

No. 2006-99

AN ACT

SB 707

Amending the act of May 3, 1933 (P.L.242, No.86), entitled, as amended, "An act to promote the public health and safety by providing for examination, licensing and granting of permits for those who desire to engage in the profession of cosmetology; defining cosmetology, and regulating cosmetology shops, schools, students, apprentices, teachers, managers, manicurists and cosmetologists; conferring powers and duties upon the Commissioner of Professional and Occupational Affairs in the Department of State; providing for appeals to certain courts by applicants and licensees; and providing penalties," further providing for definitions, for practice of cosmetology without license, for eligibility requirements, for limited licenses, for requirements of a school of cosmetology, for practice in cosmetology shops only, for booth rental, for temporary licenses, for fees, for duration and renewal of licenses, for penalties and for regulations; and substituting the term "salon" for the term "shop" throughout the act.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The title of the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, amended June 30, 1984 (P.L.479, No.100), is amended to read:

AN ACT

To promote the public health and safety by providing for examination, licensing and granting of permits for those who desire to engage in the profession of cosmetology; defining cosmetology, and regulating cosmetology **[shops] salons**, schools, students, apprentices, teachers, managers, manicurists and cosmetologists; conferring powers and duties upon the Commissioner of Professional and Occupational Affairs in the Department of State; providing for appeals to certain courts by applicants and licensees; and providing penalties.

Section 2. Section 1 of the act, amended October 18, 2000 (P.L.607, No.81) and June 29, 2002 (P.L.645, No.98), is amended to read:

Section 1. Definitions.—The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Affiliation" for purposes of section 1.1, means any person who is an owner, a stockholder, a member of the board of trustees or board of governors, any professional employe, or consultant or any nonprofessional employe and any part-time personnel employed by a school of cosmetology.

"Board" means the State Board of Cosmetology.

"Booth space" means the area of a **[cosmetology shop] salon** in which a licensed cosmetologist or a holder of a limited license provides to a client a service for which a license is required under this act.

“Braiding” means intertwining the hair in a systematic motion to create patterns in a three-dimensional form, inverting the hair against the scalp along part of a straight or curved row of intertwined hair or twisting the hair in a systematic motion, and includes extending the hair with natural or synthetic hair fibers.

“Bureau” means the Bureau of Professional and Occupational Affairs in the Department of State.

[“Cosmetician” means an individual who engages only in the practice of massaging the face, applying cosmetic preparations, antiseptics, tonics, lotions or creams to the face, removing superfluous hair by tweezers, depilatories or waxes and the dyeing of eyelashes and eyebrows.]

“Cosmetologist” means an individual who is engaged in the practice of cosmetology.

“Cosmetology” includes any or all work done for compensation by any person, which work is generally and usually performed by cosmetologists, which work is for the embellishment, cleanliness and beautification of the human hair, such as arranging, ***braiding***, dressing, curling, waving, permanent waving, cleansing, cutting, singeing, bleaching, coloring, pressing, or similar work thereon and thereabout, and the removal of superfluous hair, and the massaging, cleansing, stimulating, manipulating, exercising, or similar work upon the scalp, face, arms or hands, or the upper part of the body, by the use of mechanical or electrical apparatus or appliances or cosmetics, preparations, tonics, antiseptics, creams or lotions, or by any other means, and of manicuring the nails, which enumerated practices shall be inclusive of the term cosmetology but not in limitation thereof. ***The term also includes the acts comprising the practice of nail technology, natural hair braiding and esthetics.***

“Department” means the Commissioner of Professional and Occupational Affairs in the Department of State.

“Esthetician” means an individual licensed by the State Board of Cosmetology to practice esthetics.

“Esthetics” means the practice of massaging the face, applying cosmetic preparations, antiseptics, tonics, lotions or creams to the face, removing superfluous hair by tweezers, depilatories or waxes and the dyeing of eyelashes and eyebrows.

“Limited license” means a license issued by the State Board of Cosmetology to an individual which permits that individual to engage in the practice of esthetics, natural hair braiding or nail technology.

“Nail technician” means an individual licensed by the State Board of Cosmetology to engage in the practice of nail technology.

“Nail technology” means the practice of manicuring the nails of an individual, applying artificial or sculptured nails to an individual, massaging the hands of an individual or massaging the lower arms of an individual up to the individual’s elbow, massaging the feet of an individual

or the lower legs of an individual up to the individual's knee, or a combination of these acts.

