

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 144

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO BARBER AND COSMETOLOGY SERVICES; AMENDING SECTION 54-5805,
2 IDAHO CODE, TO PROVIDE FOR PERSONAL CARE AND HYGIENE SERVICES AT SPECI-
3 FIED FACILITIES.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 54-5805, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 54-5805. EXEMPTIONS FROM LICENSURE. The licensing, certification and
9 registration provisions of this chapter shall not apply to the following:

10 (1) Persons authorized by the laws of this state to practice as a nurse
11 or to practice any of the healing arts while in the proper discharge or dele-
12 gation of their professional duties.

13 (2) Persons who provide on-site personal care or hygiene services in-
14 cluding shaving, trimming of hair, beard or mustache, washing, brushing, or
15 combing hair, and basic skin care and nail care to residents at facilities
16 licensed under the department of health and welfare division of licensing
17 and certification.

18 (3) Persons practicing in their own home without compensation who are
19 not practicing on the public in general.

20 (~~34~~) Persons practicing on a relative without compensation.

21 (~~45~~) Persons whose practice is limited to the facial application of
22 cosmetic products to customers in connection with the sale or attempted sale
23 of cosmetic products on the premises of a retail cosmetics dealer without
24 compensation from the customer other than the price of the products.

25 (~~56~~) Persons whose practice is limited to the demonstration of thermal
26 styling equipment on customers in connection with the sale or attempted sale
27 of thermal styling equipment on the premises of a registered thermal styling
28 equipment dealer without compensation from the customer other than the price
29 of the equipment.

30 (~~67~~) Currently enrolled students or actively registered apprentices
31 practicing or demonstrating outside of a licensed school or establishment
32 when that practice or demonstration is under the direct supervision of a li-
33 censed instructor. Members of the public may not be charged for any services
34 performed by a student or an apprentice practicing pursuant to this subsec-
35 tion.

36 (~~78~~) Persons who are licensed or qualified through proper documen-
37 tation to practice or teach barbering, barber-styling or cosmetology in a
38 state, territory or possession of the United States or in a foreign country
39 and whose practice and activities are limited to education or demonstration
40 of no more than fourteen (14) consecutive days, provided that such persons
41 shall observe and comply with sanitation requirements established by rule.

1 Members of the public may not be charged for any services performed as part of
2 the demonstration or education.

3 (~~8~~9) Persons who are licensed or qualified through proper documenta-
4 tion and in good standing to practice barber-styling and cosmetology ser-
5 vices in another jurisdiction of the United States or in a foreign country
6 and who are employed or contracted to perform barber-styling or cosmetology
7 services in the course of and incidental to the production of a theatrical
8 or other visual arts production including, but not limited to, stage produc-
9 tions, television and motion pictures.