

# STATE OF NEW YORK

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6528

2023-2024 Regular Sessions

## IN SENATE

April 25, 2023

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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:

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

3 § 404. Rules and regulations. The secretary shall promulgate rules and  
4 regulations which establish standards for practice and operation by  
5 licensees and trainees under this article in order to ensure the health,  
6 safety and welfare of the public including licensees and trainees when  
7 they are working within such establishments. Such rules and regulations  
8 shall include, but not be limited to, the sanitary conditions and proce-  
9 dures required to be maintained, a minimum standard of training appro-  
10 priate to the duties of nail specialists, trainees, waxers, natural hair  
11 stylists, estheticians, and cosmetologists and the provision of service  
12 by nail specialists, trainees, waxers, natural hair stylists, estheti-  
13 cians or cosmetologists at remote locations other than the licensee's  
14 home provided that such practitioner holds an appearance enhancement  
15 business license to operate at a fixed location or is employed by the  
16 holder of an appearance enhancement business license. Regulations  
17 setting forth the educational requirements for nail specialists and  
18 trainees shall include education in the area of causes of infection and  
19 bacteriology. Regulations setting forth the educational requirements for  
20 cosmetologists, natural hair stylists, and trainees shall include educa-  
21 tion regarding the provision of services to individuals with all hair  
22 types and textures, including, but not limited to, various curl or wave  
23 patterns, hair strand thicknesses, and volumes of hair. In promulgating  
24 such rules and regulations the secretary shall consult with the state  
25 education department, the advisory committee established pursuant to  
26 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.

LBD11005-01-3

1 tatives as may be appropriate in determining minimum training require-  
2 ments.

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

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

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