

2025 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 4

BY REPRESENTATIVE BILLINGS

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

LICENSING: Amends and repeals administrative licensing requirements relative to alternative hair and alternative hair design

1 A CONCURRENT RESOLUTION

2 To amend and reenact the Louisiana State Board of Cosmetology rules (LAC 46:XXXI.101
3 and 1101(A)) and to repeal rules (LAC 46:XXXI.1105 and 1107), which provide
4 definitions, a special permit, and a curriculum relative to alternative hair and
5 alternative hair design, and to direct the office of the state register to print the
6 amendments and notice of repeal in the Louisiana Administrative Code.

7 WHEREAS, LAC 46:XXXI.101 defines "alternative hair" and "alternative hair
8 design"; and

9 WHEREAS, "alternative hair" means "any hair which is not a person's own hair
10 including synthetic hair, wiggery, braids, postich or any applied hair"; and

11 WHEREAS, "alternative hair design" is "the practice of styling hair by twisting,
12 wrapping, weaving, extending, locking or braiding the hair by either the use of hands or
13 mechanical devices or appliances. The practice of alternative hair design shall include the
14 application of antiseptics, powders, oils, clays, lotions or tonics to the alternative hair but
15 shall not include the application of dyes, reactive chemicals or other preparations to alter the
16 structure or style of the natural hair"; and

17 WHEREAS, LAC 46:XXXI.1101 requires the Louisiana State Board of Cosmetology
18 (board) to issue a Special Permit for Alternative Hair Design to any person who meets the
19 requirements set forth in the board rules, and according to LAC 46:XXXI.1105(A),

1 "Individuals with special permits for alternative hair design shall be authorized to provide
2 alternative hair design services only in facilities licensed by the board as cosmetology
3 salons"; and

4 WHEREAS, LAC 46:XXXI.1107 establishes the Alternative Hair Design
5 Curriculum which contains five hundred hours of required instruction including but not
6 limited to the following:

7 "1. History Overview

8 a. Ancient Origins of Braiding

9 b. Traditional Multi-Cultural Braid Styles

10 c. The Multi-Cultural American Hair Experience

11 2. Bacteriology and Sanitation

12 a. Types of Bacteria

13 b. Growth and Reproduction of Bacteria

14 c. Prevention of Infection and Infection Control

15 d. Use of Antiseptics, Disinfectants and Detergents

16 3. Client Consultation

17 4. Hair Types and Hair Structure

18 5. Scalp Diseases and Disorders

19 6. Shampoos, Conditioners, Herbal Treatments and Rinses for Synthetic Hair

20 Only

21 7. Braiding and Sculpting

22 8. Louisiana Cosmetology Act and Rules and Regulations"; and

23 WHEREAS, the definition of "alternative hair design" and the related Special Permit
24 for Alternative Hair Design were promulgated by the board in 2003; and

25 WHEREAS, techniques used to create alternative hair designs may be deemed by
26 some as African hair braiding or styling, but practitioners and customers are not limited to
27 any particular cultural, ethnic, racial, or religious group; and

28 WHEREAS, the practice of alternative hair design is safe, time-tested, and presents
29 no significant health or safety risks, because practitioners engaged in alternative hair design

1 are not permitted to use "dyes, reactive chemicals, or other preparations to alter the structure
2 or style of the natural hair"; and

3 WHEREAS, a 2016 study conducted by the Institute for Justice shows that between
4 2006 and 2012, the board received no complaints regarding persons practicing alternative
5 hair design; and

6 WHEREAS, the same study showed that complaints are generally rare, as licensing
7 boards in ten jurisdictions, including Louisiana, received only one hundred thirty complaints
8 in seven years, and only six complaints raised concerns of harm to customers, and none of
9 the six complaints were verified by respective boards; and

10 WHEREAS, it is reasonable to estimate that thousands of citizens in this state earn
11 a living through the practice of alternative hair design; and

