



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB2877

Introduced 2/14/2018, by Sen. Chuck Weaver

#### SYNOPSIS AS INTRODUCED:

225 ILCS 410/2-7	from Ch. 111, par. 1702-7
225 ILCS 410/3-6	from Ch. 111, par. 1703-6
225 ILCS 410/3A-5	from Ch. 111, par. 1703A-5
225 ILCS 410/3C-7	from Ch. 111, par. 1703C-7

Amends the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985. Provides that an applicant for licensure as a barber or teacher of barbering may take the licensure examination after completing 1,200 hours in the study of barbering. Provides that an applicant for licensure as a cosmetologist or teacher of cosmetology may take the licensure examination after completing 1,200 hours in the study of cosmetology. Provides that an applicant for licensure as an esthetician or teacher of esthetics may take the licensure examination after completing 600 hours in the study of esthetics. Provides that an applicant for licensure as a nail technician or teacher of nail technology may take the licensure examination after completing 280 hours in the study of nail technology.

LRB100 18545 XWW 33763 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Barber, Cosmetology, Esthetics, Hair  
5 Braiding, and Nail Technology Act of 1985 is amended by  
6 changing Sections 2-7, 3-6, 3A-5, and 3C-7 as follows:

7 (225 ILCS 410/2-7) (from Ch. 111, par. 1702-7)

8 (Section scheduled to be repealed on January 1, 2026)

9 Sec. 2-7. Examination of applicants. The Department shall  
10 hold examinations of applicants for licensure as barbers and  
11 teachers of barbering at such times and places as it may  
12 determine. Upon request, the examinations shall be  
13 administered in Spanish.

14 Each applicant shall be given a written examination testing  
15 both theoretical and practical knowledge of the following  
16 subjects insofar as they are related and applicable to the  
17 practice of barber science and art: (1) anatomy, (2)  
18 physiology, (3) skin diseases, (4) hygiene and sanitation, (5)  
19 barber history, (6) this Act and the rules for the  
20 administration of this Act, (7) hair cutting and styling, (8)  
21 shaving, shampooing, and permanent waving, (9) massaging, (10)  
22 bleaching, tinting, and coloring, and (11) implements.

23 The examination of applicants for licensure as a barber

1 teacher shall include: (a) practice of barbering and styling,  
2 (b) theory of barbering, (c) methods of teaching, and (d)  
3 school management.

4 An applicant who has completed 1,200 hours in the study of  
5 barbering may take the examination. If an applicant for  
6 licensure as a barber fails to pass 3 examinations conducted by  
7 the Department, the applicant shall, before taking a subsequent  
8 examination, furnish evidence of not less than 250 hours of  
9 additional study of barbering in an approved school of  
10 barbering or cosmetology since the applicant last took the  
11 examination. If an applicant for licensure as a barber teacher  
12 fails to pass 3 examinations conducted by the Department, the  
13 applicant shall, before taking a subsequent examination,  
14 furnish evidence of not less than 80 hours of additional study  
15 in teaching methodology and educational psychology in an  
16 approved school of barbering or cosmetology since the applicant  
17 last took the examination. An applicant who fails to pass the  
18 fourth examination shall not again be admitted to an  
19 examination unless: (i) in the case of an applicant for  
20 licensure as a barber, the applicant again takes and completes  
21 a program of 1,500 hours in the study of barbering in an  
22 approved school of barbering or cosmetology extending over a  
23 period that commences after the applicant fails to pass the  
24 fourth examination and that is not less than 8 months nor more  
25 than 7 consecutive years in duration; or (ii) in the case of an  
26 applicant for licensure as a barber teacher, the applicant

1 again takes and completes a program of 1,000 hours of teacher  
2 training in an approved school of barbering or cosmetology,  
3 except that if the applicant had 2 years of practical  
4 experience as a licensed barber within the 5 years preceding  
5 the initial examination taken by the applicant, the applicant  
6 must again take and complete a program of 500 hours of teacher  
7 training in an approved school of barbering or cosmetology. The  
8 requirements for remedial training set forth in this Section  
9 may be waived in whole or in part by the Department upon proof  
10 to the Department that the applicant has demonstrated  
11 competence to again sit for the examination. The Department  
12 shall adopt rules establishing standards by which this  
13 determination shall be made.

