

317A.050 Qualifications for licenses and permits.

- (1) All applicants for licensure under this chapter shall meet the following minimum requirements:
 - (a) Be of good moral character and temperate habit;
 - (b) Be at least eighteen (18) years of age;
 - (c) Have a high school diploma, a High School Equivalency Diploma, or results from the Test for Adult Basic Education indicating a score equivalent to the twelfth grade of high school; and
 - (d) Have submitted the completed application along with the required license fee as set forth in administrative regulation.
- (2) Notwithstanding any provision to the contrary, the board may refuse to grant a license to any applicant who fails to comply with the provisions of this chapter or any administrative regulations promulgated by the board.
- (3) The board shall issue a cosmetologist license to any person who:
 - (a) Has official certification from the state board or agency that certifies cosmetology schools that the applicant has graduated from a licensed school of cosmetology requiring one thousand five hundred (1,500) hours within five (5) years of enrolling within the school; and
 - (b) Has satisfactorily passed an examination prescribed by the board to determine fitness to practice cosmetology.
- (4) The board shall issue an esthetician license to any person who:
 - (a) Has satisfactorily completed seven hundred fifty (750) hours of instruction in a licensed school approved by the board; and
 - (b) Has received a satisfactory grade on an examination prescribed by the board to determine fitness to practice as an esthetician.
- (5) The board shall issue a license to act as a nail technician to any person who:
 - (a) Has official certification from the state board or agency that certifies cosmetology schools that the applicant has completed satisfactorily a nail technician course of study of four hundred fifty (450) hours in a licensed school of cosmetology within five (5) years of submitting an application for licensure; and
 - (b) Has satisfactorily passed an examination prescribed by the board to determine fitness to practice as a nail technician.
- (6) The board shall issue a license to operate a salon as follows:
 - (a) The board shall issue a license to operate a beauty salon to any licensed cosmetologist. An owner who is not a licensed cosmetologist shall have a licensed cosmetologist as manager of the beauty salon at all times. If the owner, manager, or location of a beauty salon changes, the required form and fee shall be submitted to the board.
 - (b) The board shall issue a license to operate an esthetic salon to any licensed esthetician. An owner who is not a licensed esthetician shall have a licensed

esthetician or cosmetologist as manager of the esthetic salon at all times. If the owner, manager, or location of an esthetic salon changes, the required form and fee shall be submitted to the board.

- (c) The board shall issue a license to operate a nail salon to any licensed nail technician. An owner who is not a licensed nail technician shall have a licensed nail technician or cosmetologist as manager of the nail salon at all times. If the owner, manager, or location of a nail salon changes, the required form and fee shall be submitted to the board.
- (7) The board shall issue an apprentice license to teach cosmetology, esthetic practices, or nail technology to any person who:
- (a) Has held a current cosmetologist, esthetician, or nail technician license for at least one (1) year; and
 - (b) Has submitted an application that has been signed by the owners of the school in which the applicant will study. The course of instruction shall be for a period of seven hundred fifty (750) hours and not less than four and one-half (4.5) months at one (1) school providing this instruction. The school owner shall verify to the board the completion of seven hundred fifty (750) hours. For out-of-state verification, an applicant shall provide official certification from the board or agency that certifies schools in that other state of licensure verifying the applicant has completed a course of instruction consisting of at least seven hundred fifty (750) hours and not less than four and one-half (4.5) months at one (1) school providing the instruction.
- (8) The board shall issue a license to teach cosmetology to any person who:
- (a) Has held a current cosmetologist license and apprentice instructor license for at least four and one-half (4.5) months; and
 - (b) Has satisfactorily passed the examination for the teaching of cosmetology as prescribed by the board.
- (9) The board shall issue a license to teach esthetic practices to any person who:
- (a) Has held a current esthetician license and apprentice instructor license for at least four and one-half (4.5) months;
 - (b) Has completed fifty (50) hours in esthetics training within the last two (2) years; and
 - (c) Has satisfactorily passed the examination for the teaching of esthetic practices as prescribed by the board.
- (10) The board shall issue a license to teach nail technology to any person who:
- (a) Has held a current nail technician license and apprentice instructor license for at least four and one-half (4.5) months;
 - (b) Has completed fifty (50) hours in nail technology training within the last two (2) years; and
 - (c) Has satisfactorily passed the examination for the teaching of nail technology as prescribed by the board.
- (11) If the requirements of KRS 317A.090 have been satisfied, the board shall issue a

license to operate a school of cosmetology or a school of esthetic practices or a school of nail technology to any person who:

