



1 Services and reducing unnecessary burdens related to Cosmetology  
2 licensure. Through this Compact, the Member States seek to  
3 establish a regulatory framework which provides for a new  
4 multistate licensing program. Through this new licensing  
5 program, the Member States seek to provide increased value and  
6 mobility to licensed Cosmetologists in the Member States, while  
7 ensuring the provision of safe, effective, and reliable services  
8 to the public.

9 This Compact is designed to achieve the following objectives,  
10 and the Member States hereby ratify the same intentions by  
11 subscribing hereto:

12 A. Provide opportunities for interstate practice by  
13 Cosmetologists who meet uniform requirements for multistate  
14 licensure;

15 B. Enhance the abilities of Member States to protect  
16 public health and safety, and prevent fraud and unlicensed  
17 activity within the profession;

18 C. Ensure and encourage cooperation between Member States  
19 in the licensure and regulation of the Practice of Cosmetology;

20 D. Support relocating military members and their spouses;



1 E. Facilitate the exchange of information between Member  
2 States related to the licensure, investigation, and discipline  
3 of the Practice of Cosmetology; and

4 F. Provide for the licensure and mobility of the  
5 workforce in the profession, while addressing the shortage of  
6 workers and lessening the associated burdens on the Member  
7 States.

8 **ARTICLE 2. DEFINITIONS**

9 As used in this Compact, and except as otherwise provided, the  
10 following definitions shall govern the terms herein:

11 A. "Active Military Member" means any person with full-  
12 time duty status in the armed forces of the United States,  
13 including members of the National Guard and Reserve.

14 B. "Adverse Action" means any administrative, civil,  
15 equitable, or criminal action permitted by a Member State's laws  
16 which is imposed by a State Licensing Authority or other  
17 regulatory body against a Cosmetologist, including actions  
18 against an individual's license or Authorization to Practice  
19 such as revocation, suspension, probation, monitoring of the  
20 Licensee, limitation of the Licensee's practice, or any other  
21 Encumbrance on a license affecting an individual's ability to



1 participate in the Cosmetology industry, including the issuance  
2 of a cease and desist order.

3 C. "Authorization to Practice" means a legal  
4 authorization associated with a Multistate License permitting  
5 the Practice of Cosmetology in that Remote State, which shall be  
6 subject to the enforcement jurisdiction of the State Licensing  
7 Authority in that Remote State.

8 D. "Alternative Program" means a non-disciplinary  
9 monitoring or prosecutorial diversion program approved by a  
10 Member State's State Licensing Authority.

11 E. "Background Check" means the submission of information  
12 for an applicant for the purpose of obtaining that applicant's  
13 criminal history record information, as further defined in 28  
14 C.F.R. § 20.3(d), from the Federal Bureau of Investigation and  
15 the agency responsible for retaining State criminal or  
16 disciplinary history in the applicant's Home State.

17 F. "Charter Member State" means Member States who have  
18 enacted legislation to adopt this Compact where such legislation  
19 predates the effective date of this Compact as defined in  
20 Article 13.



1           G.    "Commission" means the government agency whose  
2 membership consists of all States that have enacted this  
3 Compact, which is known as the Cosmetology Licensure Compact  
4 Commission, as defined in Article 9, and which shall operate as  
5 an instrumentality of the Member States.

6           H.    "Cosmetologist" means an individual licensed in their  
7 Home State to practice Cosmetology.

8           I.    "Cosmetology", "Cosmetology Services", and the  
9 "Practice of Cosmetology" mean the care and services provided by  
10 a Cosmetologist as set forth in the Member State's statutes and  
11 regulations in the State where the services are being provided.

12          J.    "Current Significant Investigative Information" means:

13           1.    Investigative Information that a State Licensing  
14 Authority, after an inquiry or investigation that  
15 complies with a Member State's due process  
16 requirements, has reason to believe is not groundless  
17 and, if proved true, would indicate a violation of  
18 that State's laws regarding fraud or the Practice of  
19 Cosmetology; or

20           2.    Investigative Information that indicates that a  
21 Licensee has engaged in fraud or represents an



1           immediate threat to public health and safety,  
2           regardless of whether the Licensee has been notified  
3           and had an opportunity to respond.

4           K.    "Data System" means a repository of information about  
5 Licensees, including, but not limited to, license status,  
6 Investigative Information, and Adverse Actions.

7           L.    "Disqualifying Event" means any event which shall  
8 disqualify an individual from holding a Multistate License under  
9 this Compact, which the Commission may by Rule or order specify.

10          M.    "Encumbered License" means a license in which an  
11 Adverse Action restricts the Practice of Cosmetology by a  
12 Licensee, or where said Adverse Action has been reported to the  
13 Commission.

14          N.    "Encumbrance" means a revocation or suspension of, or  
15 any limitation on, the full and unrestricted Practice of  
16 Cosmetology by a State Licensing Authority.

17          O.    "Executive Committee" means a group of delegates  
18 elected or appointed to act on behalf of, and within the powers  
19 granted to them by, the Commission.

20          P.    "Home State" means the Member State which is a  
21 Licensee's primary State of residence, and where that Licensee



1 holds an active and unencumbered license to practice  
2 Cosmetology.

3 Q. "Investigative Information" means information,  
4 records, or documents received or generated by a State Licensing  
5 Authority pursuant to an investigation or other inquiry.

6 R. "Jurisprudence Requirement" means the assessment of an  
7 individual's knowledge of the laws and rules governing the  
8 Practice of Cosmetology in a State.

9 S. "Licensee" means an individual who currently holds a  
10 license from a Member State to practice as a Cosmetologist.

11 T. "Member State" means any State that has adopted this  
12 Compact.

13 U. "Multistate License" means a license issued by and  
14 subject to the enforcement jurisdiction of the State Licensing  
15 Authority in a Licensee's Home State, which authorizes the  
16 Practice of Cosmetology in Member States and includes  
17 Authorizations to Practice Cosmetology in all Remote States  
18 pursuant to this Compact.

19 V. "Remote State" means any Member State, other than the  
20 Licensee's Home State.



1           W.    "Rule" means any rule or regulation promulgated by the  
2 Commission under this Compact which has the force of law.

3           X.    "Single-State License" means a Cosmetology license  
4 issued by a Member State that authorizes practice of Cosmetology  
5 only within the issuing State and does not include any  
6 authorization outside of the issuing State.

7           Y.    "State" means a State, territory, or possession of the  
8 United States and the District of Columbia.

9           Z.    "State Licensing Authority" means a Member State's  
10 regulatory body responsible for issuing Cosmetology licenses or  
11 otherwise overseeing the Practice of Cosmetology in that State.

