

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 06/03/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 04/29, 06/03

Vote:

Yeas: 11 - Barreto, Barton, Doherty, Esquivel, Evans, Fagan, Heard, Holvey, Kennemer, Nosse, Weidner

Prepared By: Jan Nordlund, Committee Administrator

WHAT THE MEASURE DOES:

Broadens exemption to allow, without a license from Board of Cosmetology, the application of temporary makeup or styling hair by any method for sole purpose of preparing individual for professional film or video performance or theatrical performance. Specifies Health Licensing Office may develop and disseminate guidelines to ensure sanitation and hygiene best practices are followed. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Incidences of makeup artists who are asked to style temporary hairstyles
- Professional makeup artists and hairstylists who work in multiple states
- Whether it is appropriate to allow makeup artists and hair stylists to trim hair
- Safety and sanitation issues

EFFECT OF COMMITTEE AMENDMENT:

Exempts persons applying temporary makeup or styling hair by any method for sole purpose of preparing individual for professional film or video performance or theatrical performance. Allows Health Licensing Office to develop and disseminate guidelines to ensure sanitation and hygiene best practices are used by these exempt individuals.

BACKGROUND:

The Oregon Board of Cosmetology is one of 11 boards that are administered by the Oregon Health Licensing Agency (OHLA). The Agency is charged with protecting the health, safety and rights of Oregon consumers by ensuring that only qualified applicants are authorized to practice.

Prior to 2013, persons without a cosmetology license could apply temporary makeup, comb hair or apply hair spray, as long as they were not compensated for combing hair, for the sole purpose of preparing an individual for a professional photograph or theatrical performance. In 2013, Senate Bill 836 added hair and makeup artists who provide hair, makeup and other effects, for compensation, as part of theatrical performances to the list of those exempt from regulation by the Oregon Board of Cosmetology and Oregon Health Licensing Agency. The nature of the hair and makeup effects for stage, film and video productions are, according to proponents of the measure, fundamentally different from the work done by licensed cosmetologists. In particular, the work of hair and makeup artists is meant to be worn for only short periods of time, and these artists do not provide services to the general public.

However, Senate Bill 836 (2013) narrowly exempted those who comb hair and apply hairspray for the sole purpose of professional photograph or theatrical performance. Senate Bill 699-A expands the exemption to allow those who are preparing people for a professional film or video performance or a theatrical performance to apply temporary makeup or style hair by any method (e.g., cut, color, perm). Those preparing people for a professional photograph are limited to applying temporary makeup, combing and brushing hair, and applying hair spray without a license.