

AMENDED IN ASSEMBLY MAY 27, 2005

AMENDED IN ASSEMBLY APRIL 20, 2005

AMENDED IN ASSEMBLY APRIL 13, 2005

AMENDED IN ASSEMBLY APRIL 4, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1263**

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**Introduced by Assembly Member Yee**

February 22, 2005

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An act to add Section 7350.1 to the Business and Professions Code, relating to barbering and cosmetology.

LEGISLATIVE COUNSEL'S DIGEST

AB 1263, as amended, Yee. Barbering and cosmetology: equipment.

Under existing law, the Barbering and Cosmetology Act, the State Board of Barbering and Cosmetology licenses and regulates persons engaged in the practice of barbering and cosmetology, and makes a violation of the act a misdemeanor. Existing law requires an establishment in which cosmetology is practiced to be licensed by the board.

This bill would require the board to adopt regulations on or before January 1, 2007, that set forth standards and requirements for the use of pedicure equipment. The bill would require these standards to be kept current with specified state and federal agency standards. The bill would also require the board to establish penalties, including remediation requirements, for violations of ~~health and safety~~ *these* regulations.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Due to the recent outbreaks of serious infections  
 2 and the lack of standards for the proper disinfection of pedicure  
 3 equipment in California, it is imperative that the safety of  
 4 manicure, pedicure, and all nail salon customers be assured. This  
 5 can only be accomplished by the adoption of regulations that will  
 6 not only require, but will also ensure that proper safety  
 7 requirements are followed.

8 SEC. 2. Section 7350.1 is added to the Business and  
 9 Professions Code, to read:

10 7350.1. (a) The board shall adopt regulations on or before  
 11 January 1, 2007, that set forth standards and requirements for the  
 12 use of pedicure equipment that do all of the following:

13 (1) Establish minimum safety specifications for pedicure  
 14 equipment.

15 (2) Require the use of disinfectants registered at a level for  
 16 instrument disinfection by the federal Environmental Protection  
 17 Agency.

18 (3) Establish procedures to ensure the proper and safe  
 19 operation of pedicure spa equipment.

20 (4) Establish proper protocols for disinfecting all multiuse  
 21 tools and equipment between patrons in all salons providing  
 22 manicure and pedicure services. The time of contact shall be 10  
 23 minutes and the disinfection shall be by complete immersion on  
 24 nonporous items such as, but not limited to, cuticle nippers,  
 25 pushers, electric file bits, and nail files.

26 (5) All equipment that holds water for pedicures, including  
 27 whirlpool spas, pipeless whirlpool spas, footbaths, basins, tubs,  
 28 sinks, and bowls shall be cleaned of all visible debris and residue  
 29 after use of each patron, and then disinfected by circulating,  
 30 where applicable, or to remain in wet contact with all surfaces of  
 31 the pedicure appliance or equipment, regardless of mechanical  
 32 configuration, the correct dilution of disinfectant through the unit  
 33 for 10 minutes. Automated systems for cleaning and disinfecting  
 34 in accordance with this provision are acceptable.

1 (6) If the appropriate technology is available, establish  
2 minimum safety specifications and other requirements for the  
3 manufacture of new whirlpool pedicure equipment and the  
4 modification of existing whirlpool equipment.

5 (7) Establish accountability procedures and notification  
6 requirements to customers that proper cleaning and disinfection  
7 procedures have been followed on all multiuse tools and  
8 equipment prior to providing any manicure and pedicure salon  
9 service.

10 (b) The board shall keep disinfection standards and protocols  
11 current with standards set by the State Department of Health  
12 Services, the United States Environmental Protection Agency,  
13 and the United States Centers for Disease Control and  
14 Prevention.

15 (c) (1) The board shall also establish, pursuant to Section  
16 125.9, penalties, including remediation requirements, for  
17 licensees and establishments that violate ~~health and safety~~  
18 ~~regulations~~ *regulations adopted pursuant to this section*.

19 (2) The board shall conspicuously display a notice in a  
20 violators place of business or employment if any or all of the  
21 following occurs:

22 (A) The board has revoked, suspended, or denied a license to  
23 operate a nail salon or pedicure foot spa.

24 (B) The board has assessed a fine or penalty, has issued a  
25 citation, or taken other disciplinary action against an operator of  
26 a nail salon or pedicure foot spa.