

From: [Stefanie Kuzdrall](#)
To: [Susan L. Sitze \(Legislative Analysis\)](#)
Subject: Response to HB379 for NC Board of Cosmetic Art Examiners
Date: Friday, November 30, 2018 11:18:02 AM

Good Morning,

In response to HB379 and the requirement to provide a list of crimes defined by our Board I have reviewed both GS 88B and 21 NCAC 14 of the administrative code.

It seems that although GS 88B-22(a)-(e) defines:

(a) Except as provided in this Chapter, no person may practice or attempt to practice cosmetic art for pay or reward in any form, either directly or indirectly, without being licensed as an apprentice, cosmetologist, esthetician, natural hair care specialist, or manicurist by the Board.

(b) Except as provided in this Chapter, no person may practice cosmetic art or any part of cosmetic art, for pay or reward in any form, either directly or indirectly, outside of a licensed cosmetic art shop.

(c) No person may open or operate a cosmetic art shop in this State unless a license has been issued by the Board for that shop.

(d) An individual licensed as an esthetician, natural hair care specialist, or manicurist may practice only that part of cosmetic art for which the individual is licensed.

(d1) No person may teach cosmetic art in a Board-approved cosmetic art school unless the person is a teacher licensed under this Chapter. A guest lecturer may be exempt from the requirements of this subsection upon approval by the Board.

(e) An apprentice licensed under the provisions of this Chapter shall apprentice under the direct supervision of a cosmetologist. An apprentice shall not operate a cosmetic art shop.

Further, section (f) determines that: A violation of this Chapter is a Class 3 misdemeanor. However, the Board has not explicitly defined any conduct as a crime in the administrative code. The Board does establish a list of civil penalties in [21 NCAC 14P](#) and [21 NCAC 14H](#) based on authority of GS 88B-29 but there is no wording in our rules that directly identifies a civil penalty assessment as a crime.

I hope this covers what information you need, but please let me know if there is anything missing. Please contact me or our Executive Director, Lynda Elliott at lelliott@nccosmeticarts.com at any time. We're both glad to work on anything to help.

Regards,

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