

First Regular Session of the 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1243

AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 25-8-1.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 1.1. Application of Article

Sec. 1. The practice of natural hair braiding (as defined in IC 25-8-2-20) is exempt from regulation under this article.

SECTION 2. IC 25-8-2-2.7, AS AMENDED BY P.L.158-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2.7. (a) "Barbering" means performing one (1) or more of the following practices upon the head, face, or neck of a person:

- (1) Cutting, trimming, styling, arranging, dressing, curling, permanent waving, cleansing, bleaching, tinting, coloring, or similarly treating hair.
- (2) Shaving or trimming beards and mustaches, including the use of a straight razor.
- (3) Applying oils, creams, antiseptics, clays, powders, lotions, or other preparations, either by hand or by mechanical appliances, in the performance of facial or scalp massage.

(b) "Barbering" does not include performing **the act of natural hair braiding** or any of the acts described in subsection (a) when done:

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- (1) in treating illness or disease;
- (2) as a student in a beauty culture school; or
- (3) without compensation.

SECTION 3. IC 25-8-2-5, AS AMENDED BY P.L.158-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) "Cosmetology" means performing any of the following acts on the head, face, neck, shoulders, torso, arms, hands, legs, or feet of a person:

- (1) Cutting, trimming, styling, arranging, dressing, curling, waving, permanent waving, cleansing, bleaching, tinting, coloring, or similarly treating hair.
- (2) Applying oils, creams, antiseptics, clays, lotions, or other preparations to massage, cleanse, stimulate, manipulate, exercise, or beautify.
- (3) Arching eyebrows.
- (4) Removing superfluous hair from the body by the use of depilatories, waxing, or tweezers.
- (5) Manicuring and pedicuring.
- (6) Shaving or trimming beards and mustaches.
- (7) Giving facials, applying makeup, and giving skin care.

(b) "Cosmetology" does not include performing any of the acts described in subsection (a):

- (1) in treating illness or disease;
- (2) as a student in a beauty culture school that complies with the notice requirements set forth in IC 25-8-5-6;
- (3) in performing shampooing operations; or
- (4) without compensation.

(c) "Cosmetology" does not include performing ~~the act of threading:~~
the following:

- (1) The act of threading.**
- (2) The act of natural hair braiding.**

SECTION 4. IC 25-8-2-9.5, AS AMENDED BY P.L.170-2013, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9.5. (a) "Esthetician" means a person who engages solely in one (1) or more of the following practices:

- (1) Giving facials, applying makeup, and giving skin care.
- (2) Beautifying, massaging, or cleaning the body with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams.
- (3) Removing superfluous hair from the body by the use of depilatories, waxing, or tweezers.

(b) The term does not include performing any of the acts described in subsection (a):



- (1) in treating an illness or a disease;
 - (2) as a student in a beauty culture school that complies with the notice requirements under IC 25-8-5-6;
 - (3) without compensation; or
 - (4) incident to the retail sale of cosmetics.
- (c) The term does not include a person who:
- (1) engages in threading; ~~and~~
 - (2) engages in natural hair braiding; and**
 - ~~(2)~~ **(3) does not engage in one (1) or more of the practices described in subsection (a).**

SECTION 5. IC 25-8-2-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 14.5. "Mechanical devices" refers to the following:**

- (1) Clips.**
- (2) Combs.**
- (3) Crochet hooks.**
- (4) Hair pins.**
- (5) Rollers.**
- (6) Scissors.**
- (7) Blunt-tipped needles.**
- (8) Thread.**
- (9) Hair binders.**

SECTION 6. IC 25-8-2-20 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 20. (a) "Natural hair braiding" means performing the act of twisting, wrapping, weaving, extending, locking, or braiding hair by hand or with mechanical devices that includes:**

- (1) the use of natural or synthetic hair extensions, natural or synthetic hair and fibers, decorative beads, and other hair accessories;**
 - (2) minor trimming of natural hair or hair extensions incidental to twisting, wrapping, weaving, extending, locking, or braiding hair;**
 - (3) the making of wigs from natural hair, natural fibers, synthetic fibers, and hair extensions; and**
 - (4) the use of topical agents such as conditioners, gels, moisturizers, oils, pomades, and shampoos in performing the acts described in subdivisions (1) through (3).**
- (b) Natural hair braiding does not include:**
- (1) the application of dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl, or alter the structure of the hair; or**



(2) the use of chemical hair joining agents such as synthetic tape, keratin, bonds, or fusion bonds.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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