

2017 Regular Session

HOUSE BILL NO. 468

BY REPRESENTATIVE EMERSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COSMETOLOGY: Provides for unregulated services within the Louisiana Cosmetology Act

1 AN ACT

2 To amend and reenact R.S. 37:563(introductory paragraph) and (13) through (17) and to
3 enact R.S. 37:563(18) through (22) and 581.1; relative to the Louisiana Cosmetology
4 Act; to provide for definitions; to define unregulated services and establish natural
5 hair braiding as an unregulated service; to provide for state preemption; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 37:563(introductory paragraph) and (13) through (17) are hereby
9 amended and reenacted and R.S. 37:563(18) through (22) and 581.1 are hereby enacted to
10 read as follows:

11 §563. Definitions

12 As used in this Chapter, the following words shall have the meaning herein
13 ascribed to them, unless the content clearly otherwise indicates:

14 * * *

15 (13) "Mechanical devices" are clips, combs, crochet hooks, curlers, curling
16 irons, hairpins, rollers, scissors, blunt-tipped needles, thread, and hair binders.

17 ~~(13)~~(14) "Mobile salon" means a self-contained facility, where cosmetology
18 is practiced for a fee, that may be moved, towed, or transported from one location to
19 another.

1 (15) "Natural hair braider" is any person who engages in natural hair
2 braiding.

3 (16) "Natural hair braiding" means the twisting, wrapping, weaving,
4 extending, locking, or braiding of hair by hand or with mechanical devices. Natural
5 hair braiding includes all of the following:

6 (a) The use of natural or synthetic hair extensions, natural or synthetic hair
7 and fibers, decorative beads, and other hair accessories.

8 (b) Minor trimming of natural hair or hair extensions incidental to twisting,
9 wrapping, weaving, extending, locking, or braiding hair.

10 (c) The making of wigs from natural hair, natural fibers, synthetic fibers, and
11 hair extensions.

12 (d) The use of topical agents such as conditioners, gels, moisturizers, oils,
13 pomades, and shampoos in conjunction with performing any action as described in
14 this Paragraph.

15 (17) "Natural hair braiding service" means any service performed by a
16 natural hair braider engaged in the practice of natural hair braiding as defined in this
17 Section.

18 ~~(14)~~(18) "Satellite classroom" means a separate classroom location used as
19 supplemental training space located under the same roof of the main school building
20 or on the same campus as the administrative center and within at least three hundred
21 feet of the main school building for the purpose of training an overflow of students
22 who cannot be accommodated at the main school.

23 ~~(15)~~(19) "School" means any premises wherein cosmetology is taught.

24 ~~(16)~~(20) "Student" means a person registered in a school authorized by the
25 board to teach cosmetology.

26 ~~(17)~~(21) "Teacher" or "instructor" means a person who teaches cosmetology
27 for direct or indirect compensation, within a school.

28 (22) "Unregulated service" or "unregulated services" means services not
29 defined or interpreted as the practice of cosmetology as provided in this Chapter and

1 which are exempt from regulation by the board. The terms include any natural hair
2 braiding service as defined in this Section.

3 * * *

4 §581.1. Unregulated services; natural hair braiding; preemption

5 A. Natural hair braiding is an unregulated service and shall not include any
6 of the following:

7 (1) The application of dyes, reactive chemicals, or other preparations to alter
8 the color of the hair or to straighten, curl, or alter the structure of the hair.

9 (2) The use of chemical hair joining agents such as synthetic tape, keratin
10 bonds, or fusion bonds.

11 B. Natural hair braiding is defined in R.S. 37:563 and may be used to
12 reference African hair braiding or styling, but is not limited to any particular cultural,
13 ethnic, racial, or religious forms of hair styles.

14 C. Ordinances by local units of government that prohibit natural hair
15 braiding, natural hair braiding services, or natural hair braiders, or regulate any
16 matter relating to the licensing, testing, training, facilities, or equipment of natural
17 hair braiding, natural hair braiding services, or natural hair braiders are preempted
18 by the provisions of this Chapter.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 468 Engrossed

2017 Regular Session

Emerson

Abstract: Adds definitions and establishes unregulated services relative to the La. Cosmetology Act.

Proposed law creates the following definitions: "mechanical devices", "natural hair braider", "natural hair braiding", "natural hair braiding service", and "unregulated service" or "unregulated services".

Proposed law defines unregulated services as those services not defined or interpreted as the practice of cosmetology in present law and proposed law. Provides that unregulated services are exempt from regulation by the La. State Bd. of Cosmetology. Further provides that natural hair braiding and natural hair braiding services performed by a natural hair braider are unregulated services.

Proposed law provides that "natural hair braiding" does not include any of the following:

- (1) Application of dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl, or alter the structure of the hair.
- (2) Use of chemical hair joining agents such as synthetic tape, keratin bonds, or fusion bonds.

Proposed law provides that natural hair braiding may be used to reference African hair braiding or styling, but is not limited to any particular cultural, ethnic, racial, or religious forms of hair styles.

Proposed law preempts government ordinances that prohibit natural hair braiding, natural hair braiding services, or natural hair braiders, or regulate any matter relating to the licensing, testing, training, facilities, or equipment of natural hair braiding, natural hair braiding services, or natural hair braiders as provided in proposed law.

Proposed law makes technical changes.

(Amends R.S. 37:563(intro. para.) and (13)-(17); Adds R.S. 37:563(18)-(22) and 581.1)