
DIGEST

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HB 564 Engrossed

2018 Regular Session

Emerson

Abstract: Adds definitions and establishes unregulated services within 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 services not defined or interpreted as the practice of cosmetology in present law and proposed law. Provides unregulated services are exempt from regulation by the La. State Bd. of Cosmetology (hereinafter "board"). Further provides natural hair braiding and natural hair braiding services performed by a natural hair braider are unregulated services.

Proposed law provides "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 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 provides that proposed law does not prevent or prohibit a local governing authority from levying an occupational tax on natural hair braiding services.

Proposed law requires the board to maintain a list of persons who both perform natural hair braiding services and meet the following requirements:

- (1) Is at least 16 years of age.
- (2) Annually certifies to the board that such person reviewed the board's brochure on sanitation and

completed the self-test contained within the brochure or completed an online sanitation training video developed by the board.

Proposed law requires the board to provide a weblink to the brochure and online training on the board's public website. Requires the board to acknowledge the person's completion of the self-test or online training and issue a certificate of completion to the person. Further requires the board to make available a copy of the brochure to any interested person.

Proposed law provides that failure of the board to offer the sanitation brochure or online sanitation training waives the person's requirement to annually certify to the board that such person reviewed the brochure on sanitation and completed the self-test contained within the brochure or completed an online sanitation training video developed by the board.

Proposed law provides that any person permitted as an alternative hair designer before Jan. 1, 2019 is be able to perform natural hair braiding in licensed salons without the necessity of compliance with proposed law or related administrative rules.

Proposed law requires the board to adopt administrative rules prior to the effective date of proposed law.

Proposed law makes technical changes.

Effective Jan. 1, 2019.

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

Summary of Amendments Adopted by House

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

1. Require the board to maintain a list of persons who both perform natural hair braiding services and meet the following requirements:
 - (a) Be at least 16 years of age.
 - (b) Annually certify to the board that such person reviewed the board's brochure on sanitation and completed the self-test contained within the brochure or completed an online sanitation training video developed by the board.
2. Require the board to do all of the following:
 - (a) Provide a weblink to the brochure and online training on the board's public website.
 - (b) Make available a copy of the brochure to any interested person.
 - (c) Acknowledge the person's completion of the self-test or online training and issue a certificate of completion to the person.
3. Provide that failure of the board to offer the sanitation brochure or online sanitation training waives the person's requirement to annually certify to the board that such person reviewed the brochure on sanitation and completed the self-test contained within the brochure or completed an online sanitation training video developed by the board.
4. Provide that any person permitted as an alternative hair designer before Jan. 1, 2019 is able to perform natural hair braiding in licensed salons without the necessity of compliance with proposed law or related administrative rules.
5. Require the board to adopt administrative rules prior to the effective date of proposed law.
6. Make technical changes and provide an effective date of Jan. 1, 2019.