

STATE OF NEW YORK

1916

2025-2026 Regular Sessions

IN ASSEMBLY

January 14, 2025

Introduced by M. of A. PAULIN, LUPARDO, ZACCARO, CUNNINGHAM, SIMONE, WEPRIN, LUNSFORD -- read once and referred to the Committee on Economic Development

AN ACT to amend the general business law, in relation to licensing of laser hair removal technicians

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

1 Section 1. Section 400 of the general business law is amended by
2 adding two new subdivisions 12 and 13 to read as follows:

3 12. The practice of "laser hair removal" means the use of a laser or
4 pulsed light device in a hair removal procedure that does not remove the
5 epidermis.

6 13. "Laser hair removal technician" means a person licensed by the
7 secretary who practices laser hair removal as defined in subdivision
8 twelve of this section.

9 § 2. Subdivisions 1 and 3 of section 401 of the general business law,
10 subdivision 1 as amended by chapter 80 of the laws of 2015 and subdivi-
11 sion 3 as amended by chapter 341 of the laws of 1998, are amended to
12 read as follows:

13 1. No person shall engage in the practice of nail specialty, waxing,
14 natural hair styling, esthetics [~~or~~], cosmetology or laser hair removal,
15 as defined in section four hundred of this article, without having
16 received a license to engage in such practice in the manner prescribed
17 in this article. No person shall act as a trainee or perform any service
18 as such unless [~~he or she~~] such person has obtained a certificate of
19 registration pursuant to this article.

20 3. A person licensed by any other state or country to practice nail
21 specialty, waxing, natural hair styling, esthetics [~~or~~], cosmetology or
22 laser hair removal shall be allowed to practice in New York state for
23 three months or less within any calendar year for the purpose of giving
24 to, or receiving from, persons who are licensed under this article

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

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1 training in current styles, techniques or materials, provided however,
2 that no such unlicensed person may provide services to the public for
3 any fee, or other compensation, whether direct or indirect.

4 § 3. Subdivision 1 of section 403 of the general business law, as
5 amended by chapter 339 of the laws of 2017, is amended to read as
6 follows:

7 1. There shall be established within the department an advisory
8 committee which shall consist of [~~nine~~] ten members broadly represen-
9 tative of the appearance enhancement industry; including one person
10 engaged in the practice of either nail specialty or waxing; two persons
11 engaged in natural hair styling; one of whom shall be knowledgeable in
12 the practice of styling techniques which place tension on the hair
13 roots, and one of whom shall ensure strict adherence to quality services
14 for all clients of all hair types, including, but not limited to, curl
15 pattern, hair strand thickness, and volume of hair; one person engaged
16 in esthetics; one person engaged in laser hair removal; two persons
17 engaged in cosmetology; two persons engaged in training of persons for
18 such practices and one person licensed as a dermatologist. The secretary
19 shall appoint such persons to serve on the advisory committee, provided,
20 that two shall be appointed by the secretary on the recommendation of
21 the temporary president of the senate and two shall be appointed by the
22 secretary on the recommendation of the speaker of the assembly. Each
23 member of the committee shall be appointed for terms of two years. Any
24 member may be reappointed for additional terms. The secretary shall
25 designate from among the members of the committee a chairperson who
26 shall serve at the pleasure of the secretary.

27 § 4. Section 404 of the general business law, as amended by chapter
28 664 of the laws of 2023, is amended to read as follows:

29 § 404. Rules and regulations. The secretary shall promulgate rules and
30 regulations which establish standards for practice and operation by
31 licensees and trainees under this article in order to ensure the health,
32 safety and welfare of the public including licensees and trainees when
33 they are working within such establishments. Such rules and regulations
34 shall include, but not be limited to, the sanitary conditions and proce-
35 dures required to be maintained, a minimum standard of training appro-
36 priate to the duties of nail specialists, trainees, waxers, natural hair
37 stylists, estheticians, [~~and~~] cosmetologists and laser hair removal
38 technicians and the provision of service by nail specialists, trainees,
39 waxers, natural hair stylists, estheticians [~~or~~], cosmetologists or
40 laser hair removal technicians at remote locations other than the
41 licensee's home provided that such practitioner holds an appearance
42 enhancement business license to operate at a fixed location or is
43 employed by the holder of an appearance enhancement business license.
44 Regulations setting forth the educational requirements for nail special-
45 ists and trainees shall include education in the area of causes of
46 infection and bacteriology. Regulations related to the practice and
47 operation of licensed laser hair removal technicians shall include the
48 standards set forth in section four hundred four-d of this article.
49 Regulations setting forth the educational requirements for cosmetolo-
50 gists or natural hair stylists shall include education regarding the
51 provision of services to individuals with all hair types and textures,
52 including, but not limited to, various curl or wave patterns, hair
53 strand thicknesses, and volumes of hair. In promulgating such rules and
54 regulations the secretary shall consult with the state education depart-
55 ment, the advisory committee established pursuant to this article, any

1 other state agencies and private industry representatives as may be
2 appropriate in determining minimum training requirements.

