

TECHNICAL REVIEW OF BILL:	Yes	SCM 6/10/24 TR
COMMITTEE STATEMENT:	ASSEMBLY:	No
	SENATE:	Yes Commerce Budget & Appropriations

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes 06/18/2024
12/26/2024

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

LEGISLATOR STATEMENT: No

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CL/MMcB

§§5-8
C.45:5B-22.3
to 45:5B-22.6
§9
Note

P.L. 2025, CHAPTER 18, *approved February 3, 2025*
Assembly, No. 3414 (*First Reprint*)

1 AN ACT concerning ¹**[the regulation of hair washing]** student
2 permits for certain cosmetology and hairstyling students and
3 amending¹ and supplementing P.L.1984, c.205 (C.45:5B-1 et
4 seq.).
5

6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:
8

9 ¹**[1. As used in this act:**

10 “Shampoo technician” means an individual certified to provide
11 hair washing services, including shampooing, conditioning and
12 glazing, in a shop licensed pursuant to section 9 of P.L.1984, c.205
13 (C.45:5B-9).]¹
14

15 ¹**[2. An individual who is seeking employment as a shampoo**
16 **technician and who is not currently enrolled in a program that leads**
17 **to a professional license offered by the New Jersey State Board of**
18 **Cosmetology and Hairstyling shall complete one of the following:**

19 a. a program for shampoo technicians of 40 hours offered by a
20 school licensed by the board pursuant to section 10 of P.L.1984,
21 c.205 (C.45:5B-10), or a public school vocational program
22 approved by the State Board of Education; or

23 b. training of 40 hours provided, for a reasonable fee, by a shop
24 licensed pursuant to section 9 of P.L.1984, c.205 (C.45:5B-9) with a
25 focus on shampooing and temporary rinses.]¹
26

27 ¹**[3. a. An individual who completed a program pursuant to**
28 **subsection a. of section 2 of this act or training pursuant to**
29 **subsection b. of section 2 of this act shall be required to take and**
30 **pass a practical examination. The examination may be:**

31 (1) taken at and administered by:

32 (a) a licensed school; or

33 (b) a public school offering a vocational program to be a
34 shampoo technician; or

35 (2) scheduled and administered by the board.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted December 19, 2024.

1 b. In accordance with subsection c. of section 6 of P.L.1984,
2 c.205 (C.45:5B-6), an examiner who has an affiliation with a
3 licensed school shall not grade any portion of the practical
4 examination of an individual who attended the licensed school
5 where the examiner is affiliated.

6 c. Upon passage of the examination, the board shall be
7 notified, in a form and manner as it determines, for examinations
8 graded by examiners at a licensed school or public school offering a
9 vocational program to be a shampoo technician. Notification of
10 examination passage shall include submission of:

11 (1) proof of completion of a program offered pursuant to
12 subsection a. of section 2 of this act; or

13 (2) a notarized attestation demonstrating completion of training
14 by an individual pursuant to subsection b. of section 2 of this act.

15 d. Upon receipt of information required of subsection c. of this
16 section, the board shall issue a certification, for a reasonable fee, to
17 an individual to provide services as a shampoo technician. The
18 certification is to be renewed on a biennial basis.】¹

19

20 ¹【4. If an individual certified as a shampoo technician pursuant to
21 this act does not maintain certification and seeks reactivation, the
22 individual shall:

23 a. if the reactivation is sought after a period of fewer than 10
24 years, submit an application and pay a reactivation fee, as
25 determined by the board; or

26 b. if the reactivation is sought after a period of 10 years or
27 more, sit for the examination required for initial certification
28 pursuant to section 3 of this act and upon passage, submit an
29 application and pay a reactivation fee, as determined by the
30 board.】¹

31

32 ¹【5. a. The board shall promulgate rules and regulations
33 pursuant to the “Administrative Procedure Act,” P.L.1968, c.410
34 (C.52:14B-1 et seq.) to effectuate the purposes of this act.

35 b. The regulations shall include, among other items, standards
36 for:

37 (1) qualifications to be a shampoo technician;

38 (2) the individuals authorized to provide training in a licensed
39 shop and to be examiners for the practical examination; and

40 (3) the amount of the fees to be paid by individuals training as a
41 shampoo technician through a licensed shop and for the issuance of
42 an initial certification and the annual renewal of a certification.】¹

43

44 ¹【6. This act shall take effect on the first day of the thirteenth
45 month next following enactment.】¹

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

3 3. As used in P.L.1984, c.205 (C.45:5B-1 et seq.):

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

6 b. "Barbering" means any one or combination of the following
7 practices when performed on the human body for cosmetic purposes
8 and not for the treatment of disease or physical or mental ailments and
9 when performed for the general public, primarily for male customers:

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

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

12 (3) singeing, dyeing, tinting, coloring, bleaching of the hair;

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

15 (5) massaging, cleansing or stimulating the face, neck or scalp
16 with or without cosmetic preparations, either by hand, mechanical or
17 electrical appliances; or

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

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

23 d. "Beauty culture" means any one or combination of the
24 following practices when performed on the human body for cosmetic
25 purposes and not for the treatment of disease or physical or mental
26 ailments and when performed for the general public, primarily for
27 female customers:

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

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

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

34 (4) massaging, cleansing, or stimulating the face, scalp, neck or
35 upper part of the body, with or without cosmetic preparations either by
36 hand, mechanical or electrical appliances;

37 (5) removing superfluous hair from the face, neck, arms, legs or
38 abdomen by the use of depilatories, waxing or tweezers, but not by the
39 use of electrolysis;

40 (6) manicuring the fingernails, nail-sculpturing or pedicuring the
41 toenails; or

42 (7) cutting, fitting, coloring or styling of hairpieces or wigs to the
43 extent that the services are performed while the wig is being worn by a
44 person.

45 e. "Board" means the New Jersey State Board of Cosmetology
46 and Hairstyling.

47 f. "Board of Barber Examiners" means the State Board of Barber
48 Examiners established pursuant to P.L.1938, c.197 (C.45:4-27 et seq.).

- 1 g. "Board of Beauty Culture Control" means the Board of Beauty
2 Culture Control established pursuant to Chapter 4A of Title 45 of the
3 Revised Statutes.
- 4 h. "Clinic" means a designated portion of a licensed school in
5 which members of the general public may receive cosmetology and
6 hairstyling services from senior students in exchange for a fee. The
7 clinic shall clearly post the fees for the cosmetology and hairstyling
8 services and provide notice to consumers that the services provided in
9 the clinic are performed by senior students under the supervision of
10 licensed instructors.
- 11 i. "Cosmetologist-hairstylist" means any person who is licensed
12 to engage in the practices encompassed in cosmetology and
13 hairstyling.
- 14 j. "Cosmetology and hairstyling" means any one or combination
15 of the following practices when performed on the human body for
16 cosmetic purposes and not for the treatment of disease or physical or
17 mental ailments and when performed for the general public, for male
18 or female customers:
- 19 (1) shaving or trimming of the beard, mustache or other facial hair;
20 (2) shampooing, cutting, arranging, dressing, relaxing, curling,
21 permanent waving or styling of the hair;
22 (3) singeing, dyeing, tinting, coloring, bleaching of the hair;
23 (4) applying cosmetic preparations, antiseptics, tonics, lotions,
24 creams or makeup to the hair, scalp, face or neck;
25 (5) massaging, cleansing or stimulating the face, neck or upper
26 part of the body, with or without cosmetic preparations, either by hand,
27 mechanical or electrical appliances;
28 (6) removing superfluous hair from the face, neck, arms, legs or
29 abdomen by the use of depilatories, waxing or tweezers, but not by the
30 use of electrolysis;
31 (7) manicuring the fingernails, nail-sculpturing or pedicuring the
32 toenails;
33 (8) cutting, fitting, coloring or styling of hairpieces or wigs to the
34 extent that the services are being performed while the wig is being
35 worn by a person.
36 (9) (Deleted by amendment, P.L.2018, c.126)
- 37 k. "Manicurist" means a person who holds a license to engage in
38 only the practice of manicuring.
- 39 l. "Manicuring" means any one or combination of the following
40 practices when performed on the human body for cosmetic purposes
41 and not for the treatment of disease or physical or mental ailments and
42 when performed for the general public, for male or female customers:
- 43 (1) manicuring of the fingernails;
44 (2) pedicuring of the toenails;
45 (3) nail sculpturing; or
46 (4) removing superfluous hair from the face, neck, arms, legs or
47 abdomen by the use of depilatories, waxing or tweezers, but not by the
48 use of electrolysis.

1 m. "Owner" means any person, corporation, firm or partnership
2 who has a financial interest in a school or shop entitling him to
3 participate in the promotion, management and proceeds thereof. It
4 does not include a person whose connection with a school or shop
5 entitles him only to reasonable salary or wages for services actually
6 rendered. "Owner" shall also mean any person, corporation, firm or
7 partnership who has a financial interest in a hair braiding shop
8 entitling the person, corporation, firm or partnership to participate in
9 the promotion, management and proceeds thereof.

10 n. "Practicing licensee" means any person who holds a license to
11 practice barbering, beauty culture, cosmetology and hairstyling,
12 manicuring or as a skin care specialist.

13 o. "Registered student" means a person who is engaged in
14 learning and acquiring a knowledge of any of the practices included in
15 the definition of cosmetology and hairstyling, including beauty culture,
16 barbering, manicuring and skin care specialty, under the direction and
17 supervision of a person duly authorized under P.L.1984, c.205
18 (C.45:5B-1 et seq.) to teach cosmetology and hairstyling and who is
19 enrolled in a program of instruction at a licensed school of
20 cosmetology and hairstyling, completion of which may render him
21 eligible for licensure pursuant to P.L.1984, c.205 (C.45:5B-1 et seq.)
22 but does not mean a person who is enrolled in a public school
23 vocational program in cosmetology and hairstyling approved by the
24 State Board of Education or in any other cosmetology and hairstyling
25 program approved by the State Board of Education.

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

29 q. "School" means an establishment or place licensed by the
30 board to be maintained for the purpose of teaching cosmetology and
31 hairstyling, beauty culture, barbering, manicuring, hair braiding or skin
32 care specialty to registered students.

33 r. "Senior student" means a registered student who has
34 successfully completed one-half of the total hours of instruction
35 required for licensure as a cosmetologist-hairstylist, beautician, barber,
36 manicurist or skin care specialist in a licensed school of cosmetology
37 and hairstyling, as determined by the board pursuant to regulation, or
38 in any public school vocational training program approved by the State
39 Board of Education.

