

1 SB269  
2 210118-1  
3 By Senators Coleman-Madison and Figures  
4 RFD: Healthcare  
5 First Read: 24-FEB-21

8 SYNOPSIS: Under existing law, hair braiding is listed  
9 under the term cosmetology and natural hair  
10 styling. These terms are subject to regulation and  
11 licensing requirements by the Board of Cosmetology  
12 and Barbering.

13 This bill would remove braiding of the hair  
14 from the definition of cosmetology and would also  
15 provide that braiding would not be regulated by the  
16 Board of Cosmetology and Barbering.

17 This bill would require any individual who  
18 engages in hair braiding for compensation to be  
19 registered with the Department of Public Health.

20 This bill would require the Department of  
21 Public Health to provide a registration form so  
22 that hair braiders are able to register with the  
23 department.

24 This bill would also provide requirements  
25 for the hair braiding registration process and a  
26 uniform fee for all applicants.

1 A BILL  
2 TO BE ENTITLED  
3 AN ACT  
4

5 Relating to cosmetology; to amend Section 34-7B-1,  
6 Code of Alabama 1975, to remove hair braiding from the  
7 definition of cosmetology; to add Section 22-1-19 to the Code  
8 of Alabama 1975; to require registration with the Department  
9 of Public Health; to provide procedures and requirements  
10 relating to registration; and to exclude hair braiding from  
11 the requirements of licensure and training of the Board of  
12 Cosmetology and Barbering.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Section 34-7B-1, Code of Alabama 1975, is  
15 amended to read as follows:

16 "§34-7B-1.

17 "For the purposes of this chapter, the following  
18 terms shall have the following meanings:

19 "(1) APPRENTICE. Any person engaged in learning the  
20 practices defined in this chapter including, but not limited  
21 to, assisting in the performance of any acts of barbering or  
22 cosmetology on the general public under the constant and  
23 direct supervision of a person who has held a valid current  
24 license issued by the board for at least five years, in a shop  
25 licensed by the board.

26 "(2) BARBERING. The occupation of shaving or  
27 trimming the beard, cutting or dressing the hair, giving

1 facial or scalp massages, giving facial or scalp treatment  
2 with oils or creams or other preparations made for that  
3 purpose, either by hand or by means of mechanical appliances,  
4 singeing and shampooing the hair, dyeing the hair, or  
5 permanently waving or straightening the hair of any living or  
6 deceased person for compensation, as performed by a Class 2  
7 barber.

8 "(3) BOARD. The Alabama Board of Cosmetology and  
9 Barbering.

10 "(4) CLASS 1 BARBER. A person who only does the  
11 following in his or her ordinary course of business: Arranges,  
12 cleans, cuts, or sings the hair of any person or massages,  
13 cleans, stimulates, exercises, or does similar work on the  
14 scalp, face, or neck of any person with the hands, or with  
15 mechanical or electrical apparatus or appliance, or by the use  
16 of cosmetic preparations, antiseptics, tonics, lotions, or  
17 creams. Any one or a combination of the following practices,  
18 when done upon the human body above the seventh cervical  
19 vertebra for cosmetic purposes and not for the treatment of  
20 disease or physical or mental ailments, and when done for  
21 payment, directly or indirectly or without payment for the  
22 public generally: Shaving or trimming the beard or trimming  
23 the hair.

24 "(5) CLASS 2 BARBER. Any person, other than a  
25 student or apprentice, who performs barbering on the general  
26 public for compensation, and who shall satisfy the  
27 qualifications and licensure requirements provided in this

1 chapter for a Class 2 barber. For the purposes of this  
2 chapter, the term barber, standing alone, shall be deemed a  
3 reference to a Class 2 barber.

4 "(6) COSMETOLOGIST. Any person, other than a student  
5 or apprentice, who performs cosmetology on the general public  
6 for compensation, and who shall satisfy the qualifications and  
7 licensure requirements provided in this chapter for a  
8 cosmetologist.

9 "(7) COSMETOLOGY. Any of the practices generally  
10 recognized as beauty culture, hairdressing, or any other  
11 designation engaged in by any person who performs such on the  
12 general public for compensation including, but not limited to,  
13 cleansing, singeing, cutting, arranging, dressing, curling,  
14 ~~braiding~~, waxing, bleaching, weaving, coloring the hair by  
15 hand or mechanical apparatus, the use of creams, lotions, or  
16 cosmetic preparations, with or without massage, on the scalp,  
17 face, arms, legs, feet, or hands, esthetics practices, nail  
18 technology, manicure, pedicure, or desairology.

19 "(8) ESTHETICIAN. Any person, other than a student  
20 or apprentice, who performs esthetics on the general public  
21 for compensation, and who shall satisfy the qualifications and  
22 licensure requirements provided in this chapter for an  
23 esthetician.

24 "(9) ESTHETICS. The practice of performing acts of  
25 skin care including, but not limited to, facials, body waxing,  
26 makeup, and general esthetics procedures on the general public  
27 for compensation.

1           "(10) ESTHETICS/MANICURE. A combination of the  
2 practices of esthetics and manicure.

