

SECOND REGULAR SESSION

[TRULY AGREED TO AND FINALLY PASSED]

HOUSE BILL NO. 1622

92ND GENERAL ASSEMBLY

4769L.01T

2004

AN ACT

To repeal section 329.010, RSMo, and to enact in lieu thereof one new section relating to cosmetology.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 329.010, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 329.010, to read as follows:

329.010. As used in this chapter, unless the context clearly indicates otherwise, the following words and terms mean:

(1) "Apprentice" or "student", a person who is engaged in training within a cosmetology establishment or school, and while so training performs any of the practices of the classified occupations within this chapter under the immediate direction and supervision of a registered cosmetologist or instructor;

(2) "Board", the state board of cosmetology;

(3) "Cosmetologist", any person who, for compensation, engages in the practice of cosmetology, as defined in subdivision (4) of this section;

(4) "Cosmetology" includes performing or offering to engage in any acts of the classified occupations of cosmetology for compensation, which shall include:

(a) "Class CH - hairdresser" includes arranging, dressing, curling, singeing, waving, permanent waving, cleansing, cutting, bleaching, tinting, coloring or similar work upon the hair of any person by any means; or removing superfluous hair from the body of any person by means other than electricity, or any other means of arching or tinting eyebrows or tinting eyelashes. Class CH - hairdresser, also includes, any person who either with the person's hands or with mechanical or electrical apparatuses or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams engages for compensation in any one or any combination of the following: massaging, cleaning, stimulating, manipulating, exercising, beautifying or similar work upon the scalp, face, neck, arms or bust;

21 (b) "Class MO - manicurist" includes cutting, trimming, polishing, coloring, tinting,
22 cleaning or otherwise beautifying a person's fingernails, applying artificial fingernails,
23 massaging, cleaning a person's hands and arms; pedicuring, which includes, cutting, trimming,
24 polishing, coloring, tinting, cleaning or otherwise beautifying a person's toenails, applying
25 artificial toenails, massaging and cleaning a person's legs and feet;

26 (c) "Class CA - hairdressing and manicuring" includes all practices of cosmetology, as
27 defined in paragraphs (a) and (b) of this subdivision;

28 (d) "Class E - estheticians" includes the use of mechanical, electrical apparatuses or
29 appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams, not to
30 exceed ten percent phenol, engages for compensation, either directly or indirectly, in any one,
31 or any combination, of the following practices: massaging, cleansing, stimulating, manipulating,
32 exercising, beautifying or similar work upon the scalp, face, neck, ears, arms, hands, bust, torso,
33 legs or feet and removing superfluous hair by means other than electric needle or any other
34 means of arching or tinting eyebrows or tinting eyelashes, of any person;

35 (5) "Cosmetology establishment", that part of any building wherein or whereupon any
36 of the classified occupations are practiced **including any space rented within a licensed**
37 **establishment by a person licensed under chapter 329, for the purpose of rendering**
38 **cosmetology services**;

39 (6) "Hairdresser", any person who, for compensation, engages in the practice of
40 cosmetology as defined in paragraph (a) of subdivision (4) of this section;

41 (7) "Instructor", any person who is licensed to teach cosmetology or any practices of
42 cosmetology pursuant to this chapter;

43 (8) "Manicurist", any person who, for compensation, engages in any or all of the
44 practices in paragraph (b) of subdivision (4) of this section;

45 (9) "School of cosmetology" or "school of manicuring", an establishment operated for
46 the purpose of teaching cosmetology as defined in subdivision (4) of this section.