40 s. "Student permit" means a permit issued to **【**a senior student
41 which enables him to practice cosmetology and hairstyling, beauty
42 culture, barbering, manicuring or skin care specialty, as appropriate,
43 based on the course of instruction in which the student is enrolled, in a
44 school clinic or shop while**】** a registered student at a licensed school of
45 cosmetology and hairstyling or enrolled in an approved vocational
46 training program, which enables the student to practice cosmetology
47 and hairstyling, beauty culture, barbering, manicuring, skin care
48 specialty, or hair braiding, as appropriate, based on the course of
49 instruction in which the student is enrolled.

- 1 t. "Shop" means any fixed establishment, mobile facility, or place
2 where one or more persons engage in one or more of the practices
3 included in the definition of cosmetology and hairstyling, barbering,
4 beauty culture, manicuring, hair braiding or skin care specialty.
- 5 u. "Teacher" means any person who is licensed by the board to
6 give instruction or training in the theory or practice of cosmetology
7 and hairstyling, beauty culture, barbering, manicuring or skin care
8 specialty.
- 9 v. "Temporary permit" means a permit issued to applicants for
10 licensure awaiting scheduling or results of an examination.
- 11 w. (Deleted by amendment, P.L.2009, c.162)
- 12 x. "Skin care specialist" means a person who holds a license to
13 engage in only the practices included in the definition of skin care
14 specialty.
- 15 y. "Skin care specialty" means any one or combination of the
16 following practices when performed on the male or female human
17 body for cosmetic purposes and not for the treatment of disease or
18 physical or mental ailments and when performed for the general
19 public, primarily for male customers:
- 20 (1) applying cosmetic preparations, antiseptics, tonics, lotions,
21 creams or makeup to the scalp, face or neck;
- 22 (2) massaging, cleansing or stimulating the face, neck or upper
23 part of the body, with or without cosmetic preparations, either by hand,
24 mechanical or electrical appliances; or
- 25 (3) removing superfluous hair from the face, neck, arms, legs or
26 abdomen by the use of depilatories, waxing or tweezers, but not by the
27 use of electrolysis.
- 28 z. (Deleted by amendment, P.L.2009, c.162)
- 29 aa. "Hair braider" or "hair braiding specialist" means a person who
30 holds a license to engage in only the practice of hair braiding.
- 31 bb. "Hair braiding" means the twisting, wrapping, weaving,
32 extending, locking, or braiding of hair by hand or with mechanical
33 devices. "Hair braiding" may include the use of: natural or synthetic
34 hair extensions or fibers, decorative beads, and other hair accessories;
35 minor trimming of natural hair or hair extensions incidental to
36 twisting, wrapping, weaving, extending, locking, or braiding hair;
37 making of wigs from natural hair, natural or synthetic fibers, and hair
38 extensions; and the use of topical agents in conjunction with
39 performing hair braiding, including conditioners, gels, moisturizers,
40 oils, pomades, and shampoos.
- 41 cc. (Deleted by amendment, P.L.2023, c.231)
- 42 dd. "Mobile facility" means a shop capable of being moved from
43 one place to another as or by a motor vehicle that shall be properly
44 registered, insured, and inspected in accordance with all applicable
45 motor vehicle laws and regulations and in compliance with all
46 appropriate municipal laws and regulations including, but not limited
47 to, licensing and land use approvals and permits, if applicable.

1 ee. "Chair or booth rental" means a business arrangement entered
2 into by a written contract whereby a practicing licensee rents or leases
3 a chair or booth from the owner of a licensed shop.

4 ff. "Junior student" means a registered student who has completed
5 less than one-half of the total hours of instruction for licensure as a
6 cosmetologist-hairstylist, beautician, barber, manicurist, skin care
7 specialist, or hair braider in a licensed school of cosmetology and
8 hairstyling, as determined by the board pursuant to section 6 of
9 P.L.1984, c.205 (C.45:5B-6), or in any public school vocational
10 program approved by the State Board of Education.

11 gg. "Shampoo permit" means a permit issued to a registered
12 student at a licensed school of cosmetology and hairstyling or enrolled
13 in an approved vocational program, which enables the student to
14 shampoo and rinse hair if the student is a cosmetology-hairstyling,
15 beauty culture, or barbering student who has successfully completed
16 60 hours of relevant coursework pursuant to section 4 of P.L.1984,
17 c.205 (C.45:5B-4).

18 hh. "Shampoo technician" means an individual who is certified
19 to provide hair washing services, including shampooing,
20 conditioning and glazing, in a shop licensed pursuant to section 9 of
21 P.L.1984, c.205 (C.45:5B-9).¹

22 (cf: P.L.2023, c.231, s.1)

23
24 ¹2. Section 6 of P.L.1984, c.205 (C.45:5B-6) is amended to read as
25 follows:

26 6. The board shall:

27 a. Review the qualifications of applicants for licensure;

28 b. Devise examinations for licensure which include practical and
29 written portions;

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

35 d. Issue and renew licenses of any cosmetologist-hairstylist,
36 beautician, barber, manicurist, skin care specialist, teacher, shop, chair
37 or booth rental, or school;

38 e. Issue student permits to **[senior]** registered students, which
39 permits shall remain valid during the period that the student is
40 registered at a licensed school or enrolled in an approved vocational
41 training program;

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

44 g. Issue registration cards to registered students;

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

- 1 i. Appoint and employ an executive director and an assistant
2 executive director subject to the approval of the Attorney General, and
3 other employees as necessary to carry out the provisions of this act;
- 4 j. Determine the duties that the executive director and the
5 assistant executive director shall perform;
- 6 k. File with the Attorney General a petition to remove any
7 executive director or assistant executive director for cause, which
8 petition shall be acted upon by the Attorney General in a manner
9 which he deems appropriate;
- 10 l. Establish fees for initial licensure, permits, renewals and
11 restoration of licenses as well as for duplication of lost licenses
12 pursuant to section 2 of P.L.1974, c.46 (C.45:1-3.2);
- 13 m. Maintain records of all practicing licensees and all licensed
14 teachers. Records shall include the latest work address of each
15 licensee, as provided on applications for licensure and renewals
16 thereof;
- 17 n. Maintain a record of all registered students and all persons
18 holding student permits;
- 19 o. Maintain a record of all shops licensed by the board to offer
20 one or more of the services encompassed within the definition of
21 cosmetology and hairstyling;
- 22 p. Maintain a record of all schools licensed by the board to offer
23 courses of instruction or training in the practice and theory of
24 cosmetology and hairstyling, beauty culture, barbering, manicuring,
25 hair braiding and skin care specialty to registered students, which
26 courses shall be approved by the board for the awarding of credit for
27 licensure;
- 28 q. Make available for public inspection all records required to be
29 kept pursuant to this section;
- 30 r. Promulgate regulations governing the practice and teaching of
31 cosmetology and hairstyling, beauty culture, barbering, manicuring,
32 hair braiding and skin care specialty as are necessary to implement
33 P.L.1984, c.205 (C.45:5B-1 et seq.) and to insure that cosmetology and
34 hairstyling services and instruction in those services are being offered
35 both in a manner which is sanitary and safe and in a manner which is
36 not intended to deceive or mislead the general public;
- 37 s. Promulgate regulations governing the conduct of shops,
38 including, but not limited to, mobile facilities, chair or booth rentals,
39 and schools as are necessary to implement P.L.1984, c.205 (C.45:5B-1
40 et seq.), including, but not limited to, regulations that ensure that all
41 schools offer instruction on cosmetology and hairstyling, beauty
42 culture, barbering, manicuring, hair braiding and skin care specialty by
43 instructors who are knowledgeable in the practice and teaching of
44 cosmetology and hairstyling, beauty culture, barbering, manicuring,
45 hair braiding and skin care specialty, as the case may be, and to assure
46 that cosmetology and hairstyling services and instruction in those
47 services are being offered both in a manner that is sanitary and safe,
48 and in a manner not intended to deceive or mislead the general public,
49 students of the schools, or organizations awarding financial aid to the

- 1 students and to clarify or define any term used in the act and to define
2 any activity included in hairstyling and cosmetology, beauty culture,
3 barbering, manicuring, hair braiding and skin care specialty;
- 4 t. Review curricula offered by licensed schools in courses of
5 instruction offered to registered students and approve those curricula
6 which offer comprehensive training in cosmetology and hairstyling,
7 beauty culture, barbering, manicuring, hair braiding and skin care
8 specialty;
- 9 u. Direct the conduct of inspections and investigations of all
10 licensed shops, including shops with chair or booth rentals, and
11 schools;
- 12 v. Direct the conduct of inspections or investigations of any
13 premises from which the board may have reason to believe that
14 cosmetology and hairstyling, beauty culture, barbering, manicuring,
15 hair braiding and skin care specialty services are being offered, or that
16 courses of instruction are being offered to registered students;
- 17 w. Establish criteria and standards for education and experience
18 required for licensure; and
- 19 x. Maintain a record of all individuals holding chair or booth
20 rental licenses.¹

21 (cf: P.L.2023, c.231, s.2)

22

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

25 7. No person shall render any of the services encompassed within
26 the definition of cosmetology and hairstyling, beauty culture,
27 barbering, manicuring, hair braiding and skin care specialty services,
28 without first having secured a license from the board which permits
29 the offering of that service in accordance with the authority provided
30 by the license, except for the following persons when acting within the
31 scope of their profession or occupation:

32 a. Persons authorized by the laws of this State to practice
33 medicine and surgery, dentistry, chiropractic and acupuncture;

34 b. Registered nurses, licensed practical nurses, nurses' aides,
35 physical therapists, physical therapy assistants, and other licensed
36 health care professionals;

37 c. Personnel employed by, and providing services in facilities
38 regulated by, the United States Department of Veterans Affairs or the
39 United States Department of Defense;

40 d. Persons employed to render cosmetology and hairstyling
41 services in the course of and incidental to the business of employers
42 engaged in the theatrical, radio, television or motion picture
43 production industries, modeling or photography;

44 e. Persons employed to demonstrate, recommend or administer
45 cosmetic preparations, lotions, creams, makeup or perfume intended
46 for home use for the purposes of effecting retail sales if those persons
47 neither accept payment from the consumer for that demonstration nor
48 make the demonstration contingent upon the purchase of any product
49 or service; **[or]**

1 f. **【Senior】** Registered students holding a student permit;
2 provided that those services are rendered in a school clinic or licensed
3 shop during hours that the student does not have scheduled classes;
4 and

5 g. Persons employed as shampoo technicians.¹

6 (cf: P.L.2018, c.126, s.4)

7

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

10 25. a. To be eligible to obtain a student permit, an applicant
11 shall submit to the board satisfactory evidence that **【he】** the
12 applicant:

13 **【a. Is】** (1) is a 【senior】 registered student in a course of
14 instruction in cosmetology and hairstyling, beauty culture,
15 barbering, manicuring, hair braiding or skin care, as appropriate;
16 and

17 **【b. Does】** (2) does not have a communicable, contagious or
18 infectious disease which could reasonably be expected to be
19 transmitted during the course of rendering cosmetology and
20 hairstyling, beauty culture, barbering, manicuring, hair braiding or
21 skin care specialty services.

