

SENATE BILL REPORT

SB 6291

As Reported By Senate Committee On:
Labor, Commerce, Research & Development, January 30, 2006

Title: An act relating to a cosmetology licensing exemption.

Brief Description: Modifying provisions for cosmetology licensing exemptions.

Sponsors: Senators Kohl-Welles, Parlette and Keiser.

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 1/16/06, 1/30/06 [DPS].

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 6291 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Parlette, Ranking Minority Member; Honeyford and Keiser.

Staff: John Dziedzic (786-7784)

Background: Chapter 18.16 RCW deals with the licensing and regulation of cosmetologists, barbers, manicurists, and estheticians. Licensees subject to Chapter 18.16 RCW must meet certain training and examination requirements to obtain a license in their respective professions. The license must be renewed every two years upon payment of a renewal fee.

The Uniform Regulation of Business and Professions Act, Chapter 18.235, provides penalties for the unlicensed practice of cosmetology and for the discipline of persons possessing a license issued by the cosmetology board.

Summary of Substitute Bill: No cosmetology license is required for a person who, in the course of volunteering with or working for a professional photographer or certain performing arts entities, applies make-up to, and arranges or prepares the hair of, another person in preparation for the other person to be professionally photographed or appear in a theatrical, musical, film, video, or television performance.

Substitute Bill Compared to Original Bill: The licensing exemption is amended to apply only to employees and volunteers of the named entities who perform make-up and hair preparation services in the course of their volunteer or employment duties.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Theater companies and other performing arts entities were surprised recently to learn that their backstage make-up artists and hair dressers might be considered as engaging in the commercial practice of cosmetology, and thus required to obtain a license. These theater company employees do not perform their services for the general public and limit their practice to specialized applications that generally do not involve the use of chemicals typically used in beauty salons. They are more concerned with achieving historical period accuracy in make-up and hair (more often than not with wigs), which are not subjects covered in required cosmetology training courses.

Testimony Against: None.

Testimony Other: The scope of the proposed exemption may be broader than needed to address the concern of the proponents.

Who Testified: PRO: David Robinson, International Alliance of Theatrical Stage Employees, Local 488; Vincent Feraudo, Danyale Cook, Seattle Opera.

OTHER: Jana Jones, Trudie Touchette, Department of Licensing.