

## 2016 Kansas Statutes

### **65-1909. Violations; civil and criminal remedies.** (a) No person shall:

- (1) Employ an individual or allow any individual to engage in any activity for which a license is required pursuant to K.S.A. 65-1902, and amendments thereto, unless such individual holds a currently valid license issued to such individual;
  - (2) violate any order or ruling of the state board of cosmetology;
  - (3) fail or refuse to comply with rules and regulations prescribed by the board or applicable sanitation standards adopted by the secretary of health and environment pursuant to K.S.A. 65-1,148, and amendments thereto; or
  - (4) violate any of the provisions of article 19 of chapter 65 of Kansas Statutes Annotated.
- (b) Violation of subsection (a) is a misdemeanor punishable by a fine of not less than \$10 nor more than \$100, or by imprisonment in the county jail for not less than 10 days nor more than 90 days, or by both such fine and imprisonment.
- (c) The board may bring an action in its own name in a court of competent jurisdiction to enjoin any person from practicing or teaching cosmetology, esthetics, nail technology or electrology or from operating a salon, clinic or school where such courses are taught without a currently valid license. In any civil action brought under this section, it shall be presumed that irreparable damage will occur where the board alleges and proves a person committed a violation of such licensing laws. In addition to issuing an order for injunctive relief, the court also may assess a fine of not to exceed \$1,500 against such person.

**History:** L. 1927, ch. 245, § 12; L. 1949, ch. 334, § 5; L. 1975, ch. 322, § 9; L. 1987, ch. 238, § 8; L. 1989, ch. 195, § 8; L. 1998, ch. 160, § 11; L. 2002, ch. 187, § 9; L. 2008, ch. 108, § 8; July 1.