

DEPARTMENT OF ADMINISTRATIVE SERVICES
DIVISION OF PROFESSIONAL REGULATION
5100 Board of Cosmetology and Barbering
Statutory Authority: 24 Delaware Code, Section 5106 (24 Del.C. §5106)
24 DE Admin. Code 5100

PROPOSED

PUBLIC NOTICE

The Delaware Board of Cosmetology and Barbering in accordance with 24 **Del.C.** §5106 has proposed changes to its rules and regulations as mandated by SB 229. The proposal identifies crimes that are substantially related to the provision of cosmetology, barbering, electrology and nail technology services.

A public hearing will be held at 9:30 a.m. on January 31, 2005 in the Second Floor Conference Room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Cosmetology and Barbering, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover DE 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Board will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

Proposed Rules and Regulations

18.0 Crimes substantially related to the practice of cosmetology, barbering, electrology and nail technology

18.1 Conviction of any of the following crimes, or of the attempt to commit or of a conspiracy to commit or conceal or of solicitation to commit any of the following crimes, is deemed to be substantially related to the practice of cosmetology, barbering, electrology and nail technology in the State of Delaware without regard to the place of conviction:

- 18.1.1 Criminal solicitation in the first degree. 11 Del.C. §503.**
- 18.1.2 Conspiracy in the first degree. 11 Del.C. §513.**
- 18.1.3 Aggravated Menacing. 11 Del.C. §602(b).**
- 18.1.4 Reckless endangering in the first degree. 11 Del.C. §604.**
- 18.1.5 Abuse of a pregnant female in the second degree. 11 Del.C. §605.**
- 18.1.6 Abuse of a pregnant female in the first degree. 11 Del.C. §606.**
- 18.1.7 Assault in the second degree. 11 Del.C. §612.**
- 18.1.8 Assault in the first degree. 11 Del.C. §613.**
- 18.1.9 Abuse of a sports official; felony. 11 Del.C. §614.**
- 18.1.10 Assault by abuse or neglect. 11 Del.C. §615.**
- 18.1.11 Terroristic threatening; felony. 11 Del.C. §621.**
- 18.1.12 Unlawfully administering drugs. 11 Del.C. §625.**
- 18.1.13 Unlawfully administering controlled substance or counterfeit substance or narcotic drugs. 11 Del.C. §626.**
- 18.1.14 Murder by abuse or neglect in the second degree. 11 Del.C. §633.**
- 18.1.15 Murder by abuse or neglect in the first degree. 11 Del.C. §634.**
- 18.1.16 Murder in the second degree. 11 Del.C. §635.**
- 18.1.17 Murder in the first degree. 11 Del.C. §636.**
- 18.1.18 Abortion. 11 Del.C. §651.**
- 18.1.19 Unlawful sexual contact in the second degree. 11 Del.C. §768.**
- 18.1.20 Unlawful sexual contact in the first degree. 11 Del.C. §769.**
- 18.1.21 Rape in the fourth degree. 11 Del.C. §770.**
- 18.1.22 Rape in the third degree. 11 Del.C. §771.**
- 18.1.23 Rape in the second degree. 11 Del.C. §772.**
- 18.1.24 Rape in the first degree. 11 Del.C. §773.**
- 18.1.25 Sexual extortion. 11 Del.C. §776.**
- 18.1.26 Continuous sexual abuse of a child. 11 Del.C. §778.**