14 This Act does not prohibit the practice as a barber or  
15 barber teacher by one who has applied in writing to the  
16 Department, in form and substance satisfactory to the  
17 Department, for a license and has complied with all the  
18 provisions of this Act in order to qualify for a license except  
19 the passing of an examination, until: (a) the expiration of 6  
20 months after the filing of such written application, or (b) the  
21 decision of the Department that the applicant has failed to  
22 pass an examination within 6 months or failed without an  
23 approved excuse to take an examination conducted within 6  
24 months by the Department, or (c) the withdrawal of the  
25 application.

26 (Source: P.A. 99-427, eff. 8-21-15.)

1 (225 ILCS 410/3-6) (from Ch. 111, par. 1703-6)

2 (Section scheduled to be repealed on January 1, 2026)

3 Sec. 3-6. Examination. The Department shall authorize  
4 examinations of applicants for licensure as cosmetologists and  
5 teachers of cosmetology at the times and places it may  
6 determine. The Department may provide by rule for the  
7 administration of the examination prior to the completion of  
8 the applicant's program of training as required in Section 3-2,  
9 3-3, or 3-4. Notwithstanding Section 3-2, 3-3, or 3-4, an  
10 applicant who has completed 1,200 hours in the study of  
11 cosmetology may take the examination. If an applicant for  
12 licensure as a cosmetologist fails to pass 3 examinations  
13 conducted by the Department, the applicant shall, before taking  
14 a subsequent examination, furnish evidence of not less than 250  
15 hours of additional study of cosmetology in an approved school  
16 of cosmetology since the applicant last took the examination.  
17 If an applicant for licensure as a cosmetology teacher fails to  
18 pass 3 examinations conducted by the Department, the applicant  
19 shall, before taking a subsequent examination, furnish  
20 evidence of not less than 80 hours of additional study in  
21 teaching methodology and educational psychology in an approved  
22 school of cosmetology since the applicant last took the  
23 examination. An applicant who fails to pass the fourth  
24 examination shall not again be admitted to an examination  
25 unless: (i) in the case of an applicant for licensure as a

1 cosmetologist, the applicant again takes and completes a  
2 program of 1500 hours in the study of cosmetology in an  
3 approved school of cosmetology extending over a period that  
4 commences after the applicant fails to pass the fourth  
5 examination and that is not less than 8 months nor more than 7  
6 consecutive years in duration; (ii) in the case of an applicant  
7 for licensure as a cosmetology teacher, the applicant again  
8 takes and completes a program of 1000 hours of teacher training  
9 in an approved school of cosmetology, except that if the  
10 applicant had 2 years of practical experience as a licensed  
11 cosmetologist within the 5 years preceding the initial  
12 examination taken by the applicant, the applicant must again  
13 take and complete a program of 500 hours of teacher training in  
14 an approved school of cosmetology, esthetics, or nail  
15 technology; or (iii) in the case of an applicant for licensure  
16 as a cosmetology clinic teacher, the applicant again takes and  
17 completes a program of 250 hours of clinic teacher training in  
18 a licensed school of cosmetology or an instructor's institute  
19 of 20 hours. The requirements for remedial training set forth  
20 in this Section may be waived in whole or in part by the  
21 Department upon proof to the Department that the applicant has  
22 demonstrated competence to again sit for the examination. The  
23 Department shall adopt rules establishing the standards by  
24 which this determination shall be made. Each cosmetology  
25 applicant shall be given a written examination testing both  
26 theoretical and practical knowledge, which shall include, but

1 not be limited to, questions that determine the applicant's  
2 knowledge of product chemistry, sanitary rules, sanitary  
3 procedures, chemical service procedures, hazardous chemicals  
4 and exposure minimization, knowledge of the anatomy of the  
5 skin, scalp, hair, and nails as they relate to applicable  
6 services under this Act and labor and compensation laws.

7 The examination of applicants for licensure as a  
8 cosmetology, esthetics, or nail technology teacher may include  
9 all of the elements of the exam for licensure as a  
10 cosmetologist, esthetician, or nail technician and also  
11 include teaching methodology, classroom management, record  
12 keeping, and any other related subjects that the Department in  
13 its discretion may deem necessary to insure competent  
14 performance.

