 and 2002 c 86 s 207 are each amended to read as follows:

Every person, before operating an auction company as defined in RCW 18.11.050, shall ((~~obtain an auction company certificate of registration~~)) register with Washington effective licensing port in accordance with section 2 of this act((~~.~~

~~(1) Except as provided in subsection (2) of this section, to be licensed as an auction company, a person shall meet all of the following requirements:~~

~~(a) File with the department a completed application on a form prescribed by the director.~~

~~(b) Sign a notarized statement included on the application form that all auctioneers hired by the auction company to do business in the state shall be properly registered under this chapter.~~

~~(c) Show that the proper tax registration certificate required by RCW 82.32.030 has been obtained from the department of revenue.~~

~~(d) Pay the auction company registration fee required under the agency rules adopted pursuant to this chapter.~~

~~(e) File with the department an auction company surety bond in the amount and form required by RCW 18.11.121 and the agency rules adopted pursuant to this chapter.~~

~~(f)~~)) and have no disqualifications under RCW 18.11.160 or 18.235.130.

((~~(2) An auction company shall not be charged a license fee if it is a sole proprietorship or a partnership owned by an auctioneer or auctioneers, each of whom is licensed under this chapter, and if it has in effect a surety bond or bonds or other security approved by the director in the amount that would otherwise be required for an auction company to be granted or to retain a license under RCW 18.11.121.~~))

**Sec.**  RCW 18.11.160 and 2016 c 81 s 8 are each amended to read as follows:

(1) Except as provided in RCW 9.97.020, no ((~~license~~)) registration shall be issued by the department to any person who has been convicted of forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy, fraud, theft, receiving stolen goods, unlawful issuance of checks or drafts, or other similar offense, or to any partnership of which the person is a member, or to any association or corporation of which the person is an officer or in which as a stockholder the person has or exercises a controlling interest either directly or indirectly.

(2) In addition to the unprofessional conduct described in RCW 18.235.130, the director has the authority to take disciplinary action for any of the following conduct, acts, or conditions:

(a) Underreporting to the department of sales figures so that the auctioneer or auction company surety bond is in a lower amount than required by law;

(b) Nonpayment of an administrative fine prior to renewal of a ((~~license~~)) registration; and

(c) Any other violations of this chapter.

(3) The department shall immediately suspend the ((~~license~~)) registration of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the ((~~license~~)) registration shall be automatic upon the department's receipt of a release issued by the department of social and health services stating that the ((~~licensee~~)) person is in compliance with the order.

**Sec.**  RCW 18.11.200 and 2002 c 86 s 211 are each amended to read as follows:

The director shall adopt rules for the purpose of carrying out and developing this chapter((~~, including rules governing the conduct of inspections~~)).

**Sec.**  RCW 18.11.220 and 1987 c 336 s 3 are each amended to read as follows:

The client of an auctioneer or auction company has a right to (1) an accounting for any money that the auctioneer or auction company receives from the sale of the client's goods, and (2) payment of all money due to the client within twenty-one calendar days unless the parties have mutually agreed in writing to another time of payment((~~, and (3) bring an action against the surety bond or other security filed in lieu of the surety bond for any violation of this chapter or the rules adopted pursuant to this chapter~~)).

**Sec.**  RCW 18.11.240 and 1986 c 324 s 22 are each amended to read as follows:

The following requirements shall apply to bidding at auctions:

(1) An auctioneer conducting an auction and an auction company where an auction is being held shall not bid on or offer to buy any goods or real property at the auction unless the auctioneer or the auction company discloses the name of the person on whose behalf the bid or offer is being made.

(2) An auctioneer and an auction company shall not use any method of bidding at an auction that will allow goods or real property to be purchased in an undisclosed manner on behalf of the auctioneer or auction company.

(3) At a public auction conducted or supervised by an auctioneer or auction company, the auctioneer or auction company shall not fictitiously raise any bid, knowingly permit any person to make a fictitious bid, or employ or use another person to act as a bidder or buyer.

(4) All goods or real property offered for sale at an auction shall be subject to a reserve or a confirmation from the owner or consignor unless otherwise indicated by the auctioneer or auction company. Except as provided in this subsection, an auctioneer or auction company shall not use any method of bidding at an auction that allows the auctioneer or auction company to avoid selling any property offered for sale at auction.

