

1 HB370
2 206863-1
3 By Representative Sorrell
4 RFD: Boards, Agencies and Commissions
5 First Read: 09-FEB-21

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8 SYNOPSIS: Under existing law, hair braiding is listed
9 under the term cosmetology and natural hair
10 styling. These terms are subject to regulation and
11 licensing requirements by the Board of Cosmetology
12 and Barbering.

13 This bill would remove braiding of the hair
14 from the definition of cosmetology and would also
15 provide that braiding would not be regulated by the
16 Board of Cosmetology and Barbering.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT

21
22 Relating to cosmetology; to amend Section 34-7B-1,
23 Code of Alabama 1975, to remove hair braiding from the
24 definition of cosmetology; and to exclude hair braiding from
25 the requirements of licensure and training of the Board of
26 Cosmetology and Barbering.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 24-7B-1, Code of Alabama 1975, is
2 amended to read as follows:

3 "§34-7B-1.

4 "For the purposes of this chapter, the following
5 terms shall have the following meanings:

6 "(1) APPRENTICE. Any person engaged in learning the
7 practices defined in this chapter including, but not limited
8 to, assisting in the performance of any acts of barbering or
9 cosmetology on the general public under the constant and
10 direct supervision of a person who has held a valid current
11 license issued by the board for at least five years, in a shop
12 licensed by the board.

13 "(2) BARBERING. The occupation of shaving or
14 trimming the beard, cutting or dressing the hair, giving
15 facial or scalp massages, giving facial or scalp treatment
16 with oils or creams or other preparations made for that
17 purpose, either by hand or by means of mechanical appliances,
18 singeing and shampooing the hair, dyeing the hair, or
19 permanently waving or straightening the hair of any living or
20 deceased person for compensation, as performed by a Class 2
21 barber.

22 "(3) BOARD. The Alabama Board of Cosmetology and
23 Barbering.

24 "(4) CLASS 1 BARBER. A person who only does the
25 following in his or her ordinary course of business: Arranges,
26 cleans, cuts, or sings the hair of any person or massages,
27 cleans, stimulates, exercises, or does similar work on the

1 scalp, face, or neck of any person with the hands, or with
2 mechanical or electrical apparatus or appliance, or by the use
3 of cosmetic preparations, antiseptics, tonics, lotions, or
4 creams. Any one or a combination of the following practices,
5 when done upon the human body above the seventh cervical
6 vertebra for cosmetic purposes and not for the treatment of
7 disease or physical or mental ailments, and when done for
8 payment, directly or indirectly or without payment for the
9 public generally: Shaving or trimming the beard or trimming
10 the hair.

11 "(5) CLASS 2 BARBER. Any person, other than a
12 student or apprentice, who performs barbering on the general
13 public for compensation, and who shall satisfy the
14 qualifications and licensure requirements provided in this
15 chapter for a Class 2 barber. For the purposes of this
16 chapter, the term barber, standing alone, shall be deemed a
17 reference to a Class 2 barber.

18 "(6) COSMETOLOGIST. Any person, other than a student
19 or apprentice, who performs cosmetology on the general public
20 for compensation, and who shall satisfy the qualifications and
21 licensure requirements provided in this chapter for a
22 cosmetologist.

23 "(7) COSMETOLOGY. Any of the practices generally
24 recognized as beauty culture, hairdressing, or any other
25 designation engaged in by any person who performs such on the
26 general public for compensation including, but not limited to,
27 cleansing, singeing, cutting, arranging, dressing, curling,

1 ~~braiding~~, waxing, bleaching, weaving, coloring the hair by
2 hand or mechanical apparatus, the use of creams, lotions, or
3 cosmetic preparations, with or without massage, on the scalp,
4 face, arms, legs, feet, or hands, esthetics practices, nail
5 technology, manicure, pedicure, or desairology.

6 "(8) ESTHETICIAN. Any person, other than a student
7 or apprentice, who performs esthetics on the general public
8 for compensation, and who shall satisfy the qualifications and
9 licensure requirements provided in this chapter for an
10 esthetician.

11 "(9) ESTHETICS. The practice of performing acts of
12 skin care including, but not limited to, facials, body waxing,
13 makeup, and general esthetics procedures on the general public
14 for compensation.

15 "(10) ESTHETICS/MANICURE. A combination of the
16 practices of esthetics and manicure.

17 "(11) ESTHETICIAN/MANICURIST. Any person, other than
18 a student or apprentice, who performs a combination of the
19 practices of esthetics and manicure on the general public for
20 compensation, and who shall satisfy the qualifications and
21 licensure requirements provided in this chapter for an
22 esthetician/manicurist.

23 "(12) INSTRUCTOR. A licensee who teaches in a
24 licensed or registered school of barbering or any branch of
25 cosmetology and completes any applicable requirements for
26 continuing education.

1 "(13) LICENSE. A document issued by the board which
2 entitles the holder to practice the profession listed on the
3 document.

4 "(14) LICENSEE. Any person holding a license issued
5 pursuant to this chapter.

6 "(15) MANICURE. The practice of beautifying or
7 grooming the fingernails, toenails, adding nail tips,
8 extensions, gels, or massaging the hands, forearms, feet, or
9 lower legs of the general public for compensation.

10 "(16) MANICURIST. Any person, other than a student
11 or apprentice, who performs the practice of manicure on the
12 general public for compensation, and who shall satisfy the
13 qualifications and licensure requirements provided in this
14 chapter for a manicurist.

15 "(17) MANICURE/WAXING. A combination of the
16 practices of manicure and waxing.

17 "(18) MANICURIST/WAXER. Any person, other than a
18 student or apprentice, who performs a combination of the
19 practices of manicure and waxing on the general public for
20 compensation, and who shall satisfy the qualifications and
21 licensure requirements provided in this chapter for a
22 manicurist/waxer.

23 "(19) NATURAL HAIR STYLING. The practice of
24 cleansing, weaving or interweaving, extending, locking,
25 ~~braiding~~, or arranging the hair without cutting, coloring,
26 permanent waving, relaxing, removing, or chemical treatments.

1 "(20) NATURAL HAIRSTYLIST. Any person, other than a
2 student, who performs natural hair styling on the general
3 public for compensation, and who shall satisfy the
4 qualifications and licensure requirements provided in this
5 chapter for a natural hairstylist.

6 "(21) SCHOOL. An establishment licensed or
7 registered by the board to teach any or all of the practices
8 of barbering or cosmetology.

9 "(22) SHAMPOO ASSISTANT. Any person who is licensed
10 to perform only the practices of shampooing, cleansing, or
11 applying temporary weekly color rinses to the hair of the
12 general public for compensation, and who shall satisfy the
13 qualifications and licensure requirements provided in this
14 chapter for a shampoo assistant.

15 "(23) SHOP. Any place where barbering or cosmetology
16 is practiced. Only a properly licensed person, who is not an
17 apprentice or a student, may operate a shop.

18 "(24) STUDENT. Any person who is engaged in learning
19 any practice regulated by this chapter in a school licensed or
20 registered pursuant to this chapter, and who, as part of the
21 learning process, performs or assists in any practice
22 regulated by this chapter under the immediate supervision of
23 an instructor who is licensed pursuant to this chapter.

24 "(25) THREADING. The practice of eyebrow removal
25 with the use of a loop made of cotton or any other material.

26 "(26) THREADER. Any person engaged in the practice
27 of threading on the general public for compensation, and who

1 shall satisfy the qualifications and licensure requirements
2 provided in this chapter for a threader."

3 Section 2. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.