“Natural hair braider” means an individual licensed by the State Board of Cosmetology to engage in the practice of natural hair braiding.

“Natural hair braiding” means the practice of utilizing techniques that result in tension on hair roots of individuals, such as twisting, wrapping, weaving, extending, locking or braiding of the hair. The term does not include the application of dyes, reactive chemicals or other preparations to alter the color or to straighten, curl or alter the structure of hair.

“School of Cosmetology” includes any individual, partnership, association, business corporation, nonprofit corporation, municipal corporation, school district or any group of individuals however organized whose purpose is to provide courses of instruction in cosmetology or the teaching of cosmetology.

“Tanning units” means equipment that utilizes ultraviolet light for the purpose of cosmetic tanning.

Section 3. Sections 2 and 4 of the act, amended June 29, 2002 (P.L.645, No.98), are amended to read:

Section 2. Practice [of Cosmetology] without License Prohibited.—It shall be unlawful for any person to [practice or teach cosmetology, to use or maintain any place for the practice of cosmetology, for compensation, or to use or maintain any place for the teaching of cosmetology, unless he or she shall have first obtained from the department a license as provided in this act.] *do any of the following without having first obtained from the department a license or limited license as provided in this act:*

(1) To practice or teach cosmetology for compensation, or to use or maintain any place for the practice of cosmetology for compensation, or to use or maintain any place for the teaching of cosmetology.

(2) To practice or teach esthetics, natural hair braiding or nail technology for compensation or to use or maintain any place for the practice of esthetics, natural hair braiding or nail technology for compensation.

Section 4. Eligibility Requirements for Examination.—No person shall be permitted by the board to take an examination to receive a license as a cosmetologist unless such person (1) shall be at least sixteen years of age and of good moral character at the time of making application, and (2) shall have completed a tenth grade education or the equivalent thereof, or in lieu of such education or the equivalent thereof shall have received training from or under the auspices of the Bureau of Rehabilitation in the Department of Labor and Industry, and (3) shall have either (i) completed not less than one thousand two hundred fifty hours as a student in a duly registered school of cosmetology as hereinafter provided in this act, or (ii) shall have been registered and served as an apprentice at least two thousand hours in a licensed cosmetology [shop] salon as hereinafter provided in this act. The application shall be accompanied by a notarized statement from either the

licensed cosmetology school the applicant attended or the licensed cosmetology teacher in the licensed cosmetology **[shop] salon** where the applicant studied and trained, stating that the applicant has completed the study and training period required under this act. No person shall be permitted to take an examination for a license to teach cosmetology *or natural hair braiding, nail technology or esthetics* unless such person shall have a **[cosmetologist's license] license to practice cosmetology or a limited license**, be at least eighteen years of age, shall have completed a twelfth grade education or the equivalent thereof and have had five hundred hours of specialized training as set forth in section 6 of this act which hours shall be in addition to the hours necessary to qualify for a **[cosmetologist's license] license to practice cosmetology or a limited license**.

Section 4. Section 4.3 of the act, amended June 30, 1984 (P.L.479, No.100), is amended to read:

Section 4.3. Eligibility Requirements for Registration as an Apprentice.—No person shall be permitted to register as an apprentice of cosmetology nor shall a licensed cosmetology **[shop] salon** employ or cause to be registered a person until an application for an apprentice permit shall have been filed with the board and an apprentice permit issued by the board. No apprentice permit shall be issued unless the prospective apprentice applying therefor shall have established to the satisfaction of the board that he or she is of good moral character, has completed a tenth grade education or the equivalent thereof or in lieu of such education or the equivalent thereof has received training from or under the auspices of the Bureau of Rehabilitation in the Department of Labor and Industry and is free from contagious or infectious disease.

Section 5. Section 4.4 of the act, amended June 29, 2002 (P.L.645, No.98), is amended to read:

Section 4.4. Management of Cosmetology **[Shops] Salons**.—(a) Every **[shop] salon** owner shall designate a person in charge of the **[shop] salon** in the owner's absence.

(b) The name of the owner or designated person in charge shall be posted in a conspicuous place in the **[shop] salon**.

(c) The owner or designated person in charge of the **[shop] salon** shall be readily available during regular business hours to bureau inspectors.

