STATE OF NEW YORK

5114

2021-2022 Regular Sessions

IN SENATE

February 24, 2021

Introduced by Sen. PERSAUD -- 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 defining natural hair braiding and threading, and exempting natural hair braiding and threading from certain licensing requirements

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

Section 1. Subdivision 5 of section 400 of the general business law, as amended by chapter 343 of the laws of 1998, is amended and two new subdivisions 5-a and 5-b are added to read as follows:

5. The practice of "natural hair styling" means providing for a fee, or any consideration or exchange, whether direct or indirect, any of the following services to the hair of a human being: shampooing, arranging, or dressing[~~, twisting, wrapping, weaving, extending, locking or braiding~~] the hair or beard by either hand or mechanical appliances. Such practice shall not include cutting, shaving or trimming hair except that such activities are permissible to the extent that such activities are incidental to the practice of natural hair styling. Such practice shall not include the application of dyes, reactive chemicals, or other preparations to alter the color or to straighten, curl, or alter the structure of the hair. [~~Techniques which result in tension on hair roots such as certain types of braiding, weaving, wrapping, locking and extending of the hair may only be performed by a natural hair styling or cosmetology licensee who has successfully completed an approved course of study in such techniques.~~]

5-a. The practice of "natural hair braiding" means providing for a fee, or any consideration or exchange, whether direct or indirect, any of the following services to the hair of a human being: twisting, wrapping, weaving, extending, locking, or braiding hair by hand or with mechanical devices, including clips, combs, crochet hooks, curlers, curling irons, hairpins, rollers, scissors, blunt-tipped needles,

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

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thread, and hair binders. Natural hair braiding includes the use of natural or synthetic hair extensions, natural or synthetic hair and fibers, decorative beads, and other hair accessories; minor trimming of natural hair or hair extensions incidental to twisting, wrapping, weaving, extending, locking, or braiding hair; the making of wigs from natural hair, natural fibers, synthetic fibers, and hair extensions; and the use of topical agents such as conditioners, gels, moisturizers, oils, pomades, and shampoos in conjunction with performing the practice of natural hair braiding. Natural hair braiding is commonly known as "African-style hair braiding" but is not limited to any particular cultural, ethnic, racial, or religious forms of hair styles. Natural hair braiding is distinct from the practice of cosmetology and natural hair styling. Natural hair braiding does not include the application of dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl, or alter the structure of the hair; or the use of chemical hair joining agents such as synthetic tape, keratin bonds, or fusion bonds.

5-b. The practice of "threading" means a method of removing hair from the eyebrows, upper lip, or other body parts by using cotton thread to pull hair from follicles. Threading may include the use of over-the-counter astringents, gels and powders, and the use of tweezers and scissors incidental to threading. Such practice shall not include the use of chemicals, heat or any type of wax.

§ 2. Section 416 of the general business law is amended by adding a new subdivision 3 to read as follows:

3. This article shall not apply to the practices of natural hair braiding or threading.

§ 3. This act shall take effect immediately.