

Introduced by

State Board of Cosmetology

A BILL for an Act to create and enact unnumbered sections 5, 14, 15, 16, 19, 26, 29, 30, 33, & 24 of the North Dakota Century Code, relating to salon and school inspections, nursing home and assisted living facility salons, military and military spouse reciprocity licensure, advanced esthetician licensing and late renewals for establishments and schools; to amend and reenact sections 43-11-01, 43-11-02, 43-11-03, 43-11-04, 43-11-05, 43-11-06, 43-11-08, 43-11-10, 43-11-13, 43-11-14, 43-11-15, 43-11-16, 43-11-16.1, 43-11-20.3, 43-11-21, 43-11-23, 43-11-24, 43-11-25, 43-11-26, 43-11-27, 43-11-28, 43-11-29, and 43-11-31 of the North Dakota Century Code, relating to the practice and licensure of cosmetologists, estheticians, advanced estheticians, manicurists and instructors; to repeal sections 43-11-11.1, 43-11-17, and 43-11-27.1 of the North Dakota Century Code, relating to brush rollers and repetitive establishment, school, esthetician and manicurist licensing qualifications and fees. This Act has an effective date of January 1, 2026.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 43-11-01 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-01. Definitions.**

In this chapter, unless the context or subject matter otherwise requires:

1. "Ablative esthetic procedure" means an esthetic procedure that is expected to excise, vaporize, disintegrate or remove living tissue. Ablative procedures are prohibited by cosmetologists, estheticians, advanced estheticians and manicurists as defined by this chapter.
2. "Advanced esthetician" means any person who engages in the practice of advanced esthetics in addition to the practice of esthetics.
3. "Advanced esthetics" means the practice of advanced esthetic procedures.
4. "Advanced esthetic procedure" means any of the following procedures performed for esthetic purposes and not for the treatment of a medical, physical or mental ailment: advanced chemical peels; microneedling; extractions using lancets; nonablative esthetic procedures; or other similar advanced cosmetic preparations or procedures with the use of the hands or a mechanical or electronic apparatus. Does not include ablative esthetic procedures.
5. "Apprentice" means a person who is at least 16 years of age, who is employed in an apprenticeable occupation and who is registered in North Dakota by the Office of Apprenticeship of the United States Department of Labor.
6. "Apprentice Program" means a program registered by the Office of Apprenticeship of the United States Department of Labor, which includes terms and conditions for the qualifications, recruitment, selection, employment, and training of apprentices, including the requirement for written apprenticeship agreement between an apprentice and an active licensee in an active licensed establishment pursuant to N.D.A.C 32-04-02-01.
7. "Apprentice Trainer" means a person who gives training to an apprentice in an approved apprenticeship program and who is approved under N.D.A.C 32-04-02-01.
8. "Approved Apprenticeship Establishment" means an establishment that has been approved under N.D.A.C 32-04-02-01 to participate in an apprenticeship program.
4. 9. "Board" means the state board of cosmetology.
2. 10. "Cosmetologist" means an individual licensed under this chapter to practice cosmetology.
3. 11. "Cosmetology" means any one or a combination of practices generally and usually performed by and known as the occupation of beauty culturists or cosmeticians or cosmetologists or

hairdressers, or of any other individual holding out as practicing cosmetology by whatever designation and within the meaning under this chapter and in and upon whatever place or premises.

a. The term includes:

- (1) Hair care, including arranging, dressing, curling, waving, permanent waving, cleansing, cutting, shaving, trimming, singeing, bleaching, coloring, straightening, or similar work, upon the hair of any individual by any means or with hands or mechanical or electrical apparatus or appliances;
- (2) ~~Skin care; Esthetics;~~
- (3) Manipulation and application of product to eyelashes and eyebrows, including extensions, design, treatment, tinting, and lightening;
- (4) Hair extensions using chemical hair joint agents, such as synthetic tape, keratin bonds, or fusion bonds; and
- (5) Manicuring.

~~4-12. "Esthetician" means an individual licensed under this chapter to practice esthetics and skin care.~~

~~5-13. "Esthetics" means manipulation and application of product to eyelashes and eyebrows, including extensions, design, treatment, tinting, and lightening and skin care.~~

~~a. Beautifying, massaging, cleansing or stimulating the skin of the human body by the use of cosmetic preparations, antiseptics, tonics, lotions or creams, or any device, electrical or otherwise including but not limited to microdermabrasion, dermaplaning and high frequency, for the care of the skin. It does not include any procedure that invades the live tissue below the stratum corneum layer of the epidermis by any means, including cutting, puncturing, burning, insertion of instruments. Does not include advanced esthetic procedures;~~

~~b. Cosmetic chemical peels using:~~

- ~~1. Less than thirty percent concentration of alpha hydroxy acid;~~
- ~~2. Less than twenty percent concentration of beta hydroxy acid;~~
- ~~3. Less than fifteen percent concentration of resorcinol; or~~
- ~~4. Less than fifteen percent concentration of trichloroacetic acid (TCA);~~

~~c. Applying cosmetics, eyelash extensions or eyelashes to any person, tinting eyelashes and eyebrows, eyelash perming, brow lamination and lightening hair on the body;~~

~~d. Removing superfluous hair from the body using a variety of methods including depilatories, tweezing, shaving, sugaring and waxing; and~~

~~e. The term does not include threading hair removal.~~

~~6- 14. "Independent licensee" is a licensed individual who maintains a separate salon license and operates independently from the establishment owner in which the individual's suite or chair is located. who practices the occupation of cosmetology, manicuring, esthetics, or advanced esthetics whose location is within, but separate, from a cosmetology establishment. Must abide by same provisions of this chapter as an establishment.~~

~~7- 15. "Instructor" means an individual who is a licensed cosmetologist, esthetician, advanced esthetician or manicurist who teaches cosmetology, esthetics, manicuring, or other practices within the scope of the individual's license, in a duly registered school of cosmetology, and who has met the requirements of section 43-11-27 and has applied for and received an instructor's license.~~

~~8. "Invasive care" means any procedure that invades the live tissue of the dermis by any means, including cutting, puncturing, burning, insertion of instruments, and includes:-~~

~~a. Laser use; and~~

~~b. Chemical peels using:-~~

- ~~1. Thirty percent or higher concentration of alpha hydroxy acid;~~
- ~~2. Twenty percent or higher concentration of beta hydroxy acid;~~
- ~~3. Two percent or higher concentration of resorcinol;~~
- ~~4. Fifteen percent or higher concentration of trichloroacetic acid (TCA); or~~
- ~~5. Fifteen percent or higher concentration of phenol.~~

~~9- 16. "Manicuring" means:~~

~~a. Cleansing, cutting, shaping, or beautifying nails;~~

- b. Massaging from the elbow to the fingertips or knee to toes of any individual;
- c. Caring for and treating the cuticles and nails; and
- d. The application and removal of sculptured or otherwise artificial nails by hand or with mechanical or electrical apparatus or appliances.

