

SESSION OF 2024

SUPPLEMENTAL NOTE ON SENATE BILL NO. 434

As Amended by Senate Committee of the Whole

Brief*

SB 434 would exempt the practice of hair removal by sugaring from the definition of cosmetology. The bill would also define sugaring and require the addition of infection control techniques for sugaring to an existing Kansas Department of Health and Environment (KDHE) brochure, and require an individual engaged in sugaring to complete and keep the self-test portion of the infection control brochure at the location where the individual is sugaring.

Definition

The bill would define “sugaring” as a method of temporary hair removal from the body by use of a paste made from sugar, lemon, and water, or its equivalent, to pull hair from follicles. “Sugaring” may also include the use of over-the-counter sugaring pastes or astringents, gels, powders, instruments used to spread or remove sugaring pastes, tweezers, or scissors incidental to sugaring, but does not include the use of chemicals, electric needles, or any type of wax.

Infection Control Brochure

The bill would require the Secretary of Health and Environment to add infection control techniques applicable to sugaring to an existing brochure addressing infection control techniques for hair braiding and threading outside a salon

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

setting. Under continuing law, the brochure includes a self-test with questions on the information contained in the brochure.

Exempt from Practice of Cosmetology

For an individual engaged in sugaring to be exempt from the practice of cosmetology, the bill would require the individual to complete the self-test part of the infection control brochure and keep the brochure and completed self-test available at the location where the individual is sugaring.

Background

The bill was introduced by the Senate Committee on Public Health and Welfare at the request of Senator Erickson.

Senate Committee on Public Health and Welfare

In the Senate Committee hearing, **proponent** testimony was provided by a representative of the Kansas Justice Institute, which has filed a case in court challenging the constitutionality of the Kansas sugaring license requirement on behalf of a private citizen. The representative stated the bill would eliminate the unnecessary requirement of obtaining a cosmetology license in order to practice sugaring. The representative noted that sugaring makes up less than one percent of current cosmetology curriculum, and sugaring is not tested during the examination process.

Written-only proponent testimony was provided by a representative of Americans for Prosperity Kansas.

No other testimony was provided.

Senate Committee of the Whole

The Senate Committee of the Whole amended the bill to include “sugaring” to the list of practices occurring at locations where an infection control brochure and self-test must be kept.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Board of Cosmetology (Board) indicates the bill would not have a fiscal effect because the agency knows of only one individual that has approached the Board to practice sugaring. KDHE indicates it would use existing epidemiology staff to fully understand different methods of sugaring, to evaluate the opportunities for infectious diseases to be transmitted during the sugaring services, and to research and recommend appropriate infection control measures in consultation with staff from the Board. In addition, costs associated with updating its brochure on infection control techniques would be handled within the KDHE’s existing resources.

Any fiscal effect associated with the bill is not reflected in *The FY 2025 Governor’s Budget Report*.

Cosmetology; hair removal; sugaring; Board of Cosmetology; Kansas Department of Health and Environment; cosmetology practice exemption