3 § 5. The general business law is amended by adding a new section 404-d
4 to read as follows:

5 § 404-d. Laser hair removal rules and regulations. 1. The secretary
6 shall, in consultation with the appearance enhancement advisory commit-
7 tee provided for in section four hundred three of this article, promul-
8 gate rules and regulations which establish standards for the practice
9 and operation of licensed laser hair removal technicians in order to
10 ensure the health, safety and welfare of the public including licensees
11 and trainees when they are working in such establishments. Such rules
12 and regulations shall be promulgated in accordance with section four
13 hundred four of this article and shall include, but not be limited to:
14 the identification of a state approved curriculum for licensees; the
15 implementation of a registration fee for laser hair removal establish-
16 ments; a minimum age requirement for laser hair removal technicians; the
17 minimum number of hours of training a trainee must receive from a state
18 approved curriculum; training requirements specifying the minimum number
19 of procedures, specific to each part of the body, to be performed on
20 volunteers; and continued certification by a nationally accredited
21 organization acceptable to the department.

22 2. The department may, at its discretion, waive training and curric-
23 ulum requirements for currently employed licensed estheticians perform-
24 ing laser hair removal provided that the licensed esthetician satisfac-
25 torily completes the competency examination approved by the department.

26 3. The secretary shall require establishments providing laser hair
27 removal to maintain a maintenance of a minimum of one million dollars in
28 liability insurance.

29 § 6. Paragraph a of subdivision 1 of section 406 of the general busi-
30 ness law, as amended by chapter 341 of the laws of 1998, is amended to
31 read as follows:

32 a. Any person intending to practice nail specialty, waxing, natural
33 hair styling, esthetics [~~or~~], cosmetology or laser hair removal as
34 defined in this article, or to own or operate an appearance enhancement
35 business, shall first make application to the secretary for a license
36 therefor.

37 § 7. Subdivision 2 of section 406 of the general business law, as
38 amended by chapter 341 of the laws of 1998 and paragraph c as amended by
39 section 3 of part D of chapter 328 of the laws of 2014, is amended to
40 read as follows:

41 2. a. Any person seventeen years of age or older may apply to the
42 secretary for a license to practice nail specialty, waxing, natural hair
43 styling, esthetics or cosmetology.

44 b. Each such application shall also be accompanied by satisfactory
45 evidence of having taken and passed the appropriate examination or exam-
46 inations offered by the secretary pursuant to this article for the
47 license sought and evidence of the successful completion of an approved
48 course of study in nail specialty, waxing, natural hair styling, esthet-
49 ics [~~or~~], cosmetology or laser hair removal in a school duly licensed
50 pursuant to the education law. Each application for a license to prac-
51 tice laser hair removal shall be accompanied by satisfactory evidence of
52 having taken and passed the examinations offered by the secretary for a
53 license to practice esthetics or cosmetology and evidence of the
54 successful completion of an approved course of study in esthetics or
55 cosmetology in a school duly licensed pursuant to the education law.

1 c. Any applicant for a license to practice nail specialty, waxing,
2 natural hair styling, esthetics [~~or~~], cosmetology or laser hair removal
3 may submit satisfactory evidence of licensure to practice an equivalent
4 occupation issued by any other state, territory, protectorate or depend-
5 ency of the United States or any other country in lieu of the evidence
6 of schooling and examination required by this subdivision, provided that
7 such license was granted in compliance with standards which were, in the
8 judgment of the secretary, not lower than those of this state and
9 provided that such state, territory, protectorate, dependency, or coun-
10 try extends similar reciprocity to the licensees of this state, or the
11 applicant practiced an equivalent occupation in such state, territory,
12 protectorate, dependency or country for a minimum of five years, or the
13 applicant is a member of the household of a member of the armed forces
14 of the United States, national guard or reserves and was a member of
15 such household before such member relocated to the state.