~~40-17.~~ "Manicurist" means an individual licensed under this chapter to practice manicuring.

~~41-18.~~ "Master cosmetologist" means an individual who has met the requirements of section 43-11-26 and has applied for and received a master cosmetologist license. The term does not include natural hair braiding or threading.

~~42-19.~~ "Master esthetician" means an individual who has met the requirements of section 43-11-26 and has applied for and received a master esthetician license.

~~43-20.~~ "Master manicurist" means an individual who has met the requirements of section 43-11-26 and has applied for and received a master manicuring license.

~~14.~~ "Mechanical device" means a clip, comb, crochet hook, curler, curling iron, hairpin, roller, scissors, blunt-tipped needle, thread, and hair binder.

~~45-21.~~ "Natural hair braiding" means the service of twisting, wrapping, weaving, extending, locking, or braiding hair by hand or with a mechanical device. Natural hair braiding is commonly known as "African-style hair braiding" but is not limited to any particular cultural, ethnic, racial, or religious forms of hairstyles. A natural form of hair manipulation that results in tension on hair strands by beading, braiding, cornrowing, extending, lacing, locking, sewing, twisting, weaving, or wrapping human hair, natural fibers, synthetic fibers, and hair extensions into a variety of shapes, patterns, and textures predominantly by hand and by only using simple hair braiding devices, and maintenance thereof.

a. The term includes:

- ~~(1) The use of natural or synthetic hair extensions, natural or synthetic hair and fibers, and decorative beads and other hair accessories;~~
- ~~(2) Minor trimming of natural hair or hair extensions incidental to twisting, wrapping, weaving, extending, locking, or braiding hair;~~
- ~~(3)(1) The making of wigs from natural hair, natural fibers, synthetic fibers, and hair extensions; and~~
- ~~(4)(2) The use of topical agents, such as conditioners, gels, moisturizers, oils, pomades, and shampoos, in conjunction with performing services under paragraph 1 or 2.~~

b. The term does not include:

- ~~(1) The application of dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl, or alter the structure of the hair; or~~
- ~~(2) The use of chemical hair joining agents, such as synthetic tape, keratin bonds, or fusion bonds.~~

(1) Hair braiding does not involve the use of penetrating chemical hair treatments, chemical hair coloring agents, chemical hair straightening agents, chemical hair joining agents, permanent wave styles, or chemical hair bleaching agents applied to growing human hair. For purposes of this section, "simple hair braiding devices" means clips, combs, curlers, curling irons, hairpins, rollers, scissors, needles, thread, and hair binders including adhesives, if necessary, that are required solely for hair braiding.

22. "Nonablative esthetic procedure" means an esthetic or cosmetic procedure that is not expected to excise, vaporize, disintegrate or remove living tissue, typically through, but not limited to, the use of laser, light & energy devices. Nonablative esthetics encompasses seven modalities: skin rejuvenation, body contouring, dyschromia reduction, cellulite reduction, hair removal, or hair reduction, and nonablative tattoo removal.

~~46-23.~~ "Noninvasive care" includes treatments confined to the nonliving cells of the stratum corneum of the epidermis. Noninvasive care must be in a superficial mode and not for the treatment of medical disorders, and living cells may not be altered, cut, or damaged. when used to describe procedures or services, means the procedures or services confined to the nonliving cells of the epidermis found in the stratum corneum layer of the skin. The practice of cosmetology,

manicuring, or esthetics shall not alter, cut, puncture or damage any living cells whether superficially or through the use of laser, light or energy.

~~17-24.~~ "Salon" means an establishment in a fixed location, not used as sleeping or living quarters, licensed under this chapter where cosmetology services are provided.

~~18-25.~~ "School of cosmetology" means an establishment operated for the purpose of teaching cosmetology, esthetics, advanced esthetics, and manicuring.

~~19.~~ "Skin care" means the use of cosmetic preparations, antiseptics, tonics, lotions, creams, or otherwise, massaging, cleansing, stimulating, manipulating, performing noninvasive hair removal, including waxing and tweezing; beautifying, or similar noninvasive care and work on the body of any individual. ~~The term does not include invasive care or threading.~~

~~20-26.~~ "Student" means any individual who is engaged in the learning or acquiring of any or all the practices of cosmetology and while so learning, performs or assists in any of the practices of cosmetology in any school registered or licensed and under the immediate supervision of an instructor licensed as such under this chapter.

~~21-27.~~ "Student instructor" means a cosmetologist, esthetician, advanced esthetician or manicurist who is receiving instruction in teacher's training within the scope of the individual's license in a duly registered school of cosmetology.

~~22-28.~~ "Threading" means the method of removing hair from the eyebrows, upper lip, or other body part by using cotton thread to pull hair from follicles.

a. The term may include the use of an over-the-counter astringent, gel, and powder, tweezers, and scissors, incidental to the removal of hair by threading.

b. The term does not include the use of chemicals, heat, or any type of wax.

~~23-29.~~ "Tuition" means the total cost of an individual's cosmetology studies, and does not include books or demonstration kits.

**SECTION 2. AMENDMENT.** Section 43-11-02 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-02. Exemptions from provisions of chapter.**

This chapter does not apply to: .