22 b. A junior student in a course of instruction in cosmetology
23 and hairstyling shall be eligible to obtain a shampoo permit for the
24 purpose of shampooing and rinsing hair if the student submits to the
25 board satisfactory evidence that the student:

26 (1) completed at least 60 hours of relevant course instruction;
27 and

28 (2) does not have a communicable, contagious or infectious
29 disease which could reasonably be expected to be transmitted
30 during the course of rendering shampoo and hair rinsing services.

31 c. All permits shall remain valid only during the period that the
32 student is registered at a licensed school of cosmetology and
33 hairstyling or enrolled in an approved vocational program and shall
34 expire upon a student's graduation, withdrawal or leave of absence
35 from the school or program for more than 90 consecutive days.¹

36 (cf: P.L.2018, c.126, s.16)

37

38 ¹5. (New section) An individual who is seeking employment as
39 a shampoo technician and who is not currently enrolled in a
40 program that leads to a professional license offered by the New
41 Jersey State Board of Cosmetology and Hairstyling shall complete
42 one of the following:

43 a. a program for shampoo technicians of 60 hours offered by a
44 school licensed by the board pursuant to section 10 of P.L.1984,
45 c.205 (C.45:5B-10), or a public school vocational program
46 approved by the State Board of Education; or

1 b. training of 60 hours provided, for a reasonable fee, by a shop
2 licensed pursuant to section 9 of P.L.1984, c.205 (C.45:5B-9) with a
3 focus on shampooing and temporary rinses.¹

4
5 ¹6. (New section) a. An individual who completes a
6 program pursuant to subsection a. of section 5 of P.L. , c. (C.)
7 (pending before the Legislature as this bill) or training pursuant to
8 subsection b. of section 5 of P.L. , c. (C.) (pending before
9 the Legislature as this bill) shall be required to take and pass a
10 practical examination. The examination may be:

11 (1) taken at and administered by:

12 (a) a licensed school; or

13 (b) a public school offering a vocational program to be a
14 shampoo technician; or

15 (2) scheduled and administered by the board.

16 b. In accordance with subsection c. of section 6 of P.L.1984,
17 c.205 (C.45:5B-6), an examiner who has an affiliation with a
18 licensed school shall not grade any portion of the practical
19 examination of an individual who attended the licensed school
20 where the examiner is affiliated.

21 c. Upon passage of the examination, the board shall be
22 notified, in a form and manner as it determines, for examinations
23 graded by examiners at a licensed school or public school offering a
24 vocational program to be a shampoo technician. Notification of
25 examination passage shall include submission of:

26 (1) proof of completion of a program offered pursuant to
27 subsection a. of section 5 of P.L. , c. (C.) (pending before
28 the Legislature as this bill); or

29 (2) a notarized attestation demonstrating completion of training
30 by an individual pursuant to subsection b. of section 5 of
31 P.L. , c. (C.) (pending before the Legislature as this bill).

32 d. Upon receipt of information required of subsection c. of this
33 section, the board shall issue a certification, for a reasonable fee, to
34 an individual to provide services as a shampoo technician. The
35 certification is to be renewed on a biennial basis.¹

36
37 ¹7. (New section) If an individual certified as a shampoo
38 technician pursuant to P.L. , c. (C.) (pending before the
39 Legislature as this bill) does not maintain certification and seeks
40 reactivation, the individual shall:

41 a. if the reactivation is sought after a period of fewer than 10
42 years, submit an application and pay a reactivation fee, as
43 determined by the board; or

44 b. if the reactivation is sought after a period of 10 years or
45 more, sit for the examination required for initial certification
46 pursuant to section 6 of P.L. , c. (C.) (pending before the
47 Legislature as this bill) and upon passage, submit an application and
48 pay a reactivation fee, as determined by the board.¹

1 ¹8. (New section) a. The board shall promulgate rules and
2 regulations pursuant to the “Administrative Procedure Act,”
3 P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purposes of
4 sections 5 through 7 of P.L. , c. (C.) (pending before the
5 Legislature as this bill).

6 b. The regulations shall include, among other items, standards
7 for:

8 (1) qualifications to be a shampoo technician;

9 (2) the individuals authorized to provide training in a licensed
10 shop and to be examiners for the practical examination; and

11 (3) the amount of the fees to be paid by individuals training as a
12 shampoo technician through a licensed shop and for the issuance of
13 an initial certification and the annual renewal of a certification.¹

14

15 ¹9. Section 1 through 4 of this act shall take effect 90 days next
16 following enactment and sections 5 through 8 shall take effect on
17 the first day of the thirteenth month next following enactment.¹

18

19

20

21 Modifies regulation of student permits by NJ State Board of
22 Cosmetology and Hairstyling and establishes oversight of
23 individuals seeking employment as shampoo technicians.

CHAPTER 18

AN ACT concerning student permits for certain cosmetology and hairstyling students and amending and supplementing P.L.1984, c.205 (C.45:5B-1 et seq.).

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

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

C.45:5B-3 Definitions.

3. As used in P.L.1984, c.205 (C.45:5B-1 et seq.):

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

b. "Barbering" means any one or combination of the following practices when performed on the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when performed for the general public, primarily for male customers:

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

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

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

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

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

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

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

d. "Beauty culture" means any one or combination of the following practices when performed on the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when performed for the general public, primarily for female customers:

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

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

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

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

(5) removing superfluous hair from the face, neck, arms, legs or abdomen by the use of depilatories, waxing or tweezers, but not by the use of electrolysis;

(6) manicuring the fingernails, nail-sculpturing or pedicuring the toenails; or

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

e. "Board" means the New Jersey State Board of Cosmetology and Hairstyling.

f. "Board of Barber Examiners" means the State Board of Barber Examiners established pursuant to P.L.1938, c.197 (C.45:4-27 et seq.).

g. "Board of Beauty Culture Control" means the Board of Beauty Culture Control established pursuant to Chapter 4A of Title 45 of the Revised Statutes.

h. "Clinic" means a designated portion of a licensed school in which members of the general public may receive cosmetology and hairstyling services from senior students in exchange for a fee. The clinic shall clearly post the fees for the cosmetology and hairstyling

services and provide notice to consumers that the services provided in the clinic are performed by senior students under the supervision of licensed instructors.

i. "Cosmetologist-hairstylist" means any person who is licensed to engage in the practices encompassed in cosmetology and hairstyling.

j. "Cosmetology and hairstyling" means any one or combination of the following practices when performed on the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when performed for the general public, for male or female customers:

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

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

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

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

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

(6) removing superfluous hair from the face, neck, arms, legs or abdomen by the use of depilatories, waxing or tweezers, but not by the use of electrolysis;

(7) manicuring the fingernails, nail-sculpturing or pedicuring the toenails;

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

(9) (Deleted by amendment, P.L.2018, c.126)

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

l. "Manicuring" means any one or combination of the following practices when performed on the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when performed for the general public, for male or female customers:

(1) manicuring of the fingernails;

(2) pedicuring of the toenails;

(3) nail sculpturing; or

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

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

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

o. "Registered student" means a person who is engaged in learning and acquiring a knowledge of any of the practices included in the definition of cosmetology and hairstyling, including beauty culture, barbering, manicuring and skin care specialty, under the direction and supervision of a person duly authorized under P.L.1984, c.205 (C.45:5B-1 et seq.) to teach cosmetology and hairstyling and who is enrolled in a program of instruction at a licensed school of cosmetology and hairstyling, completion of which may render him eligible for licensure pursuant to P.L.1984, c.205 (C.45:5B-1 et seq.) but does not mean a person who is

enrolled in a public school vocational program in cosmetology and hairstyling approved by the State Board of Education or in any other cosmetology and hairstyling program approved by the State Board of Education.

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

q. "School" means an establishment or place licensed by the board to be maintained for the purpose of teaching cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding or skin care specialty to registered students.

r. "Senior student" means a registered student who has successfully completed one-half of the total hours of instruction required for licensure as a cosmetologist-hairstylist, beautician, barber, manicurist or skin care specialist in a licensed school of cosmetology and hairstyling, as determined by the board pursuant to regulation, or in any public school vocational training program approved by the State Board of Education.

s. "Student permit" means a permit issued to a registered student at a licensed school of cosmetology and hairstyling or enrolled in an approved vocational training program, which enables the student to practice cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding, as appropriate, based on the course of instruction in which the student is enrolled.

t. "Shop" means any fixed establishment, mobile facility, or place where one or more persons engage in one or more of the practices included in the definition of cosmetology and hairstyling, barbering, beauty culture, manicuring, hair braiding or skin care specialty.

u. "Teacher" means any person who is licensed by the board to give instruction or training in the theory or practice of cosmetology and hairstyling, beauty culture, barbering, manicuring or skin care specialty.