(5) ((~~A licensee~~)) An individual registered with Washington effective licensing port who violates any provision of this section shall be subject to an administrative fine in a sum not exceeding five hundred dollars for each violation.

**Sec.**  RCW 18.16.020 and 2015 c 62 s 1 are each amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise:

(1) "Apprentice" means a person who is engaged in a state-approved apprenticeship program and who must receive a wage or compensation while engaged in the program.

(2) "Apprentice monthly report" means the apprentice record of daily activities and the number of hours completed in each course of a curriculum that is prepared monthly by the approved apprenticeship program and provided to the apprentice, audited annually by the department, and kept on file by the approved apprenticeship program for three years.

(3) "Apprentice trainer" means a person who gives training to an apprentice in an approved apprenticeship program and who is approved under RCW 18.16.280.

(4) "Apprenticeship program" means a state-approved apprenticeship program pursuant to chapter 49.04 RCW and approved under RCW 18.16.280 for the training of cosmetology, hair design, barbering, esthetics, and master esthetics((~~, and manicuring~~)).

(5) "Apprenticeship training committee" means a committee approved by the Washington apprenticeship and training council established in chapter 49.04 RCW.

(6) "Approved apprenticeship shop" means a salon/shop that has been approved under RCW 18.16.280 and chapter 49.04 RCW to participate in an apprenticeship program.

(7) "Approved security" means surety bond.

(8) "Barber" means a person licensed under this chapter to engage in the practice of barbering.

(9) "Board" means the cosmetology, hair design, barbering, and esthetics((~~, and manicuring~~)) advisory board.

(10) "Cosmetologist" means a person licensed under this chapter to engage in the practice of cosmetology.

(11) "Crossover training" means training approved by the director as training hours that may be credited to current licensees for similar training received in another profession licensed under this chapter.

(12) "Curriculum" means the courses of study taught at a school, online training by a school, in an approved apprenticeship program established by the Washington state apprenticeship and training council and conducted in an approved salon/shop, or online training by an approved apprenticeship program, set by rule under this chapter, and approved by the department. After consulting with the board, the director may set by rule a percentage of hours in a curriculum, up to a maximum of ten percent, that could include hours a student receives while training in a salon/shop under a contract approved by the department. Each curriculum must include at least the following required hours:

(a) School curriculum:

(i) Cosmetologist, one thousand six hundred hours;

(ii) Hair design, one thousand four hundred hours;

(iii) Barber, one thousand hours;

(iv) ((~~Manicurist, six hundred hours;~~

~~(v)~~)) Esthetician, seven hundred fifty hours;

((~~(vi)~~)) (v) Master esthetician either:

(A) One thousand two hundred hours; or

(B) Esthetician licensure plus four hundred fifty hours of training;

(vi) ((~~[(vii)]~~)) Instructor-trainee, five hundred hours, except that an instructor-trainee may submit documentation that provides evidence of experience as a licensed cosmetologist, hair designer, barber, ((~~manicurist,~~)) esthetician, or master esthetician for competency evaluation toward credit of not more than three hundred hours of instructor-training.

(b) Apprentice training curriculum:

(i) Cosmetologist, two thousand hours;

(ii) Hair design, one thousand seven hundred fifty hours;

(iii) Barber, one thousand two hundred hours;

(iv) ((~~Manicurist, eight hundred hours;~~

~~(v)~~)) Esthetician, eight hundred hours;

((~~(vi)~~)) (v) Master esthetician, one thousand four hundred hours.

(13) "Department" means the department of licensing.

(14) "Director" means the director of the department of licensing or the director's designee.

(15) "Esthetician" means a person licensed under this chapter to engage in the practice of esthetics.

(16) "Hair design" means the practice of arranging, dressing, cutting, trimming, styling, shampooing, permanent waving, chemical relaxing, straightening, curling, bleaching, lightening, coloring, mustache and beard design, and superficial skin stimulation of the scalp.

(17) "Hair designer" means a person licensed under this chapter to engage in the practice of hair design.

(18) "Individual license" means a cosmetology, hair design, barber, ((~~manicurist,~~)) esthetician, master esthetician, or instructor license issued under this chapter.