Section 6. Section 5 of the act, amended June 30, 1984 (P.L.479, No.100), is amended to read:

Section 5. Limited Licenses.—**[A limited license to manicure the nails only and as a cosmetician only may be applied for and granted under all of the terms and conditions of this act, except that the examination therefor may be limited to such practice only and the required schooling shall be not less than one month. A manicurist may operate a shop limited to manicuring. A cosmetician may operate a shop limited to that license. The board may promulgate regulations with respect to such shops.] (a) An applicant for a limited license shall be at least sixteen years**

of age, be of good moral character, have completed a tenth grade education or the equivalent thereof and pay the applicable fee to the board.

(b) The board shall issue the following limited licenses to qualified applicants:

(1) Esthetician license, which shall authorize the holder to engage in the practice of esthetics only. An applicant for an esthetician license shall have completed three hundred hours of instruction in esthetics in a licensed school of cosmetology and passed an examination limited to that practice. Licensed estheticians may operate a salon limited to that license.

(2) Nail technician license, which shall authorize the holder to engage in the practice of nail technology only. An applicant for a nail technician license shall have completed two hundred hours of instruction in nail technology in a licensed school of cosmetology and passed an examination limited to that practice. Licensed nail technicians may operate a salon limited to that license.

(3) (i) Natural hair braiding license, which shall authorize the holder to engage in the practice of natural hair braiding only. An applicant for a natural hair braiding license shall have completed three hundred hours of board-approved subjects relating to sanitation, scalp care, anatomy and natural hair braiding in a cosmetology school and passed an examination limited to that practice. Licensed natural hair braiders may operate a salon limited to that license.

(ii) The requirements of paragraph (3)(i) shall not apply and a license to practice natural hair braiding shall be issued to an applicant who:

(A) has submitted an application, along with the required fee, within one year of the board's promulgation of final regulations required under this section; and

(B) can demonstrate proof of practice of natural hair braiding for three consecutive years immediately prior to the date of application for licensure. Proof of practice shall require tax records of employment and an affidavit from the applicant and the applicant's immediate supervisor where applicable. The board shall accept the information provided without penalty to the applicant for failure to comply with licensing provisions prior to the effective date of this subsection.

(c) Within two years of the initial issuance of a license under subsection (b)(3)(ii), the licensee shall provide the board with proof that the licensee completed one hundred fifty hours of education from a school of cosmetology as a condition of renewal of the license. The courses shall include, at a minimum, scalp care, hygiene and occupational safety.

Section 6.1. Section 6(a) and (c) of the act, amended June 30, 1984 (P.L.479, No.100) and June 29, 2002 (P.L.645, No.98), are amended and the section is amended by adding subsections to read:

Section 6. Requirements of a School of Cosmetology.—**(a) No school of cosmetology shall be granted a license or renewal thereof unless it shall: (1) enroll only those students who have completed a ninth grade**

education or the equivalent thereof, or in lieu of such education or the equivalent thereof have received training from or under the auspices of the Bureau of Rehabilitation in the Department of Labor and Industry; are of good moral character; and are free from contagious or infectious disease; (2) employ and maintain a sufficient number of competent teachers, registered as such; (3) possess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum; (4) keep a daily record of the attendance of each student; (5) maintain regular class and instruction hours; (6) establish grades and hold examinations before issuance of diplomas; and (7) require a day school term of training of not less than one thousand two hundred fifty hours within a period of not less than eight consecutive months or a night school term of training for a period of not less than fifteen consecutive months for a complete course, comprising all or a majority of the practices of cosmetology, as provided by this act, and to include practical demonstrations and theoretical studies, and study in sanitation, sterilization, and the use of antiseptics, cosmetics and electrical appliances consistent with the practical and theoretical requirements as applicable to cosmetology or any practice thereof. The hours of training required shall be accomplished within four consecutive years. In no case shall there be less than one teacher to each twenty-five pupils. A separate curriculum of five hundred hours shall be established for persons seeking to become teachers of cosmetology which shall include methods of teaching and principles of education: Provided, however, That teachers in public school programs of cosmetology who meet the standards established by the Department of Education for vocational education teachers in the public schools shall be deemed to have satisfied such additional separate curriculum for teachers. Each school shall report to the board student hours quarterly on forms provided by the board. A cosmetology school shall be managed on a day-to-day basis by a school supervisor designated by the owner of the school. That person's name will be on file with the board as the responsible party at the school. The school's supervisor shall not be required to obtain a special license.]