15 This Act does not prohibit the practice of cosmetology by  
16 one who has applied in writing to the Department, in form and  
17 substance satisfactory to the Department, for a license as a  
18 cosmetologist, or the teaching of cosmetology by one who has  
19 applied in writing to the Department, in form and substance  
20 satisfactory to the Department, for a license as a cosmetology  
21 teacher or cosmetology clinic teacher, if the person has  
22 complied with all the provisions of this Act in order to  
23 qualify for a license, except the passing of an examination to  
24 be eligible to receive a license, until: (a) the expiration of  
25 6 months after the filing of the written application, (b) the  
26 decision of the Department that the applicant has failed to

1 pass an examination within 6 months or failed without an  
2 approved excuse to take an examination conducted within 6  
3 months by the Department, or (c) the withdrawal of the  
4 application.

5 (Source: P.A. 99-427, eff. 8-21-15.)

6 (225 ILCS 410/3A-5) (from Ch. 111, par. 1703A-5)

7 (Section scheduled to be repealed on January 1, 2026)

8 Sec. 3A-5. Examination.

9 (a) The Department shall authorize examinations of  
10 applicants for a license as an esthetician or teacher of  
11 esthetics at such times and places as it may determine. The  
12 Department shall authorize no fewer than 4 examinations for a  
13 license as an esthetician or a teacher of esthetics in a  
14 calendar year. An applicant who has completed 600 hours in the  
15 study of esthetics may take the examination.

16 If an applicant neglects, fails without an approved excuse,  
17 or refuses to take the next available examination offered for  
18 licensure under this Act, the fee paid by the applicant shall  
19 be forfeited to the Department and the application denied. If  
20 an applicant fails to pass an examination for licensure under  
21 this Act within 3 years after filing his or her application,  
22 the application shall be denied. However, such applicant may  
23 thereafter make a new application for examination, accompanied  
24 by the required fee, if he or she meets the requirements in  
25 effect at the time of reapplication. If an applicant for



1 licensure as an esthetician is unsuccessful at 3 examinations  
2 conducted by the Department, the applicant shall, before taking  
3 a subsequent examination, furnish evidence of not less than 125  
4 hours of additional study of esthetics in an approved school of  
5 cosmetology or esthetics since the applicant last took the  
6 examination. If an applicant for licensure as an esthetics  
7 teacher is unsuccessful at 3 examinations conducted by the  
8 Department, the applicant shall, before taking a subsequent  
9 examination, furnish evidence of not less than 80 hours of  
10 additional study in teaching methodology and educational  
11 psychology in a licensed school of cosmetology or esthetics  
12 since the applicant last took the examination. An applicant who  
13 fails to pass a fourth examination shall not again be admitted  
14 to an examination unless (i) in the case of an applicant for  
15 licensure as an esthetician, the applicant shall again take and  
16 complete a program of 750 hours in the study of esthetics in a  
17 licensed school of cosmetology approved to teach esthetics or a  
18 school of esthetics, extending over a period that commences  
19 after the applicant fails to pass the fourth examination and  
20 that is not less than 18 weeks nor more than 4 consecutive  
21 years in duration; or (ii) in the case of an applicant for a  
22 license as an esthetics teacher, the applicant shall again take  
23 and complete a program of 750 hours of teacher training in a  
24 school of cosmetology approved to teach esthetics or a school  
25 of esthetics, except that if the applicant had 2 years of  
26 practical experience as a licensed cosmetologist or

1 esthetician within 5 years preceding the initial examination  
2 taken by the applicant, the applicant must again take and  
3 complete a program of 500 hours of teacher training in licensed  
4 cosmetology or a licensed esthetics school.

5 (b) Each applicant shall be given a written examination  
6 testing both theoretical and practical knowledge which shall  
7 include, but not be limited to, questions that determine the  
8 applicant's knowledge, as provided by rule.

9 (c) The examination of applicants for licensure as an  
10 esthetics teacher may include:

11 (1) teaching methodology;

12 (2) classroom management; and

13 (3) record keeping and any other subjects that the  
14 Department may deem necessary to insure competent  
15 performance.

16 (d) This Act does not prohibit the practice of esthetics by  
17 one who has applied in writing to the Department, in form and  
18 substance satisfactory to the Department, for a license as an  
19 esthetician or an esthetics teacher and has complied with all  
20 the provisions of this Act in order to qualify for a license,  
21 except the passing of an examination to be eligible to receive  
22 such license certificate, until: (i) the expiration of 6 months  
23 after the filing of such written application, or (ii) the  
24 decision of the Department that the applicant has failed to  
25 pass an examination within 6 months or failed without an  
26 approved excuse to take an examination conducted within 6

1 months by the Department, or (iii) the withdrawal of the  
2 application.

