

2024 Regular Session

HOUSE BILL NO. 749

BY REPRESENTATIVE BAYHAM

COSMETOLOGY: Provides for unregulated services within the Louisiana Cosmetology Act

1 AN ACT

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

6 Be it enacted by the Legislature of Louisiana:

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

9 §563. Definitions

10 As used in this Chapter, the following words have the following meanings:

11 * * *

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

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

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

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

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

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

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

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

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

16 ~~(14)~~(18) "Satellite classroom" means a separate classroom location used as
17 supplemental training space located under the same roof of the main school building
18 or on the same campus as the administrative center and within at least three hundred
19 feet of the main school building for the purpose of training an overflow of students
20 who cannot be accommodated at the main school.

21 ~~(15)~~(19) "School" means any premises wherein cosmetology is taught.

22 ~~(16)~~(20) "Student" means a person registered in a school authorized by the
23 board to teach cosmetology.

24 ~~(17)~~(21) "Teacher" or "instructor" means a person who teaches cosmetology
25 for direct or indirect compensation, within a school.

26 (22) "Unregulated service" or "unregulated services" means services not
27 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 units of local 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 749 Original 2024 Regular Session Bayham

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

Present law provides for definitions.

Proposed law retains present law and defines "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. Proposed law further provides that unregulated services are exempt from regulation by the La. State Bd. of Cosmetology.

Proposed law 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 local government ordinances that prohibit natural hair braiding, natural hair braiding services, or natural hair braiders. Proposed law further preempts local government ordinances that 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.

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