1. Services provided by individuals practicing cosmetology upon members of the individual's immediate families.
2. Services by nurses, undertakers, and morticians lawfully engaged in the performance of the usual and ordinary duties of their vocation.
3. Educational activities conducted in connection with any regularly scheduled meeting or any educational activities of any bona fide association of licensed cosmetologists, estheticians, advanced esthetician or manicurists from which the general public is excluded. For purposes of this subsection, a "bona fide association of cosmetologists" means any organization whose constitution, bylaws, or membership rules establish within said organization a class of membership consisting of licensed cosmetologists, estheticians, advanced estheticians or manicurists.
4. Services provided by retailers or their sales personnel trained in the demonstration of cosmetics application if the cosmetics are applied only with disposable applicators that are discarded after each customer demonstration. The board may adopt rules to ensure sanitary conditions for services provided under this exemption.
5. Services provided in a licensed hospital or a nursing home by an individual practicing cosmetology on a volunteer basis without compensation or by a nurse's assistant.
6. ~~Skin care~~ Advanced esthetic procedures provided by a licensed ~~cosmetologist or esthetician~~ outside of a licensed salon if the services are being provided under the supervision, control, and responsibility of a physician or physician assistant practicing within the scope of the physician's or physician assistant's license under chapter 43-17, or nurse practicing within the scope of the nurse's license under chapter 43-12.1 or a dentist or dental surgeon practicing within the scope of

the dental license under chapter 43-23, or, an optometrist practicing within the scope of the optometrist license under chapter 43-13, or a chiropractor practicing within the scope of the chiropractor license under chapter 43-06.

**SECTION 3. AMENDMENT.** Section 43-11-03 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-03. State board of cosmetology - Appointment - Term - Removal.**

The state board of cosmetology consists of ~~five~~ seven members appointed by the governor for three years each, with their terms of office so arranged that no more than ~~two~~ three terms expire on June thirtieth of each year. Each member shall qualify by taking the oath required of civil officers and shall hold office until a successor is appointed and qualified. The governor may remove from office a member for misconduct, malfeasance, neglect of duty in office, crime in office, gross incompetency, or habitual drunkenness. A vacancy on the board must be filled by appointment by the governor for the unexpired term.

**SECTION 4. AMENDMENT.** Section 43-11-04 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-04. Members of board - Qualifications.**

Each member of the board must be ~~a citizen~~ an eligible voting resident of this state. Three of the members of the board must each be a licensed cosmetologist who has had at least three years' practical experience in the occupation. Three members of the board may each be a licensed cosmetologist, esthetician, advanced esthetician or manicurist with at least three years practical experience in the occupation. One member of the board must have professional experience as a secondary teacher, ~~or as a postsecondary educator~~ or licensed cosmetology instructor with at least three years practical experience as an educator. ~~One member of the board must be a licensed health care provider.~~

**SECTION 5.** Section of the North Dakota Century Code is created and enacted as follows:

**Material changes.**

Material changes to the practice act must be brought to the board before enactment.

**SECTION 6. AMENDMENT.** Section 43-11-05 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-05. Officers of board - Powers - Rulemaking.**

~~The members of the board annually shall elect a president and a secretary from the members of the board. The president and the secretary may administer oaths. The board may adopt rules necessary to implement this chapter.~~

1. The members of the board annually shall elect a president and a secretary from the members of the board.
2. The president and the secretary may administer oaths.
3. The board shall regulate the practice of cosmetology as provided in this chapter.
4. The board shall:
  - a. Adopt and enforce rules to implement and administer this chapter after collaborating and consulting with affected parties;
  - b. Employ administrative staff and approve additional staff positions as needed;
  - c. Set fees, manage funds, and authorize expenditures necessary for board operations;
  - d. Collect and analyze pertinent data;
  - e. Maintain a registry of licensees and registered individuals.

- f. Issue licenses for cosmetologists, estheticians, advanced estheticians, manicurists, instructors, establishments, independent licensees and schools;
- g. Adopt and enforce rules for continuing competence of licensees and registrants;
- h. Regulate cosmetology practices; and
- i. Issue practice statements regarding the interpretation and application of this chapter.

**SECTION 7. AMENDMENT.** Section 43-11-06 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-06. Compensation of members of board - How paid.**

~~Each member of the board is entitled to receive compensation in the amount provided for members of the legislative management under section 54-35-10 for each day employed in the actual discharge of official duties, as determined by the board.~~ Each appointed member of the board is entitled to receive compensation in an amount determined by the board in rule, for actual services rendered in the performance of the member's duties under this chapter. Expenses incurred by a board member in the performance of an official function are payable by the board pursuant to sections 44-08-04 and 54-06-09. The compensation and expenses of all members of the board must be paid from the license fees and other sources of income of the board.

**SECTION 8. AMENDMENT.** Section 43-11-08 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-08. Meetings of the board.**

The board shall meet at least ~~twice each year~~ every other month at times determined by the board. The board shall publish annually the time and place of its regularly scheduled meetings. A majority of the members constitutes a quorum.

**SECTION 9. AMENDMENT.** Section 43-11-10 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-10. Records of board - Fees - Expenses - How paid.**

The secretary of the board shall keep a record of the board's proceedings and a register of applicants for licensure showing the name of the applicant, the name and location of the applicant's place of occupation or business, and whether the applicant was granted or refused a license. The books and records of the board are prima facie evidence of matters therein contained and constitute public records. All fees and payments required to be paid by applicants for examinations or licenses must be deposited with the secretary of the board. The secretary shall pay all expenses incurred in the operation of maintaining an office for the purpose of carrying out this chapter from fees and other income. The secretary may delegate authority under this section to administrative support staff.

**SECTION 10. AMENDMENT.** Section 43-11-11 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-11. Rules of cleaning and disinfecting - Practice outside salon.**

The board with the approval of the department of health and human services shall adopt rules of cleaning and disinfecting necessary to prevent the creating and spreading of infectious and contagious diseases. A cosmetologist, esthetician, advanced esthetician or manicurist may practice outside of a licensed ~~salon~~ establishment under rules adopted by the board. The board shall inspect ~~salons~~ establishments and schools to assure compliance with rules of cleaning and disinfecting.