(a) No school of cosmetology shall be granted a license or renewal of a license unless it shall:

(1) Enroll only those students who:

(i) Have completed an eighth grade education or the equivalent or, in lieu of such education or equivalent, have received training from or under the auspices of the Bureau of Rehabilitation in the Department of Labor and Industry.

(ii) Are of good moral character.

(iii) Are free from contagious or infectious disease.

(2) Employ and maintain a sufficient number of competent teachers, registered as such.

(3) Possess apparatus and equipment sufficient for the proper and full training for all subjects of its curriculum.

(4) Keep a daily record of the attendance of each student.

(5) Provide the board with a quarterly report regarding student hours on forms provided by the board.

(6) Maintain regular class and instruction hours.

(7) Establish grades and hold examinations before issuance of diplomas.

(8) Be managed on a day-to-day basis by a school supervisor designated by the owner of the school. That person's name shall be provided to the board and shall be on file as the responsible party at the school. The school's supervisor shall not be required to obtain a special license to supervise the school.

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(b.1) No school of cosmetology shall be granted a license or renewal of a license unless it shall require:

(1) A day school term of training of not less than one thousand two hundred fifty hours within a period of not less than eight consecutive months or a night school term of training for a period of not less than fifteen consecutive months for a complete course, comprising all or a majority of the practices of cosmetology, as provided by this act. The hours of training required by this paragraph shall be accomplished within four consecutive years.

(2) Practical demonstrations and theoretical studies, and study in sanitation, sterilization and the use of antiseptics, cosmetics and electrical appliances consistent with the practical and theoretical requirements as applicable to cosmetology, nail technology, natural hair braiding or esthetics or any act or practice comprising cosmetology, nail technology, natural hair braiding or esthetics.

(3) A ratio of not less than one teacher for every twenty-five students.

(4) A separate curriculum of five hundred hours for individuals seeking to become teachers of cosmetology, nail technology or natural hair braiding. The curriculum shall include methods of teaching and principles of education. This paragraph shall not apply to teachers in public school programs of cosmetology who meet the standards established by the Department of Education for vocational education teachers in the public schools, and those teachers shall be deemed to have satisfied the educational requirements of this paragraph.

(c) No member of the board may inspect or be physically present during the original inspection of a cosmetology [shop] salon or a school of cosmetology.

(d) A school of cosmetology which offers a curriculum for the practice of natural hair braiding, nail technology or esthetics shall require the following with respect to hours of instruction:

- (1) for natural hair braiding, students shall be required to complete a course of study of three hundred hours;*
- (2) for nail technology, students shall be required to complete a course of study of two hundred hours; and*
- (3) for esthetics, students shall be required to complete a course of study of three hundred hours.*

Section 6.2. Section 8 of the act, amended June 30, 1984 (P.L.479, No.100), is amended to read:

Section 8. Practice in [**Cosmetology Shops**] *Licensed Salons* Only.—[It] *(a) Except as set forth in subsection (b), it shall be unlawful for any person [to]:*

(1) to practice cosmetology for pay in any place other than a licensed cosmetology [shop, manicurist shop] salon or barber shop as defined in the act of June 19, 1931 (P.L.589, No.202), referred to as the Barbers' License Law[: Provided, That a]; or

(2) to practice esthetics, nail technology or natural hair braiding for pay in any place other than a licensed cosmetology salon or a salon limited to esthetics, nail technology or natural hair braiding.

(b) A licensed cosmetologist or the holder of a limited license may furnish [cosmetology] treatments to persons in their residences [of such persons] by appointment.

Section 7. Sections 8.1 and 9.2 heading and (a) of the act, amended June 29, 2002 (P.L.645, No.98), are amended to read:

Section 8.1. Booth Rental Prohibited.—The rental of booth space by an owner of a cosmetology [shop] salon, or the owner of a salon limited to esthetics, nail technology or natural hair braiding, to any holder of a license issued under this act is unlawful.

Section 9.2. Shared Shops *and Salons*.—(a) A licensed barber and a licensed cosmetologist shall be permitted to work in the same shop *or salon* if the requirements of this section are met. Any licensed shop *or salon* which employs a licensed barber and a licensed cosmetologist shall not be required to erect or install any physical barriers which separate the barber and the cosmetologist. All licensed shops *or salons* shall conform with the provisions of section 4.4 of this act.

