

2022 -- S 2275

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- BARBERS AND HAIRDRESSERS

Introduced By: Senators Valverde, DiMario, Gallo, Cano, Kallman, Lawson, Murray,
Miller, Sosnowski, and Acosta

Date Introduced: February 15, 2022

Referred To: Senate Commerce

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 5-10-1, 5-10-8 and 5-10-9 of the General Laws in Chapter 5-10
2 entitled "Barbers, Hairdressers, Cosmeticians, Manicurists and Estheticians" are hereby amended
3 to read as follows:

4 **5-10-1. Definitions.**

5 The following words and phrases, when used in this chapter, are construed as follows:

6 (1) "Apprentice barber" means an employee whose principal occupation is service with a
7 barber who has held a current license as a barber for at least three (3) years with a view to learning
8 the art of barbering, as defined in subsection (14).

9 (2) "Barber" means any person who shaves or trims the beard; waves, dresses, singes,
10 shampoos, or dyes the hair; or applies hair tonics, cosmetic preparations, antiseptics, powders, oil
11 clays, or lotions to the scalp, face, or neck of any person; or cuts the hair of any person; gives facial
12 and scalp massages; or treatments with oils, creams, lotions, or other preparations.

13 (3) "Board" means the state board of barbering and hairdressing as provided for in this
14 chapter.

15 (4) "Department" means the Rhode Island department of health.

16 (5) "Division" means the division of professional regulation within the department of
17 health.

18 (6) "Esthetician" means a person who engages in the practice of esthetics, and is licensed
19 as an esthetician.

1 (7) "Esthetician shop" means a shop licensed under this chapter to do esthetics of any
2 person.

3 (8) "Esthetics" means the practice of cleansing, stimulating, manipulating, and beautifying
4 skin, including, but not limited to, the treatment of such skin problems as dehydration, temporary
5 capillary dilation, excessive oiliness, and clogged pores.

6 (9) "Hair design shop" means a shop licensed under this chapter to do barbering or
7 hairdressing/cosmetology, or both, to any person.

8 (10)(i) "Hairdresser and cosmetician" means any person who arranges, dresses, curls, cuts,
9 waves, singes, bleaches, or colors the hair or treats the scalp, or manicures the nails of any person,
10 either with or without compensation, or who, by the use of the hands or appliances, or of cosmetic
11 preparations, antiseptics, tonics, lotions, creams, powders, oils or clays, engages, with or without
12 compensation, in massaging, cleansing, stimulating, manipulating, exercising, or beautifying, or in
13 doing similar work upon the neck, face, or arms, or who removes superfluous hair from the body
14 of any person.

15 (ii) "Apprentice hairdresser" means an employee whose principal occupation is service
16 with a hairdresser who has held a current license as a hairdresser for at least three (3) years with a
17 view to learning the art of hairdressing as defined in subsection (15) of this section.

18 (11) "Instructor" means any person licensed as an instructor under the provisions of this
19 chapter.

20 (12) "Manicuring shop" means a shop licensed under this chapter to do manicuring only
21 on the nails of any person.

22 (13) "Manicurist" means any person who engages in manicuring for compensation and is
23 duly licensed as a manicurist.

24 (14) "Practice of barbering" means the engaging by any licensed barber in all, or any
25 combination of, the following practices: shaving or trimming the beard or cutting the hair; giving
26 facial and scalp massages or treatments with oils, creams, lotions, or other preparations, either by
27 hand or mechanical appliances; singeing, shampooing, arranging, dressing, curling, waving,
28 chemical waving, hair relaxing, or dyeing the hair or applying hair tonics; or applying cosmetic
29 preparations, antiseptics, powders, oils, clays, or lotions to the scalp, face, or neck.

30 (15) "Practice of hairdressing and cosmetic therapy" means the engaging by any licensed
31 hairdresser and cosmetician in any one or more of the following practices: the application of the
32 hands or of mechanical or electrical apparatus, with or without cosmetic preparations, tonics,
33 lotions, creams, antiseptics, or clays, to massage, cleanse, stimulate, manipulate, exercise, or
34 otherwise to improve or to beautify the scalp, face, neck, shoulders, arms, bust, or upper part of the

1 body; or the manicuring of the nails of any person; or the removing of superfluous hair from the
2 body of any person; or the arranging, dressing, curling, waving, weaving, cleansing, cutting,
3 singeing, bleaching, coloring, or similarly treating the hair of any person. Provided, however, that
4 the practice of hairdressing and cosmetic therapy shall not include natural hair braiding.

5 (16) "Practice of manicuring" means the cutting, trimming, polishing, tinting, coloring, or
6 cleansing the nails of any person.

7 (17) "School" means a school approved under chapter 40 of title 16, as amended, devoted
8 to the instruction in, and study of, the theory and practice of barbering, hairdressing, and cosmetic
9 therapy, esthetics, and/or manicuring.

