

ACT #2017-300

1 HB262
2 179858-4
3 By Representatives Drummond, Lawrence, Moore (B), Beech,
4 Shiver, McClammy, Clarke, Patterson, Ingram, Williams (JW),
5 Warren, Baker and Drake
6 RFD: Boards, Agencies and Commissions
7 First Read: 16-FEB-17



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ENROLLED, An Act,

To amend Sections 34-7B-1 and 34-7B-20 of the Code of Alabama 1975, relating to licensure of natural hair stylists; to provide that a person may be licensed as a natural hair stylist who has completed at least 420 clock hours of natural hair style apprenticeship as a natural hair stylist under a licensed or registered cosmetologist or a natural hair stylist.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. ~~Section~~ Sections 34-7B-1 and 34-7B-20 of the Code of Alabama 1975, ~~is~~ are amended to read as follows:

"§34-7B-1.

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

(1) APPRENTICE. Any person engaged in learning the practices defined in this chapter including, but not limited to, assisting in the performance of any acts of barbering or cosmetology on the general public under the constant and direct supervision of a person who has held a valid current license issued by the board for at least five years, in a shop licensed by the board. No apprenticeship is provided for natural hairstyling.

1 (2) BARBERING. The occupation of shaving or trimming
2 the beard, cutting or dressing the hair, giving facial or
3 scalp massages, giving facial or scalp treatment with oils or
4 creams or other preparations made for that purpose, either by
5 hand or by means of mechanical appliances, singeing and
6 shampooing the hair, dyeing the hair, or permanently waving or
7 straightening the hair of any living or deceased person for
8 compensation, as performed by a Class 2 barber.

9 (3) BOARD. The Alabama Board of Cosmetology and
10 Barbering.

11 (4) CLASS 1 BARBER. A person who only does the
12 following in his or her ordinary course of business: Arranges,
13 cleans, cuts, or singes the hair of any person or massages,
14 cleans, stimulates, exercises, or does similar work on the
15 scalp, face, or neck of any person with the hands, or with
16 mechanical or electrical apparatus or appliance, or by the use
17 of cosmetic preparations, antiseptics, tonics, lotions, or
18 creams. Any one or a combination of the following practices,
19 when done upon the human body above the seventh cervical
20 vertebra for cosmetic purposes and not for the treatment of
21 disease or physical or mental ailments, and when done for
22 payment, directly or indirectly or without payment for the
23 public generally: Shaving or trimming the beard or trimming
24 the hair.

1 (5) CLASS 2 BARBER. Any person, other than a student
2 or apprentice, who performs barbering on the general public
3 for compensation, and who shall satisfy the qualifications and
4 licensure requirements provided in this chapter for a Class 2
5 barber. For the purposes of this chapter, the term barber,
6 standing alone, shall be deemed a reference to a Class 2
7 barber.

8 (6) COSMETOLOGIST. Any person, other than a student
9 or apprentice, who performs cosmetology on the general public
10 for compensation, and who shall satisfy the qualifications and
11 licensure requirements provided in this chapter for a
12 cosmetologist.

13 (7) COSMETOLOGY. Any of the practices generally
14 recognized as beauty culture, hairdressing, or any other
15 designation engaged in by any person who performs such on the
16 general public for compensation including, but not limited to,
17 cleansing, singeing, cutting, arranging, dressing, curling,
18 braiding, waxing, bleaching, weaving, coloring the hair by
19 hand or mechanical apparatus, the use of creams, lotions, or
20 cosmetic preparations, with or without massage, on the scalp,
21 face, arms, legs, feet, or hands, esthetics practices, nail
22 technology, manicure, pedicure, or desairology.

23 (8) ESTHETICIAN. Any person, other than a student or
24 apprentice, who performs esthetics on the general public for
25 compensation, and who shall satisfy the qualifications and

1 licensure requirements provided in this chapter for an
2 esthetician.

3 (9) ESTHETICS. The practice of performing acts of
4 skin care including, but not limited to, facials, body waxing,
5 makeup, and general esthetics procedures on the general public
6 for compensation.

7 (10) ESTHETICS/MANICURE. A combination of the
8 practices of esthetics and manicure.

9 (11) ESTHETICIAN/MANICURIST. Any person, other than
10 a student or apprentice, who performs a combination of the
11 practices of esthetics and manicure on the general public for
12 compensation, and who shall satisfy the qualifications and
13 licensure requirements provided in this chapter for an
14 esthetician/manicurist.

15 (12) INSTRUCTOR. A licensee who teaches in a
16 licensed or registered school of barbering or any branch of
17 cosmetology and completes any applicable requirements for
18 continuing education.

19 (13) LICENSE. A document issued by the board which
20 entitles the holder to practice the profession listed on the
21 document.

22 (14) LICENSEE. Any person holding a license issued
23 pursuant to this chapter.

24 (15) MANICURE. The practice of beautifying or
25 grooming the fingernails, toenails, adding nail tips,

1 extensions, gels, or massaging the hands, forearms, feet, or
2 lower legs of the general public for compensation.

3 (16) MANICURIST. Any person, other than a student or
4 apprentice, who performs the practice of manicure on the
5 general public for compensation, and who shall satisfy the
6 qualifications and licensure requirements provided in this
7 chapter for a manicurist.