(19) "Instructor" means a person who gives instruction in a school, or who provides classroom theory training to apprentices in locations other than in a school, in a curriculum in which he or she holds a license under this chapter, has completed at least five hundred hours of instruction in teaching techniques and lesson planning in a school, or who has documented experience as an instructor for more than five hundred hours in another state in the curriculum of study, and has passed a licensing examination approved or administered by the director. An applicant who holds a degree in education from an accredited postsecondary institution shall upon application be licensed as an instructor to give instruction in a school, or to provide classroom theory training to apprentices in locations other than in a school, in a curriculum in which he or she holds a license under this chapter. An applicant who holds an instructional credential from an accredited community or technical college and who has passed a licensing examination approved or administered by the director shall upon application be licensed as an instructor to give instruction in a school, or to provide classroom theory training to apprentices in locations other than in a school, in a curriculum in which he or she holds a license under this chapter. To be approved as an "instructor" in an approved apprenticeship program, the instructor must be a competent instructor as defined in rules adopted under chapter 49.04 RCW.

(20) "Instructor-trainee" means a person who is currently licensed in this state as a cosmetologist, hair designer, barber, ((~~manicurist,~~)) esthetician, or master esthetician, and is enrolled in an instructor-trainee curriculum in a school licensed under this chapter.

(21) "Location license" means a license issued under this chapter for a salon/shop, school, personal services, or mobile unit.

(22) ((~~"Manicurist" means a person licensed under this chapter to engage in the practice of manicuring.~~

~~(23)~~)) "Master esthetician" means a person licensed under this chapter to engage in the practice of master esthetics.

((~~(24)~~)) (23) "Mobile unit" is a location license under this chapter where the practice of cosmetology, barbering, esthetics, or master esthetics((~~, or manicuring~~)) is conducted in a mobile structure. Mobile units must conform to the health and safety standards set by rule under this chapter.

((~~(25)~~)) (24) "Online training" means theory training provided online, by a school licensed under this chapter or an approved apprenticeship program established by the Washington state apprenticeship and training council, in the areas of cosmetology, hair design, master esthetics, ((~~manicuring,~~)) barbering, esthetics, and instructor-training.

((~~(26)~~)) (25) "Person" means any individual, partnership, professional service corporation, joint stock association, joint venture, or any other entity authorized to do business in this state.

((~~(27)~~)) (26) "Personal services" means a location licensed under this chapter where the practice of cosmetology, hair design, barbering, manicuring, esthetics, or master esthetics is performed for clients in the client's home, office, or other location that is convenient for the client.

((~~(28)~~)) (27) "Practice of barbering" means the cutting, trimming, arranging, dressing, curling, shampooing, shaving, and mustache and beard design of the hair of the face, neck, and scalp.

((~~(29)~~)) (28) "Practice of cosmetology" means arranging, dressing, cutting, trimming, styling, shampooing, permanent waving, chemical relaxing, straightening, curling, bleaching, lightening, coloring, waxing, tweezing, shaving, and mustache and beard design of the hair of the face, neck, and scalp; temporary removal of superfluous hair by use of depilatories, waxing, or tweezing; ((~~manicuring and pedicuring, limited to cleaning, shaping, polishing, decorating, and caring for and treatment of the cuticles and nails of the hands and feet, excluding the application and removal of sculptured or otherwise artificial nails;~~)) esthetics limited to toning the skin of the scalp, stimulating the skin of the body by the use of preparations, tonics, lotions, or creams; and tinting eyelashes and eyebrows.

((~~(30)~~)) (29) "Practice of esthetics" means the care of the skin for compensation by application, use of preparations, antiseptics, tonics, essential oils, exfoliants, superficial and light peels, or by any device, except laser, or equipment, electrical or otherwise, or by wraps, compresses, cleansing, conditioning, stimulation, superficial skin stimulation, pore extraction, or product application and removal; temporary removal of superfluous hair by means of lotions, creams, appliance, waxing, threading, tweezing, or depilatories, including chemical means; and application of product to the eyelashes and eyebrows, including extensions, design and treatment, tinting and lightening of the hair, excluding the scalp. Under no circumstances does the practice of esthetics include the administration of injections.

((~~(31)~~)) (30) "Practice of manicuring" means the cleaning, shaping, polishing, decorating, and caring for and treatment of the cuticles and the nails of the hands or feet, and the application and removal of sculptured or otherwise artificial nails by hand or with mechanical or electrical apparatus or appliances.