**SECTION 11. AMENDMENT.** Section 43-11-13 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-13. License required.**

An individual may not:

1. Advertise, engage in, or attempt to engage in the occupations as defined in this chapter of cosmetology unless having first obtained a license; nor may an individual or licensee advertise, engage in, or conduct a cosmetology ~~salon~~ establishment or school of cosmetology unless having first obtained a an establishment or school license.
2. Employ an unlicensed individual to perform cosmetology unless otherwise provided under this chapter.

**SECTION 12. AMENDMENT.** Section 43-11-14 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-14. Licenses - Board to issue - Form - Displayed.**

The board may issue all licenses provided for under this chapter. Each license issued must be:

1. Signed by the secretary of the board;
2. Attested by the seal of the board; and
3. Displayed in clear view to the public ~~where services are being provided.~~

**SECTION 13. AMENDMENT.** Section 43-11-15 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-15. Salon Establishment ownership and operation.**

1. ~~A salon~~ An establishment may be owned by any person authorized to do business in this state.
  - ~~a. A cosmetology salon must be supervised by a master cosmetologist.~~
  - ~~b. A salon providing only skin care or esthetics must be supervised by a master cosmetologist or master esthetician.~~
  - ~~c. A manicuring salon must be supervised by a master cosmetologist or master manicurist.~~
2. The board shall determine the qualifications by rule for licensure and license fees for a ~~salon~~ an establishment license.

**SECTION 14.** Section of the North Dakota Century Code is created and enacted as follows:

**Inspections of establishments, independent licensees and schools.**

1. Each new establishment, independent licensee and school must be inspected by the board or designated agents or employees of the board to determine compliance with laws, rules and regulations of this chapter in a manner as determined by the board;
2. Each establishment, independent licensee and school shall be subject to routine inspections in a manner as determined by the board;
3. An establishment, independent licensee and school may be subject to additional inspections if the establishment, independent licensee and school:
  - a. Had a violation in a previous inspection, a re-inspection fee will be charged;
  - b. Changed ownership;
  - c. Did not timely renew the license, a re-inspection fee will be charged; or,
  - d. Is on probation because of disciplinary action from the board.
4. Inspections shall be made during establishment's regular hours of operation, or anytime the instruction or practice of cosmetology, esthetics, advanced esthetics or manicuring is being conducted, unless otherwise agreed by all interested persons or entities;
5. Inspections may be authorized by the board or its executive director; and
6. The authorized inspection may be conducted with or without notice to the licensee.

**SECTION 15.** Section of the North Dakota Century Code is created and enacted as follows:

**Inspection generated by a complaint.**

1. Each establishment, independent licensee, and school may be subject to inspection by the board or its designee, to investigate a specific complaint filed with the board, for violation of law, rules and regulations defined in this chapter;
2. Any inspection generated by a complaint may be authorized by the board or its executive director at any time.

**SECTION 16.** Section of the North Dakota Century Code is created and enacted as follows:

**Refusal to allow inspection.**

Refusal to allow, or interference with, any inspection by the board or its designees shall constitute a cause for disciplinary action.

**SECTION 17. AMENDMENT.** Section 43-11-16 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-16. Schools of cosmetology - Qualifications for licensure.**

1. A license must be granted to a school of cosmetology upon an application to the board and the payment of the license fee if the school:
  - a. Is operated and maintained in premises separate from any cosmetology salon establishment;
  - b. Requires a minimum of one thousand five hundred hours of training and instruction in cosmetology, six hundred hours of training and instruction in esthetics, or three hundred fifty hours of training and instruction in manicuring or eleven hundred hours in advanced esthetics, a student enrolled in the training or who has completed the training of the esthetician or cosmetologist curriculum in part or as a whole at a board-licensed school or who is a holder of an active North Dakota license as a cosmetologist or esthetician license will receive up to six hundred hours credit toward advanced esthetics requirement as allowed in North Dakota Administrative Code section 32-04-01-07 not to exceed eight hours per day;
  - c. Employs at least two full-time equivalent licensed instructors and maintains a maximum student-to-instructor ratio of twenty-four-to-one based on current enrollment, except a school that provides training and instruction limited to esthetics, advanced esthetics or manicuring shall maintain a maximum student-to-instructor ratio of twelve-to-one based on current enrollment;
  - d. Possesses apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum;
  - e. Maintains a record of the attendance and performance of each student;
  - f. Maintains regular class and instruction hours to include practical demonstrations and theoretical studies supplemented by audiovisual aids, and studies in sanitation-disinfection, sterilization, infection control and other safety measures and the use of antiseptics, cosmetics, and electrical appliances consistent with the practical and theoretical requirements as applicable to cosmetology; all curriculums;
  - g. Agrees not to:
    - (1) Permit any student to practice on any individual who is not an instructor or registered student of the school until the student has completed at least twenty percent of the total hours of instruction required under this chapter and only if the practice is under the immediate direction and supervision of a licensed instructor; or
    - (2) Compensate any of the school's basic students in any way; and
  - h. At the time of application for licensure and upon the renewal of a license, furnishes to the board, and maintains in force at all times the license is in effect, a bond in the penal sum of ten thousand dollars. The bond must run in favor of the board, as agent of the state, and must



be furnished by a surety company authorized to do business in this state. It must be conditioned upon the bonded school's providing its registered students with the full course of instruction required under this chapter and must provide for a refund of a proportionate amount of each student's tuition fee upon default.

2. Any school that enrolls student instructors shall set up ~~an adequate~~ a course of training ~~with the approval of the board~~ consisting of a minimum of two hundred forty hours for student instructors who have held a cosmetology, esthetician, advanced esthetician or manicure license for 2 or more years and 480 hours for student instructors who have held a cosmetology, esthetician, advanced esthetician or manicure license less than 2 years and may not have at any one time more than two student instructors for each full time equivalent licensed instructor actively engaged in the school.

**SECTION 18. AMENDMENT.** Section 43-11-16.1 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-16.1. Internships and apprenticeship programs.**

The board may establish internships ~~with the schools of cosmetology~~ and may establish apprenticeship programs. The board may adopt rules related to the licensure and discipline of interns and apprentices practicing in programs established under this section. The apprenticeship programs allow for the direct entry of individuals into a training program approved as provided in this chapter.