12           **ARTICLE 3. MEMBER STATE REQUIREMENTS**

13           A. To be eligible to join this Compact, and to maintain  
14 eligibility as a Member State, a State must:

- 15           1. License and regulate Cosmetology;
- 16           2. Have a mechanism or entity in place to receive and  
17 investigate complaints about Licensees practicing in  
18 that State;
- 19           3. Require that Licensees within the State pass a  
20 Cosmetology competency examination prior to being



1 licensed to provide Cosmetology Services to the public  
2 in that State;

3 4. Require that Licensees satisfy educational or training  
4 requirements in Cosmetology prior to being licensed to  
5 provide Cosmetology Services to the public in that  
6 State;

7 5. Implement procedures for considering one or more of  
8 the following categories of information from  
9 applicants for licensure: criminal history;  
10 disciplinary history; or Background Check. Such  
11 procedures may include the submission of information  
12 by applicants for the purpose of obtaining an  
13 applicant's Background Check as defined herein;

14 6. Participate in the Data System, including through the  
15 use of unique identifying numbers;

16 7. Share information related to Adverse Actions with the  
17 Commission and other Member States, both through the  
18 Data System and otherwise;

19 8. Notify the Commission and other Member States, in  
20 compliance with the terms of the Compact and Rules of  
21 the Commission, of the existence of Investigative

1 Information or Current Significant Investigative  
2 Information in the State's possession regarding a  
3 Licensee practicing in that State;

4 9. Comply with such Rules as may be enacted by the  
5 Commission to administer the Compact; and

6 10. Accept Licensees from other Member States as  
7 established herein.

8 B. Member States may charge a fee for granting a license  
9 to practice Cosmetology.

10 C. Individuals not residing in a Member State shall  
11 continue to be able to apply for a Member State's Single-State  
12 License as provided under the laws of each Member State.  
13 However, the Single-State License granted to these individuals  
14 shall not be recognized as granting a Multistate License to  
15 provide services in any other Member State.

16 D. Nothing in this Compact shall affect the requirements  
17 established by a Member State for the issuance of a Single-State  
18 License.

19 E. A Multistate License issued to a Licensee by a Home  
20 State to a resident of that State shall be recognized by each



1 Member State as authorizing a Licensee to practice Cosmetology  
2 in each Member State.

3 F. At no point shall the Commission have the power to  
4 define the educational or professional requirements for a  
5 license to practice Cosmetology. The Member States shall retain  
6 sole jurisdiction over the provision of these requirements.

7 **ARTICLE 4. MULTISTATE LICENSE**

8 A. To be eligible to apply to their Home State's State  
9 Licensing Authority for an initial Multistate License under this  
10 Compact, a Licensee must hold an active and unencumbered Single-  
11 State License to practice Cosmetology in their Home State.

12 B. Upon the receipt of an application for a Multistate  
13 License, according to the Rules of the Commission, a Member  
14 State's State Licensing Authority shall ascertain whether the  
15 applicant meets the requirements for a Multistate License under  
16 this Compact.

17 C. If an applicant meets the requirements for a  
18 Multistate License under this Compact and any applicable Rules  
19 of the Commission, the State Licensing Authority in receipt of  
20 the application shall, within a reasonable time, grant a



1 Multistate License to that applicant, and inform all Member  
2 States of the grant of said Multistate License.

3 D. A Multistate License to practice Cosmetology issued by  
4 a Member State's State Licensing Authority shall be recognized  
5 by each Member State as authorizing the practice thereof as  
6 though that Licensee held a Single-State License to do so in  
7 each Member State, subject to the restrictions herein.

8 E. A Multistate License granted pursuant to this Compact  
9 may be effective for a definite period of time, concurrent with  
10 the licensure renewal period in the Home State.

11 F. To maintain a Multistate License under this Compact, a  
12 Licensee must:

- 13 1. Agree to abide by the rules of the State Licensing  
14 Authority, and the State scope of practice laws  
15 governing the Practice of Cosmetology, of any Member  
16 State in which the Licensee provides services;
- 17 2. Pay all required fees related to the application and  
18 process, and any other fees which the Commission may  
19 by Rule require; and



1           3. Comply with any and all other requirements regarding  
2           Multistate Licenses which the Commission may by Rule  
3           provide.

4           G. A Licensee practicing in a Member State is subject to  
5 all scope of practice laws governing Cosmetology Services in  
6 that State.

7           H. The Practice of Cosmetology under a Multistate License  
8 granted pursuant to this Compact will subject the Licensee to  
9 the jurisdiction of the State Licensing Authority, the courts,  
10 and the laws of the Member State in which the Cosmetology  
11 Services are provided.

12           **ARTICLE 5. REISSUANCE OF A MULTISTATE LICENSE BY A NEW**  
13           **HOME STATE**

14           A. A Licensee may hold a Multistate License, issued by  
15 their Home State, in only one Member State at any given time.

16           B. If a Licensee changes their Home State by moving  
17 between two Member States:

18           1. The Licensee shall immediately apply for the  
19           reissuance of their Multistate License in their new  
20           Home State. The Licensee shall pay all applicable



- 1 fees and notify the prior Home State in accordance  
2 with the Rules of the Commission.
- 3 2. Upon receipt of an application to reissue a Multistate  
4 License, the new Home State shall verify that the  
5 Multistate License is active, unencumbered and  
6 eligible for reissuance under the terms of the Compact  
7 and the Rules of the Commission. The Multistate  
8 License issued by the prior Home State will be  
9 deactivated and all Member States notified in  
10 accordance with the applicable Rules adopted by the  
11 Commission.
- 12 3. If required for initial licensure, the new Home State  
13 may require a Background Check as specified in the  
14 laws of that State, or the compliance with any  
15 Jurisprudence Requirements of the new Home State.
- 16 4. Notwithstanding any other provision of this Compact,  
17 if a Licensee does not meet the requirements set forth  
18 in this Compact for the reissuance of a Multistate  
19 License by the new Home State, then the Licensee shall  
20 be subject to the new Home State requirements for the  
21 issuance of a Single-State License in that State.



1 C. If a Licensee changes their primary state of residence  
2 by moving from a Member State to a non-Member State, or from a  
3 non-Member State to a Member State, then the Licensee shall be  
4 subject to the State requirements for the issuance of a Single-  
5 State License in the new Home State.

6 D. Nothing in this Compact shall interfere with a  
7 Licensee's ability to hold a Single-State License in multiple  
8 States; however, for the purposes of this Compact, a Licensee  
9 shall have only one Home State, and only one Multistate License.

10 E. Nothing in this Compact shall interfere with the  
11 requirements established by a Member State for the issuance of a  
12 Single-State License.

