

SESSION OF 2025

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2068**

As Recommended by House Committee on  
Health and Human Services

**Brief\***

HB 2068 would enact the Cosmetologist Licensure Compact (Compact). The Compact's uniform provisions are outlined below.

***Purpose (Section 1)***

The purpose of the Compact would be to facilitate the interstate practice of cosmetology with the goal of improving public access to cosmetology services and achieving a number of objectives that reduce administrative burden while increasing licensure and mobility of licensed cosmetologists as well as cooperation between states' licensing bodies.

The Compact would preserve the regulatory authority of states to provide services through the current system of state licensure while also providing license portability for qualifying professionals through a multistate licensing system.

***Definitions (Section 2)***

The Compact would define various terms, including:

- "Commission" would mean the governmental agency whose membership consists of all states that have enacted this Compact, which is known as the Cosmetology Licensure Compact Commission

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

(Commission), and which shall operate as an instrumentality of member states;

- “Cosmetology,” “cosmetology services,” and the “practice of cosmetology” would mean the care and services provided by a cosmetologist as defined in the member state’s statutes and regulations in the state where the services are being provided; and
- “Multistate license” would mean a license issued by and subject to the enforcement jurisdiction of the state licensing authority in a licensee’s home state that authorizes the practice of cosmetology in member states and includes authorizations to practice cosmetology in all remote states pursuant to the Compact.

***State Participation in the Compact (Section 3)***

To be eligible to join the Compact, member states would be required to:

- License and regulate cosmetology;
- Have the ability to receive and investigate complaints about licensees practicing cosmetology in the state;
- Require licensees within the state to pass a cosmetology competency examination prior to being licensed to provide cosmetology services to the public;
- Require licensees to satisfy educational or training requirements in cosmetology prior to being licensed;
- Implement a procedure to consider applicants’ criminal history, disciplinary history, or background check;

- Participate fully in the data system;
- Share adverse actions against a licensee with the Commission;
- Notify the Commission of the existence of investigative information or current significant investigative information in the state's possession regarding a state's licensee;
- Comply with the rules of the Commission; and
- Accept licensees from other member states who have met the terms of the Compact.

The Compact would authorize member states to charge a fee for granting a multistate license to practice cosmetology. The Compact would provide for member states to retain sole jurisdiction over the licensing requirements for a single state license to practice cosmetology.

***Multistate License (Section 4)***

The Compact would require an applicant for multistate licensure hold an active and unencumbered single-state license to practice cosmetology in the applicant's home state. If an applicant meets the educational and credentialing criteria to have a multistate license, the Compact would require the state licensing authority grant a multistate license within a reasonable amount of time. The Compact would require that a licensee practicing in a remote state adhere to that state's laws and regulations relating to cosmetology as well as the jurisdiction of the state licensing authority and the courts of the member state.

***Reissuance of a Multistate License by a New Home State  
(Section 5)***

The Compact would allow a licensee to have only one multistate license, issued by their home state, at any given time. The Compact would provide a procedure to change a licensee's home state license when relocating between member states.

***Authority of the Compact Commission and Member State  
Licensing Authorities (Section 6)***

The Compact would not limit, restrict, or in any way reduce the ability of a member state to enact and enforce laws, rules, or regulations to the practice of cosmetology that are not inconsistent with the Compact. Member states would be expected to cooperate with the Commission. The Compact would require that discipline would be the sole responsibility of the state where cosmetology services are provided. Member states would be required to communicate with each other regarding complaints and adverse actions.

***Adverse Actions (Section 7)***

The Compact would allow a member state to take adverse action against a licensee's multistate license in such member state and to issue subpoenas. Only the licensee's home state would have the power to take adverse action against the license issued by the home state. For the purposes of taking adverse action, the home state's licensing authority may act on reported conduct received from a remote state as though such conduct occurred within the home state, and the home state would apply its own state laws. The Compact would also allow joint investigations by member states of licensees. Member states would be permitted to recover costs of investigations or dispositions if permitted by their state law.

The Compact would require a licensee's home state to promptly report the conclusions of any investigation to the data system. If an adverse action is taken by the home state, the multistate license would be deactivated in all member states until all encumbrances are removed from the home state license. The home state would be able to accept a licensee's participation in an alternative program in lieu of adverse action. A multistate license would be suspended for the duration of the participation in the alternative program.

***Active Duty Military Personnel or Their Spouse (Section 8)***

The Compact would allow active duty military personnel or their spouses to designate a home state where such service member or spouse has a current license in good standing and would allow such military personnel or spouse to retain that home state designation during the period of time the service member is on active duty.