1. An Apprenticeship establishment participating in the apprenticeship program must:
  - a. Be approved as an approved apprenticeship program conducted in an approved establishment by the North Dakota Office of Apprenticeship; and
  - b. Provide the board with the names of all individuals acting as apprentice trainers.
2. To act as an apprentice trainer, an individual must be approved by the board. To be approved, the trainer must hold a current license in the practice for which he or she is providing training and must have held that license for a minimum of three consecutive years and completed board approved educator training.
3. If an approved apprenticeship program or apprenticeship establishment implements changes affecting the information required to be provided to the board under this section or rules adopted under this section, the revised information must be submitted to the board before implementing the changes.
4. The board or the board's designee shall audit and inspect approved apprenticeship establishments for compliance with this chapter at least annually. If the board determines that an approved apprenticeship establishment is not maintaining the standards required by this chapter, written notice thereof must be given to the approved apprenticeship program and apprenticeship establishment. An approved apprenticeship establishment that fails to correct the conditions listed in the notice to the satisfaction of the board within a reasonable time may be subject to penalties imposed.
5. An approved apprenticeship establishment must post a notice to consumers in the reception area of the establishment stating that services may be provided by an apprentice. At a minimum, the notice must state: "This establishment is a participant in a state-approved apprenticeship program. Apprentices in this program are in training and have not yet received a license."

**SECTION 19.** Section of the North Dakota Century Code is created and enacted as follows:

**Licensed nursing facilities and assisted living centers.**

Any licensed nursing facility or licensed assisted living center that permits licensed cosmetologists to perform cosmetology services only to its residents and does not advertise as a salon is not required to have a salon license. A licensed cosmetologist located within a nursing home or assisted living center

who performs cosmetology services on nonresidents of the facility must obtain a salon license for that facility.

**SECTION 20. AMENDMENT.** Section 43-11-19 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-19. Students - Registration.**

1. A student must:
  - a. Adhere to the laws and rules regarding the practice of cosmetology;
  - b. Have educational qualifications equivalent to completion of four years of high school; Be at least 16 years old and completed at least a 10<sup>th</sup> grade education or equivalent; and
  - c. Have enrolled in a school of cosmetology and complied with the preliminary requirements thereof.
2. ~~The names and qualifications of~~ A student registration form for all each students student must be ~~certified~~ submitted to the board office by each school of ~~enrollment-cosmetology~~. The ~~certification~~ registration form must be accompanied by ~~a processing~~ with the fee for each student in an amount ~~as may be determined by the board under section 43-11-28.~~

**SECTION 21. AMENDMENT.** Section 43-11-20.3 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-20.3. Cancellation of contract for instruction.**

Any person has the unrestricted right to rescind, revoke, or cancel a contract for a course of instruction at any school of ~~cosmetology~~ after entering into the contract without incurring any tort or contract liability.

**SECTION 22. AMENDMENT.** Section 43-11-21 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-21. Cosmetologist, esthetician, advanced esthetician manicurist license - Examination required - Application - Examination - Fees.**

Each individual who desires to secure a cosmetologist, esthetician, advanced esthetician or manicurist license shall file with the board a written application under oath on a form supplied by the board. The application must be accompanied by all of the following:

1. An examination fee as may be fixed by the board pursuant to section 43-11-28.
2. Satisfactory proof that the applicant has completed the ~~required training in a school of cosmetology.~~ board approved training requirements.
3. A fee for original licensure as required by section 43-11-28.

**SECTION 23. AMENDMENT.** Section 43-11-23 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-23. Examination.**

The examination of applicants for license to practice under this chapter must be conducted under rules adopted by the board and must include ~~both~~ at minimum practical demonstrations and ~~written or oral tests~~ theoretical examinations in reference to the practices for which a license is desired and in reference to related studies or subjects as the board may determine necessary for the proper and efficient performance of a practice. ~~The board may require the practical portion of the examination be conducted by schools of cosmetology as part of graduation requirements. The examination may not be confined to any specific system or method and must be consistent with the practical and theoretical requirements of cosmetology.~~

**SECTION 24. AMENDMENT.** Section 43-11-24 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-24. Cosmetologist, esthetician, advanced esthetician or manicurist license - When issued - Failure to pass examination - Re-examination.**

1. A cosmetologist, esthetician, advanced esthetician or manicurist license must be issued to any individual who has met all the following requirements:
  - a. Complied with section 43-11-21.
  - b. Passed to the satisfaction of the board the examination of applicants for a license to practice under this chapter.
2. If the applicant fails to pass the examination, the examination fee may not be returned. If an applicant fails to pass an examination, the applicant may be examined again with the payment of a re-examination fee as set forth in section 43-11-28.

**SECTION 25. AMENDMENT.** Section 43-11-25 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-25. Licensure by reciprocity endorsement.**

~~The board may grant licenses under this chapter upon the payment of a fee for original licensure and the reciprocity fee if the following requirements are met:~~

- ~~1. The applicant has:
  - a. ~~Provided satisfactory proof of a license in good standing with the District of Columbia, or any other state, territory, foreign country, or province where the requirements are equally substantial to those in force in this state at the time the application for the license is filed; or~~
  - b. ~~Provided satisfactory proof:
    - (1) ~~The applicant is licensed in good standing in any other state, territory, or jurisdiction of the United States to practice cosmetology;~~
    - (2) ~~The applicant worked in the licensed profession for at least three of the past five years; and~~
    - (3) ~~A license granted to the applicant in any other state, territory, or jurisdiction of the United States is not subject to suspension or revocation, or otherwise restricted in any manner for disciplinary purposes.~~~~~~
- ~~2. The applicant passes to the satisfaction of the board an examination on North Dakota laws, rules, and regulations.~~

~~For the purposes of this section, "issuing jurisdiction" means the duly constituted authority in another state, territory, foreign country or province that has issued a license to a person. Notwithstanding any other provision of law, a cosmetologist, esthetician, advanced esthetician or manicurist:~~

