STATE OF NEW YORK

5438

2025-2026 Regular Sessions

IN SENATE

February 21, 2025

Introduced by Sen. CLEARE -- 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 the license requirements for natural hair styling

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

Section 1. Legislative findings. The legislature hereby finds that natural hair styling is a practice that is rich in cultural history. The legislature further finds that natural hair styling is distinct and separate from other practices of cosmetology. Therefore, the legislature finds that natural hair styling shall have its own licensing plan that is culturally sensitive and takes into account the history of natural hair stylists.

§ 2. Subdivision 5 of section 400 of the general business law, as amended by chapter 343 of the laws of 1998, is amended 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, 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~~] **person licensed to practice natural hair styling pursuant to section four hundred six-a of this article,** or **a** cosmetology licensee who has

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

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successfully completed an approved course of study in such techniques. Natural hair styling is distinct from the practice of cosmetology and 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.

§ 3. The general business law is amended by adding a new section 406-a to read as follows:

§ 406-a. Natural hair styling license application; educational requirements; procedures. 1. a. Any person intending to practice natural hair styling, or to own and operate an appearance enhancement business solely offering natural hair styling services, shall first make application to the secretary for a license therefor.

b. Such application shall be in a form and manner prescribed by the secretary, and provided to the applicant in their natural language or in a language in which the applicant is proficient.

c. Each application shall be accompanied by the appropriate fee as prescribed by this article.

d. Each application shall be accompanied by a certificate of a duly licensed physician, or nurse practitioner to the extent authorized by law and consistent with subdivision three of section six thousand nine hundred two of the education law on a form prescribed by the secretary, showing freedom from any infectious or communicable disease which certificate shall have been issued within thirty days prior to the date of the filing of the application.

2. a. Each applicant shall be required to satisfactorily complete an educational training program given and administered by natural hair stylist training schools, schools which provide for natural hair styling training, or natural hair stylists licensed pursuant to this article, which shall not exceed forty hours and of which a significant portion shall be focused on health and safety protocols, and which shall include a practical skills assessment solely to demonstrate proficiency in the braiding of hair. The secretary shall review and approve such educational training program. Upon completion of the required course, an applicant shall receive a certificate evidencing satisfactory completion thereof.

b. All educational materials and the practical skills assessment shall be administered in the applicant's natural language or in a language in which the applicant is proficient.

3. a. Any person seventeen years of age or older may apply to the secretary for a license to practice natural hair styling.

b. Each such application shall also be accompanied by satisfactory evidence of the applicant having completed the required educational component as well as the practical skills assessment.

c. Any applicant for a license to practice natural hair styling may submit satisfactory evidence of licensure to practice an equivalent occupation issued by any other state, territory, protectorate or dependency of the United States or any other country in lieu of the evidence of education and practical skills assessments required by this section, or the applicant is a member of the household of a member of the armed forces of the United States, national guard or reserves and was a member of such household before such member relocated to the state.

4. Upon acceptance by the secretary of a proper application for an operator's license to practice natural hair styling, the secretary may issue a temporary operator's license which shall expire six months from issuance. Upon good cause shown, the secretary may renew a temporary

operator's license for one additional six-month period upon filing the appropriate application and fee.

5. Notwithstanding the educational requirements of this section and the testing requirements of this section, or any other education or testing requirements of this article, an unlicensed person practicing natural hair styling in New York state or any other state or country for at least five years shall be permitted to apply for a natural hair styling license in New York state. The applicant shall be issued a temporary natural hair styling license upon providing evidence of such required work experience. If evidence of work experience is not available for any reason, an applicant shall self-attest to such required experience on a form approved by the secretary. Such temporary license shall be valid for a period of two years and shall become permanent upon the applicant's completion of an educational course, given and administered by natural hair stylist training schools, schools which provide for natural hair styling training, or natural hair stylists licensed pursuant to this article, which shall not exceed twenty hours and shall be focused on health and safety protocols.