((~~(32)~~)) (31) "Practice of master esthetics" means the care of the skin for compensation including all of the methods allowed in the definition of the practice of esthetics. It also includes the performance of medium depth peels and the use of medical devices for care of the skin and permanent hair reduction. The medical devices include, but are not limited to, lasers, light, radio frequency, plasma, intense pulsed light, and ultrasound. The use of a medical device must comply with state law and rules, including any laws or rules that require delegation or supervision by a licensed health professional acting within the scope of practice of that health profession.

((~~(33)~~)) (32) "Salon/shop" means any building, structure, or any part thereof, other than a school, where the commercial practice of cosmetology, barbering, hair design, esthetics, or master esthetics((~~, or manicuring~~)) is conducted; provided that any person, except employees of a salon/shop, who operates from a salon/shop is required to meet all salon/shop licensing requirements and may participate in the apprenticeship program when certified as established by the Washington state apprenticeship and training council established in chapter 49.04 RCW.

((~~(34)~~)) (33) "School" means any establishment that offers curriculum of instruction in the practice of cosmetology, hair design, barbering, esthetics, master esthetics, ((~~manicuring,~~)) or instructor-trainee to students and is licensed under this chapter.

((~~(35)~~)) (34) "Student" means a person sixteen years of age or older who is enrolled in a school licensed under this chapter and receives instruction in any of the curricula of cosmetology, barbering, hair design, esthetics, master esthetics, ((~~manicuring,~~)) or instructor-training with or without tuition, fee, or cost, and who does not receive any wage or commission.

((~~(36)~~)) (35) "Student monthly report" means the student record of daily activities and the number of hours completed in each course of a curriculum that is prepared monthly by the school and provided to the student, audited annually by the department, and kept on file by the school for three years.

**Sec.**  RCW 18.16.050 and 2015 c 62 s 3 are each amended to read as follows:

(1) There is created a state cosmetology, hair design, barbering, and esthetics((~~, and manicuring~~)) advisory board consisting of a maximum of ten members appointed by the director. These members of the board shall include: A representative of private schools licensed under this chapter; a representative from an approved apprenticeship program conducted in an approved salon/shop; a representative of public vocational technical schools licensed under this chapter; a consumer who is unaffiliated with the cosmetology, hair design, barbering, esthetics, or master esthetics((~~, or manicuring~~)) industry; and six members who are currently practicing licensees who have been engaged in the practice of ((~~manicuring,~~)) esthetics, master esthetics, barbering, hair design, or cosmetology for at least three years. Members shall serve a term of three years. Any board member may be removed for just cause. The director may appoint a new member to fill any vacancy on the board for the remainder of the unexpired term.

(2) Board members shall be entitled to compensation pursuant to RCW 43.03.240 for each day spent conducting official business and to reimbursement for travel expenses as provided by RCW 43.03.050 and 43.03.060.

(3) The board may seek the advice and input of officials from the following state agencies: (a) The workforce training and education coordinating board; (b) the employment security department; (c) the department of labor and industries; (d) the department of health; (e) the department of licensing; and (f) the department of revenue.

**Sec.**  RCW 18.16.060 and 2015 c 62 s 4 are each amended to read as follows:

(1) It is unlawful for any person to engage in a practice listed in subsection (2) of this section unless the person has a license in good standing as required by this chapter. A license issued under this chapter shall be considered to be "in good standing" except when:

(a) The license has expired or has been canceled and has not been renewed in accordance with RCW 18.16.110;

(b) The license has been denied, revoked, or suspended under RCW 18.16.210, 18.16.230, or 18.16.240, and has not been reinstated;

(c) The license is held by a person who has not fully complied with an order of the director issued under RCW 18.16.210 requiring the licensee to pay restitution or a fine, or to acquire additional training; or

(d) The license has been placed on inactive status at the request of the licensee, and has not been reinstated in accordance with RCW 18.16.110(3).

(2) The director may take action under RCW 18.235.150 and 18.235.160 against any person who does any of the following without first obtaining, and maintaining in good standing, the license required by this chapter:

(a) Except as provided in subsections (3) and (4) of this section, engages in the commercial practice of cosmetology, hair design, barbering, esthetics, or master esthetics((~~, or manicuring~~));

(b) Instructs in a school;

(c) Operates a school; or

(d) Operates a salon/shop, personal services, or mobile unit.

