

HB70 INTRODUCED



1 HB70
2 Y9HGN6N-1
3 By Representative Givan
4 RFD: Boards, Agencies and Commissions
5 First Read: 04-Feb-25
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SYNOPSIS:

Under existing law, the Alabama Board of Cosmetology and Barbering is responsible for licensing and regulating cosmetologists, barbers, estheticians, manicurists, and other practitioners of beauty culture.

This bill would provide for the licensing and regulation of esthetician/makeup artists by the board, would provide for certain exemptions, and would specify qualifications for licensing.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Board of Cosmetology and Barbering; to amend Sections 34-7B-1, 34-7B-13, and 34-7B-25, Code of Alabama 1975; to define esthetics/makeup application, esthetition/makeup artists, and makeup application; to provide further for exemptions; to require registration with the board by October 1, 2025; and to add Section 34-7B-22.1 to the Code of Alabama 1975, to provide for licensing qualifications.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 34-7B-1, 34-7B-13, and 34-7B-25 of the Code of Alabama 1975, are amended to read as follows:

"§34-7B-1



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29 For the purposes of this chapter, the following terms
30 ~~shall~~ have the following meanings:

31 (1) APPRENTICE. Any person engaged in learning the
32 practices defined in this article including, but not limited
33 to, assisting in the performance of any acts of barbering or
34 cosmetology on the general public under the constant and
35 direct supervision of a person who has held a valid current
36 license issued by the board for at least five years, in a shop
37 licensed by the board.

38 (2) BARBERING. The occupation of shaving or trimming
39 the beard, cutting or dressing the hair, giving facial or
40 scalp massages, giving facial or scalp treatment with oils or
41 creams or other preparations made for that purpose, either by
42 hand or by means of mechanical appliances, singeing and
43 shampooing the hair, dyeing the hair, or permanently waving or
44 straightening the hair of any living or deceased person for
45 compensation, as performed by a Class 2 barber.

46 (3) BOARD. The Alabama Board of Cosmetology and
47 Barbering.

48 (4) CLASS 1 BARBER. A person who only does the
49 following in his or her ordinary course of business: Arranges,
50 cleans, cuts, or sings the hair of any person or massages,
51 cleans, stimulates, exercises, or does similar work on the
52 scalp, face, or neck of any person with the hands, or with
53 mechanical or electrical apparatus or appliance, or by the use
54 of cosmetic preparations, antiseptics, tonics, lotions, or
55 creams. Any one or a combination of the following practices,
56 when done upon the human body above the seventh cervical



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57 vertebra for cosmetic purposes and not for the treatment of
58 disease or physical or mental ailments, and when done for
59 payment, directly or indirectly or without payment for the
60 public generally: Shaving or trimming the beard or trimming
61 the hair.

62 (5) CLASS 2 BARBER. Any person, other than a student or
63 apprentice, who performs barbering on the general public for
64 compensation, and who shall satisfy the qualifications and
65 licensure requirements provided in this chapter for a Class 2
66 barber. For the purposes of this chapter, the term barber,
67 standing alone, shall be deemed a reference to a Class 2
68 barber.

69 (6) COSMETOLOGIST. Any person, other than a student or
70 apprentice, who performs cosmetology on the general public for
71 compensation, and who shall satisfy the qualifications and
72 licensure requirements provided in this article for a
73 cosmetologist.

74 (7) COSMETOLOGY. Any of the practices generally
75 recognized as beauty culture, hairdressing, or any other
76 designation engaged in by any person who performs such on the
77 general public for compensation including, but not limited to,
78 cleansing, singeing, cutting, arranging, dressing, curling,
79 braiding, waxing, bleaching, weaving, coloring the hair by
80 hand or mechanical apparatus, the use of creams, lotions, or
81 cosmetic preparations, with or without massage, on the scalp,
82 face, arms, legs, feet, or hands, esthetics practices, nail
83 technology, manicure, pedicure, or desairology.

84 (8) ESTHETICIAN. Any person, other than a student or



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85 apprentice, who performs esthetics on the general public for
86 compensation, and who shall satisfy the qualifications and
87 licensure requirements provided in this article for an
88 esthetician.

89 (9) ESTHETICIAN/MAKEUP ARTIST. Any person, other than a
90 student or apprentice, who performs a combination of the
91 practices of esthetics and makeup application on the general
92 public for compensation, and who shall satisfy the
93 qualifications and licensure requirements provided in this
94 article for an esthetician/makeup artist.

95 ~~(9)~~ (10) ESTHETICS. The practice of performing acts of
96 skin care including, but not limited to, facials, body waxing,
97 makeup application, and general esthetics procedures on the
98 general public for compensation.

99 (11) ESTHETICS/MAKEUP APPLICATION. A combination of the
100 practices of esthetics and makeup application.

101 ~~(10)~~ (12) ESTHETICS/MANICURE. A combination of the
102 practices of esthetics and manicure.

103 ~~(11)~~ (13) ESTHETICIAN/MANICURIST. Any person, other than
104 a student or apprentice, who performs a combination of the
105 practices of esthetics and manicure on the general public for
106 compensation, and who shall satisfy the qualifications and
107 licensure requirements provided in this article for an
108 esthetician/manicurist.

109 ~~(12)~~ (14) INSTRUCTOR. A licensee who teaches in a
110 licensed or registered school of barbering or any branch of
111 cosmetology and completes any applicable requirements for
112 continuing education.



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113 ~~(13)~~ (15) LICENSE. A document issued by the board which
114 entitles the holder to practice the profession listed on the
115 document.

116 ~~(14)~~ (16) LICENSEE. Any person holding a license issued
117 pursuant to this article.

