

# STATE OF NEW YORK

5390

2017-2018 Regular Sessions

## IN SENATE

March 24, 2017

Introduced by Sen. ALCANTARA -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to providing that state cosmetology curriculums and examinations reflect instruction concerning cultural and ethnic awareness in regard to hair types

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 1 and 3 of section 403 of the general busi-  
2 ness law, subdivision 1 as amended by chapter 341 of the laws of 1998  
3 and subdivision 3 as added by chapter 509 of the laws of 1992, are  
4 amended to read as follows:  
5 1. There shall be established within the department an advisory  
6 committee which shall consist of [~~nine~~] **ten** members broadly represen-  
7 tative of the appearance enhancement industry[~~;~~]; including one person  
8 engaged in the practice of either nail specialty or waxing[~~;~~]; two  
9 persons engaged in natural hair styling[~~;~~]; one of whom shall be know-  
10 ledgeable in the practice of styling techniques which place tension on  
11 the hair roots[~~;~~]; one person engaged in esthetics[~~;~~]; two persons  
12 engaged in cosmetology[~~;~~]; two persons engaged in training of persons  
13 for such practices[~~;~~~~and~~]; one person licensed as a dermatologist; **and**  
14 **one person who shall ensure strict adherence to quality services for all**  
15 **clients of all hair types, including, but not limited to, curl pattern,**  
16 **hair strand thickness, and volume of hair.** The secretary shall appoint  
17 such persons to serve on the advisory committee, provided, that two  
18 shall be appointed by the secretary on the recommendation of the tempo-  
19 rary president of the senate and two shall be appointed by the secretary  
20 on the recommendation of the speaker of the assembly. Each member of the  
21 committee shall be appointed for terms of two years. Any member may be  
22 reappointed for additional terms. The secretary shall designate from  
23 among the members of the committee a chairperson who shall serve at the  
24 pleasure of the secretary.

EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets [~~-~~] is old law to be omitted.

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1 3. The advisory committee shall advise the secretary on all matters  
2 relating to this article, and on such other matters as the secretary  
3 shall request. In advising the secretary on matters concerning profes-  
4 sional education or curriculum, inclusive of the maintenance of cultural  
5 and ethnic awareness within the prescribed curriculum in regard to hair  
6 types, including, but not limited to, curl pattern, hair strand thick-  
7 ness, and volume of hair, the advisory committee shall, to the extent  
8 practicable, consult with the state education department.

9 § 2. Subdivision 1 of section 407 of the general business law, as  
10 amended by chapter 255 of the laws of 1999, is amended to read as  
11 follows:

12 1. The examinations for the license to practice natural hair styling,  
13 esthetics, nail specialty and cosmetology shall be practical and writ-  
14 ten. The examinations for the license to practice waxing shall be limit-  
15 ed to a written examination only. The secretary shall determine reason-  
16 able standards of performance for each license and shall evaluate the  
17 prospective applicants and applicants on the basis of such standards.  
18 The objectives of the examinations shall be to insure that prospective  
19 applicants and applicants have sufficient basic skills to safeguard the  
20 health and safety of the public and to insure that prospective appli-  
21 cants and applicants have attained adequate levels of skill to compe-  
22 tently engage clients of all hair types, including, but not limited to,  
23 curl pattern, hair strand thickness, and volume of hair in the activ-  
24 ities authorized by the license.

25 § 3. This act shall take effect immediately.