

As Amended by House Committee

{As Amended by Senate Committee of the Whole}

Session of 2022

SENATE BILL No. 348

By Committee on Public Health and Welfare

1-19

1 AN ACT concerning public health; relating to cosmetology; hair removal;
2 exempting persons engaged in threading from the practice of
3 cosmetology and the requirements thereof; amending K.S.A. 65-1901
4 and 65-1928 and repealing the existing sections.
5

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

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

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

1 (2) "Cosmetology"~~shall~~ *does not include:*

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

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

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

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

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

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

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

29 ~~(f)~~(g) "Instructor-in-training" *means a licensed cosmetologist who*
30 *has met the board's training requirements for obtaining an instructor-in-*
31 *training permit.*

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

34 (1) Nail technology;

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

38 (3) using cosmetic preparations, antiseptics, lotions, creams or other
39 preparations in performing any practice described in ~~subsection (f)(2)~~
40 *paragraph (2).*

41 ~~(g)~~(i) "Nail technology" means manicuring, pedicuring and
42 sculpturing nails.

43 ~~(h)(j)~~—"Electrologist" ~~means any person who, for compensation~~

1 removes hair from, or destroys hair on, the human body for beautification
2 by use of an electric needle only.

3 (†) "Person" means any individual, corporation, partnership,
4 association or other entity.

5 ~~(j) "Instructor-in-training" means a person who is a licensed~~
6 ~~cosmetologist and has met the board's training requirements for obtaining~~
7 ~~an instructor-in-training permit.~~

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

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

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

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

30 Sec. 3. K.S.A. 65-1901 and 65-1928 are hereby repealed.

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