- (a) Has as manager at all times a person who is:
 - 1. Licensed as an instructor;
 - 2. Charged with the responsibility of ensuring that all applicable statutes and administrative regulations are complied with; and
 - 3. Responsible for having a sufficient number of licensed instructors of cosmetology or esthetic practices or nail technology to conduct the school;
 - (b) Has been a resident of Kentucky for five (5) years, if the applicant is an individual. If the applicant is a firm or corporation, it shall be a Kentucky corporation or licensed or qualified to do business in Kentucky and shall have been in existence for a period of at least five (5) years;
 - (c) Any student enrolling in the school shall pay the fee set forth in administrative regulation to the board before enrollment in the school shall be allowed; and
 - (d) The transfer of any license to operate a school of cosmetology or esthetic practices or nail technology shall require the board's approval and shall become effective upon submitting the required form and fee to the board.
- (12) (a) The board shall issue a license to provide blow drying services to any person who:
- 1. Is at least eighteen (18) years old;
 - 2. Has successfully completed a twelfth grade education or the equivalent;
 - 3. Has passed an examination prescribed by the board to determine fitness to perform blow drying services;
 - 4. Has completed at least four hundred fifty (450) hours of instruction from a licensed school of cosmetology; and
 - 5. Has met any other reasonable criteria established in administrative regulations promulgated by the board.
- (b) The board shall issue a license to operate a limited beauty salon to any person:
- 1. Who is licensed to provide blow drying services or who employs at least one (1) person licensed to provide blow drying services at the limited beauty salon; and
 - 2. Whose limited beauty salon facility complies with standards established in administrative regulations promulgated by the board.
- (13) Licenses established under this chapter shall be valid for a period of time to be established by the board through the promulgation of administrative regulations.
- (14) Licenses and permits issued by the board may be renewed beginning July 1 through July 31 of each year.
- (a) Any license shall automatically be renewed by the board:
 - 1. Upon submission and receipt of the application for renewal and the required annual license fee; and

2. If the application for renewal is otherwise in compliance with the provisions of this chapter and the administrative regulations of the board.
 - (b) Any license application postmarked after July 31 shall be considered expired, and the appropriate restoration fee as required by administrative regulation of the board shall apply.
- (15) The requirements for a new license for any person whose license has expired for a period exceeding five (5) years shall be as follows:
 - (a) Cosmetologists shall retake and pass the practical examination only;
 - (b) Estheticians shall retake and pass both the practical and theory examination;
 - (c) Instructors of cosmetology or esthetic practices shall retake and pass both the practical and theory examination;
 - (d) Nail technicians shall retake and pass the practical and theory examination;
 - (e) Providers of blow drying services shall retake and pass both the practical and theory examination; and
 - (f) The appropriate restoration fee as set forth in administrative regulation of the board shall be required.
- (16) Guest artists or demonstrators appearing and demonstrating before persons other than licensed cosmetologists, estheticians, nail technicians, and providers of blow drying services shall apply for a permit that shall be in effect for ten (10) days. Guest artists performing before a nonprofit, recognized professional cosmetologists', estheticians', or cosmetology school or blow drying services' or nail technicians' group shall apply for a permit, but shall not be required to pay the fee.
- (17) The board shall issue a permit for threading and may promulgate administrative regulations that set out requirements for the practice of threading. Threading shall be conducted in a licensed beauty salon or a facility with a permit to engage in threading, and the board may promulgate administrative regulations for facilities and the required sanitation standards. The permit shall be valid for a period of one (1) year.
- (18) The board shall issue a permit for eyelash artistry and may promulgate administrative regulations that set out the requirements for the practice of eyelash artistry. Eyelash artistry shall be conducted in a licensed beauty salon or a facility with a permit to engage in eyelash artistry, and the board may promulgate administrative regulations for facilities and the required sanitation standards. The permit shall be valid for a period of one (1) year.
- (19) The board shall issue a permit for makeup artistry and may promulgate administrative regulations that set out requirements for the practice of makeup artistry and required sanitation standards. The permit shall be valid for a period of one (1) year.

Effective: July 14, 2018

History: Amended 2018 Ky. Acts ch. 35, sec. 2, effective July 14, 2018; and ch. 46, sec. 16, effective March 30, 2018. -- Amended 2017 Ky. Acts ch. 63, sec. 31, effective June 29, 2017; and ch. 99, sec. 1, effective June 29, 2017. -- Amended 2012

Ky. Acts ch. 152, sec. 5, effective July 12, 2012. -- Amended 2004 Ky. Acts ch. 96, sec. 3, effective July 13, 2004. -- Amended 1998 Ky. Acts ch. 91, sec. 1, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 82, sec. 4, effective July 15, 1996. -- Amended 1988 Ky. Acts ch. 162, sec. 1, effective March 31, 1988. -- Amended 1982 Ky. Acts ch. 435, sec. 1, effective July 15, 1982. -- Amended 1980 Ky. Acts ch. 202, sec. 1, effective July 15, 1980. -- Created 1974 Ky. Acts ch. 354, sec. 5.

Legislative Research Commission Note (7/14/2018). This statute was amended by 2018 Ky. Acts chs. 35 and 46. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 46, which was last enacted by the General Assembly, prevails under KRS 446.250.