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

w. (Deleted by amendment, P.L.2009, c.162)

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

y. "Skin care specialty" means any one or combination of the following practices when performed on the male or female human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when performed for the general public, primarily for male customers:

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

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

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

z. (Deleted by amendment, P.L.2009, c.162)

aa. "Hair braider" or "hair braiding specialist" means a person who holds a license to engage in only the practice of hair braiding.

bb. "Hair braiding" means the twisting, wrapping, weaving, extending, locking, or braiding of hair by hand or with mechanical devices. "Hair braiding" may include the use of: natural or synthetic hair extensions or fibers, decorative beads, and other hair accessories; minor trimming of natural hair or hair extensions incidental to twisting, wrapping, weaving, extending, locking, or braiding hair; making of wigs from natural hair, natural or synthetic

fibers, and hair extensions; and the use of topical agents in conjunction with performing hair braiding, including conditioners, gels, moisturizers, oils, pomades, and shampoos.

cc. (Deleted by amendment, P.L.2023, c.231)

dd. "Mobile facility" means a shop capable of being moved from one place to another as or by a motor vehicle that shall be properly registered, insured, and inspected in accordance with all applicable motor vehicle laws and regulations and in compliance with all appropriate municipal laws and regulations including, but not limited to, licensing and land use approvals and permits, if applicable.

ee. "Chair or booth rental" means a business arrangement entered into by a written contract whereby a practicing licensee rents or leases a chair or booth from the owner of a licensed shop.

ff. "Junior student" means a registered student who has completed less than one-half of the total hours of instruction for licensure as a cosmetologist-hairstylist, beautician, barber, manicurist, skin care specialist, or hair braider in a licensed school of cosmetology and hairstyling, as determined by the board pursuant to section 6 of P.L.1984, c.205 (C.45:5B-6), or in any public school vocational program approved by the State Board of Education.

gg. "Shampoo permit" means a permit issued to a registered student at a licensed school of cosmetology and hairstyling or enrolled in an approved vocational program, which enables the student to shampoo and rinse hair if the student is a cosmetology-hairstyling, beauty culture, or barbering student who has successfully completed 60 hours of relevant coursework pursuant to section 4 of P.L.1984, c.205 (C.45:5B-4).

hh. "Shampoo technician" means an individual who is certified to provide hair washing services, including shampooing, conditioning, and glazing, in a shop licensed pursuant to section 9 of P.L.1984, c.205 (C.45:5B-9).

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

C.45:5B-6 Duties of board.

6. The board shall:

- a. Review the qualifications of applicants for licensure;
- b. Devise examinations for licensure which include practical and written portions;
- c. Administer and grade examinations or employ competent examiners to administer and grade examinations but in no case shall the board permit a person having any affiliation with a licensed school to examine or grade an applicant who has been a registered student at the school with which the examiner has an affiliation;
- d. Issue and renew licenses of any cosmetologist-hairstylist, beautician, barber, manicurist, skin care specialist, teacher, shop, chair or booth rental, or school;
- e. Issue student permits to registered students, which permits shall remain valid during the period that the student is registered at a licensed school or enrolled in an approved vocational training program;
- f. Issue temporary permits to applicants for licensure who are awaiting scheduling for or results from an examination;
- g. Issue registration cards to registered students;
- h. Suspend, revoke or refuse to renew a license and exercise investigative powers pursuant to the provisions of P.L.1978, c.73 (C.45:1-14 et seq.);
- i. Appoint and employ an executive director and an assistant executive director subject to the approval of the Attorney General, and other employees as necessary to carry out the provisions of this act;

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

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

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

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

n. Maintain a record of all registered students and all persons holding student permits;

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

p. Maintain a record of all schools licensed by the board to offer courses of instruction or training in the practice and theory of cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty to registered students, which courses shall be approved by the board for the awarding of credit for licensure;

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

r. Promulgate regulations governing the practice and teaching of cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty as are necessary to implement P.L.1984, c.205 (C.45:5B-1 et seq.) and to insure that cosmetology and hairstyling services and instruction in those services are being offered both in a manner which is sanitary and safe and in a manner which is not intended to deceive or mislead the general public;

s. Promulgate regulations governing the conduct of shops, including, but not limited to, mobile facilities, chair or booth rentals, and schools as are necessary to implement P.L.1984, c.205 (C.45:5B-1 et seq.), including, but not limited to, regulations that ensure that all schools offer instruction on cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty by instructors who are knowledgeable in the practice and teaching of cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty, as the case may be, and to assure that cosmetology and hairstyling services and instruction in those services are being offered both in a manner that is sanitary and safe, and in a manner not intended to deceive or mislead the general public, students of the schools, or organizations awarding financial aid to the students and to clarify or define any term used in the act and to define any activity included in hairstyling and cosmetology, beauty culture, barbering, manicuring, hair braiding and skin care specialty;

t. Review curricula offered by licensed schools in courses of instruction offered to registered students and approve those curricula which offer comprehensive training in cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty;

u. Direct the conduct of inspections and investigations of all licensed shops, including shops with chair or booth rentals, and schools;

v. Direct the conduct of inspections or investigations of any premises from which the board may have reason to believe that cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty services are being offered, or that courses of instruction are being offered to registered students;

w. Establish criteria and standards for education and experience required for licensure; and

x. Maintain a record of all individuals holding chair or booth rental licenses.

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

C.45:5B-7 Services requiring license; exceptions.

7. No person shall render any of the services encompassed within the definition of cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty services, without first having secured a license from the board which permits the offering of that service in accordance with the authority provided by the license, except for the following persons when acting within the scope of their profession or occupation:

- a. Persons authorized by the laws of this State to practice medicine and surgery, dentistry, chiropractic and acupuncture;
- b. Registered nurses, licensed practical nurses, nurses' aides, physical therapists, physical therapy assistants, and other licensed health care professionals;
- c. Personnel employed by, and providing services in facilities regulated by, the United States Department of Veterans Affairs or the United States Department of Defense;
- d. Persons employed to render cosmetology and hairstyling services in the course of and incidental to the business of employers engaged in the theatrical, radio, television or motion picture production industries, modeling or photography;
- e. Persons employed to demonstrate, recommend or administer cosmetic preparations, lotions, creams, makeup or perfume intended for home use for the purposes of effecting retail sales if those persons neither accept payment from the consumer for that demonstration nor make the demonstration contingent upon the purchase of any product or service;
- f. Registered students holding a student permit, provided that those services are rendered in a school clinic or licensed shop during hours that the student does not have scheduled classes; and
- g. Persons employed as shampoo technicians.

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

C.45:5B-25 Eligibility to obtain student permit.

25. a. To be eligible to obtain a student permit, an applicant shall submit to the board satisfactory evidence that the applicant:

- (1) is a registered student in a course of instruction in cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding, or skin care, as appropriate; and
- (2) does not have a communicable, contagious, or infectious disease which could reasonably be expected to be transmitted during the course of rendering cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding, or skin care specialty services.

b. A junior student in a course of instruction in cosmetology and hairstyling shall be eligible to obtain a shampoo permit for the purpose of shampooing and rinsing hair if the student submits to the board satisfactory evidence that the student:

- (1) completed at least 60 hours of relevant course instruction; and
- (2) does not have a communicable, contagious, or infectious disease which could reasonably be expected to be transmitted during the course of rendering shampoo and hair rinsing services.

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

C.45:5B-22.3 Prospective shampoo technician, requirements if not enrolled in a program leading to licensure.

5. An individual who is seeking employment as a shampoo technician and who is not currently enrolled in a program that leads to a professional license offered by the New Jersey State Board of Cosmetology and Hairstyling shall complete one of the following:

a. a program for shampoo technicians of 60 hours offered by a school licensed by the board pursuant to section 10 of P.L.1984, c.205 (C.45:5B-10), or a public school vocational program approved by the State Board of Education; or

b. training of 60 hours provided, for a reasonable fee, by a shop licensed pursuant to section 9 of P.L.1984, c.205 (C.45:5B-9) with a focus on shampooing and temporary rinses.

C.45:5B-22.4 Practical examination, shampoo technicians.

6. a. An individual who completes a program pursuant to subsection a. of section 5 of P.L.2025, c.18 (C.45:5B-22.3) or training pursuant to subsection b. of section 5 of P.L.2025, c.18 (C.45:5B-22.3) shall be required to take and pass a practical examination. The examination may be:

(1) taken at and administered by:

(a) a licensed school; or

(b) a public school offering a vocational program to be a shampoo technician; or

(2) scheduled and administered by the board.

b. In accordance with subsection c. of section 6 of P.L.1984, c.205 (C.45:5B-6), an examiner who has an affiliation with a licensed school shall not grade any portion of the practical examination of an individual who attended the licensed school where the examiner is affiliated.

c. Upon passage of the examination, the board shall be notified, in a form and manner as it determines, for examinations graded by examiners at a licensed school or public school offering a vocational program to be a shampoo technician. Notification of examination passage shall include submission of:

(1) proof of completion of a program offered pursuant to subsection a. of section 5 of P.L.2025, c.18 (C.45:5B-22.3); or

(2) a notarized attestation demonstrating completion of training by an individual pursuant to subsection b. of section 5 of P.L.2025, c.18 (C.45:5B-22.3).

d. Upon receipt of information required of subsection c. of this section, the board shall issue a certification, for a reasonable fee, to an individual to provide services as a shampoo technician. The certification is to be renewed on a biennial basis.

C.45:5B-22.5 Reactivation, shampoo technician certification.

7. If an individual certified as a shampoo technician pursuant to P.L.2025, c.18 (C.45:5B-22.3 et al.) does not maintain certification and seeks reactivation, the individual shall:

a. if the reactivation is sought after a period of fewer than 10 years, submit an application and pay a reactivation fee, as determined by the board; or

b. if the reactivation is sought after a period of 10 years or more, sit for the examination required for initial certification pursuant to section 6 of P.L.2025, c.18 (C.45:5B-22.4) and upon passage, submit an application and pay a reactivation fee, as determined by the board.

C.45:5B-22.6 Rules, regulations.

8. a. The board shall promulgate rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purposes of sections 5 through 7 of P.L.2025, c.18 (C.45:5B-22.3 through 45:5B-22.5).

b. The regulations shall include, among other items, standards for:

- (1) qualifications to be a shampoo technician;
- (2) the individuals authorized to provide training in a licensed shop and to be examiners for the practical examination; and
- (3) the amount of the fees to be paid by individuals training as a shampoo technician through a licensed shop and for the issuance of an initial certification and the annual renewal of a certification.

9. Sections 1 through 4 of this act shall take effect 90 days next following enactment and sections 5 through 8 shall take effect on the first day of the thirteenth month next following enactment.

Approved February 3, 2025.