(3) A person who receives a license as an instructor may engage in the commercial practice for which he or she held a license when applying for the instructor license without also renewing the previously held license. However, a person licensed as an instructor whose license to engage in a commercial practice is not or at any time was not renewed may not engage in the commercial practice previously permitted under that license unless that person renews the previously held license.

(4) An apprentice actively enrolled in an apprenticeship program for cosmetology, barbering, hair design, esthetics, or master esthetics((~~, or manicuring~~)) may engage in the commercial practice as required for the apprenticeship program.

(5) An individual engaged in the practice of manicuring must register with Washington effective licensing port in accordance with section 2 of this act.

**Sec.**  RCW 18.16.130 and 2015 c 62 s 5 are each amended to read as follows:

(1) Any person who is properly licensed in any state, territory, or possession of the United States, or foreign country shall be eligible for examination if the applicant submits the approved application and fee and provides proof to the director that he or she is currently licensed in good standing as a cosmetologist, hair designer, barber, ((~~manicurist,~~)) esthetician, master esthetician, instructor, or the equivalent in that jurisdiction. Upon passage of the required examinations the appropriate license will be issued.

(2)(a) The director shall, upon passage of the required examinations, issue a license as master esthetician to an applicant who submits the approved application and fee and provides proof to the director that the applicant is currently licensed in good standing in esthetics in any state, territory, or possession of the United States, or foreign country and holds a diplomate of the comite international d'esthetique et de cosmetologie diploma, or an international therapy examination council diploma, or a certified credential awarded by the national coalition of estheticians, manufacturers/distributors & associations.

(b) The director may upon passage of the required examinations, issue a master esthetician license to an applicant that is currently licensed in esthetics in any other state, territory, or possession of the United States, or foreign country and submits an approved application and fee and provides proof to the director that he or she is licensed in good standing and:

(i) The licensing state, territory, or possession of the United States, or foreign country has licensure requirements that the director determines are substantially equivalent to a master esthetician license in this state; or

(ii) The applicant has certification or a diploma or other credentials that the director determines has licensure requirements that are substantially equivalent to the degree listed in (a) of this subsection.

**Sec.**  RCW 18.16.170 and 2015 c 62 s 6 are each amended to read as follows:

(1) Subject to subsection (2) of this section, licenses issued under this chapter expire as follows:

(a) A salon/shop, personal services, or mobile unit license expires one year from issuance or when the insurance required by RCW 18.16.175(1)(g) expires, whichever occurs first;

(b) A school license expires one year from issuance; and

(c) Cosmetologist, hair designer, barber, ((~~manicurist,~~)) esthetician, master esthetician, and instructor licenses expire two years from issuance.

(2) The director may provide for expiration dates other than those set forth in subsection (1) of this section for the purpose of establishing staggered renewal periods.

**Sec.**  RCW 18.16.175 and 2015 c 62 s 7 are each amended to read as follows:

(1) A salon/shop or mobile unit shall meet the following minimum requirements:

(a) Maintain an outside entrance separate from any rooms used for sleeping or residential purposes;

(b) Provide and maintain for the use of its customers adequate toilet facilities located within or adjacent to the salon/shop or mobile unit;

(c) Any room used wholly or in part as a salon/shop or mobile unit shall not be used for residential purposes, except that toilet facilities may be used for both residential and business purposes;

(d) Meet the zoning requirements of the county, city, or town, as appropriate;

(e) Provide for safe storage and labeling of chemicals used in the practices under this chapter;

(f) Meet all applicable local and state fire codes; and

(g) Certify that the salon/shop or mobile unit is covered by a public liability insurance policy in an amount not less than one hundred thousand dollars for combined bodily injury and property damage liability.

(2) The director may by rule determine other requirements that are necessary for safety and sanitation of salons/shops, personal services, or mobile units. The director may consult with the state board of health and the department of labor and industries in establishing minimum salon/shop, personal services, and mobile unit safety requirements.

(3) Personal services license holders shall certify coverage of a public liability insurance policy in an amount not less than one hundred thousand dollars for combined bodily injury and property damage liability.

(4) Upon receipt of a written complaint that a salon/shop or mobile unit has violated any provisions of this chapter, chapter 18.235 RCW, or the rules adopted under either chapter, or at least once every two years for an existing salon/shop or mobile unit, the director or the director's designee shall inspect each salon/shop or mobile unit. If the director determines that any salon/shop or mobile unit is not in compliance with this chapter, the director shall send written notice to the salon/shop or mobile unit. A salon/shop or mobile unit which fails to correct the conditions to the satisfaction of the director within a reasonable time shall, upon due notice, be subject to the penalties imposed by the director under RCW 18.235.110. The director may enter any salon/shop or mobile unit during business hours for the purpose of inspection. The director may contract with health authorities of local governments to conduct the inspections under this subsection.