- ~~1. Shall be issued a license without an examination to an applicant if the following conditions are met:
  - a. The out-of-state applicant is currently licensed by another jurisdiction with similar scope of work through substantially similar or equivalent licensure standards of examination, minimum education requirements and the other jurisdiction verifies that the person met these requirements in order to be licensed in that jurisdiction, the out-of-state is and has been maintained in good standing in all jurisdictions in which the person holds a license for at least one year before making application to North Dakota State Board of Cosmetology;
  - b. The applicant has not had a license revoked and has not voluntarily surrendered a license in any other issuing jurisdiction or country while under investigation;
  - c. The applicant has not had discipline imposed by any other regulating entity in this state or another issuing jurisdiction or country. If another jurisdiction has taken disciplinary action against the applicant, the board shall determine if the cause for the action was corrected, and the matter resolved. If the board determines that the matter has not been resolved by~~

- the jurisdiction imposing discipline, the board shall not issue or deny a license to the person until the matter is resolved; and
- d. The applicant pays all applicable fees.
2. Shall be issued a license as determined by the board if the following conditions are met:
- a. The out-of-state applicant is a currently licensed by another jurisdiction, and the other jurisdiction verifies that the applicant met the requirements in order to be in that jurisdiction, the out-of-state license is and has been maintained in good standing in all states in which the person holds a license;
- b. The applicant provides satisfactory proof of completing the course curriculum hours required by the board. Under this specific subsection, one thousand hours of work experience as a licensed cosmetologist, esthetician, advanced esthetician or manicurist will be considered substantially equal to one hundred hours of course curriculum hours, up to five hundred hours if work experience gained in three years immediately preceding application for endorsement;
- c. The applicant has not had a license revoked and has not voluntarily surrendered a license in any other issuing jurisdiction or country while under investigation;
- d. The applicant has not had discipline imposed by any other regulating entity in this state or another issuing jurisdiction or country. If another jurisdiction has taken disciplinary action against the applicant, the board shall determine if the cause for the action was corrected, and the matter resolved. If the board determines that the matter has not been resolved by the jurisdiction imposing discipline, the board shall not issue or deny a license to the person until the matter is resolved; and
- e. The applicant pays all applicable fees.

**SECTION 26.** Section of the North Dakota Century Code is created and enacted as follows:

**Applications to practice branches of cosmetology from active-duty military members, spouses of active-duty military members, or veterans or spouses of veterans.**

Active-duty military members, spouses of active-duty military members, or veterans are eligible for provisional licensure in any branch of cosmetology if they meet the following requirements:

- 1 Active-duty military members or spouses of active-duty military members are exempt from having to take an examination to practice any branch of cosmetology in the state of North Dakota while in active-duty status and for the six-months following discharge from active duty upon filing the following:
- a. A board-approved application;
- b. Proof that the applicant holds an active license, in good standing, or equivalent, to practice any branch of cosmetology in any other state, territory of the United States, or the District of Columbia for the two years immediately preceding the move, and the applicants license remains active and in good standing in the original jurisdiction; and
- c. In the case of an active-duty military member a copy of the member's current military orders or copy of current military I.D. card, or
- d. In the case of an application from a spouse of an active-duty military member, provide the following:
- (1) Proof the applicant is married to an active-duty military member by providing a copy of a marriage certificate;
- (2) Proof the spouse (not the applicant) is assigned to a duty station in this state by providing a copy of the official active-duty military orders; or
- (3) Proof the spouse (not the applicant) has been assigned to active duty in a foreign country and the applicant is relocating to the state of North Dakota during the spouse's deployment.
- 2 A provisional license issued shall be valid for three years from the date of original issuance.

- a. A provisional license issued pursuant to this section may be renewable with proof military orders continue to be active in North Dakota.
- b. There is no fee associated with a provisional license issued pursuant to this section.
- 3 In the case of a veteran who was honorably discharged and is relocating to the state of North Dakota within six months of discharge, a copy of the veteran's discharge paperwork reflecting their status and discharge date; or
- 4 In the case of a spouse of a veteran who was honorably discharged and is relocating to the state of North Dakota within six months of discharge, provide the following:
  - a. A provisional license shall be issued and valid for three years from the date of original issuance, provided the following:
    - (1) Proof the applicant is married to a veteran who was honorably discharged and is relocating to the state of North Dakota within six months of discharge by providing a copy of a marriage certificate;
    - (2) A copy of the veteran's discharge paperwork reflecting their status and discharge date;
  - b. A provisional license issued pursuant to this section is nonrenewable;
  - c. There is no fee associated with a provisional license issued pursuant to this section.
- 5 Veterans coming from out of state are eligible for a license to practice any branch of cosmetology in the state of North Dakota in accordance with the provisions of section 43-11-25.

The board shall prioritize and expedite an application under this rule received from an active-duty military member, the spouse of an active-duty military member, a veteran, spouse of a veteran, or the surviving spouse of a veteran. The board shall record, track, and monitor such applications at such time board licensing software is deployed by this board.

**SECTION 27. AMENDMENT.** Section 43-11-26 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-26. Master cosmetologist, master esthetician, and master manicurist - License - Qualifications.**

An individual may obtain a master cosmetologist, master esthetician, or master manicurist license upon meeting all the following requirements:

1. Furnishing to the board evidence of having practiced as a cosmetologist, esthetician, or manicurist for at least one thousand hours. Cosmetologists may obtain hours under the direction and control of a master cosmetologist. Estheticians may obtain hours under the direction and control of a master cosmetologist or master esthetician. Manicurists may obtain hours under the direction and control of a master cosmetologist or master manicurist. Cosmetologists and estheticians may obtain a master license under the direction, control, and responsibility of a licensed advanced esthetician or a physician or physician assistant practicing within the scope of licensure under chapter 43-17 or a nurse practicing within the scope of the nurse's license under chapter 43-12.1.
2. Paying an original licensure fee as set forth in section 43-11-28.
3. Complying with the other requirements under this chapter applicable to a master license.

