

# SENATE, No. 1240

## STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED FEBRUARY 21, 2008

**Sponsored by:**

**Senator JOSEPH M. KYRILLOS, JR.**  
**District 13 (Middlesex and Monmouth)**  
**Senator BRIAN P. STACK**  
**District 33 (Hudson)**

**Co-Sponsored by:**

**Senator Cunningham**

**SYNOPSIS**

Creates limited licenses for general barbering and for barbering and hairstyling within the practice of cosmetology and hairstyling.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/12/2009)**

S1240 KYRILLOS, STACK

2

1 AN ACT concerning the practice of cosmetology and hairstyling,  
2 amending P.L.1995, c.82 and amending and supplementing  
3 P.L.1984, c.205.

4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7

8 1. Section 3 of P.L.1984, c.205 (C.45:5B-3) is amended to read  
9 as follows:

10 3. As used in this act:

11 a. "Barber" means any person who is licensed to engage in any  
12 of the practices encompassed in barbering.

13 b. "Barbering" means any one or combination of the following  
14 practices when done on the human body for cosmetic purposes and  
15 not for the treatment of disease or physical or mental ailments and  
16 when done for payment either directly or indirectly or when done  
17 without payment for the general public:

18 (1) shaving or trimming of the beard, mustache or other facial  
19 hair;

20 (2) shampooing, cutting, arranging, relaxing or styling of the  
21 hair;

22 (3) singeing or dyeing of the hair;

23 (4) applying cosmetic preparations, antiseptics, tonics, lotions or  
24 creams to the hair, scalp, face or neck;

25 (5) massaging, cleansing or stimulating the face, neck or scalp  
26 with or without cosmetic preparations, either by hand, mechanical  
27 or electrical appliances; or

28 (6) cutting, fitting, coloring or styling of hairpieces or wigs, to  
29 the extent that the services are performed while the wig is being  
30 worn by a person.

31 c. "Beautician" means any person who is licensed to engage in  
32 any of the practices encompassed in beauty culture.

33 d. "Beauty culture" means any one or combination of the  
34 following practices when done on the human body for cosmetic  
35 purposes and not for the treatment of disease or physical or mental  
36 ailments and when done for payment either directly or indirectly or  
37 when done without payment for the general public:

38 (1) shampooing, cutting, arranging, dressing, relaxing, curling,  
39 permanent waving or styling of the hair;

40 (2) singeing, dyeing, tinting, coloring, bleaching of the hair;

41 (3) applying cosmetic preparations, antiseptics, tonics, lotions,  
42 creams or makeup to the hair, scalp, face, neck or upper part of the  
43 body;

44 (4) massaging, cleansing, or stimulating the face, scalp, neck or  
45 upper part of the body, with or without cosmetic preparations either

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

- 1 by hand, mechanical or electrical appliances;
- 2 (5) removing superfluous hair from the face, neck, arms, legs or  
3 abdomen by the use of depilatories, waxing or tweezers, but not by  
4 the use of electrolysis;
- 5 (6) manicuring the fingernails, nail-sculpturing or pedicuring the  
6 toenails; or
- 7 (7) cutting, fitting, coloring or styling of hairpieces or wigs to  
8 the extent that the services are performed while the wig is being  
9 worn by a person.
- 10 e. "Board" means the New Jersey State Board of Cosmetology  
11 and Hairstyling.
- 12 f. "Board of Barber Examiners" means the State Board of Barber  
13 Examiners established pursuant to P.L.1938, c.197 (C.45:4-27 et  
14 seq.).
- 15 g. "Board of Beauty Culture Control" means the Board of  
16 Beauty Culture Control established pursuant to Chapter 4A of Title  
17 45 of the Revised Statutes.
- 18 h. "Clinic" means a designated portion of a licensed school in  
19 which members of the general public may receive cosmetology or  
20 hairstyling services from registered students in exchange for a fee  
21 which shall be calculated to recoup only the cost of materials used  
22 in the performance of those services.
- 23 i. "Cosmetologist-hairstylist" means any person who is licensed  
24 to engage in the practices encompassed in cosmetology and  
25 hairstyling.
- 26 j. "Cosmetology and hairstyling" means any one or combination  
27 of the following practices when done on the human body for  
28 cosmetic purposes and not for the treatment of disease or physical  
29 or mental ailments and when done for payment either directly or  
30 indirectly or when done without payment for the general public:
- 31 (1) shaving or trimming of the beard, mustache or other facial  
32 hair;
- 33 (2) shampooing, cutting, arranging, dressing, relaxing, curling,  
34 permanent waving or styling of the hair;
- 35 (3) singeing, dyeing, tinting, coloring, bleaching of the hair;
- 36 (4) applying cosmetic preparations, antiseptics, tonics, lotions,  
37 creams or makeup to the hair, scalp, face or **[neck]** body;
- 38 (5) massaging, cleansing or stimulating the face, neck or upper  
39 part of the body, with or without cosmetic preparations, either by  
40 hand, mechanical or electrical appliances;
- 41 (6) removing superfluous hair from the face, neck, arms, legs or  
42 abdomen by the use of depilatories, waxing or tweezers, but not by  
43 the use of electrolysis;
- 44 (7) manicuring the fingernails, nail-sculpturing or pedicuring the  
45 toenails;
- 46 (8) cutting, fitting, coloring or styling of hairpieces or wigs to  
47 the extent that the services are being performed while the wig is  
48 being worn by a person; or