13 **ARTICLE 6. AUTHORITY OF THE COMPACT COMMISSION AND MEMBER**  
14 **STATE LICENSING AUTHORITIES**

15 A. Nothing in this Compact, nor any Rule or regulation of  
16 the Commission, shall be construed to limit, restrict, or in any  
17 way reduce the ability of a Member State to enact and enforce  
18 laws, regulations, or other rules related to the Practice of  
19 Cosmetology in that State, where those laws, regulations, or  
20 other rules are not inconsistent with the provisions of this  
21 Compact.



1           B.    Insofar as practical, a Member State's State Licensing  
2 Authority shall cooperate with the Commission and with each  
3 entity exercising independent regulatory authority over the  
4 Practice of Cosmetology according to the provisions of this  
5 Compact.

6           C.    Discipline shall be the sole responsibility of the  
7 State in which Cosmetology Services are provided. Accordingly,  
8 each Member State's State Licensing Authority shall be  
9 responsible for receiving complaints about individuals  
10 practicing Cosmetology in that State, and for communicating all  
11 relevant Investigative Information about any such Adverse Action  
12 to the other Member States through the Data System in addition  
13 to any other methods the Commission may by Rule require.

14           **ARTICLE 7. ADVERSE ACTIONS**

15           A.    A Licensee's Home State shall have exclusive power to  
16 impose an Adverse Action against a Licensee's Multistate License  
17 issued by the Home State.

18           B.    A Home State may take Adverse Action on a Multistate  
19 License based on the Investigative Information, Current  
20 Significant Investigative Information, or Adverse Action of a  
21 Remote State.



1 C. In addition to the powers conferred by State law, each  
2 Remote State's State Licensing Authority shall have the power  
3 to:

4 1. Take Adverse Action against a Licensee's Authorization  
5 to Practice Cosmetology through the Multistate License  
6 in that Member State, provided that:

7 a. Only the Licensee's Home State shall have the  
8 power to take Adverse Action against the  
9 Multistate License issued by the Home State; and

10 b. For the purposes of taking Adverse Action, the  
11 Home State's State Licensing Authority shall give  
12 the same priority and effect to reported conduct  
13 received from a Remote State as it would if such  
14 conduct had occurred within the Home State. In  
15 so doing, the Home State shall apply its own  
16 State laws to determine the appropriate action.

17 2. Issue cease and desist orders or impose an Encumbrance  
18 on a Licensee's Authorization to Practice within that  
19 Member State.

20 3. Complete any pending investigations of a Licensee who  
21 changes their primary state of residence during the



1 course of such an investigation. The State Licensing  
2 Authority shall also be empowered to report the  
3 results of such an investigation to the Commission  
4 through the Data System as described herein.

5 (4) Issue subpoenas for both hearings and investigations  
6 that require the attendance and testimony of  
7 witnesses, as well as the production of evidence.  
8 Subpoenas issued by a State Licensing Authority in a  
9 Member State for the attendance and testimony of  
10 witnesses or the production of evidence from another  
11 Member State shall be enforced in the latter State by  
12 any court of competent jurisdiction, according to the  
13 practice and procedure of that court applicable to  
14 subpoenas issued in proceedings before it. The  
15 issuing State Licensing Authority shall pay any  
16 witness fees, travel expenses, mileage, and other fees  
17 required by the service statutes of the State in which  
18 the witnesses or evidence are located.

19 (5) If otherwise permitted by State law, recover from the  
20 affected Licensee the costs of investigations and



1 disposition of cases resulting from any Adverse Action  
2 taken against that Licensee.

3 (6) Take Adverse Action against the Licensee's  
4 Authorization to Practice in that State based on the  
5 factual findings of another Remote State.

6 D. A Licensee's Home State shall complete any pending  
7 investigation(s) of a Cosmetologist who changes their primary  
8 state of residence during the course of the investigation(s).  
9 The Home State shall also have the authority to take appropriate  
10 action(s) and shall promptly report the conclusions of the  
11 investigations to the Data System.

12 E. If an Adverse Action is taken by the Home State  
13 against a Licensee's Multistate License, the Licensee's  
14 Authorization to Practice in all other Member States shall be  
15 deactivated until all Encumbrances have been removed from the  
16 Home State license. All Home State disciplinary orders that  
17 impose an Adverse Action against a Licensee's Multistate License  
18 shall include a statement that the Cosmetologist's Authorization  
19 to Practice is deactivated in all Member States during the  
20 pendency of the order.



1 F. Nothing in this Compact shall override a Member  
2 State's authority to accept a Licensee's participation in an  
3 Alternative Program in lieu of Adverse Action. A Licensee's  
4 Multistate License shall be suspended for the duration of the  
5 Licensee's participation in any Alternative Program.

6 G. Joint Investigations:

- 7 1. In addition to the authority granted to a Member State  
8 by its respective scope of practice laws or other  
9 applicable State law, a Member State may participate  
10 with other Member States in joint investigations of  
11 Licensees.
- 12 2. Member States shall share any investigative,  
13 litigation, or compliance materials in furtherance of  
14 any joint or individual investigation initiated under  
15 the Compact.

16 **ARTICLE 8. ACTIVE MILITARY MEMBERS AND THEIR SPOUSES**

17 Active Military Members, or their spouses, shall designate a  
18 Home State where the individual has a current license to  
19 practice Cosmetology in good standing. The individual may  
20 retain their Home State designation during any period of service



1 when that individual or their spouse is on active duty  
2 assignment.

3       **ARTICLE 9. ESTABLISHMENT AND OPERATION OF THE COSMETOLOGY**  
4       **LICENSURE COMPACT COMMISSION**

5       A.     The Compact Member States hereby create and establish  
6 a joint government agency whose membership consists of all  
7 Member States that have enacted the Compact known as the  
8 Cosmetology Licensure Compact Commission. The Commission is an  
9 instrumentality of the Compact Member States acting jointly and  
10 not an instrumentality of any one State. The Commission shall  
11 come into existence on or after the effective date of the  
12 Compact as set forth in Article 13.

13       B.     Membership, Voting, and Meetings

- 14           1. Each Member State shall have and be limited to one (1)  
15           delegate selected by that Member State's State  
16           Licensing Authority.
- 17           2. The delegate shall be an administrator of the State  
18           Licensing Authority of the Member State or their  
19           designee.



