

Cosmetology Licensure COMPACT

1		Cosmetology Licensure Compact Commission
2	Title of Rule:	Rule on Rulemaking
3	Reason for Rule:	To further outline and clarify the rule promulgation process of the
4		Cosmetology Licensure Compact Commission.
5	History for Rule:	Introduced at Inaugural Commission Meeting – October 8, 2024
6		Adopted at 2025 Annual Business Meeting – July 25, 2025
7	Effective:	July 25, 2025



9	Chapter 1:	Rulemaking
10	Authority:	Article 9: Establishment and Operation of the Cosmetology Licensure
11		Compact Commission
12		Article 11: Rulemaking
13		Article 13: Effective Date, Withdrawal, and Amendment
14	1.0 Purpose:	Pursuant to Article 11 of the Compact, the Cosmetology Licensure
15		Compact Commission shall promulgate reasonable and lawful uniform
16		rules to facilitate and coordinate implementation and administration of the
17		Cosmetology Licensure Compact. This Rule will become effective upon
18		passage by the Cosmetology Licensure Compact Commission as provided
19		in Article 11 of the Cosmetology Licensure Compact.
20	1.1 Definition(s):	(a) “ Commission ” means: the Cosmetology Licensure Compact
21		Commission, which is the joint administrative body whose membership
22		consists of all Member States.
23		(b) “ Commissioner ” means: the individual appointed by a Member State
24		to serve as the member of the Commission for that Member State.
25		(c) “ Compact ” means the Cosmetology Licensure Compact.
26		(d) “ Member State ” means a state that has enacted the Compact and been
27		admitted to the Commission in accordance with the Compact and the
28		Commission Rules, and which has not withdrawn or been terminated from
29		the Compact.
30		(d) “ Rule ” means: a regulation, principle or directive promulgated by the
31		Commission pursuant to the criteria set forth in Article 11 of the Compact

32 that has the force and effect of law in a Member State and includes the
33 amendment, repeal, or suspension of an existing Rule.

34 (e) “**Rules Committee**” means: a committee that is established as a
35 standing committee to develop reasonable and lawful uniform rules for
36 consideration by the Commission and subsequent implementation by the
37 states and to review existing rules and recommend necessary changes to
38 the Commission for consideration.

39 (f) “**Scope of Practice**” means the procedures, actions, and processes a
40 Cosmetologist licensed in a State is permitted to undertake in that State
41 and the circumstances under which the Licensee is permitted to undertake
42 those procedures, actions and processes. Such procedures, actions and
43 processes and the circumstances under which they may be undertaken may
44 be established through means, including, but not limited to, statute,
45 regulations, case law, and other processes available to the State Licensing
46 Authority or other government agency.

47 (g) “**State**” means: any state, commonwealth, district, or territory of the
48 United States of America.

49 **1.2 Proposed Rules or Amendments:** Rules shall be adopted by majority vote of the Member
50 States of the Commission pursuant to the criteria set forth in Section 11 of the Compact and in
51 the following manner:

52 (a) New rules and amendments to existing rules proposed pursuant to Section 9 and
53 Section 11 of the Compact and the Commission Bylaws shall be submitted to the
54 Commission office for referral to the Rules Committee in any of the following ways:

55 (1) Any Commissioner may submit a proposed Rule for referral to the Rules
56 Committee during the next scheduled Commission meeting.

57 (2) Standing Committees of the Commission may propose Rules amendments by
58 majority vote of that Committee.

59 **1.3 Drafting of Proposed Rules:** The Rules Committee shall prepare a draft of all proposed
60 rules and provide the draft to the Executive Committee to provide to all Commissioners for
61 review and comments. Based on the comments made by the Commissioners, the Rules
62 Committee shall prepare a final draft of the proposed rule(s) or amendments for consideration by
63 the Commission not later than 30 days prior to the next Commission meeting.

64 **1.4 Notice of Proposed Rulemaking Prior to Public Hearing:** Prior to promulgation and
65 adoption of a final Rule, the Commission shall hold a public hearing and allow persons to
66 provide oral and written comments, data, facts, opinions, and arguments. At least 30 days prior to
67 the public hearing, the Commission shall provide a Notice of Proposed Rulemaking:

68 (1) On the website of the Commission or other publicly accessible platform; and

69 (2) To persons who have requested notice of the Commission's notices of proposed
70 rulemaking.

