

2020 -- H 7231

=====
LC003119
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

—————
A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- BARBERS, HAIRDRESSERS,
COSMETICIANS, MANICURISTS AND ESTHETICIANS

Introduced By: Representatives Williams, Caldwell, Alzate, Vella-Wilkinson, and Hull

Date Introduced: January 22, 2020

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 5-10-1 and 5-10-8 of the General Laws in Chapter 5-10 entitled
2 "Barbers, Hairdressers, Cosmeticians, Manicurists and Estheticians" are hereby amended to read
3 as follows:

4 **5-10-1. Definitions.**

5 The following words and phrases, when used in this chapter, are construed as follows:

6 (1) "Apprentice barber" means an employee whose principal occupation is service with a
7 barber who has held a current license as a barber for at least three (3) years with a view to
8 learning the art of barbering, as defined in subsection (14).

9 (2) "Barber" means any person who shaves or trims the beard; waves, dresses, singes,
10 shampoos, or dyes the hair; or applies hair tonics, cosmetic preparations, antiseptics, powders, oil
11 clays, or lotions to the scalp, face, or neck of any person; or cuts the hair of any person; gives
12 facial and scalp massages; or treatments with oils, creams, lotions, or other preparations.

13 (3) "Board" means the state board of barbering and hairdressing as provided for in this
14 chapter.

15 (4) "Department" means the Rhode Island department of health.

16 (5) "Division" means the division of professional regulation within the department of
17 health.

18 (6) "Esthetician" means a person who engages in the practice of esthetics, and is licensed

1 as an esthetician.

2 (7) "Esthetician shop" means a shop licensed under this chapter to do esthetics of any
3 person.

4 (8) "Esthetics" means the practice of cleansing, stimulating, manipulating, and
5 beautifying skin, including, but not limited to, the treatment of such skin problems as
6 dehydration, temporary capillary dilation, excessive oiliness, and clogged pores.

7 (9) "Hair design shop" means a shop licensed under this chapter to do barbering or
8 hairdressing/cosmetology, or both, to any person.

9 (10) "Hairdresser and cosmetician" means any person who arranges, dresses, curls, cuts,
10 waves, singes, bleaches, or colors the hair or treats the scalp, or manicures the nails of any person,
11 either with or without compensation, or who, by the use of the hands or appliances, or of cosmetic
12 preparations, antiseptics, tonics, lotions, creams, powders, oils or clays, engages, with or without
13 compensation, in massaging, cleansing, stimulating, manipulating, exercising, or beautifying, or
14 in doing similar work upon the neck, face, or arms, or who removes superfluous hair from the
15 body of any person.

16 (11) "Instructor" means any person licensed as an instructor under the provisions of this
17 chapter.

18 (12) "Manicuring shop" means a shop licensed under this chapter to do manicuring only
19 on the nails of any person.

20 (13) "Manicurist" means any person who engages in manicuring for compensation and is
21 duly licensed as a manicurist.

22 (14) "Practice of barbering" means the engaging by any licensed barber in all, or any
23 combination of, the following practices: shaving or trimming the beard or cutting the hair; giving
24 facial and scalp massages or treatments with oils, creams, lotions, or other preparations, either by
25 hand or mechanical appliances; singeing, shampooing, arranging, dressing, curling, waving,
26 chemical waving, hair relaxing, or dyeing the hair or applying hair tonics; or applying cosmetic
27 preparations, antiseptics, powders, oils, clays, or lotions to the scalp, face, or neck.

28 (15) "Practice of hairdressing and cosmetic therapy" means the engaging by any licensed
29 hairdresser and cosmetician in any one or more of the following practices: the application of the
30 hands or of mechanical or electrical apparatus, with or without cosmetic preparations, tonics,
31 lotions, creams, antiseptics, or clays, to massage, cleanse, stimulate, manipulate, exercise, or
32 otherwise to improve or to beautify the scalp, face, neck, shoulders, arms, bust, or upper part of
33 the body; or the manicuring of the nails of any person; or the removing of superfluous hair from
34 the body of any person; or the arranging, dressing, curling, waving, weaving, cleansing, cutting,

1 singeing, bleaching, coloring, or similarly treating the hair of any person, or the application or
2 removal of eyelash extensions, fibers or false eyelashes to an eyelid or eyelids and any use or
3 application of any chemical, adhesive, glue, tonic, oil, dye, serum or lotion to the area of the
4 eyelid, eyelash or the eyebrow. Provided, however, that the practice of hairdressing and cosmetic
5 therapy shall not include natural hair braiding.

6 (16) "Practice of manicuring" means the cutting, trimming, polishing, tinting, coloring, or
7 cleansing the nails of any person.

8 (17) "School" means a school approved under chapter 40 of title 16, as amended, devoted
9 to the instruction in, and study of, the theory and practice of barbering, hairdressing, and cosmetic
10 therapy, esthetics, and/or manicuring.

11 **5-10-8. Issuance of licenses -- Qualifications of applicants.**

12 (a) The division shall issue licenses to persons engaged in, or desiring to engage in, the
13 practice of barbering, hairdressing and cosmetic therapy and/or manicuring or esthetics and for
14 instructing in any approved school of barbering or hairdressing and cosmetic therapy and
15 manicuring or esthetics; provided, that no license shall be issued to any person under this chapter
16 unless the applicant for the license:

17 (1) Is at least eighteen (18) years of age;

18 (2) Is a citizen of the United States of America or has legal entry into the country;

19 (3) Is of good moral character;

20 (4) Is a high school graduate or holds the equivalent or has twenty-five (25) or more years
21 of prior experience in the practice for which the license is sought;

22 (5) Has satisfactorily completed the course of instruction in an approved school of
23 barbering, hairdressing, and cosmetic therapy and/or manicuring or esthetics, which shall include
24 a separate course and certificate for application or removal of eyelash extensions, fibers or false
25 eyelashes issued by the division;

26 (6) Has satisfactorily passed a written and a practical examination approved by the
27 division to determine the fitness of the applicant to receive a license; and

28 (7) Has complied with § 5-10-10 and any other qualifications that the division prescribes
29 by regulation.

30 (b) Notwithstanding the provision of subsection (a)(4), on and after July 1, 1997, an
31 applicant seeking licensure as a barber must be a high school graduate or hold the equivalent
32 combination of education and experience.

33 (c) The division may license, on a case-by-case basis, with or without examination, any
34 individual who has been licensed as an esthetician, barber, cosmetologist, electrologist, or

1 manicurist under the laws of another state, which, in the opinion of the division, maintains a
2 standard substantially equivalent to that of the state of Rhode Island.

3 SECTION 2. This act shall take effect upon passage.

=====
LC003119
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- BARBERS, HAIRDRESSERS,
COSMETICIANS, MANICURISTS AND ESTHETICIANS

1 This act would add the application or removal of eyelash extensions and the use of
2 chemicals in the area of the eyelids to the definition of the "practice of hairdressing and cosmetic
3 therapy".

4 This act would take effect upon passage.

=====
LC003119
=====