12 WHEREAS, freeing such citizens from strict, unnecessary licensing requirements
13 may stimulate economic development through access to lines of credit for the establishment
14 of salons and related small business, which in turn may promote increased financial stability
15 and economic well-being of families; and

16 WHEREAS, due to the lack of risks regarding the health and safety of both the
17 practitioner and customer, alternative hair design in the state of Louisiana should be an
18 occupational field free of licensing, and appropriately, LAC 46:XXXI.101 and 1101(A)
19 should be amended and reenacted and LAC 46:XXXI.1105 and 1107 should be repealed
20 with respect to alternative hair and alternative hair design; and

21 WHEREAS, R.S. 49:969 provides that the legislature, by concurrent resolution, may
22 suspend, amend, or repeal any rule adopted by a state department, agency, board, or
23 commission.

24 THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that LAC
25 46:XXXI.101 and 1101(A) are hereby amended and reenacted to read as follows:

26 §101. Definitions

27 A. As used in this Part, the following words shall have the meaning herein
28 ascribed to each, unless the context clearly indicates otherwise:;

1 ~~*Alternative Hair* - any hair which is not a person's own hair including~~
2 ~~synthetic hair, wiggery, braids, postich or any applied hair.~~

3 ~~*Alternative Hair Design* - the practice of styling hair by twisting, wrapping~~
4 ~~weaving, extending, locking or braiding the hair by either the use of hands or~~
5 ~~mechanical devices or appliances. The practice of alternative hair design shall~~
6 ~~include the application of antiseptics, powders, oils, clays, lotions or tonics to the~~
7 ~~alternative hair but shall not include the application of dyes, reactive chemicals or~~
8 ~~other preparations to alter the structure or style of the natural hair.~~

9 *Client* - a person who receives a cosmetology, esthetics or manicuring
10 service.

11 *Dermaplaning* - a technique to exfoliate the epidermis and remove the vellus
12 hair with a bladed tool.

13 *Dermis* - underlying or inner layer of the skin; the layer below the epidermis;
14 the corium or true skin, including papillary layer, capillaries, tactile corpuscles,
15 melanin (pigment), subcutaneous tissue, adipose or subcutis, arteries and lymphatics.

16 *Disposable* - an item which cannot be sanitized. All disposable items shall
17 be discarded after a single use. The following items shall be considered disposable:
18 facial tissues, sponges, cloths, extraction tissue, lancets, gloves, wax strips and
19 sticks, tissues, cotton pads and emery boards.

20 *Epidermis* - the outermost layer of the skin; the outer epithelial portion of
21 the skin including stratum corneous, stratum lucidum, stratum granulosum, stratum
22 spinosum (prickle cell layer), stratum mucosum, and stratum germinativum.

23 *Esthetic Services* - as defined in R.S. 37:563(8), includes but is not limited
24 to make-up application, facials, superficial chemical peels, dermaplaning,
25 microdermabrasion, nano-needling and other similar services performed on the
26 epidermis.

27 *Exfoliate or Exfoliation* - the process of sloughing off, removing or peeling
28 dead skin cells of the epidermis using chemicals or devices.

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)]

HCR 4 Reengrossed

2025 Regular Session

Billings

Amends LAC 46:XXXI.101 and 1101(A) of the La. State Bd. of Cosmetology (board) which provide definitions and a special permit relative to "alternative hair" and "alternative hair design".

Repeals LAC 46:XXXI.1105 and 1107 of the board which provide details for attaining the special permit and a curriculum relative to alternative hair design.

Directs the La. Register to print the amendments to LAC 46:XXXI.101 and 1101(A) and the repeal to LAC 46:XXXI.1105 and 1107 in the La. Administrative Code.

(Amends LAC 46:XXXI.101 and 1101(A); Repeals LAC 46:XXXI.1105 and 1107)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Remove language that references Oklahoma's hair braiding program.