
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;

17 (2) Failure of a beauty shop owner or beauty school to
18 ensure that only individuals who hold a current and



- 1 appropriate license or permit engage in the practice
2 of cosmetology in the beauty shop or beauty school;
3 (3) Failure of a beauty shop engaged in the practice of
4 cosmetology to conspicuously display, in all reception
5 and work rooms, a sign that shall read "PRICE LIST
6 AVAILABLE UPON REQUEST" in capital letters at least
7 three-fourths inch in size;
8 (4) Failure of a beauty school to identify each
9 instructor-trainee at the beauty school during all
10 hours of instruction with a name tag stating
11 "Instructor-trainee";
12 (5) Failure of a beauty school to identify each instructor
13 at the beauty school during all hours of instruction
14 with a name tag stating "instructor" and identifying
15 the instructor's appropriate beauty operator category;
16 (6) Failure of a beauty school, during all hours of
17 instruction, to operate the beauty school with an
18 instructor-student ratio of one instructor for every
19 twenty-five students, or with a minimum of two
20 licensed instructors; or



1 (7) Failure of a beauty school performing work upon or for
2 members of the public to display in a conspicuous
3 place in the reception and work rooms one or more
4 signs at least eighteen inches by twenty-four inches
5 in size that shall read "School of Beauty Culture -
6 Work done by students under supervision".

7 (b) Each citation:

8 (1) Shall be in writing and describe the basis of the
9 citation, including the specific statute or rule
10 violated;

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

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

15 (4) Shall inform the licensee or permittee that the
16 licensee or permittee may submit a written request to
17 the board or its designee for a hearing to contest the
18 citation, within twenty calendar days from the service
19 of the citation.

20 (c) If the licensee or permittee timely submits a written
21 request to the board or its designee for a hearing, the board



1 may designate a hearings officer to conduct the hearing in
2 accordance with chapter 91.

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

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

10 SECTION 2. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on July 1, 2017.

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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. (SD1)

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