1 (9) hairweaving to the extent that the procedure does not involve  
2 the replacement of human hair by means of the insertion of any  
3 natural or synthetic fiber hair into the scalp.

4 k. "Manicurist" means a person who holds a limited license to  
5 engage in only the practice of manicuring.

6 l. "Manicuring" means any one or combination of the following  
7 practices when done on the human body for cosmetic purposes and  
8 not for the treatment of disease or physical or mental ailments and  
9 when done for payment directly or indirectly or when done without  
10 payment for the general public:

11 (1) manicuring of the fingernails;

12 (2) pedicuring of the toenails;

13 (3) nail sculpturing; or

14 (4) removing superfluous hair from the face, neck, arms, legs or  
15 abdomen by the use of depilatories, waxing or tweezers, but not by  
16 the use of electrolysis.

17 m. "Owner" means any person, corporation, firm or partnership  
18 who has a financial interest in a school or shop entitling him to  
19 participate in the promotion, management and proceeds thereof. It  
20 does not include a person whose connection with a school or shop  
21 entitles him only to reasonable salary or wages for services actually  
22 rendered.

23 n. "Practicing licensee" means any person who holds a license to  
24 practice barbering, general barbering, barbering and hairstyling,  
25 beauty culture, cosmetology and hairstyling, manicuring, or as a  
26 skin care specialist.

27 o. "Registered student" means a person who is engaged in  
28 learning and acquiring a knowledge of any of the practices included  
29 in the definition of cosmetology and hairstyling under the direction  
30 and supervision of a person duly authorized under this act to teach  
31 cosmetology and hairstyling and who is enrolled in a program of  
32 instruction at a licensed school of cosmetology and hairstyling,  
33 completion of which may render him eligible for licensure pursuant  
34 to this act but does not mean a person who is enrolled in a public  
35 school vocational program in cosmetology and hairstyling approved  
36 by the State Board of Education.

37 p. "Registration card" means a document issued by the board to  
38 a registered student upon receipt of documentation from a licensed  
39 school of cosmetology and hairstyling that the student is enrolled.

40 q. "School" means an establishment or place licensed by the  
41 board to be maintained for the purpose of teaching cosmetology and  
42 hairstyling to registered students.

43 r. "Senior student" means a registered student who has  
44 successfully completed 600 hours of instruction in a cosmetology  
45 and hairstyling program, 150 hours of instruction in a manicuring  
46 program **[or]**, 300 hours of instruction in a skin care specialty  
47 program or 400 hours of instruction in a barbering and hairstyling  
48 program offered at a licensed school of cosmetology and hairstyling

1 or a student enrolled in an approved vocational training program  
2 who has completed 600 hours of instruction in a cosmetology and  
3 hair styling program, 150 hours of instruction in a manicuring  
4 program **[or]**, 300 hours of instruction in a skin care specialty  
5 program or 400 hours of instruction in a barbering and hairstyling  
6 program.