16 d. Notwithstanding the educational requirements of this section and
17 the testing requirements of this section, an applicant who otherwise has
18 met the licensing requirements of this article for a nail specialist,
19 waxer, natural hair stylist, esthetician [~~or~~], cosmetologist or laser
20 hair removal technician who shall provide satisfactory evidence [~~he—or~~
21 ~~she~~] that such applicant has been actively and continuously engaged in
22 the practice of nail specialty, waxing, natural hair styling, esthetics
23 [~~or~~], cosmetology or laser hair removal for at least one year prior to
24 the effective date of this article, may be issued a license for nail
25 specialty, waxing, natural hair styling, esthetics [~~or~~], cosmetology or
26 laser hair removal pursuant to this article. Notwithstanding the educa-
27 tional and testing requirements of this section, a person licensed to
28 practice barbering under article twenty-eight of this chapter who other-
29 wise has met the licensing requirements of this article may be issued a
30 license to practice natural hairstyling. Other than applicants licensed
31 under article twenty-eight of this chapter, those persons who apply
32 after a twelve month period from the effective date of this article will
33 be required to provide evidence of training and to take the examination
34 or examinations as required for other licenses pursuant to this article.

35 e. Upon acceptance by the secretary of a proper application for an
36 operator's license to practice nail [~~speciality~~] specialty, waxing,
37 natural hair styling, esthetics [~~or~~], cosmetology or laser hair removal,
38 the secretary may issue a temporary operator's license which shall
39 expire six months from issuance. Upon good cause shown, the secretary
40 may renew a temporary operator's license for one additional six-month
41 period upon filing the appropriate application and fee.

42 § 8. Subdivision 1 of section 407 of the general business law, as
43 amended by chapter 255 of the laws of 1999, is amended to read as
44 follows:

45 1. The examinations for the license to practice natural hair styling,
46 esthetics, nail specialty [~~and~~], cosmetology and laser hair removal
47 shall be practical and written. The examinations for the license to
48 practice waxing shall be limited to a written examination only. The
49 secretary shall determine reasonable standards of performance for each
50 license and shall evaluate the prospective applicants and applicants on
51 the basis of such standards. The objectives of the examinations shall be
52 to insure that prospective applicants and applicants have sufficient
53 basic skills to safeguard the health and safety of the public and to
54 insure that prospective applicants and applicants have attained adequate
55 levels of skill to competently engage in the activities authorized by
56 the license.

1 § 9. Subdivision 1 of section 409 of the general business law, as
2 amended by section 2 of part Y of chapter 60 of the laws of 2011, is
3 amended to read as follows:

4 1. The non-refundable fee for an application for a license to engage
5 in the practice of nail specialty, waxing, natural hair styling, esthet-
6 ics [~~or~~], cosmetology or laser hair removal, shall be forty dollars
7 initially and for each renewal thereof the fee shall be forty dollars;
8 the fee for a temporary license and each renewal shall be ten dollars.

9 § 10. Paragraph a of subdivision 2 of section 410 of the general busi-
10 ness law, as amended by chapter 80 of the laws of 2015, is amended to
11 read as follows:

12 a. The secretary may issue an order directing the cessation of any
13 activity related to nail specialty, waxing, natural hair styling,
14 esthetics [~~or~~], cosmetology or laser hair removal for which a license is
15 required by this article upon a determination that a person, partner-
16 ship, limited liability company or business corporation, engaging in the
17 business or occupation of, or holding [~~himself, herself or itself~~] a
18 person, partnership, limited liability company or business corporation
19 out as or acted, temporarily or otherwise, as a nail specialist, natural
20 hair stylist, esthetician [~~or~~], cosmetologist or laser hair removal
21 technician within this state without a valid license being in effect.
22 The secretary shall, before making such determination and order, afford
23 such person, partnership, limited liability company or business corpo-
24 ration an opportunity to be heard in person or by counsel in reference
25 thereto in an adjudicatory proceeding held pursuant to section four
26 hundred eleven of this article as applicable.

27 § 11. Subdivision 1 of section 412 of the general business law, as
28 amended by chapter 80 of the laws of 2015, is amended to read as
29 follows:

30 1. The practice of nail specialty, waxing, natural hair styling,
31 esthetics [~~or~~], cosmetology or laser hair removal without a license or
32 while under suspension or revocation, or in violation of an order
33 directing the cessation of unlicensed activity issued by the secretary
34 pursuant to section four hundred ten or four hundred eleven of this
35 article, is a violation and is subject to a civil penalty of up to five
36 hundred dollars for the first violation; one thousand dollars for a
37 second such violation; and two thousand five hundred dollars for a third
38 violation and any subsequent violation.

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