

# STATE OF NEW YORK

8862

## IN SENATE

July 31, 2020

Introduced by Sen. METZGER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general business law, in relation to certification of shampoo assistants

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

1 Section 1. The general business law is amended by adding a new section  
2 408-b to read as follows:

3 § 408-b. Shampoo assistant certification. 1. An applicant for a sham-  
4 poo assistant certificate shall have completed a minimum of five hundred  
5 hours of the required one thousand hours of an approved course of study  
6 in cosmetology in a school duly licensed pursuant to the education law  
7 and shall remain enrolled in such school until completion of such  
8 course. The secretary shall prescribe the specific courses and amount of  
9 hours in such courses that shall be part of such five hundred hour  
10 requirement.

11 2. Each application shall be accompanied by a fee as prescribed by the  
12 secretary.

13 3. Such certification shall be issued by the secretary after affirma-  
14 tion by a department of education approved school that an individual has  
15 completed the requirements of subdivision one of this section.

16 4. All shampoo assistant certificates shall expire one year from the  
17 date of issuance.

18 5. A certificate issued pursuant to this section shall be posted in  
19 some conspicuous place in the premises licensed pursuant to this article  
20 or in the place where the practice of an occupation licensed pursuant to  
21 this article is conducted.

22 6. a. Shampoo assistant certification holders shall be limited to  
23 participating in the following activities:

24 (i) greeting and draping clients in preparation for services; and

25 (ii) shampooing and rinsing clients in preparation for services.

26 b. Shampoo assistant certification holders shall be prohibited from:

27 (i) applying chemicals to clients;

28 (ii) performing haircutting techniques;

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

LBD10060-01-9

- 1 (iii) placing artificial braids or extensions on clients;  
2 (iv) performing any nail services or procedures;  
3 (v) performing any skin care procedures; and  
4 (vi) performing any waxing services.

5 7. The practice of shampoo assistant without the certificate required  
6 by this section or while under suspension or revocation, or in violation  
7 of an order directing the cessation of unlicensed activity issued by the  
8 secretary pursuant to section four hundred ten or four hundred eleven of  
9 this article, is a violation and is subject to a civil penalty of up to  
10 five hundred dollars for the first violation and one thousand dollars  
11 for a second and any subsequent violation.

12 § 2. The opening paragraph of subdivision one of section 410 of the  
13 general business law, as amended by chapter 80 of the laws of 2015, is  
14 amended to read as follows:

15 Suspension and revocation of licenses ~~[ex]~~, registrations, or certifi-  
16 ications; fines; reprimands. A license ~~[ex]~~, registration, or certifi-  
17 ication issued pursuant to this article may be suspended or revoked, or  
18 a fine not exceeding five hundred dollars payable to the department may  
19 be imposed for any one or more of the following causes:

20 § 3. This act shall take effect on the one hundred eightieth day after  
21 it shall have become a law. Effective immediately, the addition, amend-  
22 ment and/or repeal of any rule or regulation necessary for the implemen-  
23 tation of this act on its effective date are authorized to be made and  
24 completed on or before such effective date.