7 s. "Student permit" means a permit issued to a senior student  
8 which enables him to practice cosmetology and hairstyling in a  
9 school clinic or shop while a registered student at a licensed school  
10 of cosmetology and hairstyling or enrolled in an approved  
11 vocational training program.

12 t. "Shop" means any fixed establishment or place where one or  
13 more persons engage in one or more of the practices included in the  
14 definition of cosmetology or hairstyling, barbering, general  
15 barbering, barbering and hairstyling, beauty culture, manicuring or  
16 skin care specialty.

17 u. "Teacher" means any person who is licensed by the board to  
18 give instruction or training in the theory or practice of cosmetology  
19 and hairstyling.

20 v. "Temporary permit" means a permit issued to applicants for  
21 licensure awaiting scheduling or results of an examination.

22 w. "Manicurist student permit" means a permit issued to a senior  
23 student in a manicuring program which enables him to practice  
24 manicuring in a school clinic or shop while a registered student at a  
25 licensed school of cosmetology and hairstyling or enrolled in an  
26 approved vocational program.

27 x. "Skin care specialist" means a person who holds a limited  
28 license to engage in only the practices included in the definition of  
29 skin care specialty.

30 y. "Skin care specialty" means any one or combination of the  
31 following practices when done on the human body for cosmetic  
32 purposes and not for the treatment of disease or physical or mental  
33 ailments and when performed for payment either directly or  
34 indirectly or when performed without payment for the general  
35 public:

36 (1) applying cosmetic preparations, antiseptics, tonics, lotions,  
37 creams or makeup to the scalp, face or neck;

38 (2) massaging, cleansing or stimulating the face, neck or upper  
39 part of the body, with or without cosmetic preparations, either by  
40 hand, mechanical or electrical appliances; or

41 (3) removing superfluous hair from the face, neck, arms, legs or  
42 abdomen by the use of depilatories, waxing or tweezers, but not by  
43 the use of electrolysis.

44 z. "Skin care specialty student permit" means a permit issued to  
45 a senior student in a skin care specialty program which enables him  
46 to practice skin care in a school clinic or shop while a registered  
47 student at a licensed school of cosmetology and hairstyling or  
48 enrolled in an approved vocational program.

- 1       aa. "Barber-hairstylist" means a person who holds a limited  
2 license to engage in only the practices included in the definition of  
3 barbering and hairstyling.
- 4       bb. "Barbering and hairstyling" means any one or combination  
5 of the following practices when done on the human body for  
6 cosmetic purposes and not for the treatment of disease or physical  
7 or mental ailments and when done for payment either directly or  
8 indirectly or when done without payment for the general public:
- 9           (1) shampooing, cutting, arranging, dressing, relaxing, curling,  
10 permanent waving or styling of the hair;
- 11           (2) singeing, dyeing, tinting, coloring, bleaching of the hair;
- 12           (3) applying cosmetic preparations, antiseptics, tonics, lotions,  
13 or creams to the hair, scalp, face or body;
- 14           (4) cutting, fitting, coloring or styling of hairpieces or wigs, to  
15 the extent that the services are performed while the wig is being  
16 worn by a person; or
- 17           (5) hairweaving to the extent that the procedure does not involve  
18 the replacement of human hair by means of the insertion of any  
19 natural or synthetic fiber hair into the scalp.
- 20       cc. "Barbering and hairstyling apprenticeship certificate" means  
21 a certificate issued by the board which authorizes an individual to  
22 participate in a barbering and hairstyling program approved by the  
23 board and enables the individual to practice barbering and  
24 hairstyling in a licensed shop.
- 25       dd. "Barbering and hairstyling student permit" means a permit  
26 issued to a senior student in a barbering and hairstyling program  
27 which enables the student to practice barbering and hairstyling in a  
28 school clinic or licensed shop while a registered student at a  
29 licensed school of cosmetology and hairstyling or enrolled in an  
30 approved vocational program.
- 31       ee. "General barber" means a person who holds a limited license  
32 to engage in only the practices included in the definition of general  
33 barbering.
- 34       ff. "General barbering" means any one or combination of the  
35 following practices when done on the human body for cosmetic  
36 purposes and not for the treatment of disease or physical or mental  
37 ailments and when done for payment either directly or indirectly or  
38 when done without payment for the general public:
- 39           (1) shaving or trimming of the beard, mustache or other facial  
40 hair;
- 41           (2) shampooing, cutting, arranging, dressing, relaxing, curling,  
42 permanent waving or styling of the hair; or
- 43           (3) applying cosmetic preparations, antiseptics, tonics, lotions, or  
44 creams to the hair, scalp, face or body;
- 45       gg. "General barbering apprenticeship certificate" means a  
46 certificate issued by the board which authorizes an individual to  
47 participate in a general barbering program approved by the board