***Establishment and Operation of the Cosmetology Licensure Compact Commission (Section 9)***

The Compact would create the Cosmetology Licensure Compact Commission (Commission) and include provisions relating to membership, voting, powers and duties, and financing of the Commission. The Compact would establish the Executive Committee, which would have the power to act on behalf of the Commission according to the terms of the Compact.

The Compact would provide for the Commission to pay for the reasonable expenses of its establishment, organization, and ongoing activities. The Commission would be able to levy and collect an annual assessment from each member state and impose fines on licensees of member states to cover the cost of operations. The Compact would

require the Commission to adopt an annual report, including a financial review, and provide the report to member states.

The Compact would provide for the qualified immunity, defense, and indemnity of its members, officers, employees, and representatives of the Commission acting within the scope of Commission employment, duties, or responsibilities. The protections would not apply for damage, loss, injury, or liability caused by the individual's intentional, willful, or wanton misconduct. The Compact would not limit the liability of any licensee for professional malpractice or misconduct governed by applicable state laws.

#### ***Data Systems (Section 10)***

The Compact would require the Commission to develop, maintain, operate, and utilize a coordinated database and reporting system. The Compact would govern how the information would be provided to the data system by member states, the use of the data by member states, as well as its designation of information that would not be able to be shared with the public without the express permission of the contributing state. The Compact would also require removal of expunged information from the data system.

### ***Rulemaking (Section 11)***

The Compact would authorize the Commission to exercise rulemaking powers. The Compact would require notice of proposed rules to specified persons and locations to be provided at least 30 days prior to the meeting where the Commission will consider such rules. Additionally, the Commission would be required to provide notice of the public hearing and provide access to the meeting and record all hearings. A majority of legislatures of the member states would be able to reject a rule by enactment of a statute or resolution within four years of adoption of the rule. The Compact would also provide for emergency rulemaking procedures.

### ***Oversight, Dispute Resolution, and Enforcement (Section 12)***

The Compact would provide that the executive and judicial branches in each member state would enforce and implement the Compact. The Compact would establish judicial venue and service of process for the Compact Commission. The Compact would also establish a process to be followed by member states regarding default, requesting technical assistance, or termination from the Compact. The Compact would require the Commission, upon member request, to resolve disputes arising among member states and between member states and non-member states. In addition, the Commission would be allowed to enforce the provisions of the Compact, and, by majority vote, could initiate legal action in federal court against a member state.

### ***Effective Date, Withdrawal, and Amendment (Section 13)***

The Compact would be effective on the date on which the Compact statute is enacted into law in the seventh member state. [Note: As of February 6, 2025, the Compact has been enacted in eight states: Alabama, Arizona,

Colorado, Kentucky, Maryland, Ohio, Tennessee, and Virginia. Ten additional states, including Kansas, are considering Compact legislation.]

Any member state would be allowed to withdraw from the Compact by enacting a statute that would repeal the Compact, but this would not take effect until 180 days after the enactment of the repealing statute. Member states could amend the Compact, but any amendment would not be effective until it is enacted by all member states. Additionally, the Compact would not invalidate or prevent any licensure agreement or cooperative arrangement between a member state and non-member state that did not conflict with the Compact.

***Construction and Severability (Section 14)***

The Compact and the Commission's rulemaking authority would be required to be liberally construed and the provisions of the Compact would be severable.

***Consistent Effect and Conflict with Other State Laws (Section 15)***

The Compact would not prevent the enforcement of any other law of a member state that is not inconsistent with the Compact. Laws in conflict with the Compact would be superseded to the extent of the conflict and all lawful actions of the Commission would be binding upon member states.

**Background**

The bill was introduced by the House Committee on Commerce, Labor and Economic Development at the request of a representative of the Kansas Chamber of Commerce.



### ***House Committee on Health and Human Services***

In the House Committee hearing, **proponent** testimony was provided by representatives of the Kansas Adjutant General's Office, the Kansas Chamber of Commerce, U.S. Department of Defense, and the Knee Regulatory Research Center at West Virginia University. The representatives generally spoke in support of the bill for the portability of licensing across states as well as for making the transition for military families easier.

Written-only proponent testimony was provided by representatives of Future of the Beauty Industry Coalition and The Greater Kansas City Chamber of Commerce.

No other testimony was provided.

### **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget, the Board of Cosmetology (Board) indicates enactment of the bill could have a fiscal effect on its revenues depending on how many Kansas licensees apply for a multistate license. Board revenues could also be affected if out-of-state licensees who currently pay to be dually licensed decided to get a multistate license. However, the Board is unable to estimate the fiscal effect. Any fiscal effect associated with the bill is not reflected in *The FY 2026 Governor's Budget Report*.

Cosmetologist; licensure; interstate practice privileges; Cosmetologist Licensure Compact