

**BARBER, COSMETOLOGIST, ESTHETICIAN,
ELECTROLOGIST, AND NAIL TECHNICIAN ACT
AMENDMENTS**

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: James A. Dunnigan

Senate Sponsor: John L. Valentine

LONG TITLE

Committee Note:

The Business and Labor Interim Committee recommended this bill.

General Description:

This bill adds an exemption from licensure in the Barber, Cosmetologist/Barber, Esthetician, Electrologist, and Nail Technician Licensing Act for a person assisting in the production of a motion picture.

Highlighted Provisions:

This bill:

► adds an exemption from licensure in the Barber, Cosmetologist/Barber, Esthetician, Electrologist, and Nail Technical Licensing Act for a person assisting in the production of a motion picture under certain circumstances.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-11a-304, as last amended by Laws of Utah 2007, Chapter 209



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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **58-11a-304** is amended to read:

58-11a-304. Exemptions from licensure.

In addition to the exemptions from licensure in Section 58-1-307, the following persons may engage in the practice of barbering, cosmetology/barbering, esthetics, master-level esthetics, electrology, or nail technology without being licensed under this chapter:

(1) persons licensed under the laws of this state to engage in the practice of medicine, surgery, osteopathy, or chiropractic when engaged in the practice of the profession for which they are licensed;

(2) commissioned physicians and surgeons serving in the armed forces of the United States or another federal agency;

(3) registered nurses, undertakers, and morticians licensed under the laws of this state when engaged in the practice of the profession for which they are licensed;

(4) persons who visit the state to engage in instructional seminars, advanced classes, trade shows, or competitions of a limited duration;

(5) persons who engage in the practice of barbering, cosmetology/barbering, esthetics, master-level esthetics, electrology, or nail technology without compensation;

(6) persons instructing adult education classes and other educational programs directed toward persons who are not licensed under this chapter and that are not intended to train persons to become licensed under this chapter, provided:

(a) attendees receive no credit toward the educational requirement for licensure under this chapter; and

(b) (i) the instructor is properly licensed; or

(ii) the instructor receives no compensation;

(7) persons instructing in workshops, seminars, training meetings, and other educational programs whose purpose is to provide continuing professional development to licensed barbers, cosmetologist/barbers, estheticians, master estheticians, nail technicians, or electrologists;

(8) persons currently enrolled in a licensed barber or cosmetology/barber school when participating in an on the job training internship under the direct supervision of a licensed

59 barber or cosmetologist/barber upon completion of a basic program under the standards
60 established by rule by the division in collaboration with the board;

61 (9) persons enrolled in an approved apprenticeship pursuant to Section 58-11a-306;
62 [~~and~~]

63 (10) employees of a company which is primarily engaged in the business of selling
64 products used in the practice of barbering, cosmetology/barbering, esthetics, master-level
65 esthetics, electrology, or nail technology when demonstrating the company's products to
66 potential customers[-]; or

67 (11) a person who:

67a ~~§~~→ (a) is qualified to engage in the practice of barbering,
67b cosmetology/barbering, esthetics, master-level esthetics, electrology, or nail technology in
67c another jurisdiction as evidenced by licensure, certification, or lawful practice in the other
67d jurisdiction; ←~~§~~

68 ~~§~~→ [~~(a)~~] (b) ←~~§~~ is employed by, or under contract with, a motion picture company; and

69 ~~§~~→ [~~(b)~~] (c) ←~~§~~ engages in the practice of barbering, cosmetology/barbering, esthetics,
69a master-level
70 esthetics, electrology, or nail technology in the state:

71 (i) solely to assist in the production of a motion picture; and

72 (ii) for no more than 120 days per calendar year.

Legislative Review Note
as of 11-17-11 12:46 PM

Office of Legislative Research and General Counsel