(5) A salon/shop, personal services, or mobile unit shall obtain a certificate of registration from the department of revenue.

(6) This section does not prohibit the use of motor homes as mobile units if the motor home meets the health and safety standards of this section.

(7) Salon/shop or mobile unit licenses issued by the department must be posted in the salon/shop or mobile unit's reception area.

(8) Cosmetology, hair design, barbering, esthetics, and master esthetics((~~, and manicuring~~)) licenses issued by the department must be posted at the licensed person's work station.

**Sec.**  RCW 18.16.190 and 2015 c 62 s 9 are each amended to read as follows:

It is a violation of this chapter for any person to engage in the commercial practice of cosmetology, hair design, barbering, esthetics, or master esthetics, ((~~or manicuring,~~)) except in a licensed salon/shop or the home, office, or other location selected by the client for obtaining the services of a personal service operator, or with the appropriate individual license when delivering services to placebound clients. Placebound clients are defined as persons who are ill, disabled, or otherwise unable to travel to a salon/shop.

**Sec.**  RCW 18.16.200 and 2015 c 62 s 10 are each amended to read as follows:

In addition to the unprofessional conduct described in RCW 18.235.130, the director may take disciplinary action against any applicant or licensee under this chapter if the licensee or applicant:

(1) Has been found to have violated any provisions of chapter 19.86 RCW;

(2) Has engaged in a practice prohibited under RCW 18.16.060 without first obtaining, and maintaining in good standing, the license required by this chapter;

(3) Has engaged in the commercial practice of cosmetology, hair design, barbering, ((~~manicuring,~~)) esthetics, or master esthetics in a school;

(4) Has not provided a safe, sanitary, and good moral environment for students in a school or the public;

(5) Has failed to display licenses required in this chapter; or

(6) Has violated any provision of this chapter or any rule adopted under it.

**Sec.**  RCW 18.16.290 and 2015 c 62 s 11 are each amended to read as follows:

(1) If the holder of an individual license in good standing submits a written and notarized request that the licensee's cosmetology, hair design, barber, ((~~manicurist,~~)) esthetician and master esthetician, or instructor license be placed on inactive status, together with a fee equivalent to that established by rule for a duplicate license, the department shall place the license on inactive status until the expiration date of the license. If the date of the request is no more than six months before the expiration date of the license, a request for a two-year extension of the inactive status, as provided under subsection (2) of this section, may be submitted at the same time as the request under this subsection.

(2) If the holder of a license placed on inactive status under this section submits, by the expiration date of the license, a written and notarized request to extend that status for an additional two years, the department shall, without additional fee, extend the expiration date of: (a) The licensee's individual license; and (b) the inactive status for two years from the expiration date of the license.

(3) A license placed on inactive status under this section may not be extended more frequently than once in any twenty-four month period or for more than six consecutive years.

(4) If, by the expiration date of a license placed on inactive status under this section, a licensee is unable, or fails, to request that the status be extended and the license is not renewed, the license shall be canceled.

**Sec.**  RCW 67.08.100 and 2017 c 46 s 3 are each amended to read as follows:

(1) The department upon receipt of a properly completed application and payment of a nonrefundable fee, may grant an annual license to an applicant for the following: (a) Promoter; (b) manager; (c) boxer; (d) second; (e) wrestling participant; (f) inspector; (g) judge; (h) timekeeper; (i) ((~~announcer; (j)~~)) event physician; ((~~(k)~~)) (j) event chiropractor; ((~~(l)~~)) (k) referee; ((~~(m)~~)) (l) matchmaker; ((~~(n)~~)) (m) kickboxer; ((~~(o)~~)) (n) martial arts participant; ((~~(p)~~)) (o) training facility; ((~~(q)~~)) (p) amateur sanctioning organization; and ((~~(r)~~)) (q) theatrical wrestling school.

(2) The application for the following types of licenses includes a physical performed by a physician, as defined in RCW 67.08.002, which was performed by the physician with a time period preceding the application as specified by rule: (a) Boxer; (b) wrestling participant; (c) kickboxer; (d) martial arts participant; and (e) referee.

