

**SENATE BILL No. 434**

By Committee on Public Health and Welfare

2-1

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1 AN ACT concerning public health; relating to the practice of cosmetology;  
2 exempting the practice of hair removal by sugaring from the definition  
3 of cosmetology; amending K.S.A. 2023 Supp. 65-1901 and 65-1928  
4 and repealing the existing sections.  
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2023 Supp. 65-1901 is hereby amended to read as  
8 follows: 65-1901. As used in K.S.A. 65-1901 through 65-1912, and  
9 amendments thereto:

10 (a) "Apprentice" means any person engaged in learning the practice  
11 of cosmetology, nail technology, esthetics or electrolysis in a school of  
12 cosmetology, nail technology, esthetics or electrolysis licensed by the  
13 board, except until such time as an electrolysis school is established in this  
14 state apprenticing of electrolysis will be subject to approval by the board in  
15 a clinic or establishment.

16 (b) "Board" means the state board of cosmetology.

17 (c) "Cosmetologist" means any person, other than a manicurist or  
18 esthetician, who practices the profession of cosmetology for  
19 compensation.

20 (d) (1) "Cosmetology" means the profession of:

21 (A) Arranging, dressing, permanently curling, curling, waving,  
22 cleansing, temporarily or permanently coloring, bleaching, relaxing,  
23 conditioning or cutting the hair;

24 (B) cleansing, stimulating or performing any other noninvasive  
25 beautifying process on any skin surface by means of hands or mechanical  
26 or electrical appliances, other than electric needles, provided for esthetic  
27 rather than medical purposes;

28 (C) temporary hair removal from the face or any part of the body by  
29 use of the hands or mechanical or electrical appliances other than electric  
30 needles;

31 (D) using cosmetic preparations, antiseptics, lotions, creams or other  
32 preparations in performing any of the practices described in paragraphs  
33 (A), (B) and (C) of this subsection (d)(1); or

34 (E) manicuring, pedicuring or sculpturing nails.

35 (2) "Cosmetology" does not include:

36 (A) A service that results in tension on hair strands or roots by

1 twisting, wrapping, weaving, extending, locking, or braiding by hand or  
2 mechanical device so long as the service does not include the application  
3 of dyes, reactive chemicals or other preparations to alter the color of the  
4 hair or to straighten, curl or alter the structure of the hair and so long as the  
5 requirements of K.S.A. 65-1928, and amendments thereto, are met.  
6 Nothing in this paragraph shall be construed to preclude a licensed  
7 cosmetologist from performing the service described in this paragraph; or

8 (B) *temporary hair removal by sugaring or* threading, so long as the  
9 requirements of K.S.A. 65-1928, and amendments thereto, are met.  
10 Nothing in this paragraph shall be construed to preclude a licensed  
11 cosmetologist or esthetician from performing *sugaring or* threading.

12 (e) "Electrologist" means any person who, for compensation, removes  
13 hair from, or destroys hair on, the human body for beautification by use of  
14 an electric needle only.

15 (f) "Esthetician" means any person who, for compensation practices  
16 the profession of cosmetology only to the following extent:

17 (1) Eyebrow and eyelash services, cleansing, stimulating or  
18 performing any other noninvasive beautifying process on any skin surface  
19 by means of hands or mechanical or electrical appliances, other than  
20 electric needles, provided for esthetic rather than medical purposes;

21 (2) temporary hair removal from the face or any part of the body by  
22 use of the hands or mechanical or electrical appliances other than electric  
23 needles; or

24 (3) using cosmetic preparations, antiseptics, lotions, creams or other  
25 preparations in performing any of the practices described in this  
26 subsection.

27 (g) "Instructor-in-training" means a licensed cosmetologist who has  
28 met the board's training requirements for obtaining an instructor-in-  
29 training permit.

30 (h) "Manicurist" means any person who, for compensation practices  
31 the profession of cosmetology only to the extent of:

32 (1) Nail technology;

33 (2) cleansing, stimulating or performing similar work on the arms,  
34 hands or ankles and feet by means of hands or mechanical or electrical  
35 appliances, other than electric needles; or

36 (3) using cosmetic preparations, antiseptics, lotions, creams or other  
37 preparations in performing any practice described in paragraph (2).

38 (i) "Nail technology" means manicuring, pedicuring and sculpturing  
39 nails.

40 (j) "Person" means any individual, corporation, partnership,  
41 association or other entity.

42 (k) "Physician" means a person licensed to practice medicine and  
43 surgery by the state board of healing arts.

1 (l) "Sugaring" means a method of temporary hair removal from the  
2 body by use of a paste made from sugar, lemon and water, or its  
3 equivalent, to pull hair from follicles. "Sugaring" may include the use of  
4 over-the-counter sugaring pastes or astringents, gels, powders,  
5 instruments used to spread or remove sugaring pastes, tweezers or  
6 scissors incidental to sugaring, but does not include the use of chemicals,  
7 electric needles or any type of wax.

8 (m) "Threading" means a method of temporary hair removal from the  
9 face or the front of the neck by use of a strand of thread to pull hair from  
10 follicles. "Threading" may include the use of over-the-counter astringents,  
11 gels, powders, tweezers or scissors incidental to threading, but does not  
12 include the use of chemicals, electric needles, heat or any type of wax or  
13 the manipulation of thread using teeth.

14 Sec. 2. K.S.A. 2023 Supp. 65-1928 is hereby amended to read as  
15 follows: 65-1928. (a) The secretary of health and environment shall  
16 develop a brochure containing information about infection control  
17 techniques that are appropriate for hair braiding, *sugaring* and threading  
18 outside the salon setting. This brochure shall be made available through  
19 the department of health and environment's website or by mail, upon  
20 request, for a fee to cover the department of health and environment's  
21 printing costs. The brochure shall contain a self-test with questions on the  
22 information contained in the brochure.

23 (b) For an individual engaged in hair braiding, *sugaring* or threading  
24 to be exempt from the practice of cosmetology under K.S.A. 65-1901, and  
25 amendments thereto, such individual shall complete the self-test part of the  
26 brochure and keep the brochure and completed self-test available at the  
27 location where the individual is braiding hair or threading.

28 Sec. 3. K.S.A. 2023 Supp. 65-1901 and 65-1928 are hereby repealed.

29 Sec. 4. This act shall take effect and be in force from and after its  
30 publication in the statute book.