1 and enables the individual to practice general barbering in a  
2 licensed shop.

3 (cf: P.L.2000, c.159, s.1)

4

5 2. Section 6 of P.L.1984, c.205 (C.45:5B-6) is amended to read  
6 as follows:

7 6. The board shall:

8 a. Review the qualifications of applicants for licensure;

9 b. Devise examinations for licensure which include practical and  
10 written portions;

11 c. Administer and grade examinations or employ competent  
12 examiners to administer and grade examinations but in no case shall  
13 the board permit a person having any affiliation with a licensed  
14 school to examine or grade an applicant who has been a registered  
15 student at the school with which the examiner has an affiliation;

16 d. Issue and renew licenses of any cosmetologist-hairstylist,  
17 beautician, barber, general barber, barber-hairstylist, manicurist,  
18 skin care specialist, teacher, shop, or school;

19 e. Issue student permits to senior students, barbering and  
20 hairstyling students, manicuring students and skin care specialty  
21 students, which permits shall remain valid during the period that the  
22 student is registered at a licensed school or enrolled in an approved  
23 vocational training program;

24 f. Issue temporary permits to applicants for licensure who are  
25 awaiting scheduling for or results from an examination;

26 g. Issue registration cards to registered students;

27 h. Suspend, revoke or fail to renew a license and exercise  
28 investigative powers pursuant to the provisions of P.L.1978, c.73  
29 (C.45:1-14 et seq.);

30 i. Appoint and employ an executive director and an assistant  
31 executive director subject to the approval of the Attorney General,  
32 and other employees as necessary to carry out the provisions of this  
33 act;

34 j. Determine the duties that the executive director and the  
35 assistant executive director shall perform;

36 k. File with the Attorney General a petition to remove any  
37 executive director or assistant executive director for cause, which  
38 petition shall be acted upon by the Attorney General in a manner  
39 which he deems appropriate;

40 l. Establish fees for initial licensure, permits, renewals, and  
41 restoration of licenses as well as for duplication of lost licenses  
42 pursuant to section 2 of P.L.1974, c.46 (C.45:1-3.2);

43 m. Maintain records of all practicing licensees and all licensed  
44 teachers. Records shall include the latest work address of each  
45 licensee, as provided on applications for licensure and renewals  
46 thereof;

47 n. Maintain a record of all registered students and all persons  
48 holding student permits, barbering and hairstyling student permits,

1 manicuring student permits **[and]**, skin care specialty student  
2 permits, general barbering apprenticeship certificates and barbering  
3 and hairstyling apprenticeship certificates;

4 o. Maintain a record of all shops licensed by the board to offer  
5 one or more of the services encompassed within the definition of  
6 cosmetology and hairstyling;

7 p. Maintain a record of all schools licensed by the board to offer  
8 courses of instruction or training in the practice and theory of  
9 cosmetology and hairstyling to registered students, which courses  
10 shall be approved by the board for the awarding of credit for  
11 licensure;

12 q. Make available for public inspection all records required to be  
13 kept pursuant to this section;

14 r. Promulgate regulations governing the practice and teaching of  
15 cosmetology and hairstyling as are necessary to implement this act  
16 and to insure that cosmetology and hairstyling services and  
17 instruction in those services are being offered both in a manner  
18 which is sanitary and safe and in a manner which is not intended to  
19 deceive or mislead the general public;

20 s. Promulgate regulations governing the conduct of shops and  
21 schools as are necessary to implement this act and to assure that  
22 cosmetology and hairstyling services and instruction in those  
23 services are being offered both in a manner that is sanitary and safe,  
24 and in a manner not intended to deceive or mislead the general  
25 public, students of the schools, or organizations awarding financial  
26 aid to the students and to clarify or define any term used in the act  
27 and to define any activity included in hairstyling and cosmetology  
28 and beauty culture;

