

Senate Bill 422

Sponsored by Senator FREDERICK (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Expands definition of "natural hair care" to include shampooing and conditioning.
Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to natural hair care; amending ORS 690.005; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 690.005 is amended to read:

690.005. As used in ORS 690.005 to 690.225:

(1) "Barbering" means any of the following practices, when done upon the human body for cosmetic purposes and not for medical diagnosis or treatment of disease or physical or mental ailments:

(a) Shampooing, styling, cutting, singeing and conditioning of the hair of an individual.

(b) Applying hair tonics, dressings and rinses.

(c) Massaging of the scalp, face and neck and applying facial and scalp treatments with creams, lotions, oils and other cosmetic preparations, either by hand or mechanical appliances, except that the mechanical appliances may not be galvanic or faradic.

(d) Shaving, trimming or cutting of the beard or mustache.

(2) "Certificate" means a written authorization for the holder to perform in one or more fields of practice.

(3) "Cosmetology" means the art or science of beautifying and improving the skin, nails and hair and the study of cosmetics and their application.

(4) "Demonstration permit" means a written authorization for a person to practice, demonstrate and teach one or more fields of practice on a temporary basis.

(5) "Esthetics" means any of the following skin care or facial care practices performed on the human body or face for the purpose of keeping the skin of the human body or face healthy and attractive and not for medical diagnosis or treatment of disease or physical or mental ailments:

(a) The use of the hands or mechanical or electric apparatuses or appliances for cleansing, stimulating, manipulating, exfoliating or applying lotions or creams.

(b) Temporary removal of hair.

(c) Makeup artistry.

(d) Eyelash services.

(e) Facial and body wrapping.

(f) Facial and body waxing.

(6) "Facility" means an establishment operated on a regular or irregular basis for the purpose of providing services in one or more fields of practice.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

- 1 (7) “Field of practice” means the following cosmetology disciplines:
- 2 (a) Barbering.
- 3 (b) Esthetics.
- 4 (c) Hair design.
- 5 (d) Nail technology.
- 6 (e) Natural hair care.
- 7 (8) “Freelance license” means a written authorization that allows a practitioner to practice
- 8 outside or away from a licensed facility.
- 9 (9) “Hair design” means any of the following practices, when done upon the human body for
- 10 cosmetic purposes and not for medical diagnosis or treatment of disease or physical or mental
- 11 ailments:
- 12 (a) Shaving, trimming or cutting of the beard or mustache.
- 13 (b) Styling, permanent waving, relaxing, cutting, singeing, bleaching, coloring, shampooing, con-
- 14 ditioning, applying hair products or similar work upon the hair of an individual.
- 15 (c) Massaging the scalp and neck when performed in conjunction with activities in paragraph
- 16 (a) or (b) of this subsection.
- 17 (10) “Independent contractor” means a practitioner who qualifies as an independent contractor
- 18 under ORS 670.600 and who is not under the control and direction of a facility license holder.
- 19 (11) “License” means a written authorization issued under ORS 690.055 to a person to operate
- 20 a facility or freelance business for providing services related to one or more fields of practice to the
- 21 public.
- 22 (12) “Nail technology” means any of the following manicuring or pedicuring practices performed
- 23 for cosmetic purposes and not for medical diagnosis or treatment of disease or physical or mental
- 24 ailments:
- 25 (a) Cutting, trimming, polishing, coloring, tinting, cleansing or otherwise treating the nails of the
- 26 hands or feet.
- 27 (b) Massaging, cleansing, treating or beautifying the hands, arms below the elbow, feet or legs
- 28 below the knee.
- 29 (c) Applying, sculpturing or removing artificial nails of the hands or feet.
- 30 (13)(a) “Natural hair care” means:
- 31 (A) The braiding, cornrowing, extending, lacing, locking, sewing, twisting, weaving or wrapping
- 32 of human hair, natural fibers, synthetic fibers or hair extensions through the use of hands or simple
- 33 devices such as clips, combs, hairpins or needle and thread;
- 34 (B) The use of scissors to trim synthetic fibers, hair extensions or sewn-in weave extensions as
- 35 is necessary to perform the activities described in this paragraph; *[or]*
- 36 (C) The making of customized wigs from natural hair, natural fibers, synthetic fibers or hair
- 37 extensions; **or**
- 38 **(D) Shampooing or conditioning of the hair of an individual.**
- 39 (b) “Natural hair care” does not include the use of scissors, except as provided in paragraph
- 40 (a)(B) of this subsection, penetrating chemical hair treatments, chemical hair coloring agents,
- 41 chemical hair straightening agents, chemical hair joining agents, permanent wave styles or chemical
- 42 hair bleaching agents.
- 43 (14) “Practitioner” means a person certified to perform services included within a field of prac-
- 44 tice.
- 45 (15) “Registration” means a written authorization issued to an independent contractor to hold

1 forth to the public as a business entity providing services in a field of practice.

2 (16) "School" means an educational establishment that has a license issued by the Department
3 of Education and is operated for the purpose of teaching one or more fields of practice. For purposes
4 of this subsection, "field of practice" does not include natural hair care.

5 (17) "Temporary facility permit" means a written authorization issued under ORS 690.055 to
6 provide services on a temporary basis in one or more fields of practice.

7 **SECTION 2. This 2019 Act takes effect on the 91st day after the date on which the 2019**
8 **regular session of the Eightieth Legislative Assembly adjourns sine die.**

9
