

FIRST REGULAR SESSION

SENATE BILL NO. 227

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KOENIG.

Pre-filed December 20, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0504S.011

AN ACT

To repeal section 329.010, RSMo, and to enact in lieu thereof two new sections relating to the practice of hair braiding.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 329.010, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 329.010 and 329.032, to read as
3 follows:

329.010. As used in this chapter, unless the context clearly indicates
2 otherwise, the following words and terms mean:

3 (1) "Accredited school of cosmetology or school of manicuring", an
4 establishment operated for the purpose of teaching cosmetology as defined in this
5 section and meeting the criteria set forth under 34 C.F.R. Part 600, sections 600.1
6 and 600.2;

7 (2) "Apprentice" or "student", a person who is engaged in training within
8 a cosmetology establishment or school, and while so training performs any of the
9 practices of the classified occupations within this chapter under the immediate
10 direction and supervision of a licensed cosmetologist or instructor;

11 (3) "Board", the state board of cosmetology and barber examiners;

12 (4) "Cosmetologist", any person who, for compensation, engages in the
13 practice of cosmetology, as defined in subdivision (5) of this section;

14 (5) "Cosmetology" includes performing or offering to engage in any acts of
15 the classified occupations of cosmetology for compensation, which shall include:

16 (a) "Class CH - hairdresser" includes arranging, dressing, curling,
17 singeing, waving, permanent waving, cleansing, cutting, bleaching, tinting,
18 coloring, or similar work upon the hair of any person by any means; or removing

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 superfluous hair from the body of any person by means other than electricity, or
20 any other means of arching or tinting eyebrows or tinting eyelashes. Class CH
21 - hairdresser also includes any person who either with the person's hands or with
22 mechanical or electrical apparatuses or appliances, or by the use of cosmetic
23 preparations, antiseptics, tonics, lotions or creams engages for compensation in
24 any one or any combination of the following: massaging, cleaning, stimulating,
25 manipulating, exercising, beautifying or similar work upon the scalp, face, neck,
26 arms or bust;

27 (b) "Class MO - manicurist" includes cutting, trimming, polishing,
28 coloring, tinting, cleaning or otherwise beautifying a person's fingernails,
29 applying artificial fingernails, massaging, cleaning a person's hands and arms;
30 pedicuring, which includes cutting, trimming, polishing, coloring, tinting, cleaning
31 or otherwise beautifying a person's toenails, applying artificial toenails,
32 massaging and cleaning a person's legs and feet;

33 (c) "Class CA - hairdressing and manicuring" includes all practices of
34 cosmetology, as defined in paragraphs (a) and (b) of this subdivision;

35 (d) "Class E - estheticians" includes the use of mechanical, electrical
36 apparatuses or appliances, or by the use of cosmetic preparations, antiseptics,
37 tonics, lotions or creams, not to exceed ten percent phenol, engages for
38 compensation, either directly or indirectly, in any one, or any combination, of the
39 following practices: massaging, cleansing, stimulating, manipulating, exercising,
40 beautifying or similar work upon the scalp, face, neck, ears, arms, hands, bust,
41 torso, legs or feet and removing superfluous hair by means other than electric
42 needle or any other means of arching or tinting eyebrows or tinting eyelashes, of
43 any person;

44 (6) "Cosmetology establishment", that part of any building wherein or
45 whereupon any of the classified occupations are practiced including any space
46 rented within a licensed establishment by a person licensed under this chapter,
47 for the purpose of rendering cosmetology services;

48 (7) "Cross-over license", a license that is issued to any person who has met
49 the licensure and examination requirements for both barbering and cosmetology;

50 (8) **"Hair braiding", the use of techniques that result in tension on**
51 **hair strands or roots by twisting, wrapping, waving, extending, locking,**
52 **or braiding of the hair by hand or mechanical device, but does not**
53 **include the application of dyes, reactive chemicals, or other**
54 **preparations to alter the color of the hair or to straighten, curl, or alter**

55 **the structure of the hair;**

56 **(9)** "Hairdresser", any person who, for compensation, engages in the
57 practice of cosmetology as defined in paragraph (a) of subdivision (5) of this
58 section;

59 ~~[(9)]~~ **(10)** "Instructor", any person who is licensed to teach cosmetology
60 or any practices of cosmetology pursuant to this chapter;

61 ~~[(10)]~~ **(11)** "Manicurist", any person who, for compensation, engages in
62 any or all of the practices in paragraph (b) of subdivision (5) of this section;

63 ~~[(11)]~~ **(12)** "Parental consent", the written informed consent of a minor's
64 parent or legal guardian that must be obtained prior to providing body waxing on
65 or near the genitalia;

66 ~~[(12)]~~ **(13)** "School of cosmetology" or "school of manicuring", an
67 establishment operated for the purpose of teaching cosmetology as defined in
68 subdivision (5) of this section.

329.032. The practice of cosmetology shall not include hair
2 **braiding, except, nothing in this section shall be construed as**
3 **prohibiting a licensed cosmetologist from performing the service of**
4 **hair braiding.**

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