

SENATE FILE NO. SF0126

Barbering and cosmetology practice amendments.

Sponsored by: Senator(s) Ide, Hutchings and Steinmetz and
Representative(s) Andrew, Oakley and Singh

A BILL

for

1 AN ACT relating to occupations and professions; providing
2 exemptions from the Wyoming Cosmetology Act and from barber
3 licensing requirements for rendering of specified services;
4 providing definitions; amending licensure requirements for
5 barbers, cosmetologists, hair stylists, estheticians and
6 nail technologists or manicurists; amending definitions;
7 and providing for an effective date.

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9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 33-7-101(a)(i), 33-7-209(a)(i) and by
12 creating a new subsection (d), 33-12-120(a)(v), (ix), by
13 creating new paragraphs (xx) through (xxv) and by
14 renumbering paragraph (xx) as (xxvi), 33-12-130(a)(i) and
15 33-12-140(c) are amended to read:

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2 **33-7-101. Definitions.**

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4 (a) As used in this act:

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6 (i) "Barbering" means the practice upon any
7 person or persons of any of the following acts (when done
8 for cosmetic purposes, and not for the treatment of disease
9 or physical or mental ailments, and when done for payment,
10 either directly or indirectly, or without payment except
11 for the immediate family),~~+~~ provided~~7~~ that the practice of
12 blow dry styling as defined by W.S. 33-12-120(a)(xx), the
13 practice of natural hair braiding as defined by W.S.
14 33-12-120(a)(xxiii) and any person or persons operating a
15 beauty salon or practicing cosmetology and its related
16 fields exclusively shall be exempt from the provisions of
17 this act: shaving or treating the beard or cutting the
18 hair, singeing, shampooing or dyeing the hair, permanent
19 waving or applying hair tonics, massaging, applying
20 cosmetic preparations, antiseptics, powder, oil, clay or
21 lotions, to the scalp, face or neck;

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1 **33-7-209. Qualifications for registration as barber;**
2 **examination.**

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4 (a) A certificate of registration to practice
5 barbering shall be issued upon passage of a board
6 administered or board approved examination, and upon
7 meeting all requirements set forth by board rule and
8 regulation, to any person who files a completed
9 application, accompanied by the required fees and
10 documentation and who:

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12 (i) Has graduated from an approved barber school
13 or college, ~~has an education equivalent to the completion~~
14 ~~of the second year of high school~~ and is at least seventeen
15 (17) years of age;

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17 (d) The board shall not require more than six hundred
18 (600) hours of study to obtain a certificate of
19 registration to practice barbering.

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21 **33-12-120. Definitions.**

22

23 (a) As used in this act:

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2 (v) "Practice of cosmetology" means any single
3 practice or service or a combination of practices or
4 services performed for others for the improvement and
5 beautification of the hair, skin and nails of the human
6 body for cosmetic purposes and includes hairstyling,
7 esthetics, manicuring and nail technology;

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9 (ix) "Practice of hair styling" means any single
10 practice or service or a combination of practices or
11 services performed for others, including hair cutting, for
12 the improvement and beautification of the hair for cosmetic
13 purposes;

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15 (xx) "Practice of blow dry styling" means the
16 practice of cleaning, drying, arranging, curling,
17 straightening or styling a person's hair, hair extensions,
18 hair pieces or wigs using only styling devices, hair sprays
19 and topical agents including balms, oils and serums. The
20 practice of blow dry styling shall not include cutting hair
21 or the application of dyes, bleach, reactive chemicals,
22 keratin treatments or other preparations to color or alter
23 the structure of hair. The practice of blow dry styling is

1 separate and distinct from the practice of hair styling and
2 the practice of cosmetology;

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4 (xxi) "Practice of eyelash extension
5 application" means the application, removal or trimming of
6 threadlike natural or synthetic fibers of a person's
7 eyelash and includes the cleansing of the eye area and
8 lashes. The practice of eyelash extension application shall
9 not include the application of color agents, straightening
10 agents, permanent wave solutions or bleaching agents to the
11 eyelash or eyebrow or any other cosmetology service. The
12 practice of eyelash extension application is separate and
13 distinct from the practice of esthetics and the practice of
14 cosmetology;

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16 (xxii) "Practice of makeup application" means
17 the application of a cosmetic by hand, using an airbrush or
18 through other means, to enhance the appearance of a
19 person's face or skin including the application of powder,
20 foundation, rouge, eyeshadow, eyeliner, mascara or
21 lipstick. The practice of makeup application shall not
22 include the application of permanent makeup or tattooing.
23 The practice of makeup application is separate and distinct

1 from the practice of esthetics and the practice of
2 cosmetology;

3
4 (xxiii) "Practice of natural hair braiding"
5 means the service of twisting, wrapping, weaving,
6 extending, locking or braiding a person's hair by hand or
7 with styling devices, including through the use of natural
8 or synthetic hair extensions or fibers, decorative beads or
9 other hair accessories, the minor trimming of natural hair
10 or hair extensions incidental to twisting, wrapping,
11 weaving, extending, locking or braiding hair or the making
12 of wigs from natural hair, natural fibers, synthetic fibers
13 or hair extensions. The practice of natural hair braiding
14 includes the use of topical agents such as conditioners,
15 gels, moisturizers, oils, pomades or shampoos. The practice
16 of natural hair braiding shall not include the application
17 of dyes, reactive chemicals or other preparations to alter
18 the color of a person's hair or to straighten, curl or
19 alter the structure of a person's hair, or the use of
20 chemical hair joining agents including synthetic tape,
21 keratin bonds or fusion bonds. The practice of natural hair
22 braiding is separate and distinct from the practice of hair
23 styling and the practice of cosmetology;

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(xxiv) "Practice of threading" means the method of removing hair from a person's eyebrows, upper lip or other body parts by using a cotton thread to pull hair from follicles. The practice of threading includes the use of over-the-counter astringents, gels, powders, tweezers or scissors incidental to threading. The practice of threading is separate and distinct from the practice of esthetics and the practice of cosmetology;

(xxv) "Styling device" means brushes, clips, combs, curlers, curling irons, flat irons, hairpins, rollers, blunt tipped needles, thread or hair binders;

~~(xx)~~(xxvi) "This act" means W.S. 33-12-119 through 33-12-140.

33-12-130. Licensure by examination.

(a) An applicant for admission to board examination shall meet the following requirements:

1 (i) Be a graduate of a cosmetology, manicuring
2 or nail technology, esthetics or hair styling school and
3 have met the following training requirements comparable to
4 those set forth in board rules:†

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6 (A) For the practice of cosmetology, not
7 more than one thousand (1,000) hours of study;

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9 (B) For the practice of hair styling, not
10 more than six hundred (600) hours of study;

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12 (C) For the practice of esthetics, not more
13 than six hundred (600) hours of study;

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15 (D) For the practice of manicuring or nail
16 technology, not more than four hundred (400) hours of
17 study.

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19 **33-12-140. Exemptions.**

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21 (c) The provisions of this act shall not apply to:
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