ASSEMBLY, No. 3414

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 1, 2024

Sponsored by:

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

Senator M. TERESA RUIZ

District 29 (Essex and Hudson)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

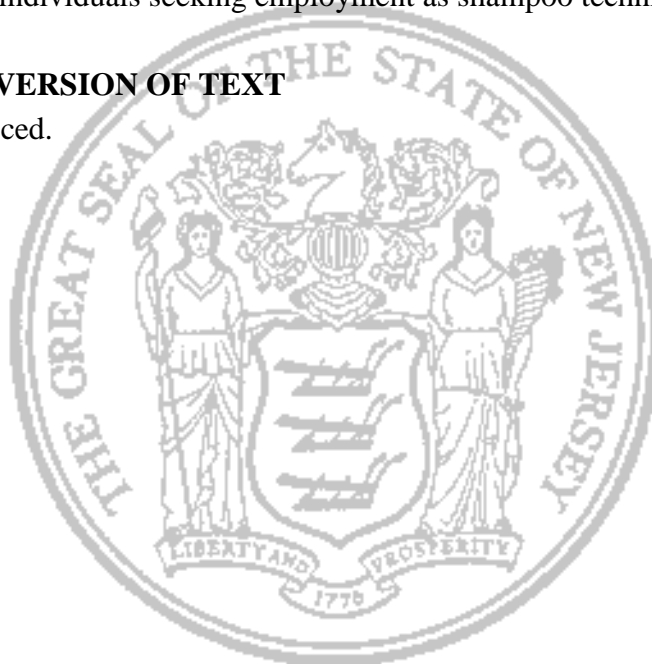
Assemblywomen Collazos-Gill, Reynolds-Jackson and Senator McKnight

SYNOPSIS

Regulates individuals seeking employment as shampoo technicians.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/19/2024)

1 AN ACT concerning the regulation of hair washing and
2 supplementing P.L.1984, c.205 (C.45:5B-1 et seq.).

3

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

6

7 1. As used in this act:

8 “Shampoo technician” means an individual certified to provide
9 hair washing services, including shampooing, conditioning and
10 glazing, in a shop licensed pursuant to section 9 of P.L.1984, c.205
11 (C.45:5B-9).

12

13 2. An individual who is seeking employment as a shampoo
14 technician and who is not currently enrolled in a program that leads
15 to a professional license offered by the New Jersey State Board of
16 Cosmetology and Hairstyling shall complete one of the following:

17 a. a program for shampoo technicians of 40 hours offered by a
18 school licensed by the board pursuant to section 10 of P.L.1984,
19 c.205 (C.45:5B-10), or a public school vocational program
20 approved by the State Board of Education; or

21 b. training of 40 hours provided, for a reasonable fee, by a shop
22 licensed pursuant to section 9 of P.L.1984, c.205 (C.45:5B-9) with a
23 focus on shampooing and temporary rinses.

24

25 3. a. An individual who completed a program pursuant to
26 subsection a. of section 2 of this act or training pursuant to
27 subsection b. of section 2 of this act shall be required to take and
28 pass a practical examination. The examination may be:

29 (1) taken at and administered by:

30 (a) a licensed school; or

31 (b) a public school offering a vocational program to be a
32 shampoo technician; or

33 (2) scheduled and administered by the board.

34 b. In accordance with subsection c. of section 6 of P.L.1984,
35 c.205 (C.45:5B-6), an examiner who has an affiliation with a
36 licensed school shall not grade any portion of the practical
37 examination of an individual who attended the licensed school
38 where the examiner is affiliated.

39 c. Upon passage of the examination, the board shall be
40 notified, in a form and manner as it determines, for examinations
41 graded by examiners at a licensed school or public school offering a
42 vocational program to be a shampoo technician. Notification of
43 examination passage shall include submission of:

44 (1) proof of completion of a program offered pursuant to
45 subsection a. of section 2 of this act; or

46 (2) a notarized attestation demonstrating completion of training
47 by an individual pursuant to subsection b. of section 2 of this act.

1 d. Upon receipt of information required of subsection c. of this
2 section, the board shall issue a certification, for a reasonable fee, to
3 an individual to provide services as a shampoo technician. The
4 certification is to be renewed on a biennial basis.

5

6 4. If an individual certified as a shampoo technician pursuant to
7 this act does not maintain certification and seeks reactivation, the
8 individual shall:

9 a. if the reactivation is sought after a period of fewer than 10
10 years, submit an application and pay a reactivation fee, as
11 determined by the board; or

12 b. if the reactivation is sought after a period of 10 years or
13 more, sit for the examination required for initial certification
14 pursuant to section 3 of this act and upon passage, submit an
15 application and pay a reactivation fee, as determined by the board.

16

17 5. a. The board shall promulgate rules and regulations
18 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
19 (C.52:14B-1 et seq.) to effectuate the purposes of this act.

20 b. The regulations shall include, among other items, standards
21 for:

22 (1) qualifications to be a shampoo technician;

23 (2) the individuals authorized to provide training in a licensed
24 shop and to be examiners for the practical examination; and

25 (3) the amount of the fees to be paid by individuals training as a
26 shampoo technician through a licensed shop and for the issuance of
27 an initial certification and the annual renewal of a certification.

28

29 6. This act shall take effect on the first day of the thirteenth
30 month next following enactment.

31

32

33

STATEMENT

34

35 This bill establishes the regulation of individuals seeking
36 employment as a shampoo technician and who are not otherwise
37 pursuing a professional license issued by the New Jersey State
38 Board of Cosmetology and Hairstyling. Specifically, the bill
39 provides that an individual seeking employment as a shampoo
40 technician is to complete a 40-hour program provided by a licensed
41 school or public school vocational program or, for a reasonable fee,
42 40 hours of training provided by a licensed shop. Upon completion
43 of a program or training, an individual is to sit for a practical
44 examination that, pursuant to the bill, may be taken at a licensed
45 school or a public school offering a vocational program to be a
46 shampoo technician, or may be scheduled and administered by the
47 board. It is prohibited in the bill for any examiner who is grading
48 practical examinations and who has an affiliation with a licensed

1 school from grading those examinations of the individuals who
2 attended the licensed school where the examiner is affiliated.

3 The bill stipulates that the board is to be notified, in a form and
4 manner as it determines, when an individual passes the practical
5 examination administered by a licensed school or public school
6 offering a vocational program to be a shampoo technician.
7 Notification of examination passage is to include submission of
8 proof of completion of a program offered at a licensed school or
9 public school or a notarized attestation demonstrating completion of
10 training at a licensed shop. The bill directs the board to issue a
11 certification, for a reasonable fee, to an individual to provide
12 services as a shampoo technician once the board has received all
13 documentation. The certification is to be renewed on a biennial
14 basis.

15 If an individual certified as a shampoo technician does not
16 maintain certification and seeks reactivation, the individual is to
17 submit an application and pay a reactivation fee, as determined by
18 the board, if the reactivation is sought after a period of fewer than
19 10 years. If the reactivation is sought after 10 years or more, the
20 individual is to re-take the certification examination and upon
21 passage, submit an application and pay a reactivation fee.

22 The board is to promulgate rules and regulations to effectuate the
23 purposes of the bill. The regulations are to address, among other
24 items, standards for:

- 25 1) qualifications to be a shampoo technician;
- 26 2) the individuals authorized to provide training in a licensed
27 shop and to be examiners for the practical examination; and
- 28 3) the amount of the fees to be paid by individuals training as a
29 shampoo technician through a licensed shop and for the issuance of
30 an initial certification and the annual renewal of a certification.

[First Reprint]

ASSEMBLY, No. 3414

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED FEBRUARY 1, 2024

Sponsored by:

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

Senator M. TERESA RUIZ

District 29 (Essex and Hudson)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Senator ANGELA V. MCKNIGHT

District 31 (Hudson)

Co-Sponsored by:

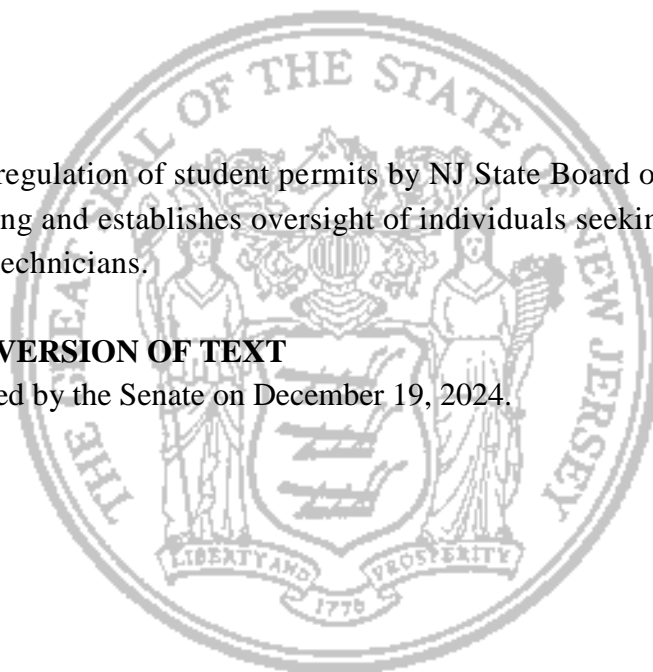
Assemblywomen Collazos-Gill and Reynolds-Jackson

SYNOPSIS

Modifies regulation of student permits by NJ State Board of Cosmetology and Hairstyling and establishes oversight of individuals seeking employment as shampoo technicians.

CURRENT VERSION OF TEXT

As amended by the Senate on December 19, 2024.



(Sponsorship Updated As Of: 12/19/2024)

1 AN ACT concerning ¹**[the regulation of hair washing]** student
2 permits for certain cosmetology and hairstyling students and
3 amending¹ and supplementing P.L.1984, c.205 (C.45:5B-1 et
4 seq.).

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

8
9 ¹**[1. As used in this act:**
10 “Shampoo technician” means an individual certified to provide
11 hair washing services, including shampooing, conditioning and
12 glazing, in a shop licensed pursuant to section 9 of P.L.1984, c.205
13 (C.45:5B-9).]¹

14
15 ¹**[2. An individual who is seeking employment as a shampoo**
16 **technician and who is not currently enrolled in a program that leads**
17 **to a professional license offered by the New Jersey State Board of**
18 **Cosmetology and Hairstyling shall complete one of the following:**
19 a. a program for shampoo technicians of 40 hours offered by a
20 school licensed by the board pursuant to section 10 of P.L.1984,
21 c.205 (C.45:5B-10), or a public school vocational program
22 approved by the State Board of Education; or
23 b. training of 40 hours provided, for a reasonable fee, by a shop
24 licensed pursuant to section 9 of P.L.1984, c.205 (C.45:5B-9) with a
25 focus on shampooing and temporary rinses.]¹

26
27 ¹**[3. a. An individual who completed a program pursuant to**
28 **subsection a. of section 2 of this act or training pursuant to**
29 **subsection b. of section 2 of this act shall be required to take and**
30 **pass a practical examination. The examination may be:**

31 (1) taken at and administered by:
32 (a) a licensed school; or
33 (b) a public school offering a vocational program to be a
34 shampoo technician; or

35 (2) scheduled and administered by the board.
36 b. In accordance with subsection c. of section 6 of P.L.1984,
37 c.205 (C.45:5B-6), an examiner who has an affiliation with a
38 licensed school shall not grade any portion of the practical
39 examination of an individual who attended the licensed school
40 where the examiner is affiliated.