# S.B. NO. 1619

- 1           3. The Commission shall by Rule or bylaw establish a term  
2           of office for delegates and may by Rule or bylaw  
3           establish term limits.
- 4           4. The Commission may recommend removal or suspension of  
5           any delegate from office.
- 6           5. A Member State's State Licensing Authority shall fill  
7           any vacancy of its delegate occurring on the  
8           Commission within 60 days of the vacancy.
- 9           6. Each delegate shall be entitled to one vote on all  
10          matters that are voted on by the Commission.
- 11          7. The Commission shall meet at least once during each  
12          calendar year. Additional meetings may be held as set  
13          forth in the bylaws. The Commission may meet by  
14          telecommunication, video conference or other similar  
15          electronic means.
- 16          C. The Commission shall have the following powers:
  - 17           1. Establish the fiscal year of the Commission;
  - 18           2. Establish code of conduct and conflict of interest  
19           policies;
  - 20           3. Adopt Rules and bylaws;



# S.B. NO. 1619

- 1           4. Maintain its financial records in accordance with the  
2           bylaws;
- 3           5. Meet and take such actions as are consistent with the  
4           provisions of this Compact, the Commission's Rules,  
5           and the bylaws;
- 6           6. Initiate and conclude legal proceedings or actions in  
7           the name of the Commission, provided that the standing  
8           of any State Licensing Authority to sue or be sued  
9           under applicable law shall not be affected;
- 10          7. Maintain and certify records and information provided  
11          to a Member State as the authenticated business  
12          records of the Commission, and designate an agent to  
13          do so on the Commission's behalf;
- 14          8. Purchase and maintain insurance and bonds;
- 15          9. Borrow, accept, or contract for services of personnel,  
16          including, but not limited to, employees of a Member  
17          State;
- 18          10. Conduct an annual financial review;
- 19          11. Hire employees, elect or appoint officers, fix  
20          compensation, define duties, grant such individuals  
21          appropriate authority to carry out the purposes of the



1 Compact, and establish the Commission's personnel  
2 policies and programs relating to conflicts of  
3 interest, qualifications of personnel, and other  
4 related personnel matters;

5 12. As set forth in the Commission Rules, charge a fee to  
6 a Licensee for the grant of a Multistate License and  
7 thereafter, as may be established by Commission Rule,  
8 charge the Licensee a Multistate License renewal fee  
9 for each renewal period. Nothing herein shall be  
10 construed to prevent a Home State from charging a  
11 Licensee a fee for a Multistate License or renewals of  
12 a Multistate License, or a fee for the jurisprudence  
13 requirement if the Member State imposes such a  
14 requirement for the grant of a Multistate License;

15 13. Assess and collect fees;

16 14. Accept any and all appropriate gifts, donations,  
17 grants of money, other sources of revenue, equipment,  
18 supplies, materials, and services, and receive,  
19 utilize, and dispose of the same; provided that at all  
20 times the Commission shall avoid any appearance of  
21 impropriety or conflict of interest;



- 1        15. Lease, purchase, retain, own, hold, improve, or use
- 2            any property, real, personal, or mixed, or any
- 3            undivided interest therein;
- 4        16. Sell, convey, mortgage, pledge, lease, exchange,
- 5            abandon, or otherwise dispose of any property real,
- 6            personal, or mixed;
- 7        17. Establish a budget and make expenditures;
- 8        18. Borrow money;
- 9        19. Appoint committees, including standing committees,
- 10            composed of members, State regulators, State
- 11            legislators or their representatives, and consumer
- 12            representatives, and such other interested persons as
- 13            may be designated in this Compact and the bylaws;
- 14        20. Provide and receive information from, and cooperate
- 15            with, law enforcement agencies;
- 16        21. Elect a Chair, Vice Chair, Secretary and Treasurer and
- 17            such other officers of the Commission as provided in
- 18            the Commission's bylaws;
- 19        22. Establish and elect an Executive Committee, including
- 20            a chair and a vice chair;



- 1        23. Adopt and provide to the Member States an annual  
2            report;
- 3        24. Determine whether a State's adopted language is  
4            materially different from the model Compact language  
5            such that the State would not qualify for  
6            participation in the Compact; and
- 7        25. Perform such other functions as may be necessary or  
8            appropriate to achieve the purposes of this Compact.
- 9        D. The Executive Committee
- 10       1. The Executive Committee shall have the power to act on  
11            behalf of the Commission according to the terms of  
12            this Compact. The powers, duties, and  
13            responsibilities of the Executive Committee shall  
14            include:
- 15            a. Overseeing the day-to-day activities of the  
16                administration of the Compact including  
17                compliance with the provisions of the Compact,  
18                the Commission's Rules and bylaws, and other such  
19                duties as deemed necessary;
- 20            b. Recommending to the Commission changes to the  
21                Rules or bylaws, changes to this Compact



- 1                   legislation, fees charged to Compact Member  
2                   States, fees charged to Licensees, and other  
3                   fees;
- 4                   c. Ensuring Compact administration services are  
5                   appropriately provided, including by contract;
- 6                   d. Preparing and recommending the budget;
- 7                   e. Maintaining financial records on behalf of the  
8                   Commission;
- 9                   f. Monitoring Compact compliance of Member States  
10                  and providing compliance reports to the  
11                  Commission;
- 12                  g. Establishing additional committees as necessary;
- 13                  h. Exercising the powers and duties of the  
14                  Commission during the interim between Commission  
15                  meetings, except for adopting or amending Rules,  
16                  adopting or amending bylaws, and exercising any  
17                  other powers and duties expressly reserved to the  
18                  Commission by Rule or bylaw; and
- 19                  i. Other duties as provided in the Rules or bylaws  
20                  of the Commission.



- 1           2. The Executive Committee shall be composed of up to  
2           seven voting members:
- 3                 a. The chair and vice chair of the Commission and  
4                 any other members of the Commission who serve on  
5                 the Executive Committee shall be voting members  
6                 of the Executive Committee; and
- 7                 b. Other than the chair, vice-chair, secretary and  
8                 treasurer, the Commission shall elect three  
9                 voting members from the current membership of the  
10                Commission.
- 11                c. The Commission may elect ex-officio, nonvoting  
12                members from a recognized national Cosmetology  
13                professional association as approved by the  
14                Commission. The Commission's bylaws shall  
15                identify qualifying organizations and the manner  
16                of appointment if the number of organizations  
17                seeking to appoint an ex-officio member exceeds  
18                the number of members specified in this Article.
- 19           3. The Commission may remove any member of the Executive  
20           Committee as provided in the Commission's bylaws.
- 21           4. The Executive Committee shall meet at least annually.



- 1           a. Annual Executive Committee meetings, as well as
- 2           any Executive Committee meeting at which it does
- 3           not take or intend to take formal action on a
- 4           matter for which a Commission vote would
- 5           otherwise be required, shall be open to the
- 6           public, except that the Executive Committee may
- 7           meet in a closed, non-public session of a public
- 8           meeting when dealing with any of the matters
- 9           covered under Article 9.F.4.
  