(3) An applicant for the following types of licenses for the sports of boxing, kickboxing, and martial arts must provide annual proof of certification as having adequate experience, skill, and training from an organization approved by the department, including, but not limited to, the association of boxing commissions, the international boxing federation, the international boxing organization, the Washington state association of professional ring officials, the world boxing association, the world boxing council, or the world boxing organization for boxing officials, and the united full contact federation for kickboxing and martial arts officials: (a) Judge; (b) referee; (c) inspector; (d) timekeeper; or (e) other officials deemed necessary by the department.

(4) No person may participate or serve in any of the above capacities unless licensed as provided in this chapter.

(5) The referees, judges, timekeepers, event physicians, chiropractors, and inspectors for any boxing, kickboxing, or martial arts event must be designated by the department from among licensed officials.

(6) The referee for any wrestling event must be provided by the promoter and must be licensed as a wrestling participant.

(7) The department must immediately suspend the license or certificate of a person who has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license or certificate is automatic upon the department's receipt of a release issued by the department of social and health services stating that the licensee is in compliance with the order.

(8) The director must suspend the license of any person who has been certified by a lending agency and reported to the director for nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship. Prior to the suspension, the agency must provide the person an opportunity for a brief adjudicative proceeding under RCW 34.05.485 through 34.05.494 and issue a finding of nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship. The person's license may not be reissued until the person provides the director a written release issued by the lending agency stating that the person is making payments on the loan in accordance with a repayment agreement approved by the lending agency. If the person has continued to meet all other requirements for licensure during the suspension, reinstatement is automatic upon receipt of the notice and payment of any reinstatement fee the director may impose.

(9) A person may not be issued a license if the person has an unpaid fine outstanding to the department.

(10) A person may not be issued a license unless they are at least eighteen years of age.

(11)(a) This section does not apply to:

(i) Contestants or participants in events at which only amateurs are engaged in contests;

(ii) Wrestling participants engaged in training or a wrestling show at a theatrical wrestling school; and

(iii) Fraternal organizations and/or veterans' organizations chartered by congress or the defense department, excluding any recognized amateur sanctioning body recognized by the department.

(b) Upon request of the department, a promoter, contestant, or participant must provide sufficient information to reasonably determine whether this chapter applies.

NEW SECTION. **Sec.**  A new section is added to chapter 67.08 RCW to read as follows:

Any boxing announcer working in this state must register with Washington effective licensing port in accordance with section 2 of this act.

NEW SECTION. **Sec.**  The following acts or parts of acts are each repealed:

(1)RCW 18.11.060 (Administration of chapter—Fees) and 1986 c 324 s 3 & 1982 c 205 s 2;

(2)RCW 18.11.121 (Surety bond or security required) and 1987 c 336 s 2 & 1986 c 324 s 8;

(3)RCW 18.11.130 (Written contract required—Penalty) and 1986 c 324 s 9 & 1982 c 205 s 11;

(4)RCW 18.11.140 (Written records required—Penalty) and 1986 c 324 s 10 & 1982 c 205 s 12;

(5)RCW 18.11.170 (Unauthorized practice—Penalties) and 1986 c 324 s 13 & 1982 c 205 s 15;

(6)RCW 18.11.180 (Compensation of nonlicensed person—Penalties) and 2002 c 86 s 210, 1986 c 324 s 14, & 1982 c 205 s 16;

(7)RCW 18.11.190 (Actions for compensation for services) and 1986 c 324 s 15 & 1982 c 205 s 17;

(8)RCW 18.11.205 (Director—Authority to impose administrative fines) and 1986 c 324 s 17;

(9)RCW 18.11.210 (Newspaper advertisements—Name and license number required—Penalty) and 1986 c 324 s 19 & 1984 c 189 s 1;

(10)RCW 18.11.270 (License, certificate, or registration suspension—Nonpayment or default on educational loan or scholarship) and 1996 c 293 s 4; and

(11)RCW 18.11.280 (Uniform regulation of business and professions act) and 2002 c 86 s 212.

NEW SECTION. **Sec.**  Sections 1 through 4 of this act constitute a new chapter in Title 18 RCW.

NEW SECTION. **Sec.**  This act takes effect September 1, 2018.

**--- END ---**