3 (Source: P.A. 98-911, eff. 1-1-15.)

4 (225 ILCS 410/3C-7) (from Ch. 111, par. 1703C-7)

5 (Section scheduled to be repealed on January 1, 2026)

6 Sec. 3C-7. Examinations; failure or refusal to take  
7 examination. The Department shall authorize examinations of  
8 applicants for licenses as nail technicians and teachers of  
9 nail technology at the times and places as it may determine. An  
10 applicant who has completed 280 hours in the study of nail  
11 technology may take the examination.

12 The Department shall authorize not less than 4 examinations  
13 for licenses as nail technicians, and nail technology teachers  
14 in a calendar year.

15 If an applicant neglects, fails without an approved excuse,  
16 or refuses to take the next available examination offered for  
17 licensure under this Act, the fee paid by the applicant shall  
18 be forfeited to the Department and the application denied. If  
19 an applicant fails to pass an examination for licensure under  
20 this Act within 3 years after filing an application, the  
21 application shall be denied. Nevertheless, the applicant may  
22 thereafter make a new application for examination, accompanied  
23 by the required fee, if he or she meets the requirements in  
24 effect at the time of reapplication. If an applicant for  
25 licensure as a nail technician or nail technology teacher is

1 unsuccessful at 3 examinations conducted by the Department, the  
2 applicant shall, before taking a subsequent examination,  
3 furnish evidence of successfully completing (i) for a nail  
4 technician, not less than 60 hours of additional study of nail  
5 technology in a licensed school of cosmetology approved to  
6 teach nail technology or nail technology and (ii) for a nail  
7 technology teacher, not less than 80 hours of additional study  
8 in teaching methodology and educational psychology in an  
9 approved school of cosmetology or nail technology since the  
10 applicant last took the examination.

11 An applicant who fails the fourth examination shall not  
12 again be admitted to an examination unless: (i) in the case of  
13 an applicant for a license as a nail technician, the applicant  
14 again takes and completes a total of 350 hours in the study of  
15 nail technology in an approved school of cosmetology or nail  
16 technology extending over a period that commences after the  
17 applicant fails to pass the fourth examination and that is not  
18 less than 8 weeks nor more than 2 consecutive years in  
19 duration; or (ii) in the case of an applicant for licensure as  
20 a nail technology teacher, the applicant again takes and  
21 completes a program of 625 hours of teacher training in a  
22 licensed school of cosmetology, or nail technology, except that  
23 if the applicant had 2 years of practical experience as a  
24 licensed nail technician within 5 years preceding the initial  
25 examination taken by the applicant, the applicant must again  
26 take and complete a program of 500 hours of teacher training in

1 a licensed school of cosmetology approved to teach nail  
2 technology, or a licensed school of nail technology.

3 Each applicant for licensure as a nail technician shall be  
4 given a written examination testing both theoretical and  
5 practical knowledge, which shall include, but not be limited  
6 to, questions that determine the applicant's knowledge of  
7 product chemistry, sanitary rules, sanitary procedures,  
8 hazardous chemicals and exposure minimization, this Act, and  
9 labor and compensation laws.

10 The examination for licensure as a nail technology teacher  
11 may include knowledge of the subject matter, teaching  
12 methodology, classroom management, record keeping, and any  
13 other subjects that the Department in its discretion may deem  
14 necessary to insure competent performance.

15 This Act does not prohibit the practice of nail technology  
16 by a person who has applied in writing to the Department, in  
17 form and substance satisfactory to the Department, for a  
18 license as a nail technician, or the teaching of nail  
19 technology by one who has applied in writing to the Department,  
20 in form and substance satisfactory to the Department, for a  
21 license as a nail technology teacher, if the person has  
22 complied with all the provisions of this Act in order to  
23 qualify for a license, except the passing of an examination to  
24 be eligible to receive a license, until: (a) the expiration of  
25 6 months after the filing of the written application, or (b)  
26 the decision of the Department that the applicant has failed to

1 pass an examination within 6 months or failed without an  
2 approved excuse to take an examination conducted within 6  
3 months by the Department, or (c) the withdrawal of the  
4 application.

5 (Source: P.A. 98-911, eff. 1-1-15.)