- 10          b. The Executive Committee shall give five business
- 11          days advance notice of its public meetings,
- 12          posted on its website and as determined to
- 13          provide notice to persons with an interest in the
- 14          public matters the Executive Committee intends to
- 15          address at those meetings.
  
- 16          5. The Executive Committee may hold an emergency meeting
- 17          when acting for the Commission to:
- 18            a. Meet an imminent threat to public health, safety,
- 19            or welfare;
- 20            b. Prevent a loss of Commission or Member State
- 21            funds; or



1 c. Protect public health and safety.

2 E. The Commission shall adopt and provide to the Member  
3 States an annual report.

4 F. Meetings of the Commission

5 1. All meetings of the Commission that are not closed  
6 pursuant to Article 9.F.4 shall be open to the public.  
7 Notice of public meetings shall be posted on the  
8 Commission's website at least thirty (30) days prior  
9 to the public meeting.

10 2. Notwithstanding Article 9.F.1, the Commission may  
11 convene an emergency public meeting by providing at  
12 least twenty-four (24) hours prior notice on the  
13 Commission's website, and any other means as provided  
14 in the Commission's Rules, for any of the reasons it  
15 may dispense with notice of proposed rulemaking under  
16 Article 11.L. The Commission's legal counsel shall  
17 certify that one of the reasons justifying an  
18 emergency public meeting has been met.

19 3. Notice of all Commission meetings shall provide the  
20 time, date, and location of the meeting, and if the  
21 meeting is to be held or accessible via



1 telecommunication, video conference, or other  
2 electronic means, the notice shall include the  
3 mechanism for access to the meeting.

4 4. The Commission may convene in a closed, non-public  
5 meeting for the Commission to discuss:

- 6 a. Non-compliance of a Member State with its  
7 obligations under the Compact;
- 8 b. The employment, compensation, discipline or other  
9 matters, practices or procedures related to  
10 specific employees or other matters related to  
11 the Commission's internal personnel practices and  
12 procedures;
- 13 c. Current or threatened discipline of a Licensee by  
14 the Commission or by a Member State's Licensing  
15 Authority;
- 16 d. Current, threatened, or reasonably anticipated  
17 litigation;
- 18 e. Negotiation of contracts for the purchase, lease,  
19 or sale of goods, services, or real estate;
- 20 f. Accusing any person of a crime or formally  
21 censuring any person;



- 1           g. Trade secrets or commercial or financial
- 2           information that is privileged or confidential;
- 3           h. Information of a personal nature where disclosure
- 4           would constitute a clearly unwarranted invasion
- 5           of personal privacy;
- 6           i. Investigative records compiled for law
- 7           enforcement purposes;
- 8           j. Information related to any investigative reports
- 9           prepared by or on behalf of or for use of the
- 10          Commission or other committee charged with
- 11          responsibility of investigation or determination
- 12          of compliance issues pursuant to the Compact;
- 13          k. Legal advice;
- 14          l. Matters specifically exempted from disclosure to
- 15          the public by federal or Member State law; or
- 16          m. Other matters as promulgated by the Commission by
- 17          Rule.
- 18      5. If a meeting, or portion of a meeting, is closed, the
- 19          presiding officer shall state that the meeting will be
- 20          closed and reference each relevant exempting



1 provision, and such reference shall be recorded in the  
2 minutes.

3 6. The Commission shall keep minutes that fully and  
4 clearly describe all matters discussed in a meeting  
5 and shall provide a full and accurate summary of  
6 actions taken, and the reasons therefore, including a  
7 description of the views expressed. All documents  
8 considered in connection with an action shall be  
9 identified in such minutes. All minutes and documents  
10 of a closed meeting shall remain under seal, subject  
11 to release only by a majority vote of the Commission  
12 or order of a court of competent jurisdiction.

13 G. Financing of the Commission

14 1. The Commission shall pay, or provide for the payment  
15 of, the reasonable expenses of its establishment,  
16 organization, and ongoing activities.

17 2. The Commission may accept any and all appropriate  
18 sources of revenue, donations, and grants of money,  
19 equipment, supplies, materials, and services.

20 3. The Commission may levy on and collect an annual  
21 assessment from each Member State and impose fees on



1 Licensees of Member States to whom it grants a  
2 Multistate License to cover the cost of the operations  
3 and activities of the Commission and its staff, which  
4 must be in a total amount sufficient to cover its  
5 annual budget as approved each year for which revenue  
6 is not provided by other sources. The aggregate  
7 annual assessment amount for Member States shall be  
8 allocated based upon a formula that the Commission  
9 shall promulgate by Rule.

10 4. The Commission shall not incur obligations of any kind  
11 prior to securing the funds adequate to meet the same;  
12 nor shall the Commission pledge the credit of any  
13 Member States, except by and with the authority of the  
14 Member State.

15 5. The Commission shall keep accurate accounts of all  
16 receipts and disbursements. The receipts and  
17 disbursements of the Commission shall be subject to  
18 the financial review and accounting procedures  
19 established under its bylaws. All receipts and  
20 disbursements of funds handled by the Commission shall  
21 be subject to an annual financial review by a



1 certified or licensed public accountant, and the  
2 report of the financial review shall be included in  
3 and become part of the annual report of the  
4 Commission.

5 H. Qualified Immunity, Defense, and Indemnification

6 1. The members, officers, executive director, employees  
7 and representatives of the Commission shall be immune  
8 from suit and liability, both personally and in their  
9 official capacity, for any claim for damage to or loss  
10 of property or personal injury or other civil  
11 liability caused by or arising out of any actual or  
12 alleged act, error, or omission that occurred, or that  
13 the person against whom the claim is made had a  
14 reasonable basis for believing occurred within the  
15 scope of Commission employment, duties or  
16 responsibilities; provided that nothing in this  
17 paragraph shall be construed to protect any such  
18 person from suit or liability for any damage, loss,  
19 injury, or liability caused by the intentional or  
20 willful or wanton misconduct of that person. The  
21 procurement of insurance of any type by the Commission

# S.B. NO. 1619

1 shall not in any way compromise or limit the immunity  
2 granted hereunder.

3 2. The Commission shall defend any member, officer,  
4 executive director, employee, and representative of  
5 the Commission in any civil action seeking to impose  
6 liability arising out of any actual or alleged act,  
7 error, or omission that occurred within the scope of  
8 Commission employment, duties, or responsibilities, or  
9 as determined by the Commission that the person  
10 against whom the claim is made had a reasonable basis  
11 for believing occurred within the scope of Commission  
12 employment, duties, or responsibilities; provided that  
13 nothing herein shall be construed to prohibit that  
14 person from retaining their own counsel at their own  
15 expense; and provided further, that the actual or  
16 alleged act, error, or omission did not result from  
17 that person's intentional or willful or wanton  
18 misconduct.