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Section 8. Section 10 of the act, amended June 30, 1984 (P.L.479, No.100), is amended to read:

Section 10. Apprentices in Cosmetology [**Shops**] *Salons*.—Any cosmetologist who is a cosmetology [shop] salon owner, at least twenty-three years of age, who is a high school graduate or the equivalent thereof, who has had at least five years experience as a licensed cosmetologist in Pennsylvania, and who is a holder of a teacher's license, may instruct apprentices in a duly licensed cosmetology [shop] salon, provided that there shall be no less than two licensed cosmetologists in addition to the teacher for each apprentice in any [shop] salon and there shall be no more than two

apprentices in any **[shop] salon**, and provided such **[shop] salon** is not held out as a school of cosmetology and provided each teacher instructing an apprentice shall report quarterly hours to the board on a form provided by the board. Such apprentices may apply for examination at the end of their apprenticeship at the next regular examination held by the board, and, if successful therein, shall be licensed as cosmetologists. Registered apprentices upon completion of their required term of apprenticeship, may apply for, and receive from the department, a temporary permit to practice in the field of cosmetology until the next regular examination. Nothing in this act shall prohibit an owner from hiring a cosmetology teacher to instruct apprentices.

Section 9. Section 12.1 of the act, amended June 29, 2002 (P.L.645, No.98), is amended to read:

Section 12.1. Temporary Licenses.—Upon payment of the required fee, a temporary license may be issued to any applicant who is eligible for admission to a cosmetologist's examination or **[a manicurist's examination] to the examination for any of the limited licenses**. An applicant who is thus licensed shall practice only under the supervision of a licensed teacher or cosmetologist, **or under the supervision of the holder of a corresponding limited license**, until the time of the next scheduled examination. Temporary licenses are granted for a nine-month period.

Section 10. Section 13(a) of the act, amended June 30, 1984 (P.L.479, No.100), is amended to read:

Section 13. Powers and Duties of Board.—(a) The board shall have the power to refuse, revoke, refuse to renew or suspend licenses, upon due hearing, on proof of violation of any provisions of this act, or the rules and regulations established by the board under this act, or for gross incompetency or dishonest or unethical practices, or for failing to submit to an inspection of a licensee's **[shop] salon** during the business hours of the **[shop] salon** and shall have the power to require the attendance of witnesses and the production of such books, records, and papers as may be necessary. Before any licenses shall be suspended or revoked for any of the reasons contained in this section, the holder thereof shall have notice in writing of the charge or charges against him or her and shall, at a day specified in said notice, be given a public hearing before a duly authorized representative of the board with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her. Any person whose license has been so suspended may on application to the board have the same reissued to him or her, upon satisfactory proof that the disqualification has ceased.

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Section 11. Section 14 of the act, amended June 29, 2002 (P.L.645, No.98), is amended to read:

Section 14. Sanitary Rules.—The board shall prescribe such sanitary rules as it may deem necessary, with particular reference to the precautions necessary to be employed to prevent the creating and spreading of infectious

and contagious diseases; and it shall be unlawful for the owner of any **[cosmetology shop] salon** or school of cosmetology to permit any person to sleep in or use for residential purposes any room used wholly or in part as a **[cosmetology shop] salon** or school of cosmetology.

Section 12. Section 14.1 of the act, added June 30, 1984 (P.L.479, No.100), is amended to read:

Section 14.1. Tanning Units.—The board may not prescribe or enforce any regulation prohibiting the use of any type of tanning unit in cosmetology **[shops] salons** unless the United States Food and Drug Administration, or another Federal or Commonwealth agency of comparable expertise on matters of public health, determines that the use of that type of tanning unit in accordance with the manufacturer's instructions presents a serious risk to the public.

