

§1222. Licensure; penalty

1. License required. A person may not practice electrology in this State unless that person is licensed by the department under this chapter. A license issued under this chapter is valid for one year from the date of issuance.

[PL 2013, c. 264, §8 (AMD).]

1-A. License renewal. A license under this chapter may be renewed annually upon payment of the prescribed fee, including late fees, additional inspection fees and fines if assessed and subject to compliance with rules of the department and this chapter. The department shall provide licensees with notice of the need for renewal and necessary forms no less than 30 days prior to the expiration of a license.

[PL 2021, c. 125, §17 (NEW).]

1-B. Conditional license. When an applicant for an initial license or a renewal license is found, based upon an inspection by the department, not in compliance with this chapter or rules adopted pursuant to section 1242, the department may refuse issuance of the initial or renewal license, but shall issue a conditional license, except when conditions are found that present a serious danger to the health and safety of the public. Failure by the conditional licensee to meet the conditions specified by the department permits the department to void the conditional license. The applicant may reapply for an annual license if the conditional license is voided or expires; however, the department may not reissue another conditional license. All conditions must be met in order for an applicant to reapply for and be issued an annual license.

[PL 2021, c. 125, §18 (NEW).]

2. Criminal penalty.

[PL 2013, c. 264, §8 (RP).]

3. Administrative penalty. A person who practices electrology without a license or who violates the sterilization, sanitation or safety standards adopted by the department under this chapter is subject to an administrative penalty, imposed by the department, of not less than \$500 nor more than \$1,000 for each violation. Each day the violation remains uncorrected may be counted as a separate offense.

[PL 2023, c. 113, §3 (AMD).]

4. Enforcement. A person who fails to pay a penalty imposed pursuant to this chapter:

A. May be referred to the Attorney General for appropriate enforcement action; and [PL 2013, c. 264, §8 (NEW).]

B. In addition to all fines and penalties imposed pursuant to this chapter, is liable for any interest, costs and fees incurred by the department, including attorney's fees. [PL 2013, c. 264, §8 (NEW).]

[PL 2013, c. 264, §8 (NEW).]

5. Schedule of penalties. The department shall adopt major substantive rules in accordance with Title 5, chapter 375, subchapter 2-A establishing a schedule of penalties according to the nature and duration of the violation of this section.

[PL 2023, c. 113, §4 (NEW).]

SECTION HISTORY

PL 1979, c. 87, §1 (NEW). PL 2013, c. 264, §8 (AMD). PL 2021, c. 125, §§17, 18 (AMD). PL 2023, c. 113, §§3, 4 (AMD).

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