29 t. Review curricula offered by licensed schools in courses of  
30 instruction offered to registered students and approve those  
31 curricula which offer comprehensive training in cosmetology and  
32 hairstyling;

33 u. Direct the conduct of inspections or investigations of all  
34 licensed shops and schools; **[and]**

35 v. Direct the conduct of inspections or investigations of any  
36 premises from which the board may have reason to believe that  
37 cosmetology and hairstyling services are being offered, or that  
38 courses of instruction are being offered to registered students; and

39 w. Issue general barbering and barbering and hairstyling  
40 apprenticeship certificates and establish standards for  
41 apprenticeship programs for initial licensure as a general barber or  
42 barber-hairstylist.

43 (cf: P.L.1995, c.82, s.2)

44

45 3. Section 7 of P.L.1984, c.205 (C.45:5B-7) is amended to read  
46 as follows:

47 7. No person shall render any of the services encompassed  
48 within the definition of cosmetology and hairstyling without first

- 1 having secured a license from the board which permits the offering  
2 of that service, except for the following persons when acting within  
3 the scope of their profession or occupation:
- 4 a. Persons authorized by the laws of this State to practice  
5 medicine and surgery, dentistry, chiropractic and acupuncture;
  - 6 b. Registered nurses, licensed practical nurses, nurses' aides,  
7 physical therapists and physical therapy assistants;
  - 8 c. Commissioned medical officers of the United States Armed  
9 Forces Hospital Services;
  - 10 d. Persons employed to render cosmetology or hairstyling  
11 services in the course of and incidental to the business of employers  
12 engaged in the theatrical, radio, television or motion picture  
13 production industries, modeling or photography;
  - 14 e. Persons employed to demonstrate, recommend or administer  
15 cosmetic preparations, lotions, creams, makeup or perfume intended  
16 for home use for the purposes of effecting retail sales if those  
17 persons neither accept payment from the consumer for that  
18 demonstration nor make the demonstration contingent upon the  
19 purchase of any product or service; **[or]**
  - 20 f. Senior students holding a student permit; provided that those  
21 services are rendered in a school clinic or licensed shop during  
22 hours that the student does not have scheduled classes; or
  - 23 g. Persons holding a general barbering or a barbering and  
24 hairstyling apprenticeship certificate; provided that those services  
25 are rendered in an apprenticeship program approved by the board.  
26 (cf: P.L.1984, c.205, s.7)

27  
28 4. Section 10 of P.L.1984, c.205 (C.45:5B-10) is amended to  
29 read as follows:

30 10. No person, firm, corporation, partnership or other legal  
31 entity shall operate, maintain or use premises at which courses of  
32 instruction in cosmetology and hairstyling services are offered to  
33 registered students without first having secured a school license  
34 from the board. Nothing herein shall prohibit the offering of  
35 educational programs and courses in cosmetology and hairstyling  
36 to practicing licensees or teachers at unlicensed premises.  
37 However, no course offered at an unlicensed premises shall be  
38 recognized by the board in satisfaction of licensure eligibility  
39 requirements. All educational programs and courses offered at  
40 unlicensed premises shall be conducted by practicing licensees.

41 Nothing in this section shall be construed to prohibit the offering  
42 of an approved general barbering or barbering and hairstyling  
43 apprenticeship program in a licensed shop.  
44 (cf: P.L.1984, c.205, s.10)

45  
46 5. Section 11 of P.L.1984, c.205 (C.45:5B-11) is amended to  
47 read as follows:

48 11. A shop licensed by the board shall employ at least one

1 experienced practicing licensee to generally oversee the  
2 management of the shop. The practicing licensee shall:

3 a. Hold a beautician, barber, general barber, barber-hairstylist or  
4 cosmetologist-hairstylist license and have three years of experience  
5 as a beautician, barber, general barber, barber-hairstylist or  
6 cosmetologist-hairstylist; or

7 b. Hold a beautician or cosmetologist-hairstylist license and  
8 have been issued a manager-operator license by the Board of  
9 Beauty Culture Control; or

10 c. If the shop performs only manicuring services, hold a  
11 manicurist license and have three years of experience as a  
12 manicurist; or

13 d. If a shop performs only skin care specialty services, hold a  
14 skin care specialty license and have three years of experience as a  
15 skin care specialist.