19 3. The Commission shall indemnify and hold harmless any  
20 member, officer, executive director, employee, and  
21 representative of the Commission for the amount of any



1 settlement or judgment obtained against that person  
2 arising out of any actual or alleged act, error, or  
3 omission that occurred within the scope of Commission  
4 employment, duties, or responsibilities, or that such  
5 person had a reasonable basis for believing occurred  
6 within the scope of Commission employment, duties, or  
7 responsibilities; provided that the actual or alleged  
8 act, error, or omission did not result from the  
9 intentional or willful or wanton misconduct of that  
10 person.

11 4. Nothing herein shall be construed as a limitation on  
12 the liability of any Licensee for professional  
13 malpractice or misconduct, which shall be governed  
14 solely by any other applicable State laws.

15 5. Nothing in this Compact shall be interpreted to waive  
16 or otherwise abrogate a Member State's State action  
17 immunity or State action affirmative defense with  
18 respect to antitrust claims under the Sherman Act,  
19 Clayton Act, or any other State or federal antitrust  
20 or anticompetitive law or regulation.



1           6. Nothing in this Compact shall be construed to be a  
2           waiver of sovereign immunity by the Member States or  
3           by the Commission.

4           **ARTICLE 10. DATA SYSTEM**

5           A. The Commission shall provide for the development,  
6 maintenance, operation, and utilization of a coordinated  
7 database and reporting system.

8           B. The Commission shall assign each applicant for a  
9 Multistate License a unique identifier, as determined by the  
10 Rules of the Commission.

11          C. Notwithstanding any other provision of State law to  
12 the contrary, a Member State shall submit a uniform data set to  
13 the Data System on all individuals to whom this Compact is  
14 applicable as required by the Rules of the Commission,  
15 including:

- 16           1. Identifying information;
- 17           2. Licensure data;
- 18           3. Adverse Actions against a license and information  
19           related thereto;
- 20           4. Non-confidential information related to Alternative  
21           Program participation, the beginning and ending dates



1 of such participation, and other information related  
2 to such participation;

3 5. Any denial of application for licensure, and the  
4 reason(s) for such denial (excluding the reporting of  
5 any criminal history record information where  
6 prohibited by law);

7 6. The existence of Investigative Information;

8 7. The existence of Current Significant Investigative  
9 Information; and

10 8. Other information that may facilitate the  
11 administration of this Compact or the protection of  
12 the public, as determined by the Rules of the  
13 Commission.

14 D. The records and information provided to a Member State  
15 pursuant to this Compact or through the Data System, when  
16 certified by the Commission or an agent thereof, shall  
17 constitute the authenticated business records of the Commission,  
18 and shall be entitled to any associated hearsay exception in any  
19 relevant judicial, quasi-judicial or administrative proceedings  
20 in a Member State.



1           E.     The existence of Current Significant Investigative  
2 Information and the existence of Investigative Information  
3 pertaining to a Licensee in any Member State will only be  
4 available to other Member States.

5           F.     It is the responsibility of the Member States to  
6 monitor the database to determine whether Adverse Action has  
7 been taken against such a Licensee or License applicant.  
8 Adverse Action information pertaining to a Licensee or License  
9 applicant in any Member State will be available to any other  
10 Member State.

11           G.     Member States contributing information to the Data  
12 System may designate information that may not be shared with the  
13 public without the express permission of the contributing State.

14           H.     Any information submitted to the Data System that is  
15 subsequently expunged pursuant to federal law or the laws of the  
16 Member State contributing the information shall be removed from  
17 the Data System.

18           **ARTICLE 11. RULEMAKING**

19           A.     The Commission shall promulgate reasonable Rules in  
20 order to effectively and efficiently implement and administer  
21 the purposes and provisions of the Compact. A Rule shall be



1 invalid and have no force or effect only if a court of competent  
2 jurisdiction holds that the Rule is invalid because the  
3 Commission exercised its rulemaking authority in a manner that  
4 is beyond the scope and purposes of the Compact, or the powers  
5 granted hereunder, or based upon another applicable standard of  
6 review.

7       B. The Rules of the Commission shall have the force of  
8 law in each Member State; provided however that where the Rules  
9 of the Commission conflict with the laws of the Member State  
10 that establish the Member State's scope of practice laws  
11 governing the Practice of Cosmetology as held by a court of  
12 competent jurisdiction, the Rules of the Commission shall be  
13 ineffective in that State to the extent of the conflict.

14       C. The Commission shall exercise its rulemaking powers  
15 pursuant to the criteria set forth in this Article and the Rules  
16 adopted thereunder. Rules shall become binding as of the date  
17 specified by the Commission for each Rule.

18       D. If a majority of the legislatures of the Member States  
19 rejects a Rule or portion of a Rule, by enactment of a statute  
20 or resolution in the same manner used to adopt the Compact  
21 within four (4) years of the date of adoption of the Rule, then



1 such Rule shall have no further force and effect in any Member  
2 State or to any State applying to participate in the Compact.

3 E. Rules shall be adopted at a regular or special meeting  
4 of the Commission.

5 F. Prior to adoption of a proposed Rule, the Commission  
6 shall hold a public hearing and allow persons to provide oral  
7 and written comments, data, facts, opinions, and arguments.

8 G. Prior to adoption of a proposed Rule by the  
9 Commission, and at least thirty (30) days in advance of the  
10 meeting at which the Commission will hold a public hearing on  
11 the proposed Rule, the Commission shall provide a notice of  
12 proposed rulemaking:

- 13 1. On the website of the Commission or other publicly  
14 accessible platform;
- 15 2. To persons who have requested notice of the  
16 Commission's notices of proposed rulemaking; and
- 17 3. In such other way(s) as the Commission may by Rule  
18 specify.

19 H. The notice of proposed rulemaking shall include:

- 20 1. The time, date, and location of the public hearing at  
21 which the Commission will hear public comments on the



1 proposed Rule and, if different, the time, date, and  
2 location of the meeting where the Commission will  
3 consider and vote on the proposed Rule;

4 2. If the hearing is held via telecommunication, video  
5 conference, or other electronic means, the Commission  
6 shall include the mechanism for access to the hearing  
7 in the notice of proposed rulemaking;

8 3. The text of the proposed Rule and the reason therefor;

9 4. A request for comments on the proposed Rule from any  
10 interested person; and

11 5. The manner in which interested persons may submit  
12 written comments.

13 I. All hearings will be recorded. A copy of the  
14 recording and all written comments and documents received by the  
15 Commission in response to the proposed Rule shall be available  
16 to the public.

