

317A.010 Definitions for chapter.

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) "Board" means the Kentucky Board of Cosmetology;
- (3) "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;
- (4) "Cosmetology" means the practice of:
 - (a) Hair styling;
 - (b) Esthetics; and
 - (c) Nail technology.

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, esthetic practices, and nail technology;
- (6) "Esthetician" means a person who is licensed by the board to engage in esthetic practices in the Commonwealth of Kentucky;
- (7) "Esthetic practices" means one (1) or more of the following acts:
 - (a) Beautifying, cleansing, cosmetic preparations, exfoliating, facials, makeup, removal of superfluous hair, stimulation, tinting, tweezing, or waxing;
 - (b) Eyelash tinting, artificial eyelashes, or eyelash extensions;
 - (c) Use of lotions, creams, oils, antiseptics, or depilatories;
 - (d) Massaging the skin; and
 - (e) Providing preoperative and postoperative esthetic skin care, either referred by or supervised by a medical professional, unless these acts are performed incident to:
 1. Treatment of an illness or a disease;
 2. Work as a student in a board-approved school; or
 3. Work performed by a licensed massage therapist;
- (8) "Esthetic practices school" or "school of esthetic practices" means any operation, place, or establishment in or through which persons are trained in esthetic practices;
- (9) "Esthetic salon" means a place where an esthetician performs esthetic practices;
- (10) "Eyelash artistry" means the process of attaching semipermanent lashes or eyelash extensions to natural eyelashes;
- (11) "Hair styling" means the practice of:
 - (a) Arranging, beautifying, bleaching, cleansing, coloring, curling, cutting, dressing, manipulating, permanent waving, singeing, tinting, or trimming of natural or artificial hair;

- (b) Use of lotions, creams, and antiseptics; and
 - (c) Massaging and stimulation of the scalp;
- (12) "Instructor" means any individual licensed to teach cosmetology, esthetics, or nail technology who holds a corresponding license in cosmetology, esthetics practice, or nail technology;
- (13) "Limited beauty salon" means any establishment in which the practice of shampoo and style services, makeup artistry, eyelash artistry, or threading are conducted for the general public or for consideration;
- (14) "Limited stylist" means an individual licensed to perform shampoo and style services;
- (15) (a) "Makeup artistry" means applying cosmetic products to the face and body.
- (b) "Makeup artistry" includes:
 1. Corrective and camouflage techniques; and
 2. Airbrushing.
 - (c) "Makeup artistry" does not include:
 1. Face painting at carnivals or fairs; or
 2. Application of cosmetics when not done for consideration;
- (16) "Nail salon" means any establishment in which the practice of nail technology only is conducted for the general public or for consideration;
- (17) "Nail technician" means a person who practices nail technology, including manicuring and pedicuring real and artificial nails for the purpose of beautifying, for the general public or for consideration. Manicuring and pedicuring real and artificial nails for the purpose of beautifying includes:
- (a) Cleaning;
 - (b) Trimming;
 - (c) Cutting;
 - (d) Shaping;
 - (e) Sculpting;
 - (f) Polishing; and
 - (g) Massaging the hands and feet of any human, for which a license is required by this chapter;
- (18) "Nail technology school" or "school of nail technology" means any operation, place, or establishment in or through which persons are trained in nail technology;
- (19) (a) "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.
- (b) "Natural hair braiding" 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 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.
- (c) "Natural hair braiding" does 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.
- (d) For the purposes of this subsection, "mechanical devices" means clips, combs, curlers, curling irons, hairpins, rollers, scissors, needles, thread, and hair binders;
- (20) (a) "Shampoo and style services" means beautifying, cleaning, or arranging the hair of an individual for consideration only at a limited beauty salon.
- (b) "Shampoo and style services" includes any of the following services performed on an individual's hair:
- 1. Arranging;
 - 2. Cleaning;
 - 3. Curling;
 - 4. Dressing;
 - 5. Blow drying; or
 - 6. Performing any other similar procedure.
- (c) "Shampoo and style services" does not include any service that:
- 1. Is popularly known as a Brazilian blowout;
 - 2. Includes color services, cutting, lightening, or chemically treating hair; or
 - 3. Otherwise falls under the practice of cosmetology, except as authorized in paragraph (b) of this subsection; and
- (21) "Threading" means the process of removing hair from below the eyebrow by use of a thread woven through the hair to be removed.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 235, sec. 2, effective July 14, 2022. -- Amended 2018 Ky. Acts ch. 35, sec. 1, effective July 14, 2018; and ch. 46, sec. 12, effective March 30, 2018. -- Amended 2016 Ky. Acts ch. 48, sec. 1, effective July 15, 2016. -- Amended 2012 Ky. Acts ch. 152, sec. 1, effective July 12, 2012. -- Amended 1996 Ky. Acts ch. 82, sec. 1, effective July 15, 1996. -- Created 1974 Ky. Acts ch. 354, sec. 1.

Legislative Research Commission Note (7/15/2016). During codification, the Reviser of

Statutes has changed the internal numbering of paragraphs in subsection (9) of this statute from the way it appeared in 2016 Ky. Acts ch. 48, sec. 1.