6. An applicant who otherwise has met the licensing requirements of this article for a natural hair stylist license who shall provide satisfactory evidence they have been actively and continuously engaged in the practice of natural hair styling for at least one year prior to the effective date of this section, may be issued a license for natural hair styling pursuant to this article. Notwithstanding the educational and testing requirements of this section, a person licensed to practice barbering under article twenty-eight of this chapter who otherwise has met the licensing requirements of this article may be issued a license to practice natural hairstyling.

7. a. Notwithstanding any provision contained in this article to the contrary, if any person, eligible for any license pursuant to this article, should be called to active military service at or during the time application for any license is required to be filed and license fee paid, pursuant to the provisions of this article, the period within which said application may be filed and license fee may be paid, is extended on behalf of such person, until three months after the termination of said military service.

b. In the case of persons who are called to active military service and will be discharged from active military service, the period of two years specified in paragraph d of subdivision two of this section need not be continuous. The length of time such person was engaged in the practice of natural hair styling before entering active military service may be added to any period of time during which such person was or is engaged in the practice of nail specialty, waxing, natural hair styling, esthetics or cosmetology after the termination of active military service.

§ 4. Paragraph a of subdivision 1, subdivision 2, and paragraph b of subdivision 4 of section 406 of the general business law, as amended by chapter 341 of the laws of 1998, and paragraph c of subdivision 2 as amended by section 3 of part D of chapter 328 of the laws of 2014, are amended to read as follows:

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

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

b. Each such application shall also be accompanied by satisfactory evidence of having taken and passed the appropriate examination or examinations offered by the secretary pursuant to this article for the license sought and evidence of the successful completion of an approved course of study in nail specialty, waxing, [~~natural hair styling,~~] esthetics or cosmetology in a school duly licensed pursuant to the education law.

c. Any applicant for a license to practice nail specialty, waxing, [~~natural hair styling,~~] esthetics or cosmetology may submit satisfactory evidence of licensure to practice an equivalent occupation issued by any other state, territory, protectorate or dependency of the United States or any other country in lieu of the evidence of schooling and examination required by this subdivision, provided that such license was granted in compliance with standards which were, in the judgment of the secretary, not lower than those of this state and provided that such state, territory, protectorate, dependency, or country extends similar reciprocity to the licensees of this state, or the applicant practiced an equivalent occupation in such state, territory, protectorate, dependency or country for a minimum of five years, or the applicant is a member of the household of a member of the armed forces of the United States, national guard or reserves and was a member of such household before such member relocated to the state.

d. Notwithstanding the educational requirements of this section and the testing requirements of this section, an applicant who otherwise has met the licensing requirements of this article for a nail specialist, waxer, [~~natural hair stylist,~~] esthetician or cosmetologist who shall provide satisfactory evidence [~~he or she has~~] they have been actively and continuously engaged in the practice of nail specialty, waxing, [~~natural hair styling,~~] esthetics or cosmetology for at least one year prior to the effective date of this article, may be issued a license for nail specialty, waxing, [~~natural hair styling,~~] esthetics or cosmetology pursuant to this article. [~~Notwithstanding the educational and testing requirements of this section, a person licensed to practice barbering under article twenty-eight of this chapter who otherwise has met the licensing requirements of this article may be issued a license to practice natural hairstyling.~~] Other than applicants licensed under article twenty-eight of this chapter, those persons who apply after a twelve month period from the effective date of this article will be required to provide evidence of training and to take the examination or examinations as required for other licenses pursuant to this article.

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

b. In the case of persons who are called to active military service and will be discharged from active military service, the period of two years specified in paragraph d of subdivision two of this section need not be continuous. The length of time such person was engaged in the practice of nail specialty, waxing, [~~natural hair styling,~~] esthetics or cosmetology before entering active military service may be added to any

period of time during which such person was or is engaged in the practice of nail specialty, waxing, [~~natural hair styling,~~] esthetics or cosmetology after the termination of active military service.

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

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

§ 6. This act shall take effect on the sixtieth day after it shall have become a law.