17 J. Nothing in this Article shall be construed as  
18 requiring a separate hearing on each Rule. Rules may be grouped  
19 for the convenience of the Commission at hearings required by  
20 this Article.



1           K.    The Commission shall, by majority vote of all members,  
2 take final action on the proposed Rule based on the rulemaking  
3 record and the full text of the Rule.

4           1.    The Commission may adopt changes to the proposed Rule  
5                provided the changes do not enlarge the original  
6                purpose of the proposed Rule.

7           2.    The Commission shall provide an explanation of the  
8                reasons for substantive changes made to the proposed  
9                Rule as well as reasons for substantive changes not  
10              made that were recommended by commenters.

11          3.    The Commission shall determine a reasonable effective  
12                date for the Rule.  Except for an emergency as  
13                provided in Article 11.L, the effective date of the  
14                Rule shall be no sooner than forty-five (45) days  
15                after the Commission issuing the notice that it  
16                adopted or amended the Rule.

17          L.    Upon determination that an emergency exists, the  
18 Commission may consider and adopt an emergency Rule with five  
19 (5) days' notice, with opportunity to comment; provided that the  
20 usual rulemaking procedures provided in the Compact and in this  
21 Article shall be retroactively applied to the Rule as soon as

1 reasonably possible, in no event later than ninety (90) days  
2 after the effective date of the Rule. For the purposes of this  
3 provision, an emergency Rule is one that must be adopted  
4 immediately to:

- 5 1. Meet an imminent threat to public health, safety, or  
6 welfare;
- 7 2. Prevent a loss of Commission or Member State funds;
- 8 3. Meet a deadline for the promulgation of a Rule that is  
9 established by federal law or rule; or
- 10 4. Protect public health and safety.

11 M. The Commission or an authorized committee of the  
12 Commission may direct revisions to a previously adopted Rule for  
13 purposes of correcting typographical errors, errors in format,  
14 errors in consistency, or grammatical errors. Public notice of  
15 any revisions shall be posted on the website of the Commission.  
16 The revision shall be subject to challenge by any person for a  
17 period of thirty (30) days after posting. The revision may be  
18 challenged only on grounds that the revision results in a  
19 material change to a Rule. A challenge shall be made in writing  
20 and delivered to the Commission prior to the end of the notice  
21 period. If no challenge is made, the revision will take effect



1 without further action. If the revision is challenged, the  
2 revision may not take effect without the approval of the  
3 Commission.

4 N. No Member State's rulemaking requirements shall apply  
5 under this Compact.

6 **ARTICLE 12. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT**

7 A. Oversight

8 1. The executive and judicial branches of State  
9 government in each Member State shall enforce this  
10 Compact and take all actions necessary and appropriate  
11 to implement the Compact.

12 2. Venue is proper and judicial proceedings by or against  
13 the Commission shall be brought solely and exclusively  
14 in a court of competent jurisdiction where the  
15 principal office of the Commission is located. The  
16 Commission may waive venue and jurisdictional defenses  
17 to the extent it adopts or consents to participate in  
18 alternative dispute resolution proceedings. Nothing  
19 herein shall affect or limit the selection or  
20 propriety of venue in any action against a Licensee



1 for professional malpractice, misconduct or any such  
2 similar matter.

3 3. The Commission shall be entitled to receive service of  
4 process in any proceeding regarding the enforcement or  
5 interpretation of the Compact and shall have standing  
6 to intervene in such a proceeding for all purposes.  
7 Failure to provide the Commission service of process  
8 shall render a judgment or order void as to the  
9 Commission, this Compact, or promulgated Rules.

10 B. Default, Technical Assistance, and Termination

11 1. If the Commission determines that a Member State has  
12 defaulted in the performance of its obligations or  
13 responsibilities under this Compact or the promulgated  
14 Rules, the Commission shall provide written notice to  
15 the defaulting State. The notice of default shall  
16 describe the default, the proposed means of curing the  
17 default, and any other action that the Commission may  
18 take, and shall offer training and specific technical  
19 assistance regarding the default.

20 2. The Commission shall provide a copy of the notice of  
21 default to the other Member States.



- 1           3. If a State in default fails to cure the default, the  
2           defaulting State may be terminated from the Compact  
3           upon an affirmative vote of a majority of the  
4           delegates of the Member States, and all rights,  
5           privileges and benefits conferred on that State by  
6           this Compact may be terminated on the effective date  
7           of termination. A cure of the default does not  
8           relieve the offending State of obligations or  
9           liabilities incurred during the period of default.
- 10          4. Termination of membership in the Compact shall be  
11          imposed only after all other means of securing  
12          compliance have been exhausted. Notice of intent to  
13          suspend or terminate shall be given by the Commission  
14          to the governor, the majority and minority leaders of  
15          the defaulting State's legislature, the defaulting  
16          State's State Licensing Authority and each of the  
17          Member States' State Licensing Authority.
- 18          5. A State that has been terminated is responsible for  
19          all assessments, obligations, and liabilities incurred  
20          through the effective date of termination, including



1 obligations that extend beyond the effective date of  
2 termination.

3 6. Upon the termination of a State's membership from this  
4 Compact, that State shall immediately provide notice  
5 to all Licensees who hold a Multistate License within  
6 that State of such termination. The terminated State  
7 shall continue to recognize all licenses granted  
8 pursuant to this Compact for a minimum of one hundred  
9 eighty (180) days after the date of said notice of  
10 termination.

11 7. The Commission shall not bear any costs related to a  
12 State that is found to be in default or that has been  
13 terminated from the Compact, unless agreed upon in  
14 writing between the Commission and the defaulting  
15 State.

16 8. The defaulting State may appeal the action of the  
17 Commission by petitioning the United States District  
18 Court for the District of Columbia or the federal  
19 district where the Commission has its principal  
20 offices. The prevailing party shall be awarded all



1 costs of such litigation, including reasonable  
2 attorney's fees.

3 C. Dispute Resolution

4 1. Upon request by a Member State, the Commission shall  
5 attempt to resolve disputes related to the Compact  
6 that arise among Member States and between Member and  
7 non-Member States.

8 2. The Commission shall promulgate a Rule providing for  
9 both mediation and binding dispute resolution for  
10 disputes as appropriate.

11 D. Enforcement

12 1. The Commission, in the reasonable exercise of its  
13 discretion, shall enforce the provisions of this  
14 Compact and the Commission's Rules.

15 2. By majority vote as provided by Commission Rule, the  
16 Commission may initiate legal action against a Member  
17 State in default in the United States District Court  
18 for the District of Columbia or the federal district  
19 where the Commission has its principal offices to  
20 enforce compliance with the provisions of the Compact  
21 and its promulgated Rules. The relief sought may



1 include both injunctive relief and damages. In the  
2 event judicial enforcement is necessary, the  
3 prevailing party shall be awarded all costs of such  
4 litigation, including reasonable attorney's fees. The  
5 remedies herein shall not be the exclusive remedies of  
6 the Commission. The Commission may pursue any other  
7 remedies available under federal or the defaulting  
8 Member State's law.

