
SENATE BILL 6206

State of Washington

54th Legislature

1996 Regular Session

By Senators Haugen, Pelz, Winsley, Hale and Prentice

Read first time 01/09/96. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to the program regulating cosmetology, barbering,
2 esthetics, and manicuring; amending RCW 18.16.050, 18.16.150, and
3 18.16.175; and adding a new section to chapter 18.16 RCW.

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

5 **Sec. 1.** RCW 18.16.050 and 1995 c 269 s 402 are each amended to
6 read as follows:

7 (1) There is created a state cosmetology, barbering, esthetics, and
8 manicuring advisory board consisting of seven members appointed by the
9 director. These seven members of the board shall include a
10 representative of a private cosmetology school and a representative of
11 a public vocational technical school involved in cosmetology training,
12 with the balance made up of currently practicing licensees who have
13 been engaged in the practice of manicuring, esthetics, barbering, or
14 cosmetology for at least three years. One member of the board shall be
15 a consumer who is unaffiliated with the cosmetology, barbering,
16 esthetics, or manicuring industry. The term of office for all board
17 members serving as of July 1, 1995, expires June 30, 1995. On June 30,
18 1995, the director shall appoint seven new members to the board. These
19 new members shall serve a term of two years, at the conclusion of which

1 the board shall cease to exist. Any members serving on the advisory
2 board as of July 1, 1995, are eligible to be reappointed. Any board
3 member may be removed for just cause. The director may appoint a new
4 member to fill any vacancy on the board for the remainder of the
5 unexpired term.

6 (2) The board appointed on June 30, 1995, together with the
7 director or the director's designee, shall, through an independent
8 contractor, conduct a thorough review of educational requirements,
9 licensing requirements, and enforcement and health standards for
10 persons engaged in cosmetology, barbering, esthetics, or manicuring
11 ~~((and))~~ which shall ~~((prepare))~~ include a report to be delivered to the
12 governor, the director, and the chairpersons of the governmental
13 operations committees of the house of representatives and the senate.
14 The report must summarize ~~((their))~~ the findings and make
15 recommendations, including, if appropriate, recommendations for
16 legislation reforming and restructuring the regulation of cosmetology,
17 barbering, esthetics, and manicuring.

18 (3) Board members shall be entitled to compensation pursuant to RCW
19 43.03.240 for each day spent conducting official business and to
20 reimbursement for travel expenses as provided by RCW 43.03.050 and
21 43.03.060.

22 **Sec. 2.** RCW 18.16.150 and 1991 c 324 s 12 are each amended to read
23 as follows:

24 ~~((From time to time as deemed necessary by the director,))~~ Schools
25 ~~((may))~~ shall be audited by the director or the director's designee for
26 compliance with this chapter at least once a year. If the director
27 determines that a licensed school is not maintaining the standards
28 required according to this chapter, written notice thereof shall be
29 given to the school. A school which fails to correct these conditions
30 to the satisfaction of the director within a reasonable time shall be
31 subject to penalties imposed under RCW 18.16.210.

32 **Sec. 3.** RCW 18.16.175 and 1991 c 324 s 15 are each amended to read
33 as follows:

34 (1) A salon/shop shall meet the following minimum requirements:
35 (a) Maintain an outside entrance separate from any rooms used for
36 sleeping or residential purposes;

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

3 (c) Be operated under the direct supervision of a licensed
4 cosmetologist except that a salon/shop that is limited to barbering may
5 be directly supervised by a barber, a salon/shop that is limited to
6 manicuring may be directly supervised by a manicurist, and a salon/shop
7 that is limited to esthetics may be directly supervised by an
8 esthetician;

9 (d) Any room used wholly or in part as a salon/shop shall not be
10 used for residential purposes, except that toilet facilities may be
11 used jointly for residential and business purposes;

12 (e) Meet the zoning requirements of the county, city, or town, as
13 appropriate;

14 (f) Provide for safe storage and labeling of chemicals used in the
15 practice of cosmetology;

16 (g) Meet all applicable local and state fire codes;

17 (h) Provide proof that the salon/shop is covered by a public
18 liability insurance policy in an amount not less than one hundred
19 thousand dollars for combined bodily injury and property damage
20 liability; and

21 (i) Other requirements which the director determines are necessary
22 for safety and sanitation of salons/shops. The director may consult
23 with the state board of health and the department of labor and
24 industries in establishing minimum salon/shop safety requirements.

25 (2) A salon/shop shall post the notice to customers described in
26 RCW 18.16.180.

27 (3) Upon receipt of a written complaint that a salon/shop has
28 violated any provisions of this chapter or the rules adopted under this
29 chapter or at least once every two years, the director or the
30 director's designee shall inspect (~~the~~) each salon/shop. If the
31 director determines that any salon/shop is not in compliance with this
32 chapter, the director shall send written notice to the salon/shop. A
33 salon/shop which fails to correct the conditions to the satisfaction of
34 the director within a reasonable time shall, upon due notice, be
35 subject to the penalties imposed by the director under RCW 18.16.210.
36 The director may enter any salon/shop during business hours for the
37 purpose of inspection. The director may contract with health
38 authorities of local governments to conduct the inspections under this
39 subsection.

1 (4) A salon/shop, including a salon/shop operated by a booth
2 renter, shall obtain a certificate of registration from the department
3 of revenue.

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

7 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.16 RCW
8 to read as follows:

9 The director shall set fees at a sufficient level to defray the
10 costs of administering the program. Beginning July 1, 1996, all
11 receipts from fees collected under this title shall be deposited into
12 the cosmetology, barber, esthetician, and manicurist account, hereby
13 created in the state treasury. Moneys in the account may be spent only
14 after appropriation and may be used only to administer the cosmetology,
15 barber, esthetician, and manicurist program.

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