

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Nifty Lynn Dio, Bureau Assistant on behalf of Brittany Lewin, Executive Director		2) Date When Request Submitted: 11/03/2016 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Cosmetology Examining Board			
4) Meeting Date: 11/07/16	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislative and Administrative Rule Matters – Discussion and Consideration	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: <p>The Board will discuss the proposed legislation presented by Rep. Kleefisch's office and determine any additional input for the Legislative Liaisons to provide. The current proposal gives the Board statutory authority and directs the Board to promulgate rules to clarify the details after the statutory change is enacted.</p>			
11) Authorization <i>Nifty Lynn Dio</i> <i>11/03/2016</i> <hr/> <small>Signature of person making this request</small> <small>Date</small> <hr/> <small>Supervisor (if required)</small> <small>Date</small> <hr/> <small>Brittany Lewin (via Email)</small> <hr/> <small>Executive Director signature (indicates approval to add post agenda deadline item to agenda)</small> <small>Date</small>			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-4919/P1
MPG:kjf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to amend* 454.08 (1) (a), 454.08 (1) (b) and 454.25 (1) (a); and *to create*
2 454.08 (1) (am) of the statutes; **relating to:** practicing barbering and
3 cosmetology outside licensed establishments and granting rule-making
4 authority.

Analysis by the Legislative Reference Bureau

This bill requires the Cosmetology Examining Board and the Department of Safety and Professional Services to promulgate rules permitting the practice of cosmetology, aesthetics, and manicuring, in the case of the board, and barbering, in the case of DSPS, outside licensed establishments. Currently, such practice is authorized only for personal care services provided to persons who are home-bound or in a hospital, nursing home, correctional institution, or other institution. Under the bill, the rules must be consistent with protection of the public health, safety, and welfare.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 454.08 (1) (a) of the statutes is amended to read:

1 454.08 (1) (a) The examining board ~~may~~ shall promulgate rules consistent with
2 protection of the public health, safety, and welfare permitting the provision of
3 personal care cosmetology, aesthetics, electrology, ~~or~~ and manicuring services
4 outside of licensed establishments by cosmetologists, aestheticians, electrologists,
5 and manicurists to persons who are unable to leave their homes because of illness
6 or disability or who are in hospitals, nursing homes, correctional institutions, or
7 other institutions.

8 **SECTION 2.** 454.08 (1) (am) of the statutes is created to read:

9 454.08 (1) (am) The examining board shall promulgate rules consistent with
10 protection of the public health, safety, and welfare permitting the practice of
11 cosmetology, aesthetics, and manicuring outside of licensed establishments by
12 cosmetologists, aestheticians, and manicurists.

13 **SECTION 3.** 454.08 (1) (b) of the statutes is amended to read:

14 454.08 (1) (b) Except as permitted by rule promulgated under par. (a) or (am),
15 no person may practice cosmetology, aesthetics, electrology, or manicuring in an
16 establishment unless the establishment is licensed to provide that practice under
17 sub. (2).

18 **SECTION 4.** 454.25 (1) (a) of the statutes is amended to read:

19 454.25 (1) (a) The department ~~may~~ shall promulgate rules consistent with
20 protection of the public health, safety, and welfare permitting the provision of
21 barbering services by a barber outside of a licensed barbering establishment or a
22 licensed cosmetology establishment ~~by a barber, including rules permitting the~~
23 provision of barbering services to a person who is unable to leave his or her home