8 (17) MANICURE/WAXING. A combination of the practices
9 of manicure and waxing.

10 (18) MANICURIST/WAXER. Any person, other than a
11 student or apprentice, who performs a combination of the
12 practices of manicure and waxing on the general public for
13 compensation, and who shall satisfy the qualifications and
14 licensure requirements provided in this chapter for a
15 manicurist/waxer.

16 (19) NATURAL HAIR STYLING. The practice of
17 cleansing, weaving or interweaving, extending, locking,
18 braiding, or arranging the hair without cutting, coloring,
19 permanent waving, relaxing, removing, or chemical treatments.

20 (20) NATURAL HAIRSTYLIST. Any person, other than a
21 student, who performs natural hair styling on the general
22 public for compensation, and who shall satisfy the
23 qualifications and licensure requirements provided in this
24 chapter for a natural hairstylist.

1 (21) SCHOOL. An establishment licensed or registered
2 by the board to teach any or all of the practices of barbering
3 or cosmetology.

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

10 (23) SHOP. Any place where barbering or cosmetology
11 is practiced. Only a properly licensed person, who is not an
12 apprentice or a student, may operate a shop.

13 (24) STUDENT. Any person who is engaged in learning
14 any practice regulated by this chapter in a school licensed or
15 registered pursuant to this chapter, and who, as part of the
16 learning process, performs or assists in any practice
17 regulated by this chapter under the immediate supervision of
18 an instructor who is licensed pursuant to this chapter.

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

21 (26) THREADER. Any person engaged in the practice of
22 threading on the general public for compensation, and who
23 shall satisfy the qualifications and licensure requirements
24 provided in this chapter for a threader.

25 "\$34-7B-20.

1 "(a) No person may be admitted to an examination or
2 licensed as a natural hair stylist unless he or she satisfies
3 all of the following qualifications:

4 "(1) Is at least 16 years old.

5 "(2) Has successfully completed at least 10 grades
6 in secondary school, or the equivalent.

7 "~~(3) Has successfully completed at least 210 clock~~
8 ~~hours of natural hair style instruction in a school or an~~
9 ~~apprenticeship with a cosmetologist or a natural hair stylist~~
10 ~~licensed or registered under the provisions of this chapter.~~
11 Has successfully completed at least 210 clock hours in a
12 licensed or registered school of cosmetology or natural hair
13 styling or 420 clock hours in a licensed shop for a period of
14 six months under the immediate supervision of a licensed
15 cosmetologist or natural hair stylist, who has held a license
16 for at least five years, including practicing as a natural
17 hair stylist before August 1, 2013, and as a licensed
18 cosmetologist or a natural hair stylist before the effective
19 date of the act amending the subdivision. The five-year
20 requirement shall not apply to natural hair stylists operating
21 before August 1, 2013.

22 "(b) Any applicant who satisfies the qualifications
23 in subsection (a), pays any applicable examination fee,
24 successfully completes any examination, ~~unless the person is~~

1 ~~seeking licensure through an apprenticeship,~~ and pays the
2 license fee shall be issued a natural hair stylist license.

3 "(c) Any person who is working as a natural hair
4 stylist on August 1, 2013, upon payment of the applicable
5 license fee by January 28, 2014, shall be licensed by the
6 board under this section. Any person licensed pursuant to this
7 section shall be subject to this chapter and rules adopted by
8 the board pursuant to this chapter including, but not limited
9 to, shop requirements, sanitation procedures, and license
10 renewal."

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

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Mac McClatchey

Speaker of the House of Representatives

Del Marshall

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 09-MAR-17, as amended.

Jeff Woodard
Clerk

Senate	<u>02-MAY-17</u>	Amended and Passed
House	<u>04-MAY-17</u>	Concurred in Senate Amendment

APPROVED 5-16-2017
TIME 2:35 PM

Kay Ivey
GOVERNOR

Alabama Secretary Of State

Act Num.....: 2017-300
Bill Num....: H-262

Recv'd 05/16/17 04:16pSLF

SPONSOR

Woodard
SPONSORS
Wrence
Wrence (B)
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Clammy
Wrence
Wrence
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HOUSE ACTION

I HEREBY CERTIFY THAT THE RESOLUTION AS REQUIRED IN SECTION C OF ACT NO. 81-889 WAS ADOPTED AND IS ATTACHED TO THE BILL, H.B. 262

YEAS 97 NAYS 0

JEFF WOODARD, Clerk

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, H.B. _____ AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JEFF WOODARD, Clerk

CONFERENCE COMMITTEE

House Conferees _____

SENATE ACTION

DATE: 3-9 2017

RD 1 RFD GA

This Bill was referred to the Standing Committee of the Senate on GA

and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amend(s) 1 w/sub 0 by a vote of

years 6 nays 0 abstain 0 this 4th day of April 2017
James W. Hally, Chairperson

DATE: 4/4 2017

RF Fav / AMO RD 2 CAL

DATE: _____ 20____

RE-REFERRED RE-COMMITTED
Committee _____

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 262

YEAS 30 NAYS 0

PATRICK HARRIS, Secretary