9 3. A Member State may initiate legal action against the  
10 Commission in the United States District Court for the  
11 District of Columbia or the federal district where the  
12 Commission has its principal offices to enforce  
13 compliance with the provisions of the Compact and its  
14 promulgated Rules. The relief sought may include both  
15 injunctive relief and damages. In the event judicial  
16 enforcement is necessary, the prevailing party shall  
17 be awarded all costs of such litigation, including  
18 reasonable attorney's fees.

19 4. No individual or entity other than a Member State may  
20 enforce this Compact against the Commission.

21 **ARTICLE 13. EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT**



1           A.    The Compact shall come into effect on the date on  
2 which the Compact statute is enacted into law in the seventh  
3 Member State.

4           1.    On or after the effective date of the Compact, the  
5 Commission shall convene and review the enactment of  
6 each of the Charter Member States to determine if the  
7 statute enacted by each such Charter Member State is  
8 materially different than the model Compact statute.

9           a.    A Charter Member State whose enactment is found  
10 to be materially different from the model Compact  
11 statute shall be entitled to the default process  
12 set forth in Article 12.

13           b.    If any Member State is later found to be in  
14 default, or is terminated or withdraws from the  
15 Compact, the Commission shall remain in existence  
16 and the Compact shall remain in effect even if  
17 the number of Member States should be less than  
18 seven (7).

19           2.    Member States enacting the Compact subsequent to the  
20 Charter Member States shall be subject to the process  
21 set forth in Article 9.C.24 to determine if their



1 enactments are materially different from the model  
2 Compact statute and whether they qualify for  
3 participation in the Compact.

4 3. All actions taken for the benefit of the Commission or  
5 in furtherance of the purposes of the administration  
6 of the Compact prior to the effective date of the  
7 Compact or the Commission coming into existence shall  
8 be considered to be actions of the Commission unless  
9 specifically repudiated by the Commission.

10 4. Any State that joins the Compact shall be subject to  
11 the Commission's Rules and bylaws as they exist on the  
12 date on which the Compact becomes law in that State.  
13 Any Rule that has been previously adopted by the  
14 Commission shall have the full force and effect of law  
15 on the day the Compact becomes law in that State.

16 B. Any Member State may withdraw from this Compact by  
17 enacting a statute repealing that State's enactment of the  
18 Compact.

19 1. A Member State's withdrawal shall not take effect  
20 until one hundred eighty (180) days after enactment of  
21 the repealing statute.



1           2. Withdrawal shall not affect the continuing requirement  
2           of the withdrawing State's State Licensing Authority  
3           to comply with the investigative and Adverse Action  
4           reporting requirements of this Compact prior to the  
5           effective date of withdrawal.

6           3. Upon the enactment of a statute withdrawing from this  
7           Compact, a State shall immediately provide notice of  
8           such withdrawal to all Licensees within that State.  
9           Notwithstanding any subsequent statutory enactment to  
10          the contrary, such withdrawing State shall continue to  
11          recognize all licenses granted pursuant to this  
12          Compact for a minimum of one hundred eighty (180) days  
13          after the date of such notice of withdrawal.

14          C. Nothing contained in this Compact shall be construed  
15          to invalidate or prevent any licensure agreement or other  
16          cooperative arrangement between a Member State and a non-Member  
17          State that does not conflict with the provisions of this  
18          Compact.

19          D. This Compact may be amended by the Member States. No  
20          amendment to this Compact shall become effective and binding



1 upon any Member State until it is enacted into the laws of all  
2 Member States.

3 **ARTICLE 14. CONSTRUCTION AND SEVERABILITY**

4 A. This Compact and the Commission's rulemaking authority  
5 shall be liberally construed so as to effectuate the purposes,  
6 and the implementation and administration of the Compact.  
7 Provisions of the Compact expressly authorizing or requiring the  
8 promulgation of Rules shall not be construed to limit the  
9 Commission's rulemaking authority solely for those purposes.

10 B. The provisions of this Compact shall be severable and  
11 if any phrase, clause, sentence or provision of this Compact is  
12 held by a court of competent jurisdiction to be contrary to the  
13 constitution of any Member State, a State seeking participation  
14 in the Compact, or of the United States, or the applicability  
15 thereof to any government, agency, person or circumstance is  
16 held to be unconstitutional by a court of competent  
17 jurisdiction, the validity of the remainder of this Compact and  
18 the applicability thereof to any other government, agency,  
19 person or circumstance shall not be affected thereby.

20 C. Notwithstanding Article 14.B, the Commission may deny  
21 a State's participation in the Compact or, in accordance with



1 the requirements of Article 12, terminate a Member State's  
2 participation in the Compact, if it determines that a  
3 constitutional requirement of a Member State is a material  
4 departure from the Compact. Otherwise, if this Compact shall be  
5 held to be contrary to the constitution of any Member State, the  
6 Compact shall remain in full force and effect as to the  
7 remaining Member States and in full force and effect as to the  
8 Member State affected as to all severable matters.

9 **ARTICLE 15. CONSISTENT EFFECT AND CONFLICT WITH OTHER**  
10 **STATE LAWS**

11 A. Nothing herein shall prevent or inhibit the  
12 enforcement of any other law of a Member State that is not  
13 inconsistent with the Compact.

14 B. Any laws, statutes, regulations, or other legal  
15 requirements in a Member State in conflict with the Compact are  
16 superseded to the extent of the conflict.

17 C. All permissible agreements between the Commission and  
18 the Member States are binding in accordance with their terms.

19 § -3 Rules. The department of commerce and consumer  
20 affairs shall adopt rules pursuant to chapter 91 for the  
21 purposes of implementing and administering this chapter."



S.B. NO. 1619

1 SECTION 2. This Act shall take effect upon its approval;  
2 provided that section 1 of this Act shall take effect on  
3 January 1, 2026.

4

INTRODUCED BY: *Amra Norcalds K.*



# S.B. NO. 1619

**Report Title:**

DCCA; Governor; Cosmetology Licensure Compact; Beauty Culture; Adoption; Rules

**Description:**

Authorizes the Governor to enter into a Cosmetology Licensure Compact on behalf of the State to provide a streamlined process that allows cosmetologists to obtain a multistate license enabling them to practice cosmetology in another state without obtaining a separate license under the laws of that state. Requires the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Compact. Authorizes the Governor to enter into the Compact effective 1/1/2026.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

