

2018 Regular Session

HOUSE BILL NO. 564

BY REPRESENTATIVE EMERSON

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; to authorize
6 an occupational tax; and to 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, hairpins,
16 rollers, 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.

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

1 §581.1. Unregulated services; natural hair braiding; preemption

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

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

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

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

11 C.(1) Ordinances by local units of government that prohibit natural hair
12 braiding, natural hair braiding services, or natural hair braiders, or regulate any
13 matter relating to the licensing, testing, training, facilities, or equipment of natural
14 hair braiding, natural hair braiding services, or natural hair braiders are preempted
15 by the provisions of this Chapter.

16 (2) The provisions of this Subsection shall not prevent or prohibit a local
17 governing authority from levying an occupational tax on natural hair braiding
18 services.

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 564 Original

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. 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 makes technical changes.

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