**SECTION 28. AMENDMENT.** Section 43-11-27 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-27. Instructor's license - Student instructor's license - Registration - Qualifications.**

1. No individual may be licensed as an instructor of cosmetology unless the individual passes a theory and a practical examination required by the board after paying the examination fee set forth in section 43-11-28 and provides evidence of having a general education equivalent to the completion of four years in high school. An applicant:
  - a. Shall possess a current North Dakota license as a cosmetologist, esthetician, advanced esthetician or manicurist and must have ~~at least nine hundred sixty hours instructor's training~~

- ~~in cosmetology in a school of cosmetology; completed the required hours of instructor's training in a school of cosmetology or course of training approved by the board.~~
- ~~b. Shall possess a current North Dakota license as a cosmetologist, esthetician, advanced esthetician or manicurist and must have been actively engaged in the practice under the scope of the applicant's license for at least one year before application for an instructor's license, supplemented by not less than four hundred eighty hours instructor's training in a school of cosmetology or course of training approved by the board; or~~
- ~~c. Shall possess a current North Dakota license as a cosmetologist, esthetician, advanced esthetician or manicurist and shall have been actively engaged in the practice of cosmetology for at least three years prior to application for an instructor's license supplemented by not less than one hundred sixty hours instructor's training in a school of cosmetology or course of training approved by the board. No instructor or student instructor may be permitted to practice cosmetology on a patron other than that part of practical work which pertains directly to the teaching of practical operations to students.~~
- ~~b. No instructor or student instructor may be permitted to practice cosmetology on a patron at a cosmetology school other than that part of practical work which pertains directly to the teaching of practical operations to students.~~
2. ~~Student instructors must be registered with the board. The board must record the name, age, and qualifications of the student instructor in a register. A student instructor registration form for each student instructor must be submitted to the board office by each school of enrollment. The registration form must be accompanied with the fee for each student instructor in an amount determined by the board under section 43-11-28. A student instructor shall possess, at the time of enrollment, a general education equivalent to the completion of four years in high school and hold a license as a cosmetologist, esthetician, advanced esthetician or manicurist. Upon completion of the course prescribed for student instructors, the student instructor shall make application ~~on a form provided by~~ to the board and pay a fee as provided in section 43-11-28. The board then shall cause the applicant to be examined for an instructor's license. ~~The examination must be given by a special examining committee comprised of the board, assisted by one person designated by the board.~~ Upon successfully passing the theoretical and practical examination examinations, the board shall issue an instructor's license to the applicant.~~
3. No individual is entitled to renew an instructor's license unless the instructor has furnished to the board evidence of completion of the continuing education established by the board by rule.
4. Licensed estheticians and manicurists may only provide instruction within the scope of practice of the respective licenses determined under this chapter.

**SECTION 29.** Section of the North Dakota Century Code is created and enacted as follows:

**License requirements-additional certifications for advanced estheticians.**

In addition to the license requirements for advanced esthetician, a written application and proof of board approved additional training and certifications must be made to the board prior to the use of:

1. Microneedling pens, rollers, devices.
2. Non-ablative devices as defined in this chapter.
3. Advanced chemical peels.

**SECTION 30.** Section of the North Dakota Century Code is created and enacted as follows:

**Advanced Esthetician License Grandfather Clause**

1. Any North Dakota licensed cosmetologist or esthetician who has practical experience as a licensee for one year immediately preceding the enactment date of the advanced esthetician license type may make application for advanced esthetician license until December 31, 2027, as long as they meet the following requirements:
  - a. Complete a Board approved four-hour safety and infection control training;
  - b. Obtain active OSHA Blood Borne Pathogens certification;

- c. Obtain active Red Cross First Aid & CPR certification; and
  - d. Provide a notarized affidavit from a supervising medical professional of working under the direct supervision and control of a licensed physician or physician assistant practicing within the scope of the physician's or physician assistant's license under chapter 43-17, or nurse practicing within the scope of the nurse's license under chapter 43-12.1 for a minimum of three hundred hours of actual service work within five years immediately preceding application; or
  - e. Provide proof of completing one hundred fifty hours of advanced esthetic training approved by the board.
2. Any North Dakota licensed cosmetologist or esthetician not meeting the above requirements or not making application to the board by December 31, 2027, will be required to complete five hundred hours of training in advanced esthetics in a board approved program.

**SECTION 31. AMENDMENT.** Section 43-11-28 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-28. Fees and qualifications.**

1 The board may issue licenses upon approval for cosmetologists, estheticians, advanced estheticians, manicurists, instructors, establishments, independent licensees and schools. The board shall determine the qualifications for licensure.

2 Fees to be paid by applicants for original registrations, original licenses, renewals, licenses issued upon reciprocity, and examinations as required under this chapter may not exceed the following amounts:

a. <del>Original registrations, licenses, and annual renewals</del>	<del>MAXIMUM FEE:-</del>
<del>(1) Salons, original license registration</del>	<del>\$80.00 per year</del>
<del>(2) Salons, renewal</del>	<del>\$30.00 per year</del>
<del>(3) School of cosmetology, original license registration</del>	<del>\$505.00 per year</del>
<del>(4) School of cosmetology, annual renewal</del>	<del>\$205.00 per year</del>
<del>(5) Cosmetologist, original license</del>	<del>\$15.00 per year</del>
<del>(6) Cosmetologist, annual renewal</del>	<del>\$15.00 per year</del>
<del>(7) Master cosmetologist, original license</del>	<del>\$25.00 per year</del>
<del>(8) Master cosmetologist, annual renewal</del>	<del>\$20.00 per year</del>
<del>(9) Instructor, original license</del>	<del>\$35.00 per year</del>
<del>(10) Instructor, renewal</del>	<del>\$20.00 per year</del>
<del>(11) Reciprocity license fee</del>	<del>\$105.00 per year</del>
<del>(12) Registration fee for student</del>	<del>\$15.00 per year</del>
<del>(13) Duplicate license</del>	<del>\$10.00 per year</del>
<del>(14) Certification fee</del>	<del>\$20.00 per year</del>

b. Late fees:

<del>(1) Late renewal within one year</del>	<del>\$50.00</del>
<del>(2) Late renewal after one year but before five years</del>	<del>\$150.00</del>

a. Fees:

	<u>MAXIMUM FEE:-</u>
<u>(1) Establishment, original license</u>	<u>\$150.00</u>
<u>(2) Establishment, annual renewal</u>	<u>\$100.00 per year</u>
<u>(3) Independent licensee, original license</u>	<u>\$150.00</u>
<u>(4) Independent licensee, annual renewal</u>	<u>\$100.00 per year</u>
<u>(5) School, original license</u>	<u>\$550.00</u>
<u>(6) School, annual renewal</u>	<u>\$250.00 per year</u>
<u>(7) Advanced esthetician, original license</u>	<u>\$50.00</u>
<u>(8) Advanced esthetician, annual renewal</u>	<u>\$50.00 per year</u>
<u>(9) Cosmetologist, original license</u>	<u>\$50.00</u>
<u>(10) Cosmetologist, annual renewal</u>	<u>\$50.00 per year</u>

<u>(11)Master Cosmetologist, original license</u>	<u>\$50.00</u>
<u>(12)Master Cosmetologist, annual renewal</u>	<u>\$50.00 per year</u>
<u>(13)Esthetician, original license</u>	<u>\$50.00</u>
<u>(14)Esthetician, annual renewal</u>	<u>\$50.00 per year</u>
<u>(15)Master esthetician, original license</u>	<u>\$50.00</u>
<u>(16)Master esthetician, annual renewal</u>	<u>\$50.00 per year</u>
<u>(17)Instructor, original license</u>	<u>\$50.00</u>
<u>(18)Instructor, renewal</u>	<u>\$50.00 per year</u>
<u>(19)Manicurist, original license</u>	<u>\$50.00</u>
<u>(20)Manicurist, annual renewal</u>	<u>\$50.00 per year</u>
<u>(21)Master manicurist, original license</u>	<u>\$50.00</u>
<u>(22)Master manicurist, annual renewal</u>	<u>\$50.00 per year</u>
<u>(23)Duplicate license</u>	<u>\$20.00</u>
<u>(24)Individual or Business name change</u>	<u>\$20.00</u>
<u>(25)Reciprocity license fee</u>	<u>\$105.00</u>
<u>(26)Registration fee for apprentice</u>	<u>\$15.00</u>
<u>(27)Registration fee for apprentice trainer</u>	<u>\$25.00</u>
<u>(28)Registration fee for student</u>	<u>\$15.00</u>
<u>(29)Re-inspection fee</u>	<u>\$75.00</u>
<u>(30)Transcript fee</u>	<u>\$20.00</u>
<u>(31)Verification fee</u>	<u>\$20.00</u>

b. Late fees

<u>(1) Individual late renewal within one year</u>	<u>\$50.00</u>
<u>(2) Individual late renewal after one year but before five years</u>	<u>\$150.00</u>
<u>(3) Establishment late renewal within one year</u>	<u>\$50.00</u>
<u>(4) Independent licensee late renewal within one year</u>	<u>\$50.00</u>
<u>(5) Establishment late renewal after one year</u>	<u>\$100.00 per year expired</u>
<u>(6) Independent licensee late renewal after one year</u>	<u>\$100.00 per year expired</u>
<u>(7) School late renewal within thirty days</u>	<u>\$50.00</u>

3. Examination fees are set and collected by the exam administrator of the examination and payment is the responsibility of the applicant.
4. Fees are not prorated or returnable.
5. The board may establish continuing education requirements for cosmetologists, estheticians, advanced estheticians, manicurists and instructors. The board may adopt rules related to continuing education hours for each license type under this section.
6. The board shall sponsor an educational program for ~~licenseholders~~ license holders to carry out the purposes of protecting the public health and safety and maintaining capable and skilled cosmetologists, estheticians, advanced estheticians manicurists, and instructors. The board shall use such portion of the renewal fees as the board may determine for the purpose of providing the educational program.

**SECTION 32. AMENDMENT.** Section 43-11-29 of the North Dakota Century Code is amended and reenacted as follows:

**43-11-29. Licensee License renewal - Failure to renew.**

A An Individual licensee license issued by the board expires on December thirty-first. If the application for renewal is not received on or before the expiration date, the license expires.

1. The board may renew a license if:
  - a. An application for renewal is submitted as provided by the board;



- b. The renewal fee is paid; and
- c. Grounds for denial do not exist under section 43-11-31.
2. The holder of an expired license, within one year from and after the date of the license's expiration, may obtain a reinstatement of the license upon:
  - a. Payment of the required late fee; and
  - b. Payment of the current renewal fee.
3. The holder of an expired license, one year after the date of expiration but before five years, may obtain a reinstatement of the license upon:
  - a. Payment of the required late fee; and
  - b. Pay current renewal fee: and
  - c. Furnishing to the board satisfactory proof of passing the current North Dakota law, rules, and regulations examination.

The board may not reinstate a license if more than five years has lapsed since the license expired. If a license has not been renewed within five years, the individual may reapply for licensure under the requirements of initial licensure as set forth under this chapter.

**SECTION 33.** Section of the North Dakota Century Code is created and enacted as follows:

**Establishment, independent licensee license renewal - failure to renew.**

1. An establishment license issued by the board expires on December thirty-first. If the application for renewal is not received on or before the expiration date, the license expires.
2. The board may renew a license if:
  - a. An application for renewal is submitted as provided by the board;
  - b. The renewal fee is paid; and
  - c. Grounds for denial do not exist under section 43-11-31.
3. The holder of an expired establishment or independent licensee license, within twelve months from the date of the license's expiration, may obtain a reinstatement of the establishment license upon:
  - a. Payment of the required late fee; and
  - b. Payment of the current renewal fee.
4. The holder of an expired establishment or independent licensee license, after twelve months from the date of the license's expiration must pay the required late penalty fee for each year not renewed and reapply for establishment or independent licensure as set forth in this chapter.

**SECTION 34.** Section of the North Dakota Century Code is created and enacted as follows:

**School License renewal - Failure to renew.**

1. A school license issued by the board expires on December thirty-first. If the application for renewal is not received on or before the expiration date, the license expires.
2. The board may renew a license if:
  - a. An application for renewal is submitted as provided by the board;
  - b. The renewal fee is paid; and
  - c. Grounds for denial do not exist under section 43-11-31.
3. A school not renewed within thirty days of expiration may be cause for disciplinary action.

**SECTION 35. REPEAL.** Sections 43-11-11.1, 43-11-17, and 43-11-27.1 of the North Dakota Century Code are repealed.

**SECTION 35. EFFECTIVE DATE.** This Act becomes effective on January 1, 2026.