41 c. Upon passage of the examination, the board shall be
42 notified, in a form and manner as it determines, for examinations
43 graded by examiners at a licensed school or public school offering a

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹**Senate floor amendments adopted December 19, 2024.**

1 vocational program to be a shampoo technician. Notification of
2 examination passage shall include submission of:

3 (1) proof of completion of a program offered pursuant to
4 subsection a. of section 2 of this act; or

5 (2) a notarized attestation demonstrating completion of training
6 by an individual pursuant to subsection b. of section 2 of this act.

7 d. Upon receipt of information required of subsection c. of this
8 section, the board shall issue a certification, for a reasonable fee, to
9 an individual to provide services as a shampoo technician. The
10 certification is to be renewed on a biennial basis. **】¹**

11

12 **1**【4.If an individual certified as a shampoo technician pursuant to
13 this act does not maintain certification and seeks reactivation, the
14 individual shall:

15 a. if the reactivation is sought after a period of fewer than 10
16 years, submit an application and pay a reactivation fee, as
17 determined by the board; or

18 b. if the reactivation is sought after a period of 10 years or
19 more, sit for the examination required for initial certification
20 pursuant to section 3 of this act and upon passage, submit an
21 application and pay a reactivation fee, as determined by the
22 board. **】¹**

23

24 **1**【5.a. The board shall promulgate rules and regulations
25 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
26 (C.52:14B-1 et seq.) to effectuate the purposes of this act.

27 b. The regulations shall include, among other items, standards
28 for:

29 (1) qualifications to be a shampoo technician;

30 (2) the individuals authorized to provide training in a licensed
31 shop and to be examiners for the practical examination; and

32 (3) the amount of the fees to be paid by individuals training as a
33 shampoo technician through a licensed shop and for the issuance of
34 an initial certification and the annual renewal of a certification. **】¹**

35

36 **1**【6.This act shall take effect on the first day of the thirteenth
37 month next following enactment. **】¹**

38

39 **1**1. Section 3 of P.L.1984, c.205 (C.45:5B-3) is amended to read as
40 follows:

41 3. As used in P.L.1984, c.205 (C.45:5B-1 et seq.):

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

44 b. "Barbering" means any one or combination of the following
45 practices when performed on the human body for cosmetic purposes
46 and not for the treatment of disease or physical or mental ailments and
47 when performed for the general public, primarily for male customers:

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

1 the clinic are performed by senior students under the supervision of
2 licensed instructors.

3 i. "Cosmetologist-hairstylist" means any person who is licensed
4 to engage in the practices encompassed in cosmetology and
5 hairstyling.

6 j. "Cosmetology and hairstyling" means any one or combination
7 of the following practices when performed on the human body for
8 cosmetic purposes and not for the treatment of disease or physical or
9 mental ailments and when performed for the general public, for male
10 or female customers:

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

12 (2) shampooing, cutting, arranging, dressing, relaxing, curling,
13 permanent waving or styling of the hair;

14 (3) singeing, dyeing, tinting, coloring, bleaching of the hair;

15 (4) applying cosmetic preparations, antiseptics, tonics, lotions,
16 creams or makeup to the hair, scalp, face or neck;

17 (5) massaging, cleansing or stimulating the face, neck or upper
18 part of the body, with or without cosmetic preparations, either by hand,
19 mechanical or electrical appliances;

20 (6) removing superfluous hair from the face, neck, arms, legs or
21 abdomen by the use of depilatories, waxing or tweezers, but not by the
22 use of electrolysis;

23 (7) manicuring the fingernails, nail-sculpturing or pedicuring the
24 toenails;

25 (8) cutting, fitting, coloring or styling of hairpieces or wigs to the
26 extent that the services are being performed while the wig is being
27 worn by a person.

28 (9) (Deleted by amendment, P.L.2018, c.126)

29 k. "Manicurist" means a person who holds a license to engage in
30 only the practice of manicuring.

31 l. "Manicuring" means any one or combination of the following
32 practices when performed on the human body for cosmetic purposes
33 and not for the treatment of disease or physical or mental ailments and
34 when performed for the general public, for male or female customers:

35 (1) manicuring of the fingernails;

36 (2) pedicuring of the toenails;

37 (3) nail sculpturing; or

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

41 m. "Owner" means any person, corporation, firm or partnership
42 who has a financial interest in a school or shop entitling him to
43 participate in the promotion, management and proceeds thereof. It
44 does not include a person whose connection with a school or shop
45 entitles him only to reasonable salary or wages for services actually
46 rendered. "Owner" shall also mean any person, corporation, firm or
47 partnership who has a financial interest in a hair braiding shop

1 entitling the person, corporation, firm or partnership to participate in
2 the promotion, management and proceeds thereof.

3 n. "Practicing licensee" means any person who holds a license to
4 practice barbering, beauty culture, cosmetology and hairstyling,
5 manicuring or as a skin care specialist.

6 o. "Registered student" means a person who is engaged in
7 learning and acquiring a knowledge of any of the practices included in
8 the definition of cosmetology and hairstyling, including beauty culture,
9 barbering, manicuring and skin care specialty, under the direction and
10 supervision of a person duly authorized under P.L.1984, c.205
11 (C.45:5B-1 et seq.) to teach cosmetology and hairstyling and who is
12 enrolled in a program of instruction at a licensed school of
13 cosmetology and hairstyling, completion of which may render him
14 eligible for licensure pursuant to P.L.1984, c.205 (C.45:5B-1 et seq.)
15 but does not mean a person who is enrolled in a public school
16 vocational program in cosmetology and hairstyling approved by the
17 State Board of Education or in any other cosmetology and hairstyling
18 program approved by the State Board of Education.

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

22 q. "School" means an establishment or place licensed by the
23 board to be maintained for the purpose of teaching cosmetology and
24 hairstyling, beauty culture, barbering, manicuring, hair braiding or skin
25 care specialty to registered students.

26 r. "Senior student" means a registered student who has
27 successfully completed one-half of the total hours of instruction
28 required for licensure as a cosmetologist-hairstylist, beautician, barber,
29 manicurist or skin care specialist in a licensed school of cosmetology
30 and hairstyling, as determined by the board pursuant to regulation, or
31 in any public school vocational training program approved by the State
32 Board of Education.

33 s. "Student permit" means a permit issued to **【**a senior student
34 which enables him to practice cosmetology and hairstyling, beauty
35 culture, barbering, manicuring or skin care specialty, as appropriate,
36 based on the course of instruction in which the student is enrolled, in a
37 school clinic or shop while **】**a registered student at a licensed school of
38 cosmetology and hairstyling or enrolled in an approved vocational
39 training program, which enables the student to practice cosmetology
40 and hairstyling, beauty culture, barbering, manicuring, skin care
41 specialty, or hair braiding, as appropriate, based on the course of
42 instruction in which the student is enrolled.

43 t. "Shop" means any fixed establishment, mobile facility, or place
44 where one or more persons engage in one or more of the practices
45 included in the definition of cosmetology and hairstyling, barbering,
46 beauty culture, manicuring, hair braiding or skin care specialty.

47 u. "Teacher" means any person who is licensed by the board to
48 give instruction or training in the theory or practice of cosmetology

1 and hairstyling, beauty culture, barbering, manicuring or skin care
2 specialty.

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

5 w. (Deleted by amendment, P.L.2009, c.162)

6 x. "Skin care specialist" means a person who holds a license to
7 engage in only the practices included in the definition of skin care
8 specialty.

9 y. "Skin care specialty" means any one or combination of the
10 following practices when performed on the male or female human
11 body for cosmetic purposes and not for the treatment of disease or
12 physical or mental ailments and when performed for the general
13 public, primarily for male customers:

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

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

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

22 z. (Deleted by amendment, P.L.2009, c.162)

23 aa. "Hair braider" or "hair braiding specialist" means a person who
24 holds a license to engage in only the practice of hair braiding.

25 bb. "Hair braiding" means the twisting, wrapping, weaving,
26 extending, locking, or braiding of hair by hand or with mechanical
27 devices. "Hair braiding" may include the use of: natural or synthetic
28 hair extensions or fibers, decorative beads, and other hair accessories;
29 minor trimming of natural hair or hair extensions incidental to
30 twisting, wrapping, weaving, extending, locking, or braiding hair;
31 making of wigs from natural hair, natural or synthetic fibers, and hair
32 extensions; and the use of topical agents in conjunction with
33 performing hair braiding, including conditioners, gels, moisturizers,
34 oils, pomades, and shampoos.

35 cc. (Deleted by amendment, P.L.2023, c.231)

36 dd. "Mobile facility" means a shop capable of being moved from
37 one place to another as or by a motor vehicle that shall be properly
38 registered, insured, and inspected in accordance with all applicable
39 motor vehicle laws and regulations and in compliance with all
40 appropriate municipal laws and regulations including, but not limited
41 to, licensing and land use approvals and permits, if applicable.

42 ee. "Chair or booth rental" means a business arrangement entered
43 into by a written contract whereby a practicing licensee rents or leases
44 a chair or booth from the owner of a licensed shop.

45 ff. "Junior student" means a registered student who has completed
46 less than one-half of the total hours of instruction for licensure as a
47 cosmetologist-hairstylist, beautician, barber, manicurist, skin care
48 specialist, or hair braider in a licensed school of cosmetology and

1 hairstyling, as determined by the board pursuant to section 6 of
2 P.L.1984, c.205 (C.45:5B-6), or in any public school vocational
3 program approved by the State Board of Education.

4 gg. “Shampoo permit” means a permit issued to a registered
5 student at a licensed school of cosmetology and hairstyling or enrolled
6 in an approved vocational program, which enables the student to
7 shampoo and rinse hair if the student is a cosmetology-hairstyling,
8 beauty culture, or barbering student who has successfully completed
9 60 hours of relevant coursework pursuant to section 4 of P.L.1984,
10 c.205 (C.45:5B-4).

