

CHAPTER 48

(SB 269)

AN ACT relating to hair braiding.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 317A.010 is amended to read as follows:

As used in this chapter, unless the context requires otherwise:

- (1) "Beauty salon" means any establishment in which the practice of cosmetology is conducted for the general public or for consideration;
- (2) "Cosmetologist" means a person who engages in the practice of cosmetology for the public generally or for consideration, regardless of the name under which the practice is conducted;
- (3) "Cosmetologist board" or "board" means the Kentucky Board of Hairdressers and Cosmetologists;
- (4) "Cosmetology" means the practice upon the human neck and head of cutting hair, permanent waving, or hairdressing, and may also include but is not limited to:
 - (a) Nail technology and finger waving;
 - (b) Giving facial and scalp massage or treatments with oils, creams, lotions, or other preparations, either by hand or any contrivance;
 - (c) Shaping, designing, shampooing, pressing, arranging, tinting, or lightening the hair, or applying hair products;
 - (d) Applying to the neck or head, cosmetics, lotions, powders, oils, clays, or other products;
 - (e) Eyelash extensions;
 - (f) Facial hair removal; and
 - (g) Eyebrow shaping, design, threading or removal.

The practice of cosmetology does not include acts performed incident to treatment of an illness or a disease;

- (5) "Cosmetology school" or "school of cosmetology" means any operation, place, or establishment in or through which persons are trained or taught the practice of cosmetology and nail technology;
- (6) "Nail salon" means any establishment in which the practice of nail technology only is conducted for the general public or for consideration;
- (7) "Nail technician" means a person who practices nail technology for the general public or for consideration;
- (8) "Nail technology" means the practice of cutting, trimming, polishing, coloring, cleansing, applying artificial nails, or massaging, cleaning, treating, or beautifying the hands and feet of any human, for which a license is required by this chapter;~~and~~
- (9) ***"Natural hair braiding" means a service of twisting, wrapping, weaving, extending, locking, or braiding hair by hand or with mechanical devices. Natural hair braiding is commonly known as "African-style hair braiding" but is not limited to any particular cultural, ethnic, racial, or religious forms of hair styles.***
 - (a) ***Natural hair braiding shall include:***
 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 use of topical agents such as conditioners, gels, moisturizers, oils, pomades, and shampoos; and***
 4. ***The making of wigs from natural hair, natural fibers, synthetic fibers, and hair extensions;***
 - (b) ***Natural hair braiding shall not include:***

1. *The application of dyes, reactive chemicals, or other preparation 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;*
- (c) *For the purposes of this subsection, "mechanical devices" means clips, combs, curlers, curling irons, hairpins, rollers, scissors, needles, thread, and hair binders.*
- (10) "Threading" means the process of removing hair from below the eyebrow by use of a thread woven through the hair to be removed.
- ➔Section 2. KRS 317A.020 is amended to read as follows:
- (1) No person shall engage in the practice of cosmetology or nail technology for other than cosmetic purposes nor shall any person engage in the practice of cosmetology or nail technology for the treatment of physical or mental ailments. The provisions of this chapter do not apply to:
 - (a) Persons authorized by the law of this state to practice medicine, podiatry, optometry, dentistry, chiropractic, nursing, or embalming who perform incidental practices of cosmetology and nail technology in the normal course of the practice of their profession;
 - (b) Commissioned medical or surgical personnel of the United States Army, Navy, Air Force, or Marine Hospital Service who perform incidental practices of cosmetology or nail technology in the course of their duties;~~and~~
 - (c) Cosmetology or nail technology services performed at an institution operated or under contract to the Department of Corrections or the Department of Juvenile Justice; *and*
 - (d) *Persons engaged in natural hair braiding.*
 - (2) Except as provided in subsection (1) of this section, no person shall engage in the practice of cosmetology or nail technology for the public, generally, or for consideration without the appropriate license required by this chapter.
 - (3) No person unless duly and properly licensed pursuant to this chapter shall:
 - (a) Teach cosmetology or nail technology;
 - (b) Operate a beauty salon;
 - (c) Engage in a cosmetology apprenticeship;
 - (d) Operate a nail salon;
 - (e) Act as a nail technician; or
 - (f) Conduct or operate a school for cosmetologists or nail technicians.
 - (4) No person shall aid or abet any person in violating the provisions of this section, nor shall any person engage or employ for consideration any person to perform any practice licensed by this chapter unless the person to perform the practice holds and displays the appropriate license.
 - (5) No licensed cosmetology instructors, licensed cosmetologists, or licensed nail technicians shall hold clinics for teaching or demonstrating for personal profit, either monetary or otherwise, if the clinics are not sponsored by a recognized professional hairdresser's, cosmetologist's, or nail technician's group.
 - (6) Whenever a person engages in different practices separately licensed, certified, or permitted by the provisions of this chapter, that person shall procure a separate license, certificate, or permit for each of the practices in which the person engages.

Signed by Governor April 8, 2016.