STATE OF NEW YORK

6528

2023-2024 Regular Sessions

IN SENATE

April 25, 2023

Introduced by Sen. BAILEY -- 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 cosmetologists

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

Section 1. Section 404 of the general business law, as amended by chapter 80 of the laws of 2015, is amended to read as follows:

§ 404. Rules and regulations. The secretary shall promulgate rules and regulations which establish standards for practice and operation by licensees and trainees under this article in order to ensure the health, safety and welfare of the public including licensees and trainees when they are working within such establishments. Such rules and regulations shall include, but not be limited to, the sanitary conditions and procedures required to be maintained, a minimum standard of training appropriate to the duties of nail specialists, trainees, waxers, natural hair stylists, estheticians, and cosmetologists and the provision of service by nail specialists, trainees, waxers, natural hair stylists, estheticians or cosmetologists at remote locations other than the licensee's home provided that such practitioner holds an appearance enhancement business license to operate at a fixed location or is employed by the holder of an appearance enhancement business license. Regulations setting forth the educational requirements for nail specialists and trainees shall include education in the area of causes of infection and bacteriology. **Regulations setting forth the educational requirements for cosmetologists, natural hair stylists, and trainees shall include education 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.** In promulgating such rules and regulations the secretary shall consult with the state education department, the advisory committee established pursuant to this article, any other state agencies and private industry represen-

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

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tatives as may be appropriate in determining minimum training requirements.

§ 2. Subdivision 2 of section 407 of the general business law, as added by chapter 509 of the laws of 1992, is amended to read as follows:

2. The secretary shall prepare examination questions for persons to qualify for licensure under this article. **Such examination questions shall include, where applicable, questions relating to providing services to individuals with varying hair types and textures.** All such examinations shall be the same for all persons for the license sought at any given examination. Such test shall not be limited to any specific method or system.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.