11 hh. “Shampoo technician” means an individual who is certified
12 to provide hair washing services, including shampooing,
13 conditioning and glazing, in a shop licensed pursuant to section 9 of
14 P.L.1984, c.205 (C.45:5B-9).¹

15 (cf: P.L.2023, c.231, s.1)

16

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

19 6. The board shall:

20 a. Review the qualifications of applicants for licensure;

21 b. Devise examinations for licensure which include practical and
22 written portions;

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

28 d. Issue and renew licenses of any cosmetologist-hairstylist,
29 beautician, barber, manicurist, skin care specialist, teacher, shop, chair
30 or booth rental, or school;

31 e. Issue student permits to **senior** registered students, which
32 permits shall remain valid during the period that the student is
33 registered at a licensed school or enrolled in an approved vocational
34 training program;

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

37 g. Issue registration cards to registered students;

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

41 i. Appoint and employ an executive director and an assistant
42 executive director subject to the approval of the Attorney General, and
43 other employees as necessary to carry out the provisions of this act;

44 j. Determine the duties that the executive director and the
45 assistant executive director shall perform;

46 k. File with the Attorney General a petition to remove any
47 executive director or assistant executive director for cause, which

- 1 petition shall be acted upon by the Attorney General in a manner
2 which he deems appropriate;
- 3 l. Establish fees for initial licensure, permits, renewals and
4 restoration of licenses as well as for duplication of lost licenses
5 pursuant to section 2 of P.L.1974, c.46 (C.45:1-3.2);
- 6 m. Maintain records of all practicing licensees and all licensed
7 teachers. Records shall include the latest work address of each
8 licensee, as provided on applications for licensure and renewals
9 thereof;
- 10 n. Maintain a record of all registered students and all persons
11 holding student permits;
- 12 o. Maintain a record of all shops licensed by the board to offer
13 one or more of the services encompassed within the definition of
14 cosmetology and hairstyling;
- 15 p. Maintain a record of all schools licensed by the board to offer
16 courses of instruction or training in the practice and theory of
17 cosmetology and hairstyling, beauty culture, barbering, manicuring,
18 hair braiding and skin care specialty to registered students, which
19 courses shall be approved by the board for the awarding of credit for
20 licensure;
- 21 q. Make available for public inspection all records required to be
22 kept pursuant to this section;
- 23 r. Promulgate regulations governing the practice and teaching of
24 cosmetology and hairstyling, beauty culture, barbering, manicuring,
25 hair braiding and skin care specialty as are necessary to implement
26 P.L.1984, c.205 (C.45:5B-1 et seq.) and to insure that cosmetology and
27 hairstyling services and instruction in those services are being offered
28 both in a manner which is sanitary and safe and in a manner which is
29 not intended to deceive or mislead the general public;
- 30 s. Promulgate regulations governing the conduct of shops,
31 including, but not limited to, mobile facilities, chair or booth rentals,
32 and schools as are necessary to implement P.L.1984, c.205 (C.45:5B-1
33 et seq.), including, but not limited to, regulations that ensure that all
34 schools offer instruction on cosmetology and hairstyling, beauty
35 culture, barbering, manicuring, hair braiding and skin care specialty by
36 instructors who are knowledgeable in the practice and teaching of
37 cosmetology and hairstyling, beauty culture, barbering, manicuring,
38 hair braiding and skin care specialty, as the case may be, and to assure
39 that cosmetology and hairstyling services and instruction in those
40 services are being offered both in a manner that is sanitary and safe,
41 and in a manner not intended to deceive or mislead the general public,
42 students of the schools, or organizations awarding financial aid to the
43 students and to clarify or define any term used in the act and to define
44 any activity included in hairstyling and cosmetology, beauty culture,
45 barbering, manicuring, hair braiding and skin care specialty;
- 46 t. Review curricula offered by licensed schools in courses of
47 instruction offered to registered students and approve those curricula
48 which offer comprehensive training in cosmetology and hairstyling,

- 1 beauty culture, barbering, manicuring, hair braiding and skin care
2 specialty;
- 3 u. Direct the conduct of inspections and investigations of all
4 licensed shops, including shops with chair or booth rentals, and
5 schools;
- 6 v. Direct the conduct of inspections or investigations of any
7 premises from which the board may have reason to believe that
8 cosmetology and hairstyling, beauty culture, barbering, manicuring,
9 hair braiding and skin care specialty services are being offered, or that
10 courses of instruction are being offered to registered students;
- 11 w. Establish criteria and standards for education and experience
12 required for licensure; and
- 13 x. Maintain a record of all individuals holding chair or booth
14 rental licenses.¹
15 (cf: P.L.2023, c.231, s.2)

16
17 ¹3. Section 7 of P.L.1984, c.205 (C.45:5B-7) is amended to read as
18 follows:

- 19 7. No person shall render any of the services encompassed within
20 the definition of cosmetology and hairstyling, beauty culture,
21 barbering, manicuring, hair braiding and skin care specialty services,
22 without first having secured a license from the board which permits
23 the offering of that service in accordance with the authority provided
24 by the license, except for the following persons when acting within the
25 scope of their profession or occupation:
- 26 a. Persons authorized by the laws of this State to practice
27 medicine and surgery, dentistry, chiropractic and acupuncture;
- 28 b. Registered nurses, licensed practical nurses, nurses' aides,
29 physical therapists, physical therapy assistants, and other licensed
30 health care professionals;
- 31 c. Personnel employed by, and providing services in facilities
32 regulated by, the United States Department of Veterans Affairs or the
33 United States Department of Defense;
- 34 d. Persons employed to render cosmetology and hairstyling
35 services in the course of and incidental to the business of employers
36 engaged in the theatrical, radio, television or motion picture
37 production industries, modeling or photography;
- 38 e. Persons employed to demonstrate, recommend or administer
39 cosmetic preparations, lotions, creams, makeup or perfume intended
40 for home use for the purposes of effecting retail sales if those persons
41 neither accept payment from the consumer for that demonstration nor
42 make the demonstration contingent upon the purchase of any product
43 or service; **[or]**
- 44 f. **[Senior]** Registered students holding a student permit;
45 provided that those services are rendered in a school clinic or licensed
46 shop during hours that the student does not have scheduled classes;
47 and

1 g. Persons employed as shampoo technicians.¹

2 (cf: P.L.2018, c.126, s.4)

3

4 ^{14.} Section 25 of P.L.1984, c.205 (C.45:5B-25) is amended to
5 read as follows:

6 25. a. To be eligible to obtain a student permit, an applicant
7 shall submit to the board satisfactory evidence that **[he]** the
8 applicant:

9 **[a. Is]** (1) is a **[senior]** registered student in a course of
10 instruction in cosmetology and hairstyling, beauty culture,
11 barbering, manicuring, hair braiding or skin care, as appropriate;
12 and

13 **[b. Does]** (2) does not have a communicable, contagious or
14 infectious disease which could reasonably be expected to be
15 transmitted during the course of rendering cosmetology and
16 hairstyling, beauty culture, barbering, manicuring, hair braiding or
17 skin care specialty services.

18 b. A junior student in a course of instruction in cosmetology
19 and hairstyling shall be eligible to obtain a shampoo permit for the
20 purpose of shampooing and rinsing hair if the student submits to the
21 board satisfactory evidence that the student:

22 (1) completed at least 60 hours of relevant course instruction;
23 and

24 (2) does not have a communicable, contagious or infectious
25 disease which could reasonably be expected to be transmitted
26 during the course of rendering shampoo and hair rinsing services.

27 c. All permits shall remain valid only during the period that the
28 student is registered at a licensed school of cosmetology and
29 hairstyling or enrolled in an approved vocational program and shall
30 expire upon a student's graduation, withdrawal or leave of absence
31 from the school or program for more than 90 consecutive days.¹

32 (cf: P.L.2018, c.126, s.16)

33

34 ^{15.} (New section) An individual who is seeking employment as
35 a shampoo technician and who is not currently enrolled in a
36 program that leads to a professional license offered by the New
37 Jersey State Board of Cosmetology and Hairstyling shall complete
38 one of the following:

39 a. a program for shampoo technicians of 60 hours offered by a
40 school licensed by the board pursuant to section 10 of P.L.1984,
41 c.205 (C.45:5B-10), or a public school vocational program
42 approved by the State Board of Education; or

43 b. training of 60 hours provided, for a reasonable fee, by a shop
44 licensed pursuant to section 9 of P.L.1984, c.205 (C.45:5B-9) with a
45 focus on shampooing and temporary rinses.¹

1 ¹6. (New section) a. An individual who completes a
2 program pursuant to subsection a. of section 5 of P.L. , c. (C.)
3 (pending before the Legislature as this bill) or training pursuant to
4 subsection b. of section 5 of P.L. , c. (C.) (pending before
5 the Legislature as this bill) shall be required to take and pass a
6 practical examination. The examination may be:

- 7 (1) taken at and administered by:
8 (a) a licensed school; or
9 (b) a public school offering a vocational program to be a
10 shampoo technician; or
11 (2) scheduled and administered by the board.

12 b. In accordance with subsection c. of section 6 of P.L.1984,
13 c.205 (C.45:5B-6), an examiner who has an affiliation with a
14 licensed school shall not grade any portion of the practical
15 examination of an individual who attended the licensed school
16 where the examiner is affiliated.

17 c. Upon passage of the examination, the board shall be
18 notified, in a form and manner as it determines, for examinations
19 graded by examiners at a licensed school or public school offering a
20 vocational program to be a shampoo technician. Notification of
21 examination passage shall include submission of:

- 22 (1) proof of completion of a program offered pursuant to
23 subsection a. of section 5 of P.L. , c. (C.) (pending before
24 the Legislature as this bill); or
25 (2) a notarized attestation demonstrating completion of training
26 by an individual pursuant to subsection b. of section 5 of
27 P.L. , c. (C.) (pending before the Legislature as this bill).

28 d. Upon receipt of information required of subsection c. of this
29 section, the board shall issue a certification, for a reasonable fee, to
30 an individual to provide services as a shampoo technician. The
31 certification is to be renewed on a biennial basis.¹

32
33 ¹7. (New section) If an individual certified as a shampoo
34 technician pursuant to P.L. , c. (C.) (pending before the
35 Legislature as this bill) does not maintain certification and seeks
36 reactivation, the individual shall:

- 37 a. if the reactivation is sought after a period of fewer than 10
38 years, submit an application and pay a reactivation fee, as
39 determined by the board; or
40 b. if the reactivation is sought after a period of 10 years or
41 more, sit for the examination required for initial certification
42 pursuant to section 6 of P.L. , c. (C.) (pending before the
43 Legislature as this bill) and upon passage, submit an application and
44 pay a reactivation fee, as determined by the board.¹

45
46 ¹8. (New section) a. The board shall promulgate rules and
47 regulations pursuant to the “Administrative Procedure Act,”
48 P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purposes of

1 sections 5 through 7 of P.L. , c. (C.) (pending before the
2 Legislature as this bill).

