

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 349

100TH GENERAL ASSEMBLY

0726H.02P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 329.010, RSMo, and to enact in lieu thereof one new section relating to the practice of shampooing.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 329.010, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 329.010, to read as follows:

329.010. As used in this chapter, unless the context clearly indicates otherwise, the following words and terms mean:

(1) "Accredited school of cosmetology or school of manicuring", an establishment operated for the purpose of teaching cosmetology as defined in this section and meeting the criteria set forth under 34 C.F.R. Part 600, Sections 600.1 and 600.2;

(2) "Apprentice" or "student", a person who is engaged in training within a cosmetology establishment or school, and while so training performs any of the practices of the classified occupations within this chapter under the immediate direction and supervision of a licensed cosmetologist or instructor;

(3) "Board", the state board of cosmetology and barber examiners;

(4) "Cosmetologist", any person who, for compensation, engages in the practice of cosmetology, as defined in subdivision (5) of this section;

(5) "Cosmetology" includes performing or offering to engage in any acts of the classified occupations of cosmetology for compensation, which shall include:

(a) "Class CH - hairdresser" includes arranging, dressing, curling, singeing, waving, permanent waving, ~~[cleansing,]~~ cutting, bleaching, tinting, coloring or similar work upon the hair of any person by any means; or removing superfluous hair from the body of any person by means

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 other than electricity, or any other means of arching or tinting eyebrows or tinting eyelashes.
19 Class CH - hairdresser also includes any person who either with the person's hands or with
20 mechanical or electrical apparatuses or appliances, or by the use of cosmetic preparations,
21 antiseptics, tonics, lotions or creams engages for compensation in any one or any combination
22 of the following: massaging, cleaning, stimulating, manipulating, exercising, beautifying or
23 similar work upon the scalp, face, neck, arms or bust;

24 (b) "Class MO - manicurist" includes cutting, trimming, polishing, coloring, tinting,
25 cleaning or otherwise beautifying a person's fingernails, applying artificial fingernails,
26 massaging, cleaning a person's hands and arms; pedicuring, which includes cutting, trimming,
27 polishing, coloring, tinting, cleaning or otherwise beautifying a person's toenails, applying
28 artificial toenails, massaging and cleaning a person's legs and feet;

29 (c) "Class CA - hairdressing and manicuring" includes all practices of cosmetology, as
30 defined in paragraphs (a) and (b) of this subdivision;

31 (d) "Class E - estheticians" includes the use of mechanical, electrical apparatuses or
32 appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams, not to
33 exceed ten percent phenol, engages for compensation, either directly or indirectly, in any one,
34 or any combination, of the following practices: massaging, cleansing, stimulating, manipulating,
35 exercising, beautifying or similar work upon the scalp, face, neck, ears, arms, hands, bust, torso,
36 legs or feet and removing superfluous hair by means other than electric needle or any other
37 means of arching or tinting eyebrows or tinting eyelashes, of any person;

38 (6) "Cosmetology establishment", that part of any building wherein or whereupon any
39 of the classified occupations are practiced including any space rented within a licensed
40 establishment by a person licensed under this chapter, for the purpose of rendering cosmetology
41 services;

42 (7) "Cross-over license", a license that is issued to any person who has met the licensure
43 and examination requirements for both barbering and cosmetology;

44 (8) "Hair braider", any person who, for compensation, engages in the practice of hair
45 braiding;

46 (9) "Hair braiding", in accordance with the requirements of section 329.275, the use of
47 techniques that result in tension on hair strands or roots by twisting, wrapping, waving,
48 extending, locking, or braiding of the hair by hand or mechanical device, but does not include
49 the application of dyes, reactive chemicals, or other preparations to alter the color of the hair or
50 to straighten, curl, or alter the structure of the hair;

51 (10) "Hairdresser", any person who, for compensation, engages in the practice of
52 cosmetology as defined in paragraph (a) of subdivision (5) of this section;

53 (11) "Instructor", any person who is licensed to teach cosmetology or any practices of
54 cosmetology pursuant to this chapter;

55 (12) "Manicurist", any person who, for compensation, engages in any or all of the
56 practices in paragraph (b) of subdivision (5) of this section;

57 (13) "Parental consent", the written informed consent of a minor's parent or legal
58 guardian that must be obtained prior to providing body waxing on or near the genitalia;

59 (14) "School of cosmetology" or "school of manicuring", an establishment operated for
60 the purpose of teaching cosmetology as defined in subdivision (5) of this section.

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