16 A shop which satisfies the requirements of this section by  
17 employing a practicing licensee who holds a barber license is  
18 precluded from employing senior students or conducting an  
19 apprenticeship program unless the shop also employs a practicing  
20 licensee who holds [either] a license as a beautician, general  
21 barber, barber-hairstylist or a cosmetologist-hairstylist and has at  
22 least three years of experience as a beautician, general barber,  
23 barber-hairstylist or a cosmetologist-hairstylist.

24 (cf: P.L.2000, c.159, s.2)

25

26 6. Section 14 of P.L.1995, c.82 (C.45:5B-12.1) is amended to  
27 read as follows:

28 14. a. No person shall represent himself or hold himself out as  
29 engaging in the practices encompassed in cosmetology and  
30 hairstyling, general barbering, barbering and hairstyling, or  
31 manicuring or as a skin care specialist unless licensed under [this  
32 act] P.L.1984, c.205 (C.45:5B-1 et seq.).

33 b. No person shall use the title or designation of "cosmetologist-  
34 hairstylist," "general barber," "barber-hairstylist," "manicurist," or  
35 "skin care specialist" or any other title or designation suggesting  
36 that the person is a cosmetologist-hairstylist, general barber, barber-  
37 hairstylist, manicurist or skin care specialist unless licensed under  
38 this act, and unless the title or designation corresponds to the  
39 license held by the person pursuant to [this act] P.L.1984, c.205  
40 (C.45:5B-1 et seq.).

41 (cf: P.L.1995, c.82, s.14)

42

43 7. Section 25 of P.L.1984, c.205 (C.45:5B-25) is amended to  
44 read as follows:

45 25. To be eligible to obtain a student permit, a barbering and  
46 hairstyling student permit, a manicurist student permit or a skin care  
47 specialty student permit, an applicant shall submit to the board  
48 satisfactory evidence that he:

1 a. Is a registered student in a course of instruction in  
2 cosmetology and hairstyling or barbering and hairstyling or  
3 manicuring or skin care, as appropriate, or is enrolled in a public  
4 school approved by the State Board of Education to offer a  
5 vocational program in cosmetology and hairstyling or barbering and  
6 hairstyling or manicuring or skin care, as appropriate, and has  
7 completed 600 hours of a cosmetology and hairstyling course,  
8 **[100]** 150 hours of a manicuring course **[or]**, 300 hours of the  
9 skin care specialty course or 400 hours of a barbering and  
10 hairstyling course; and

11 b. Does not have a communicable, contagious or infectious  
12 disease which could reasonably be expected to be transmitted  
13 during the course of rendering cosmetology and hairstyling  
14 services.

15 All permits shall remain valid only during the period that the  
16 student is registered at a licensed school of cosmetology and  
17 hairstyling or enrolled in an approved vocational program and shall  
18 expire upon a student's graduation, withdrawal or leave of absence  
19 from the school or program for more than 90 consecutive days.

20 (cf: P.L.1995, c.82, s.10)

21

22 8. (New section) To be eligible to receive a general barbering or  
23 barbering and hairstyling apprenticeship certificate, an applicant  
24 shall submit to the board satisfactory evidence that he does not have  
25 a communicable, contagious or infectious disease which could  
26 reasonably be expected to be transmitted during the course of  
27 rendering general barbering or barbering and hairstyling services.

28 An apprenticeship certificate shall remain valid only during the  
29 period that the individual is participating in an apprenticeship  
30 program which meets board standards at a licensed shop and shall  
31 expire upon the individual's completion of the program, or  
32 withdrawal or absence from the program for more than 90  
33 consecutive days.