3           "(11) ESTHETICIAN/MANICURIST. Any person, other than  
4 a student or apprentice, who performs a combination of the  
5 practices of esthetics and manicure on the general public for  
6 compensation, and who shall satisfy the qualifications and  
7 licensure requirements provided in this chapter for an  
8 esthetician/manicurist.

9           "(12) INSTRUCTOR. A licensee who teaches in a  
10 licensed or registered school of barbering or any branch of  
11 cosmetology and completes any applicable requirements for  
12 continuing education.

13           "(13) LICENSE. A document issued by the board which  
14 entitles the holder to practice the profession listed on the  
15 document.

16           "(14) LICENSEE. Any person holding a license issued  
17 pursuant to this chapter.

18           "(15) MANICURE. The practice of beautifying or  
19 grooming the fingernails, toenails, adding nail tips,  
20 extensions, gels, or massaging the hands, forearms, feet, or  
21 lower legs of the general public for compensation.

22           "(16) MANICURIST. Any person, other than a student  
23 or apprentice, who performs the practice of manicure on the  
24 general public for compensation, and who shall satisfy the  
25 qualifications and licensure requirements provided in this  
26 chapter for a manicurist.

1                   "(17) MANICURE/WAXING. A combination of the  
2 practices of manicure and waxing.

3                   "(18) MANICURIST/WAXER. Any person, other than a  
4 student or apprentice, who performs a combination of the  
5 practices of manicure and waxing on the general public for  
6 compensation, and who shall satisfy the qualifications and  
7 licensure requirements provided in this chapter for a  
8 manicurist/waxer.

9                   "(19) NATURAL HAIR STYLING. The practice of  
10 cleansing, weaving or interweaving, extending, locking,  
11 ~~braiding~~, or arranging the hair without cutting, coloring,  
12 permanent waving, relaxing, removing, or chemical treatments.

13                   "(20) NATURAL HAIRSTYLIST. Any person, other than a  
14 student, who performs natural hair styling on the general  
15 public for compensation, and who shall satisfy the  
16 qualifications and licensure requirements provided in this  
17 chapter for a natural hairstylist.

18                   "(21) SCHOOL. An establishment licensed or  
19 registered by the board to teach any or all of the practices  
20 of barbering or cosmetology.

21                   "(22) SHAMPOO ASSISTANT. Any person who is licensed  
22 to perform only the practices of shampooing, cleansing, or  
23 applying temporary weekly color rinses to the hair of the  
24 general public for compensation, and who shall satisfy the  
25 qualifications and licensure requirements provided in this  
26 chapter for a shampoo assistant.

1           "(23) SHOP. Any place where barbering or cosmetology  
2 is practiced. Only a properly licensed person, who is not an  
3 apprentice or a student, may operate a shop.

4           "(24) STUDENT. Any person who is engaged in learning  
5 any practice regulated by this chapter in a school licensed or  
6 registered pursuant to this chapter, and who, as part of the  
7 learning process, performs or assists in any practice  
8 regulated by this chapter under the immediate supervision of  
9 an instructor who is licensed pursuant to this chapter.

10           "(25) THREADING. The practice of eyebrow removal  
11 with the use of a loop made of cotton or any other material.

12           "(26) THREADER. Any person engaged in the practice  
13 of threading on the general public for compensation, and who  
14 shall satisfy the qualifications and licensure requirements  
15 provided in this chapter for a threader."

16           Section 2. Section 22-1-19 is added to the Code of  
17 Alabama 1975, to read as follows:

18           §22-1-19.

19           (a) A person may not engage in hair braiding for  
20 compensation in this state without first registering with the  
21 Alabama Department of Public Health. The department may charge  
22 each registrant a fee of not more than twenty-five dollars  
23 (\$25) to cover the department's costs in registering the  
24 person and providing the person with the brochure prepared  
25 under subsection (c). The fee shall be uniform for all  
26 registrants.



1 (b) The purpose of this registration is only to  
2 maintain a list of those persons who engage in hair braiding  
3 for compensation in the state and does not authorize the  
4 department to license or regulate the practice of hair  
5 braiding in the state, except as provided in subsection (c).

6 (c) (1) The Alabama Department of Public Health shall  
7 develop and prepare a brochure containing information about  
8 infection control techniques that are appropriate for hair  
9 braiding. The brochure shall be made available through the  
10 department's website or by mail, upon request, for a fee to  
11 cover the department's mailing costs.

12 (2) The brochure shall contain a self-test with  
13 questions on the information contained in the brochure.

14 (3) A registrant shall complete the self-test  
15 portion of the brochure and keep the brochure and completed  
16 self-test available at the location at which the person is  
17 engaged in hair braiding.

18 (4) The department may visit any facility or  
19 premises in which hair braiding is performed at any time  
20 during business hours to determine if the brochure and  
21 completed self-test are available at the facility or premises.

22 (d) This section does not apply to cosmetologists or  
23 barbers licensed to practice in this state in their respective  
24 fields.

25 Section 3. This act shall become effective on the  
26 first day of the third month following its passage and  
27 approval by the Governor, or its otherwise becoming law.

