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AB-2166 Barbering and cosmetology: hair types and textures. (2023-2024)

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Assembly Bill No. 2166

CHAPTER 384

An act to amend Sections 7338, 7362.5, and 7363 of the Business and Professions Code, relating to professions and vocations.

[Approved by Governor September 22, 2024. Filed with Secretary of State September 22, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2166, Weber. Barbering and cosmetology: hair types and textures.

(1) Existing law, the Barbering and Cosmetology Act, the violation of which is a crime, provides for the licensure and regulation of barbers and cosmetologists by the State Board of Barbering and Cosmetology in the Department of Consumer Affairs. Existing law requires the examination of applicants for a license issued by the board to consist of written tests to determine the applicant's skill in, and knowledge of, the practice of the occupation for which a license is sought.

This bill would additionally require those written tests to determine the applicant's skill in, and knowledge of, providing services to individuals with varying hair types and textures.

(2) Existing law requires a course in barbering or cosmetology to include, at a minimum, technical and practical instruction in specified areas, including instruction in chemical hair services and hairstyling services, as described. Existing law also requires a course in hairstyling, as provided, to include instruction in hairstyling services, as described.

This bill would additionally require instruction in chemical hair services and hairstyling services to include instruction in the provision of services to individuals with all hair types and textures, including, but not limited to, various curl or wave patterns, hair strand thicknesses, and volumes of hair. By expanding the crimes relating to violation of the Barbering and Cosmetology Act, this bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 7338 of the Business and Professions Code is amended to read:

7338. (a) The examination of applicants for a license shall consist of a written examination that evaluates competency in protecting the health and safety of consumers of the services provided by licensees.

(b) The examination shall include written tests to determine the applicant's skill in, and knowledge of, the practice of the occupation for which a license is sought and shall include written tests in antisepsis, disinfection, and the use of mechanical apparatus and electricity as applicable to the practice for which the applicant has applied for licensure.

(c) The written tests, as specified in subdivision (b), shall determine the applicant's skill in, and knowledge of, providing services to individuals with varying hair types and textures, as applicable to the practice for which the applicant has applied for licensure.

SEC. 2. Section 7362.5 of the Business and Professions Code is amended to read:

7362.5. (a) A course in barbering or cosmetology established by a school shall consist of not less than 1,000 hours of practical and technical instruction in the practice of barbering or cosmetology, as defined in Section 7316.

(b) The curriculum for a barbering course shall, at a minimum, include technical and practical instruction in the following areas:

(1) One hundred hours in health and safety, which includes hazardous substances, chemical safety, safety data sheets, protection from hazardous chemicals, preventing chemical injuries, health and safety laws and regulations, and preventing communicable diseases.

(2) One hundred hours in disinfection and sanitation, which includes disinfection procedures to protect the health and safety of consumers as well as the technician and proper disinfection procedures for equipment used in establishments.

(3) (A) Two hundred hours in chemical hair services, which includes coloring, straightening, waving, bleaching, hair analysis, predisposition and strand tests, safety precautions, formula mixing, and the use of dye removers.

(B) Instruction in chemical hair services shall include instruction regarding the provision of services to individuals with all hair types and textures, including, but not limited to, various curl or wave patterns, hair strand thicknesses, and volumes of hair.

(4) (A) Two hundred hours in hairstyling services, which includes arranging, blow drying, cleansing, curling, dressing, hair analysis, shampooing, waving, and nonchemical straightening, and hair cutting, including the use of shears, razors, electrical clippers and trimmers, and thinning shears, for wet and dry cutting.

(B) Instruction in hairstyling services shall include instruction regarding the provision of services to individuals with all hair types and textures, including, but not limited to, various curl or wave patterns, hair strand thicknesses, and volumes of hair.

(5) Two hundred hours in shaving and trimming of the beard, which includes preparing the client's hair for shaving, assessing the condition of the client's skin, performing shaving techniques, applying aftershave antiseptic following facial services, and massaging the face and rolling cream massages.

(c) The curriculum for a cosmetology course shall, at a minimum, include technical and practical instruction in the following areas:

(1) One hundred hours in health and safety, which includes hazardous substances, chemical safety, safety data sheets, protection from hazardous chemicals, preventing chemical injuries, health and safety laws and regulations, and preventing communicable diseases.

(2) One hundred hours in disinfection and sanitation, which includes disinfection procedures to protect the health and safety of consumers as well as the technician and proper disinfection procedures for equipment used in establishments.

(3) (A) Two hundred hours in chemical hair services, which includes coloring, straightening, waving, bleaching, hair analysis, predisposition and strand tests, safety precautions, formula mixing, and the use of dye removers.

(B) Instruction in chemical hair services shall include instruction regarding the provision of services to individuals with all hair types and textures, including, but not limited to, various curl or wave patterns, hair strand thicknesses, and volumes of hair.

(4) (A) Two hundred hours in hairstyling services, which includes arranging, blow drying, cleansing, curling, dressing, hair analysis, shampooing, waving, and nonchemical straightening, and hair cutting, including the use of shears, razors, electrical clippers and trimmers, and thinning shears, for wet and dry cutting.

(B) Instruction in hairstyling services shall include instruction regarding the provision of services to individuals with all hair types and textures, including, but not limited to, various curl or wave patterns, hair strand thicknesses, and volumes of hair.

(5) One hundred fifty hours in skin care services, which includes chemical and manual facials and massaging, stimulating, exfoliating, cleansing, or beautifying the face, scalp, neck, or body by the use of hands, esthetic devices, cosmetic products, antiseptics, lotions, tonics, or creams that do not result in the ablation or destruction of the live tissue.

(6) Fifty hours in hair removal and lash and brow beautification, which includes tinting and perming eyelashes and brows and applying eyelashes to any person, and includes removing superfluous hair from the body of any person by use of depilatories, tweezers, sugaring, nonprescription chemicals, or waxing, or by the use of devices and appliances of any kind or description, except by the use of lasers or light waves, which are commonly known as rays.

(7) One hundred hours in manicure and pedicure, which includes water and oil manicures, hand and arm massage, foot and ankle massage, nail analysis, and artificial nail services, including, but not limited to, acrylic, liquid and powder brush-ons, dip, tips, wraps, and repairs.

SEC. 3. Section 7363 of the Business and Professions Code is amended to read:

7363. (a) A course in hairstyling established by a school shall consist of not less than 600 hours of practical and technical instruction.

(b) The curriculum for a hairstyling course shall include, at a minimum, technical and practical instruction in the following areas:

(1) One hundred hours in health and safety, which includes hazardous substances, chemical safety, safety data sheets, protection from hazardous chemicals, preventing chemical injuries, health and safety laws and regulations, and preventing communicable diseases.

(2) One hundred hours in disinfection and sanitation, which includes disinfection procedures to protect the health and safety of consumers as well as the technician and proper disinfection procedures for equipment used in establishments.

(3) (A) Two hundred hours in hair styling services, which includes arranging, blow drying, cleansing, curling, dressing, hair analysis, shampooing, waving, and nonchemical straightening, and hair cutting including the use of shears, razors, electrical clippers and trimmers, and thinning shears, for wet and dry cutting.

(B) Instruction in hairstyling services shall include instruction regarding the provision of services to individuals with all hair types and textures, including, but not limited to, various curl or wave patterns, hair strand thicknesses, and volumes of hair.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.