34

35 9. (New section) Except as provided in sections 10 and 11 of  
36 P.L. , c. (C. ) (pending before the Legislature as this bill), an  
37 applicant seeking initial licensure as a barber-hairstylist shall:

38 a. Demonstrate successful completion of high school or its  
39 equivalent;

40 b. (1) Demonstrate successful completion of an 800 hour course  
41 of instruction in the practice of barbering and hairstyling at:

42 (a) a school of cosmetology and hairstyling licensed in this  
43 State; or

44 (b) a public school approved by the State Board of Education to  
45 offer a vocational program in cosmetology and hairstyling; or

46 (c) a school of cosmetology and hairstyling, beauty culture or  
47 barbering licensed in another state or foreign country, which, in the  
48 opinion of the board, offers curricula which is substantially similar

- 1 to that offered at licensed schools within this State; or
- 2 (2) Demonstrate successful completion of a 12-month barbering  
3 and hairstyling apprenticeship program in a licensed shop under the  
4 immediate supervision of a licensed barber-hairstylist; and
- 5 c. Take and pass an examination conducted by the board.
- 6
- 7 10. (New section) An applicant holding a license to practice  
8 beauty culture issued by the Board of Beauty Culture Control or the  
9 board, who is seeking licensure as a barber-hairstylist shall:
- 10 a. Demonstrate successful completion of a course of instruction  
11 in shaving, the length of which is to be determined by the board and  
12 which is offered at:
- 13 (1) a school of cosmetology and hairstyling licensed in this  
14 State; or
- 15 (2) a public school approved by the State Board of Education to  
16 offer a vocational program in cosmetology and hairstyling; or
- 17 (3) a school of cosmetology and hairstyling, beauty culture or  
18 barbering licensed in another state or foreign country, which, in the  
19 opinion of the board, offers curricula which is substantially similar  
20 to that offered at licensed schools within this State; and
- 21 b. Take and pass an examination conducted by the board.
- 22
- 23 11. (New section) An applicant holding a license to practice  
24 barbering issued by the Board of Barber Examiners or the board,  
25 who is seeking licensure as a barber-hairstylist, shall be given two  
26 opportunities to take and pass an examination conducted by the  
27 board, which shall demonstrate to the board's satisfaction that the  
28 applicant has attained a proficiency in services included within the  
29 definition of barbering and hairstyling which are not encompassed  
30 within the definition of barbering, without undertaking additional  
31 training. If the applicant does not pass either one of the two  
32 examinations, the applicant may not take the examination again  
33 until the applicant can demonstrate successful completion of a 300-  
34 hour course in barbering and hairstyling offered at:
- 35 a. A school of cosmetology and hairstyling licensed in this  
36 State; or
- 37 b. A public school approved by the State Board of Education to  
38 offer a vocational program in cosmetology and hairstyling; or
- 39 c. A school of cosmetology and hairstyling, beauty culture or  
40 barbering licensed in another state or foreign country, which, in the  
41 opinion of the board, offers curricula which is substantially similar  
42 to that offered at licensed schools within this State.
- 43
- 44 12. (New section) An applicant seeking initial licensure as a  
45 general barber shall:
- 46 a. Demonstrate successful completion of high school or its  
47 equivalent;
- 48 b. Demonstrate successful completion of a 12-month general

1 barbering apprenticeship program in a licensed shop under the  
2 immediate supervision of a licensed general barber; and

3 c. Take and pass an examination conducted by the board.  
4

5 13. (New section) Applicants possessing a license to render  
6 services in another state or a foreign country, which services are  
7 included within the definition of general barbering or barbering and  
8 hairstyling pursuant to P.L. , c. (C. ) (pending before the  
9 Legislature as this bill), may be issued a license to practice general  
10 barbering or barbering and hairstyling in accordance with the  
11 provisions of P.L. , c. (C. ) (pending before the Legislature as  
12 this bill), if that jurisdiction has established eligibility criteria  
13 substantially similar to those established by the board. The  
14 applicant shall pay a fee as required by the board and submit  
15 certification from the licensing jurisdiction. An applicant  
16 possessing a license to practice general barbering or barbering and  
17 hairstyling services issued by a licensing authority from another  
18 state or foreign country which has established eligibility criteria  
19 with respect to general barbering or barbering and hairstyling which  
20 are, in the opinion of the board, less stringent than that required by  
21 the board, may, nevertheless, be eligible for licensure as a general  
22 barber or barber-hairstylist pursuant to the provisions of P.L. , c.  
23 (C. ) (pending before the Legislature as this bill), if the applicant  
24 can present satisfactory evidence of prior practical experience of  
25 three years working in a licensed shop.  
26