118 (17) MAKEUP APPLICATION. The practice of applying
119 cosmetic preparations and other cosmetic products to the skin,
120 eyebrows, and lashes of the faces and necks of the general
121 public for compensation.

122 ~~(15)~~ (18) MANICURE. The practice of beautifying or
123 grooming the fingernails, toenails, adding nail tips,
124 extensions, gels, or massaging the hands, forearms, feet, or
125 lower legs of the general public for compensation.

126 ~~(16)~~ (20) MANICURIST. Any person, other than a student
127 or apprentice, who performs the practice of manicure on the
128 general public for compensation, and who shall satisfy the
129 qualifications and licensure requirements provided in this
130 article for a manicurist.

131 ~~(17)~~ (19) MANICURE/WAXING. A combination of the
132 practices of manicure and waxing.

133 ~~(18)~~ (21) MANICURIST/WAXER. Any person, other than a
134 student or apprentice, who performs a combination of the
135 practices of manicure and waxing on the general public for
136 compensation, and who shall satisfy the qualifications and
137 licensure requirements provided in this article for a
138 manicurist/waxer.

139 ~~(19)~~ (22) NATURAL HAIR STYLING. The practice of
140 cleansing, weaving or interweaving, extending, locking,



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141 braiding, or arranging the hair without cutting, coloring,
142 permanent waving, relaxing, removing, or chemical treatments.

143 ~~(20)~~ (23) NATURAL HAIRSTYLIST. Any person, other than a
144 student, who performs natural hair styling on the general
145 public for compensation, and who shall satisfy the
146 qualifications and licensure requirements provided in this
147 article for a natural hairstylist.

148 ~~(21)~~ (24) SCHOOL. An establishment licensed or
149 registered by the board to teach any or all of the practices
150 of barbering or cosmetology.

151 ~~(22)~~ (25) SHAMPOO ASSISTANT. Any person who is licensed
152 to perform only the practices of shampooing, cleansing, or
153 applying temporary weekly color rinses to the hair of the
154 general public for compensation, and who shall satisfy the
155 qualifications and licensure requirements provided in this
156 article for a shampoo assistant.

157 ~~(23)~~ (26) SHOP. Any place where barbering or cosmetology
158 is practiced including, but not limited to, a mobile salon.
159 Only a properly licensed person, who is not an apprentice or a
160 student, may operate a shop.

161 ~~(24)~~ (27) STUDENT. Any person who is engaged in learning
162 any practice regulated by this article in a school licensed or
163 registered pursuant to this article, and who, as part of the
164 learning process, performs or assists in any practice
165 regulated by this article under the immediate supervision of
166 an instructor who is licensed pursuant to this article.

167 ~~(25)~~ (28) THREADING. The practice of eyebrow removal
168 with the use of a loop made of cotton or any other material.



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169 ~~(26)~~ (29) THREADER. Any person engaged in the practice
170 of threading on the general public for compensation, and who
171 shall satisfy the qualifications and licensure requirements
172 provided in this article for a threader."

173 "§34-7B-13

174 This chapter does not apply to any of the following
175 persons, activities, or services:

176 (1) Service in the case of emergency or domestic
177 upheaval, without compensation.

178 (2) Licensed medical professionals operating within the
179 scope of their normal practice.

180 (3) Personnel of the United States armed services
181 performing their ordinary duties.

182 (4) Any public trade school or other public school or
183 school program under the purview of the State Board of
184 Education or a local board of education.

185 (5) Any person who only occasionally dresses hair and
186 receives no compensation therefor, or does any other act or
187 thing mentioned in this chapter, without holding himself or
188 herself out to the public as a provider of any practices
189 defined in this chapter for compensation.

190 (6) Departments in retail establishments where
191 cosmetics are demonstrated and offered for sale but where no
192 other acts of cosmetology or barbering are performed.

193 (7) The licensees of any county or municipal barber
194 board or commission in existence on August 1, 2013, unless
195 such board or commission elects, by resolution adopted by the
196 governing body of the county or municipality, to come under



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197 ~~the provisions of~~ this chapter.

198 (8) Any person who practices as a Class 1 barber.

199 (9) Any person who works exclusively under contract
200 with the International Alliance of Theatrical Stage Employees
201 (IATSE), or its successor organization."

202 "§34-7B-25

203 (a) Threaders shall register with the board and pay an
204 original license fee by January 28, 2014. Any person licensed
205 pursuant to this ~~section~~ subsection shall be subject to this
206 chapter and rules adopted by the board, including, but not
207 limited to, shop requirements, sanitation procedures, and
208 license renewal.

209 (b) An esthetician/makeup artist shall register with
210 the board and pay an original license fee commencing on
211 October 1, 2025. Any person licensed pursuant to this
212 subsection shall be subject to this chapter and rules adopted
213 by the board including, but not limited to, shop requirements,
214 sanitation procedures, and license renewal."

215 Section 2. Section 34-7B-22.1 is added to the Code of
216 Alabama 1975, to read as follows:

217 §34-7B-22.1

218 (a) No person may be admitted to an examination or
219 licensed as an esthetician/makeup artist unless he or she
220 holds a license as an esthetician and has successfully
221 completed at least 500 clock hours of skin care fundamentals
222 instruction in a licensed or registered school of cosmetology
223 or 500 clock hours of skin care fundamentals instruction in a
224 licensed or registered school of esthetics under this chapter.



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225 (b) Any applicant who satisfies the qualifications in
226 subsection (a), pays any applicable examination fee,
227 successfully completes the examination, and pays the license
228 fee shall be issued an esthetician/makeup artist license.

229 Section 3. This act shall become effective on June 1,
230 2025.