
A BILL FOR AN ACT

RELATING TO CITATIONS FOR BEAUTY CULTURE VIOLATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 439, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§439- Citation for licensee or permittee violations;
5 fines. (a) In addition to any other remedy available under
6 this chapter, the department may issue a citation to any person
7 who holds a beauty operator, beauty instructor, beauty shop, or
8 beauty school license, or a temporary or beauty apprentice
9 permit, for any of the following violations of this chapter or
10 the rules adopted pursuant to this chapter and chapter 91:

11 (1) Failure of a beauty operator, beauty instructor,
12 beauty shop, beauty school, beauty apprentice, or
13 temporary permittee engaged in the practice of
14 cosmetology to display a license or permit in a
15 conspicuous place in the office, place of business or
16 employment, or school, during all hours of operation;



- 1 (2) Failure of a beauty shop owner or beauty school to
2 ensure that only individuals who hold a current and
3 appropriate license or permit engage in the practice
4 of cosmetology in the beauty shop or beauty school;
- 5 (3) Failure of a beauty shop engaged in the practice of
6 cosmetology to conspicuously display, in all reception
7 and work rooms, a sign that shall read "PRICE LIST
8 AVAILABLE UPON REQUEST" in capital letters at least
9 three-fourths inch in size;
- 10 (4) Failure of a beauty school to identify each
11 instructor-trainee at the beauty school with a name
12 tag, stating that person's full name and the words
13 "Instructor-trainee", to be worn during all hours of
14 instruction;
- 15 (5) Failure of a beauty school to identify each instructor
16 at the beauty school with a name tag, stating that
17 person's full name, the word "Instructor", and
18 identifying the instructor's appropriate beauty
19 operator category, to be worn during all hours of
20 instruction;
- 21 (6) Failure of a beauty school, during all hours of
22 instruction, to operate the beauty school with an



1 instructor-student ratio of one instructor for every
2 twenty-five students, or with a minimum of two
3 licensed instructors; or

4 (7) Failure of a beauty school performing work upon or for
5 members of the public to display, in a conspicuous
6 place in each reception and work room, a sign not less
7 than eighteen inches by twenty-four inches in size
8 that shall state "School of Beauty Culture - Work done
9 by students under supervision" in letters not less
10 than one-half inch high.

11 (b) Each citation:

12 (1) Shall be in writing and describe the basis of the
13 citation, including the specific statute or rule
14 violated;

15 (2) May contain an order of abatement and the assessment
16 of a fine in the amount of \$100 for each violation;

17 (3) Shall be served on the licensee or permittee by
18 personal service; and

19 (4) Shall inform the licensee or permittee that the
20 licensee or permittee may submit a written request to
21 the board or its designee for a hearing to contest the



1 citation, within twenty calendar days from the service
2 of the citation.

3 (c) If the licensee or permittee timely submits a written
4 request to the board or its designee for a hearing, the board
5 may designate a hearings officer to conduct the hearing in
6 accordance with chapter 91.

7 (d) If the licensee or permittee does not timely submit a
8 written request to the board or its designee for a hearing, the
9 citation shall be deemed a final order of the board.

10 (e) Failure of a licensee or permittee to pay any assessed
11 fine within thirty calendar days, unless the licensee or
12 permittee contests the citation, may result in further
13 disciplinary action taken by the board."

14 SECTION 2. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 3. New statutory material is underscored.

18 SECTION 4. This Act shall take effect on July 1, 2090.



Report Title:

Citations; Beauty Culture Violations; Fines; Licensees;
Permittees

Description:

Authorizes the issuance of a citation for specific violations of beauty culture laws by licensees and permittees. Sets forth a process for licensees and permittees to contest the citation and provides for the assessment of fines for each violation. (SB947 HD1)

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