

HOUSE BILL NO. HB0215

Cosmetology and barbering practice amendments.

Sponsored by: Representative(s) Andrew, Burt, Clifford,
Duncan, Oakley, Provenza, Rodriguez-Williams
and Wilson and Senator(s) Hutchings and
Steinmetz

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 the rendering of specified
4 services; providing definitions; and providing for an
5 effective date.

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

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9 **Section 1.** W.S. 33-7-101(a)(i), 33-12-120(a) by
10 creating new paragraphs (xx) through (xxv) and by
11 renumbering (xx) as (xxvi) and 33-12-140(c) are amended to
12 read:

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14 **33-7-101. Definitions.**

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2 (a) As used in this act:

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

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

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23 (a) As used in this act:

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

(xxi) "Practice of eyelash extension application" means the application, removal or trimming of threadlike natural or synthetic fibers of a person's eyelash and includes the cleansing of the eye area and lashes. The practice of eyelash extension application shall not include the application of color agents, straightening agents, permanent wave solutions or bleaching agents to the eyelash or eyebrow, or any other cosmetology service. The practice of eyelash extension application is separate and

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

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4 (xxii) "Practice of makeup application" means
5 the application of a cosmetic by hand, using an airbrush or
6 through other means, to enhance the appearance of a
7 person's face or skin including the application of powder,
8 foundation, rouge, eyeshadow, eyeliner, mascara or
9 lipstick. The practice of makeup application shall not
10 include the application of permanent makeup or tattooing.
11 The practice of makeup application is separate and distinct
12 from the practice of esthetics and practice of cosmetology;

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14 (xxiii) "Practice of natural hair braiding"
15 means the service of twisting, wrapping, weaving,
16 extending, locking or braiding a person's hair by hand or
17 with styling devices, including through the use of natural
18 or synthetic hair extensions or fibers, decorative beads or
19 other hair accessories, the minor trimming of natural hair
20 or hair extensions incidental to twisting, wrapping,
21 weaving, extending, locking or braiding hair or the making
22 of wigs from natural hair, natural fibers, synthetic fibers
23 or hair extensions. The practice of natural hair braiding

1 includes the use of topical agents such as conditioners,
2 gels, moisturizers, oils, pomades or shampoos. The practice
3 of natural hair braiding shall not include the application
4 of dyes, reactive chemicals or other preparations to alter
5 the color of a person's hair or to straighten, curl or
6 alter the structure of a person's hair, or the use of
7 chemical hair joining agents including synthetic tape,
8 keratin bonds or fusion bonds. The practice of natural hair
9 braiding is separate and distinct from the practice of hair
10 styling and practice of cosmetology;

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

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

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

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5 **33-12-140. Exemptions.**

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

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9 (i) The practice of blow dry styling;

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11 (ii) The practice of eyelash extension
12 application;

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14 (iii) The practice of makeup application;

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16 (iv) The practice of natural hair braiding;

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18 (v) The practice of threading;

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20 (vi) Persons engaged in demonstrating the use of
21 any cosmetic or beauty aid or equipment for the purpose of
22 offering for sale to the public ~~such the~~ cosmetic or beauty
23 aid or equipment; ~~or to a person~~

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2 (vii) Persons engaged in the business of or
3 receiving compensation for facial makeup applications only.

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5 **Section 2.** This act is effective July 1, 2021.

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(END)