18.1.27 Dangerous crime against a child. 11 Del.C. §779.
18.1.28 Female genital mutilation. 11 Del.C. §780.
18.1.29 Unlawful imprisonment in the first degree. 11 Del.C. §782.
18.1.30 Kidnapping in the second degree. 11 Del.C. §783.
18.1.31 Kidnapping in the first degree. 11 Del.C. §783A.
18.1.32 Arson in the third degree. 11 Del.C. §801
18.1.33 Arson in the second degree. 11 Del.C. §802.
18.1.34 Arson in the first degree. 11 Del.C. §803.
18.1.35 Burglary in the second degree. 11 Del.C. §825.
18.1.36 Burglary in the first degree. 11 Del.C. §826
18.1.37 Possession of burglar's tools or instruments facilitating theft. 11 Del.C. §828.
18.1.38 Robbery in the second degree. 11 Del.C. §831.
18.1.39 Robbery in the first degree. 11 Del.C. §832.
18.1.40 Carjacking in the second degree. 11 Del.C. §835.
18.1.41 Carjacking in the first degree. 11 Del.C. §836.
18.1.42 Extortion. 11 Del.C. §846.
18.1.43 Identity theft. 11 Del.C. §854.
18.1.44 Forgery. 11 Del.C. §861.
18.1.45 Possession of forgery devices. 11 Del.C. §862.
18.1.46 Tampering with public records in the first degree. 11 Del.C. §876.
18.1.47 Unlawful use of credit card; felony. 11 Del.C. §903.
18.1.48 Reencoder and scanning devices. 11 Del.C. §903A.
18.1.49 Criminal impersonation of a police officer. 11 Del.C. §907B.
18.1.50 Dealing in children. 11 Del.C. §1100
18.1.51 Endangering the welfare of a child. 11 Del.C. §1102.
18.1.52 Sexual exploitation of a child. 11 Del.C. §1108.
18.1.53 Unlawfully dealing in child pornography. 11 Del.C. §1109.
18.1.54 Possession of child pornography. 11 Del.C. §1111.
18.1.55 Sexual offenders; prohibitions from school zones. 11 Del.C. §1112.
18.1.56 Perjury in the second degree. 11 Del.C. §1222.
18.1.57 Perjury in the first degree. 11 Del.C. §1223.
18.1.58 Terroristic threatening of public officials or public servants. 11 Del.C. §1240.
18.1.59 Abetting the violation of driver's license restrictions. 11 Del.C. §1249.
18.1.60 Escape in the second degree. 11 Del.C. §1252
18.1.61 Escape after conviction. 11 Del.C. §1253.
18.1.62 Assault in a detention facility. 11 Del.C. §1254.
18.1.63 Promoting prison contraband; deadly weapon. 11 Del.C. §1256.
18.1.64 Use of an animal to avoid capture. 11 Del.C. §1257A(b) (1) and (2).
18.1.65 Sexual relations in detention facility. 11 Del.C. §1259.
18.1.66 Misuse of prisoner mail; second conviction. 11 Del.C. §1260.
18.1.67 Tampering with a witness. 11 Del.C. §1263.
18.1.68 Interfering with child witness. 11 Del.C. §1263A.
18.1.69 Tampering with physical evidence. 11 Del.C. §1269.
18.1.70 Criminal contempt of a domestic violence protective order. 11 Del.C. §1271A.
18.1.71 Hate crimes. 11 Del.C. §1304.
18.1.72 Aggravated harassment. 11 Del.C. §1312.
18.1.73 Stalking. 11 Del.C. §1312A.
18.1.74 Cruelty to animals. 11 Del.C. §1325.
18.1.75 Violation of privacy. 11 Del.C. §1335.
18.1.76 Definitions relating to riot, disorderly conduct and related offenses. 11 Del.C. §1337.
18.1.77 Bombs, incendiary devices, Molotov cocktails and explosive devices. 11 Del.C. §1338.
18.1.78 Adulteration. 11 Del.C. §1339.
18.1.79 Promoting prostitution in the third degree. 11 Del.C. §1351.
18.1.80 Promoting prostitution in the second degree. 11 Del.C. §1352.

- 18.1.81 Promoting prostitution in the first degree. 11 Del.C. § 1353.
- 18.1.82 Obscenity. 11 Del.C. §1361.
- 18.1.83 Unlawfully dealing with a dangerous weapon. 11 Del.C. §1445.
- 18.1.84 Possession of a deadly weapon during commission of a felony. 11 Del.C. §1447.
- 18.1.85 Possession of a firearm during commission of a felony. 11 Del.C. §1447A
- 18.1.86 Possession and purchase of deadly weapons by persons prohibited. 11 Del.C. §1448.
- 18.1.87 Giving a firearm to person prohibited. 11 Del.C. §1454.
- 18.1.88 Engaging in a firearms transaction on behalf of another. 11 Del.C. §1455.
- 18.1.89 Possession of a weapon in a Safe School and Recreation Zone; felony. 11 Del.C. §1457.
- 18.1.90 Removing a firearm from the possession of a law enforcement officer. 11 Del.C. §1458.
- 18.1.91 Organized Crime and Racketeering. 11 Del.C. §1504.
- 18.1.92 Victim or Witness intimidation. 11 Del.C. §§3532 & 3533.
- 18.1.93 Violations. (Abuse, neglect, mistreatment or financial exploitation of residents or patients.) 16 Del.C. §1136.
- 18.1.94 Distribution, delivery, or possession of controlled substance within 1,000 feet of school property. 16 Del.C. §4767.
- 18.1.95 Distribution, delivery or possession of controlled substance in or within 300 feet of park, recreation area, church, synagogue or other place of worship. 16 Del.C. §4768.
- 18.2 Crimes substantially related to the practice of cosmetology, barbering, electrology and nail technology shall be deemed to include any crimes under any federal law, state law, or valid town, city or county ordinance, that are substantially similar to the crimes identified in this rule.