S T A T E O F N E W Y O R K

590

2009-2010 Regular Sessions

I N S E N A T E

January 9, 2009

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to authorizing and directing the secretary of state to promulgate rules and regulations relating to air quality standards in regards to the practice of nail specialty

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 404 of the general business law, as amended by chapter 341 of the laws of 1998, is amended to read as follows:

S 404. Rules and regulations. The secretary shall promulgate rules and regulations which establish standards for practice and operation by licensees under this article in order to ensure the health, safety and welfare of the public. Such rules and regulations shall include, but not be limited to, the sanitary conditions and procedures required to be maintained, a minimum standard of training appropriate to the duties of nail specialists, waxers, natural hair stylists, estheticians, and cosmetologists and the provision of service by nail specialists, waxers, natural hair stylists, estheticians or cosmetologists at remote locations other than the licensee's home provided that such practitioner holds an appearance enhancement business license to operate at a fixed location or is employed by the holder of an appearance enhancement business license. Regulations setting forth the educational requirements for nail specialists shall include education in the area of causes of infection and bacteriology. *IN ADDITION, THE SECRETARY SHALL PROMULGATE RULES AND REGULATIONS IN CONNECTION WITH THE PRACTICE OF NAIL SPECIALTY REQUIRING THE USE OF APPROPRIATE VENTILATION, AIR PURIFICATION SYSTEMS, BY OTHER AIR QUALITY IMPROVEMENT MEANS DEEMED APPROPRIATE, OR ANY COMBINATION THEREOF.* In promulgating such rules and regulations the secretary shall consult with the state education department, the advisory committee established pursuant to this article, any other state agencies and

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

private industry representatives as may be appropriate in determining minimum training requirements.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law, provided however, that effective immediately, the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of the foregoing section of this act on its effective date are authorized and directed to be made and completed on or before such effective date.