10 **5-10-8. Issuance of licenses -- Qualifications of applicants.**

11 (a) The division shall issue licenses to persons engaged in, or desiring to engage in, the
12 practice of barbering, hairdressing and cosmetic therapy and/or manicuring or esthetics and for
13 instructing in any approved school of barbering or hairdressing and cosmetic therapy and
14 manicuring or esthetics; provided, that no license shall be issued to any person under this chapter
15 unless the applicant for the license:

16 (1) Is at least eighteen (18) years of age;

17 (2) Is a citizen of the United States of America or has legal entry into the country;

18 (3) Is of good moral character;

19 (4) Is a high school graduate or holds the equivalent or has twenty-five (25) or more years
20 of prior experience in the practice for which the license is sought;

21 (5) Has satisfactorily completed the course of instruction in an approved school of
22 barbering, hairdressing, and cosmetic therapy and/or manicuring or esthetics [or completed a two](#)
23 [\(2\) year apprenticeship with a licensed hairdresser as defined in § 5-10-1\(10\)](#);

24 (6) Has satisfactorily passed a written and a practical examination approved by the division
25 to determine the fitness of the applicant to receive a license; and

26 (7) Has complied with § 5-10-10 and any other qualifications that the division prescribes
27 by regulation.

28 (b) Notwithstanding the provision of subsection (a)(4), on and after July 1, 1997, an
29 applicant seeking licensure as a barber must be a high school graduate or hold the equivalent
30 combination of education and experience.

31 (c) The division may license, on a case-by-case basis, with or without examination, any
32 individual who has been licensed as an esthetician, barber, cosmetologist, electrologist, or
33 manicurist under the laws of another state, which, in the opinion of the division, maintains a
34 standard substantially equivalent to that of the state of Rhode Island.

1 **5-10-9. Classes of licenses.**

2 Licenses shall be divided into the following classes and shall be issued by the division to
3 applicants for the licenses who have qualified for each class of license:

4 (1) A "hairdresser's and cosmetician's license" shall be issued by the division to every
5 applicant for the license who meets the requirements of § 5-10-8 and has completed a course of
6 instruction in hairdressing and cosmetology consisting of not less than twelve hundred (1,200)
7 hours of continuous study and practice.

8 (i) Effective January 1, 2023, to obtain a hairdresser's license, a person must have
9 possessed, for at least two (2) years prior to the filing of the application, a certificate of registration
10 in full force and effect from the department of health of the state specifying that person as a
11 registered, apprentice hairdresser. The application of that applicant shall be accompanied by an
12 affidavit, or affidavits, from his or her employer, or former employers, or other reasonably
13 satisfactory evidence showing that the applicant has been actually engaged in hairdressing as an
14 apprentice hairdresser in the state during those two (2) years.

15 (2) An "instructor's license" shall be granted by the division to any applicant for the license
16 who has held a hairdresser's and cosmetician's license, a barber's license, a manicurist's license, or
17 an esthetician's license, issued under the laws of this state or another state, for at least the three (3)
18 years preceding the date of application for an instructor's license and:

- 19 (i) Meets the requirements of § 5-10-8;
- 20 (ii) Has satisfactorily completed three hundred (300) hours of instruction in hairdressing
21 and cosmetology, barber, manicurist, or esthetician teacher training approved by the division as
22 prescribed by regulation;
- 23 (iii) Has satisfactorily passed a written and a practical examination approved by the
24 division to determine the fitness of the applicant to receive an instructor's license;
- 25 (iv) Has complied with § 5-10-10; and
- 26 (v) Has complied with any other qualifications that the division prescribes by regulation.

27 (3) A "manicurist license" shall be granted to any applicant for the license who meets the
28 following qualifications:

- 29 (i) Meets the requirements of § 5-10-8; and
- 30 (ii) Has completed a course of instruction, consisting of not less than three hundred (300)
31 hours of professional training in manicuring, in an approved school.

32 (4) An "esthetician license" shall be granted to any applicant for the license who meets the
33 following qualifications:

- 34 (i) Meets the requirements of § 5-10-8;

1 (ii) Has completed a course of instruction in esthetics, consisting of not less than six
2 hundred (600) hours of continuous study and practice over a period of not less than four (4) months,
3 in an approved school of hairdressing and cosmetology; and

4 (iii) Any applicant who holds a diploma or certificate from a skin-care school, that is
5 recognized as a skin-care school by the state or nation in which it is located, and meets the
6 requirements of subsection (4)(i) of this section, shall be granted a license to practice esthetics;
7 provided, that the skin-care school has a requirement that, in order to graduate from the school, a
8 student must have completed a number of hours of instruction in the practice of skin care, which
9 number is at least equal to the number of hours of instruction required by the division.

10 (5) A "barber" license shall be issued by the division to every applicant for the license who
11 meets the requirements of § 5-10-8 and:

12 (i) Has completed a course of instruction in barbering consisting of not less than one
13 thousand five hundred (1,500) hours of continuous study and practice in an approved school;

14 (ii) Has possessed, for at least two (2) years prior to the filing of the application, a certificate
15 of registration in full force and effect from the department of health of the state specifying that
16 person as a registered, apprentice barber, and the application of that applicant is accompanied by
17 an affidavit, or affidavits, from his or her employer, or former employers, or other reasonably
18 satisfactory evidence showing that the applicant has been actually engaged in barbering as an
19 apprentice barber in the state during those two (2) years; or

20 (iii) A combination of barber school training and apprenticeship training as determined by
21 the rules and regulations prescribed by the division.

22 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO BUSINESSES AND PROFESSIONS -- BARBERS AND HAIRDRESSERS

- 1 This act would allow hairdressers to have apprentices. After a two (2) year apprenticeship,
- 2 the apprentice would be eligible to apply for a hairdresser license pursuant to § 5-10-8.
- 3 This act would take effect upon passage.

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