Section 13. Section 16(a) and (b) of the act, amended June 30, 1984 (P.L.479, No.100) and June 29, 2002 (P.L.645, No.98), are amended and the section is amended by adding a subsection designation to read:

Section 16. Fees.—(a) The board shall, by regulation, fix the following fees: (1) for the issuance of a license, with or without examination, for cosmetology **[shop] salon** owners, teachers, cosmetologists, **[manicurists, manicurist shops,] nail technicians, nail technology salons, estheticians, esthetician salons, natural hair braiders, natural hair braiding salons,** students[,] *and* cosmetology schools;

(1.1) **[and]** for registration fee for apprentices; and

(2) *for* biennial renewal **[fees for] of** cosmetology **[shop] salon** owners, school instructors, cosmetologists, **[manicurists, cosmetology schools and manicurist shops.] nail technicians, estheticians, natural hair braiders, cosmetology schools, nail technology salons, esthetician salons and natural hair braiding salons.**

(a.1) Fees for registration, licensure and examination shall be paid in advance to the department into the Professional Licensure Augmentation Account.

(b) In case a **[cosmetology shop] salon** owner changes the location of his or her **[shop] salon**, a new license must be secured. The board shall, by regulation, fix the fee required for such new license.

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Section 14. Sections 18.1 and 19(b) of the act, amended or added June 30, 1984 (P.L.479, No.100), are amended to read:

Section 18.1. Customer Complaints.—Each **[shop] salon** shall have displayed in a conspicuous place near the **[shop] salon** entrance a notice to customers listing the phone number at which a customer may report a complaint to the State Board of Cosmetology.

Section 19. Duration and Renewal of Licenses.—* * *

(b) **[A cosmetologist] An individual holding a license to practice cosmetology or an individual holding a limited license** who is not engaged in **[the practice of cosmetology] practice** shall request the board, in writing,

to place his license in escrow and thus protect his right to obtain a license at any such time within a five-year period if he desires to again become engaged in the practice of cosmetology *or the practice of nail technology, natural hair braiding or esthetics.*

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Section 15. Section 20(b), (c), (c.2) and (e) of the act, amended June 30, 1984 (P.L.479, No.100) and June 29, 2002 (P.L.645, No.98), are amended to read:

Section 20. Penalties.—* * *

(b) **[Any cosmetologist, teacher, student or apprentice]** *An individual holding a cosmetology license or limited license or individual registered as an apprentice* who shall practice **[the profession of cosmetology]** while knowingly suffering from contagious or infectious disease, or who shall knowingly serve any person afflicted with such disease, shall be guilty of a summary offense, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding three hundred dollars (\$300.00), or undergo an imprisonment not exceeding thirty (30) days, or both, at the discretion of the court.

(c) **[Any cosmetologist, teacher, student or apprentice]** *An individual holding a cosmetology license or limited license or individual registered as an apprentice* who shall infect any person, or who shall impart any contagious or infectious disease, by reason of carelessness or negligence in **[the] practice [of such profession]**, shall be guilty of a summary offense, and, upon conviction, shall be sentenced to pay a fine not exceeding three hundred dollars (\$300.00), or to undergo an imprisonment not exceeding three months, or both, at the discretion of the court.

(c.2) In addition to any other civil remedy or criminal penalty provided for in this act, the board, by a vote of the majority of the maximum number of the authorized membership of the board as provided by this act or by a vote of the majority of the qualified and confirmed membership or a minimum of five members, whichever is greater, may levy a civil penalty of up to one thousand dollars (\$1,000.00) on any current licensee who violates any provisions of this act or on any person who practices cosmetology, *natural hair braiding, nail technology or esthetics* without being properly licensed to do so under this act. The board shall levy this penalty only after affording the accused party the opportunity for a hearing, as provided in Title 2 of the Pennsylvania Consolidated Statutes (relating to administrative law and procedure).

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(e) The owner of any **[shop] salon** employing an unlicensed cosmetologist *or an unlicensed natural hair braider, nail technician or esthetician* shall, upon conviction, be sentenced to pay a fine not exceeding five hundred dollars (\$500.00), or to undergo imprisonment not exceeding six (6) months, or both, at the discretion of the court.

Section 16. The State Board of Cosmetology shall promulgate regulations required to implement this act within 18 months of the effective date of this section. The board shall provide a written report every 60 days regarding the steps taken to promulgate regulations to the Consumer Protection and Professional Licensure Committee of the Senate, the Professional Licensure Committee of the House of Representatives, the Commissioner of the Bureau of Professional and Occupational Affairs and the Secretary of the Commonwealth.

Section 17. This act shall take effect in 60 days.

APPROVED—The 7th day of July, A.D. 2006.

EDWARD G. RENDELL