

STATE OF NEW YORK

1916--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 14, 2025

Introduced by M. of A. PAULIN, LUPARDO, ZACCARO, CUNNINGHAM, SIMONE, WEPRIN, LUNSFORD, TAPIA, SHIMSKY -- read once and referred to the Committee on Economic Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 [~~ex~~], 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 [~~ex~~], cosmetology or
22 laser hair removal shall be allowed to practice in New York state for

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

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1 three months or less within any calendar year for the purpose of giving
2 to, or receiving from, persons who are licensed under this article
3 training in current styles, techniques or materials, provided however,
4 that no such unlicensed person may provide services to the public for
5 any fee, or other compensation, whether direct or indirect.

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

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

30 § 4. Section 404 of the general business law, as amended by chapter
31 664 of the laws of 2023, is amended to read as follows:

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

1 regulations the secretary shall consult with the state education depart-
2 ment, the advisory committee established pursuant to this article, any
3 other state agencies and private industry representatives as may be
4 appropriate in determining minimum training requirements.

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

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

24 2. The department may, at its discretion, waive training and curric-
25 ulum requirements for a registered professional nurse pursuant to
26 section sixty-nine hundred five of the education law, and currently
27 employed licensed estheticians performing laser hair removal provided
28 that the licensed esthetician or registered professional nurse satisfac-
29 torily completes the competency examination approved by the department.

30 3. The secretary shall require establishments providing laser hair
31 removal to maintain a maintenance of a minimum of one million dollars in
32 liability insurance.

33 4. The department of state shall establish a toll-free telephone
34 hotline number and reporting form on the department's website for use by
35 laser hair removal customers for complaints related to practices that
36 result in health or safety injuries. Such toll-free hotline number shall
37 be clearly and conspicuously posted in any premises performing laser
38 hair removal and on the department's website. The department shall be
39 required to conduct an inquiry on any complaints received in a timely
40 manner.

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

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

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

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

1 b. Each such application shall also be accompanied by satisfactory
2 evidence of having taken and passed the appropriate examination or exam-
3 inations offered by the secretary pursuant to this article for the
4 license sought and evidence of the successful completion of an approved
5 course of study in nail specialty, waxing, natural hair styling, esthet-
6 ics [~~or~~], cosmetology or laser hair removal in a school duly licensed
7 pursuant to the education law.

8 b-1. Each application for a license to practice laser hair removal
9 shall be accompanied by:

10 (i) verification that such person has met the requirements of a regis-
11 tered professional nurse pursuant to section sixty-nine hundred five of
12 the education law; or

13 (ii) satisfactory evidence of having taken and passed the examinations
14 offered by the secretary for a license to practice esthetics and
15 evidence of the successful completion of an approved course of study in
16 esthetics in a school duly licensed pursuant to the education law.

17 c. Any applicant for a license to practice nail specialty, waxing,
18 natural hair styling, esthetics [~~or~~], cosmetology or laser hair removal
19 may submit satisfactory evidence of licensure to practice an equivalent
20 occupation issued by any other state, territory, protectorate or depend-
21 ency of the United States or any other country in lieu of the evidence
22 of schooling and examination required by this subdivision, provided that
23 such license was granted in compliance with standards which were, in the
24 judgment of the secretary, not lower than those of this state and
25 provided that such state, territory, protectorate, dependency, or coun-
26 try extends similar reciprocity to the licensees of this state, or the
27 applicant practiced an equivalent occupation in such state, territory,
28 protectorate, dependency or country for a minimum of five years, or the
29 applicant is a member of the household of a member of the armed forces
30 of the United States, national guard or reserves and was a member of
31 such household before such member relocated to the state.

32 d. Notwithstanding the educational requirements of this section and
33 the testing requirements of this section, an applicant who otherwise has
34 met the licensing requirements of this article for a nail specialist,
35 waxer, natural hair stylist, esthetician [~~or~~], cosmetologist or laser
36 hair removal technician who shall provide satisfactory evidence [~~he or~~
37 ~~she~~] that such applicant has been actively and continuously engaged in
38 the practice of nail specialty, waxing, natural hair styling, esthetics
39 or cosmetology for at least one year prior to the effective date of this
40 article, or with respect to an applicant for licensure as a laser hair
41 removal technician, one year prior to the effective date of the chapter
42 of the laws of two thousand twenty-five which amended this paragraph,
43 may be issued a license for nail specialty, waxing, natural hair styl-
44 ing, esthetics [~~or~~], cosmetology or laser hair removal pursuant to this
45 article, provided, however, laser hair removal technicians shall satis-
46 factorily complete the competency examination approved by the department
47 pursuant to section four hundred four-d of the general business law.

48 Notwithstanding the educational and testing requirements of this
49 section, a person licensed to practice barbering under article twenty-
50 eight of this chapter who otherwise has met the licensing requirements
51 of this article may be issued a license to practice natural hairstyling.
52 Other than applicants licensed under article twenty-eight of this chap-
53 ter, those persons who apply after a twelve month period from the effec-
54 tive date of this article will be required to provide evidence of train-
55 ing and to take the examination or examinations as required for other
56 licenses pursuant to this article.

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

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

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

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

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

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

34 a. The secretary may issue an order directing the cessation of any
35 activity related to nail specialty, waxing, natural hair styling,
36 esthetics [~~ex~~], cosmetology or laser hair removal for which a license is
37 required by this article upon a determination that a person, partner-
38 ship, limited liability company or business corporation, engaging in the
39 business or occupation of, or holding [~~himself, herself or itself~~] a
40 person, partnership, limited liability company or business corporation
41 out as or acted, temporarily or otherwise, as a nail specialist, natural
42 hair stylist, esthetician [~~ex~~], cosmetologist or laser hair removal
43 technician within this state without a valid license being in effect.
44 The secretary shall, before making such determination and order, afford
45 such person, partnership, limited liability company or business corpo-
46 ration an opportunity to be heard in person or by counsel in reference
47 thereto in an adjudicatory proceeding held pursuant to section four
48 hundred eleven of this article as applicable.

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

52 1. The practice of nail specialty, waxing, natural hair styling,
53 esthetics [~~ex~~], cosmetology or laser hair removal without a license or
54 while under suspension or revocation, or in violation of an order
55 directing the cessation of unlicensed activity issued by the secretary
56 pursuant to section four hundred ten or four hundred eleven of this

1 article, is a violation and is subject to a civil penalty of up to five
2 hundred dollars for the first violation; one thousand dollars for a
3 second such violation; and two thousand five hundred dollars for a third
4 violation and any subsequent violation.

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