71 **1.5 Contents of Notice of Proposed Rulemaking:** The Notice of Proposed Rulemaking shall
72 include:

73 (a) The time, date, and location of the public hearing at which the Commission will hear
74 public comments on the proposed Rule and, if different, the time, date, and location of
75 the meeting where the Commission will consider and vote on the proposed Rule;

76 (b) The mechanism for access to the hearing if the hearing is to be held via
77 telecommunication, video conference, or other electronic means;

78 (c) The text of the proposed Rule and the reason for the proposed Rule.

79 (d) A request for comments on the proposed Rule from any interested person; and

80 (e) The manner in which interested persons may submit notice to the Commission of their
81 intention to attend the public meeting and any written comments.

82 **1.6 Public Hearings:** All persons wishing to be heard at the public hearing shall notify the
83 executive director of the Commission or other designated member in writing of their desire to
84 appear and testify at the hearing not less than five (5) business days before the scheduled date of
85 the hearing.

86 Hearings shall be conducted in a manner providing each person who wishes to comment a fair
87 and reasonable opportunity to comment orally or in writing.

88 All hearings shall be recorded. A copy of the recording shall be made available upon request.

89 Nothing in this chapter shall be construed as requiring a separate hearing on each Rule. Rules
90 may be grouped for the convenience of the Commission at hearings required by this chapter.

91 The Commission shall consider all written and oral comments received prior to taking final
92 action on the proposed Rule.

93 **1.7 Final Adoption of Rule:** At a regular or special meeting of the Commission, which may be
94 held at the same date and location as the public hearing, the Commission shall, by majority vote
95 of all Commissioners, take final action on the proposed Rule based on the rulemaking record.

96 The Commission may adopt changes to the proposed Rule provided the changes do not enlarge
97 the original purpose of the proposed Rule. The Commission shall provide an explanation of the
98 reasons for substantive changes made to the proposed Rule as well as reasons for substantive
99 changes not made that were recommended by commenters.

100 The Commission shall determine a reasonable effective date for the Rule. Except for an
101 emergency as provided in Section 1.9, the effective date of the Rule shall be no sooner than
102 forty-five days after the Commission issues the notice that it adopted the Rule.

103 **1.8 Status of Rules Upon Adoption of Compact By Additional Member States;**

104 **Applicability:** Any state that joins the Compact subsequent to the Commission’s initial adoption
105 of the rules shall be subject to the rules as they exist on the date on which the Compact becomes
106 law in that state. Any Rule that has been previously adopted by the Commission shall have the
107 full force and effect of law on the day the Compact becomes law in that state.

108 No Member State’s rulemaking requirements shall apply under this Compact.

109 The Rules of the Commission shall have the force of law in each Member State, provided,
110 however, that where the Rules of the Commission conflict with the laws of the Member State
111 which establish the Member State’s Scope of Practice as held by a court of competent
112 jurisdiction, the rules of the Commission shall be ineffective in that State to the extent of the
113 conflict.

114 If, within 4 years of the date of adoption of a Rule, a majority of the legislatures of the Member
115 States rejects the Rule or a portion of the Rule by the enactment of statutes in the same manner
116 such legislatures used to adopt the Compact, the Rule shall have no further force and effect in
117 any Member State.

118 **1.9 Emergency Rulemaking:** Upon determination that an emergency exists, the Commission
119 may consider and adopt an emergency Rule with 24 hours’ notice, with the opportunity to
120 comment, provided that the usual rulemaking procedures provided in the Compact and in this
121 section shall be retroactively applied to the rule as soon as reasonably possible, in no event later
122 than ninety (90) days after the effective date of the Rule. For the purposes of this provision, an
123 emergency rule is one that must be adopted immediately in order to:

- 124 1. Meet an imminent threat to public health, safety, or welfare,
- 125 2. Prevent a loss of Commission or Member State funds;
- 126 3. Meet a deadline for the promulgation of a Rule that is established by federal law or rule;
- 127 4. Protect public health and safety.

128 **2.0 Non-Substantive Rule Revisions:** The Commission or an authorized committee of the
129 Commission may direct revisions to a previously adopted Rule for purposes of correcting
130 typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice
131 of any revisions shall be posted on the website of the Commission. The revision shall be subject
132 to challenge by any person for a period of thirty (30) days after posting. The revision may be
133 challenged only on grounds that the revision results in a material change to a Rule. A challenge
134 shall be made in writing and delivered to the Commission prior to the end of the notice period. If
135 no challenge is made, the revision will take effect without further action. If the revision is
136 challenged, the revision may not take effect without the approval of the Commission.