

1 AN ACT relating to cosmetic services.

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

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

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

- 5 (1) "Beauty salon" means any establishment, ***fixed or mobile***, in which the practice of  
6 cosmetology is conducted for the general public or for consideration;
- 7 (2) "Cosmetologist" means a person who engages in the practice of cosmetology for the  
8 public generally or for consideration, regardless of the name under which the  
9 practice is conducted;
- 10 (3) "Cosmetologist board" or "board" means the Kentucky Board of Hairdressers and  
11 Cosmetologists;
- 12 (4) "Cosmetology" means the practice upon the human neck and head of cutting hair,  
13 permanent waving, or hairdressing, and may also include but is not limited to:
- 14 (a) Nail technology and finger waving;
- 15 (b) Giving facial and scalp massage or treatments with oils, creams, lotions, or  
16 other preparations, either by hand or any contrivance;
- 17 (c) Shaping, designing, shampooing, pressing, arranging, tinting, or lightening the  
18 hair, or applying hair products;
- 19 (d) Applying to the neck or head, cosmetics, lotions, powders, oils, clays, or other  
20 products;
- 21 (e) Eyelash extensions;
- 22 (f) Facial hair removal; and
- 23 (g) Eyebrow shaping, design, threading or removal.
- 24 The practice of cosmetology does not include acts performed incident to treatment  
25 of an illness or a disease;
- 26 (5) "Cosmetology school" or "school of cosmetology" means any operation, place, or  
27 establishment in or through which persons are trained or taught the practice of

1 cosmetology and nail technology;

2 (6) "Nail salon" means any establishment, fixed or mobile, in which the practice of nail  
3 technology only is conducted for the general public or for consideration;

4 (7) "Nail technician" means a person who practices nail technology for the general  
5 public or for consideration;

6 (8) "Nail technology" means the practice of cutting, trimming, polishing, coloring,  
7 cleansing, applying artificial nails, or massaging, cleaning, treating, or beautifying  
8 the hands and feet of any human, for which a license is required by this chapter;

9 (9) (a) "Natural hair braiding" means a service of twisting, wrapping, weaving,  
10 extending, locking, or braiding hair by hand or with mechanical devices.  
11 Natural hair braiding is commonly known as "African-style hair braiding" but  
12 is not limited to any particular cultural, ethnic, racial, or religious forms of  
13 hair styles.

14 (b) "Natural hair braiding" includes:

- 15 1. The use of natural or synthetic hair extensions, natural or synthetic hair  
16 and fibers, decorative beads, and other hair accessories;
- 17 2. Minor trimming of natural hair or hair extensions incidental to twisting,  
18 wrapping, weaving, extending, locking, or braiding hair;
- 19 3. The use of topical agents such as conditioners, gels, moisturizers, oils,  
20 pomades, and shampoos; and
- 21 4. The making of wigs from natural hair, natural fibers, synthetic fibers,  
22 and hair extensions.

23 (c) "Natural hair braiding" does not include:

- 24 1. The application of dyes, reactive chemicals, or other preparation to alter  
25 the color of the hair or to straighten, curl, or alter the structure of the  
26 hair; or
- 27 2. The use of chemical hair joining agents such as synthetic tape, keratin

1 bonds, or fusion bonds.

2 (d) For the purposes of this subsection, "mechanical devices" means clips, combs,  
3 curlers, curling irons, hairpins, rollers, scissors, needles, thread, and hair  
4 binders; and

5 (10) "Threading" means the process of removing hair from below the eyebrow by use of  
6 a thread woven through the hair to be removed.

7 ➔Section 2. KRS 317A.060 is amended to read as follows:

8 (1) The cosmetologist board shall promulgate administrative regulations governing the  
9 operation of any schools and salons of cosmetology and nail technology including  
10 but not limited to administrative regulations to:

11 (a) Protect the health and safety of the public;~~;~~~~[-to-]~~

12 (b) Protect the public against misrepresentation, deceit, or fraud in the practice or  
13 teaching of beauty culture;~~;~~~~[-to-]~~

14 (c) Set standards for the operation of the schools and salons;~~;~~~~[-]~~ and~~[-to-]~~

15 (d) Protect the students under the provisions of this chapter.

16 (2) The administrative regulations promulgated by the board shall also address:

17 (a) The location and housing of beauty salons or cosmetology schools in the state.

18 To this end;~~;~~~~[-]~~

19 1. The board may make reasonable divisions and subdivisions of the  
20 state;~~;~~~~[-]~~

21 2. *Provisions for scheduling inspections of mobile salons, along with the*  
22 *inspection criteria mobile salons shall be required to meet; and*

23 3. This subsection does not apply to the instructional programs in  
24 cosmetology in the state area vocational and technical schools;

25 (b) The quantity and quality of equipment, supplies, materials, records, and  
26 furnishings required in beauty salons, nail salons, or cosmetology schools;

27 (c) The training and supervision of cosmetology apprentices;

- 1 (d) The qualifications of teachers of cosmetology and apprentice teachers of  
2 cosmetology;
- 3 (e) The hours and courses of instruction at cosmetology schools;
- 4 (f) The examinations of applicants for licenses;
- 5 (g) The proper education and training of students; and
- 6 (h) The course and conduct of school owners, instructors, apprentice instructors,  
7 licensed cosmetologists, nail technicians, beauty salons, nail salons, and  
8 cosmetology schools.

9 (3) Administrative regulations pertaining to health and sanitation shall be approved by  
10 the Cabinet for Health and Family Services before becoming effective.

11 ➔Section 3. KRS 317A.155 is amended to read as follows:

12 (1) As used in this section, "funeral establishment" means funeral establishment as  
13 defined in KRS 316.010.

14 (2) Every person practicing as a cosmetologist, apprentice, or nail technician, with the  
15 exception of a nail technician or cosmetologist exclusively practicing manicuring in  
16 a licensed barber shop, shall practice in an establishment licensed by the board.

17 (3) Notwithstanding the provisions in subsection (2) of this section, persons holding an  
18 active license from the board as a cosmetologist or nail technician and who practice  
19 in salons licensed by the board shall be permitted to render services ***outside an***  
20 ***establishment licensed by the board*** for pay, free, or otherwise, to:

21 (a) A person suffering from a terminal illness, whose death is anticipated, and  
22 who is receiving the services of a hospice program either at home or at a  
23 hospice inpatient unit;~~{or}~~

24 (b) Persons who are deceased and in the care of funeral establishments;***or***

25 ***(c) A person suffering from a medical condition, as attested by a physician in***  
26 ***writing, which limits physical mobility to such an extent that it would***  
27 ***impose an undue burden on that person to attempt to travel to an***

1                   *establishment licensed by the board.*

2       (4)   Cosmetologists and nail technicians who render services authorized in subsection  
3           (3) of this section shall have the permission of the owner or administrator of the  
4           establishment where the services are rendered.