27 14. This act shall take effect on the 180th day after enactment.  
28  
29

30 STATEMENT  
31

32 This bill creates limited licenses for general barbering, and  
33 barbering and hairstyling, within the practice of cosmetology and  
34 hairstyling. A general barber is defined as a person who holds a  
35 limited license to engage in the following activities: shaving or  
36 trimming the beard, mustache or other facial hair; shampooing,  
37 cutting, arranging, dressing, relaxing, curling, permanent waving or  
38 styling the hair; or applying cosmetic preparations, antiseptics,  
39 tonics, lotions, or creams to the hair, scalp, face or body. A barber-  
40 hairstylist is defined as a person who holds a limited license to  
41 engage in the following activities: shampooing, cutting, arranging,  
42 dressing, relaxing, curling, permanent waving or styling of the hair;  
43 singeing, dyeing, tinting, coloring, bleaching of the hair; applying  
44 cosmetic preparations, antiseptics, tonics, lotions or creams to the  
45 hair, scalp, face or body; cutting, fitting, coloring, or styling of  
46 hairpieces or wigs, to the extent that the services are performed  
47 while the wig is being worn by a person; or hairweaving to the  
48 extent that the procedure does not involve the replacement of

1 human hair by the means of the insertion of any natural or synthetic  
2 fiber hair into the scalp.

3 The bill establishes certain educational requirements which  
4 general barbers and barber-hairstylists must satisfy. An applicant  
5 for licensure as a general barber must: demonstrate successful  
6 completion of high school or its equivalent; demonstrate successful  
7 completion of a 12-month general barbering apprenticeship program  
8 in a licensed shop; and take and pass an examination conducted by  
9 the New Jersey State Board of Cosmetology and Hairstyling. An  
10 applicant for licensure as a barber-hairstylist must: demonstrate  
11 successful completion of high school or its equivalent; demonstrate  
12 successful completion of an 800-hour course of instruction in  
13 barbering and hairstyling at a duly licensed or approved educational  
14 facility, or successful completion of a 12-month barbering and  
15 hairstyling apprenticeship program in a licensed shop; and take and  
16 pass an examination conducted by the New Jersey State Board of  
17 Cosmetology and Hairstyling.

18 A licensed beautician may qualify for licensure as a barber-  
19 hairstylist by successful completion of a course of instruction in  
20 shaving at a duly licensed or approved educational facility and take  
21 and pass an examination conducted by the board. A licensed barber  
22 may qualify for licensure as a barber-hairstylist by taking and  
23 passing an examination conducted by the board which demonstrates  
24 to the board's satisfaction that the applicant is proficient in services  
25 included in barbering and hairstyling and not encompassed within  
26 the definition of barbering. If the barber fails the examination  
27 twice, he would be required to successfully complete a 300-hour  
28 course in barbering and hairstyling before being allowed to take the  
29 examination again.

30 The bill authorizes a shop licensed by the board to employ a  
31 general barber or barber-hairstylist to oversee the management of a  
32 shop. In addition, the bill authorizes the board to issue a general  
33 barbering or a barbering and hairstyling apprenticeship certificate,  
34 which enables an individual to practice general barbering or  
35 barbering and hairstyling in a licensed shop under the immediate  
36 supervision of a licensed general barber or barber-hairstylist, as  
37 appropriate.

38 Also, the bill provides that applicants from another jurisdiction  
39 possessing a license to render services in that jurisdiction which are  
40 included within the definition of general barbering or barbering and  
41 hairstyling may be issued a license to practice general barbering or  
42 barbering and hairstyling, as appropriate, upon payment of a fee  
43 and submission of their certification, if that jurisdiction has  
44 established eligibility criteria substantially similar to those  
45 established by the board. If another jurisdiction's eligibility criteria  
46 is determined to be less stringent than that required by the board,  
47 the board, at its discretion, may, nevertheless, issue a general  
48 barbering or barbering and hairstyling license upon an applicant's

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- 1 satisfactory proof of prior practical experience of three years
- 2 working in a licensed shop.