3 b. The regulations shall include, among other items, standards
4 for:

5 (1) qualifications to be a shampoo technician;

6 (2) the individuals authorized to provide training in a licensed
7 shop and to be examiners for the practical examination; and

8 (3) the amount of the fees to be paid by individuals training as a
9 shampoo technician through a licensed shop and for the issuance of
10 an initial certification and the annual renewal of a certification.¹

11

12 ¹⁹9. Section 1 through 4 of this act shall take effect 90 days next
13 following enactment and sections 5 through 8 shall take effect on
14 the first day of the thirteenth month next following enactment.¹

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3414

STATE OF NEW JERSEY

DATED: MARCH 14, 2024

0

The Assembly Regulated Professions Committee reports favorably Assembly Bill No. 3414.

This bill establishes the regulation of individuals seeking employment as a shampoo technician and who are not otherwise pursuing a professional license issued by the New Jersey State Board of Cosmetology and Hairstyling. Specifically, the bill provides that an individual seeking employment as a shampoo technician is to complete a 40-hour program provided by a licensed school or public school vocational program or, for a reasonable fee, 40 hours of training provided by a licensed shop. Upon completion of a program or training, an individual is to sit for a practical examination that, pursuant to the bill, may be taken at a licensed school or a public school offering a vocational program to be a shampoo technician, or may be scheduled and administered by the board. It is prohibited in the bill for any examiner who is grading practical examinations and who has an affiliation with a licensed school from grading those examinations of the individuals who attended the licensed school where the examiner is affiliated.

The bill stipulates that the board is to be notified, in a form and manner as it determines, when an individual passes the practical examination administered by a licensed school or public school offering a vocational program to be a shampoo technician. Notification of examination passage is to include submission of proof of completion of a program offered at a licensed school or public school or a notarized attestation demonstrating completion of training at a licensed shop. The bill directs the board to issue a certification, for a reasonable fee, to an individual to provide services as a shampoo technician once the board has received all documentation. The certification is to be renewed on a biennial basis.

If an individual certified as a shampoo technician does not maintain certification and seeks reactivation, the individual is to submit an application and pay a reactivation fee, as determined by the board, if the reactivation is sought after a period of fewer than 10 years. If the reactivation is sought after 10 years or more, the individual is to re-take the certification examination and upon passage, submit an application and pay a reactivation fee.

The board is to promulgate rules and regulations to effectuate the purposes of the bill. The regulations are to address, among other items, standards for:

- 1) qualifications to be a shampoo technician;
- 2) the individuals authorized to provide training in a licensed shop and to be examiners for the practical examination; and
- 3) the amount of the fees to be paid by individuals training as a shampoo technician through a licensed shop and for the issuance of an initial certification and the annual renewal of a certification.

STATEMENT TO
ASSEMBLY, No. 3414

with Senate Floor Amendments
(Proposed by Senator RUIZ)

ADOPTED: DECEMBER 19, 2024

This floor amendment authorizes the performance of services involving shampooing and rinsing hair for various individuals. A registered student in a program from cosmetology and hairstyling, beauty culture, or barbering with at least 60 hours of course instruction completed may receive a shampoo permit. The student may be a junior student, with less than half of coursework and training completed, or a senior student, with at least half of required coursework and training completed. An individual who is not a registered student but seeks employment to shampoo and rinse hair can obtain employment as a shampoo technician by also completing 60 hours of training through a licensed school of cosmetology and hairstyling or as provided by a shop licensed by the New Jersey State Board of Cosmetology and Hairstyling.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 3414
STATE OF NEW JERSEY
221st LEGISLATURE

DATED: MAY 16, 2024

SUMMARY

Synopsis: Regulates individuals seeking employment as shampoo technicians.

Type of Impact: Annual State revenue and expenditure increases.

Agencies Affected: Department of Law and Public Safety.

Office of Legislative Services Estimate

Annual Fiscal Impact	
State Cost Increase	Indeterminate
State Revenue Increase	Indeterminate

- The Office of Legislative Services (OLS) concludes that the new certification for employment as a shampoo technician will increase the number of individuals certified as shampoo technicians and, in turn, increase annual State revenues from certification and other fees by an indeterminate amount.
- Annual State costs will increase by an indeterminate amount from the additional administrative workload for the Board of Cosmetology and Hairstyling in the Division of Consumer Affairs under the bill.

BILL DESCRIPTION

This bill establishes the regulation of individuals seeking employment as shampoo technicians and who are not otherwise pursuing a professional license issued by the New Jersey State Board of Cosmetology and Hairstyling. Specifically, the bill provides that an individual seeking employment as a shampoo technician is to complete a 40-hour program provided by a licensed school or public school vocational program or, for a reasonable fee, 40 hours of training provided by a licensed shop. Upon completion of a program or training, an individual is to sit for a practical examination that, pursuant to the bill, may be taken at a licensed school or a public school offering a vocational program to be a shampoo technician, or may be scheduled and administered by the board.

The bill directs the board to issue a certification, for a reasonable fee, to an individual to provide services as a shampoo technician once the board has received all required documentation. The certification is to be renewed on a biennial basis.

If an individual certified as a shampoo technician does not maintain certification and seeks reactivation, the individual is to submit an application and pay a reactivation fee, as determined by the board, if the reactivation is sought after a period of fewer than 10 years. If the reactivation is sought after 10 years or more, the individual is to re-take the certification examination and upon passage, submit an application and pay a reactivation fee.

Under the bill, the board is to promulgate rules and regulations to effectuate the purposes of the bill.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS concludes that the new certification for employment as a shampoo technician will increase the number of individuals certified as shampoo technicians and, in turn, increase annual State revenues from certification and other fees by an indeterminate amount. Currently, the Board of Cosmetology and Hairstyling in the Division of Consumer Affairs has discretion in the setting of certification and other fees. In the absence of information on the fees that will be established by the board for the new certification, the OLS cannot project the magnitude of the associated annual State revenue gain.

Annual State costs will increase by an indeterminate amount from the additional administrative workload for the board under the bill.

Section: Law and Public Safety

*Analyst: Ian Siracusa
Senior Counsel*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 3414 STATE OF NEW JERSEY 221st LEGISLATURE

DATED: JANUARY 15, 2025

SUMMARY

- Synopsis:** Modifies regulation of student permits by NJ State Board of Cosmetology and Hairstyling and establishes oversight of individuals seeking employment as shampoo technicians.
- Type of Impact:** Annual State revenue and expenditure increases.
- Agencies Affected:** Department of Law and Public Safety.

Office of Legislative Services Estimate

Annual Fiscal Impact	
State Cost Increase	Indeterminate
State Revenue Increase	Indeterminate

- The Office of Legislative Services (OLS) notes that the bill's expansion to allow employment opportunities for certain individuals to shampoo and rinse hair will result in annual increases in State revenue collections from examination and certification fees, fines, and penalties by indeterminate amounts.
- The OLS does not have information on the number of new students that will apply for the shampoo permit or the marginal regulatory cost per new permit holder or the number of individuals who will apply to be shampoo technicians with which to arrive at a cost estimate. The magnitude of the cost increase will also depend on operating decisions made by the New Jersey State Board of Cosmetology and Hairstyling.

BILL DESCRIPTION

This bill authorizes the performance of services involving shampooing and rinsing hair for various individuals. Under the bill, a registered student in a program from cosmetology and hairstyling, beauty culture, or barbering with at least 60 hours of course instruction in cosmetology and hairstyling completed may receive a shampoo permit. The student may be a junior student,

with less than half of coursework and training completed, or a senior student, with at least half of required coursework and training completed.

An individual who is not a registered student, but seeks employment to shampoo and rinse hair can obtain employment as a shampoo technician through the bill. To do so, the individual is to complete 60 hours of training: (1) offered by a school licensed by the New Jersey State Board of Cosmetology and Hairstyling or a public school vocational program approved by the State Board of Education; or (2) provided by a licensed shop, for a reasonable fee.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS notes that the bill's establishment of a shampoo permit for certain students and a certification as shampoo technician for individuals not enrolled in a school or program will result in annual increases in State revenue collections from permit and certification fees, fines, and penalties by indeterminate amounts. In the absence of information regarding demand for the expanded student permit and for certification as a shampoo technician, the OLS cannot project the magnitude of the associated annual State revenue gain. The student permit fee is currently \$5 per applicant.

The OLS anticipates that the expanded student permit would increase the recurring administrative expenditures of the New Jersey State Board of Cosmetology and Hairstyling to issue new permits and regulate the new junior students. The New Jersey State Board of Cosmetology and Hairstyling oversees an estimated 89,000 licenses annually. The OLS, however, does not have information on the number of new students that will apply for the shampoo permit, the marginal regulatory cost per new permit holder, or the number of individuals who will apply to be shampoo technicians with which to arrive at a cost estimate. The magnitude of the cost increase will also depend on operating decisions made by the New Jersey State Board of Cosmetology and Hairstyling.

Section: Law and Public Safety

*Analyst: Kristin Brunner Santos
Lead Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 2245

STATE OF NEW JERSEY
221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex and Hudson)

SYNOPSIS

Permits cosmetology and hairstyling students with at least 60 hours of course instruction in cosmetology and hairstyling to receive student permit to wash hair.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning cosmetology and hairstyling student permits
2 and amending P.L.1984, c.205.

3

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

6

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

9 25. a. To be eligible to obtain a student permit, an applicant
10 shall submit to the board satisfactory evidence that **[he]** the
11 applicant:

12 **[a. Is]** (1) is a senior student, pursuant to N.J.A.C. 13:28-6.21,
13 in a course of instruction in cosmetology and hairstyling, beauty
14 culture, barbering, manicuring, hair braiding or skin care, as
15 appropriate; and

16 **[b. Does]** (2) does not have a communicable, contagious or
17 infectious disease which could reasonably be expected to be
18 transmitted during the course of rendering cosmetology and
19 hairstyling, beauty culture, barbering, manicuring, hair braiding or
20 skin care specialty services.

21 b. A junior student, pursuant to N.J.A.C. 13:28-6.21, in a
22 course of instruction in cosmetology and hairstyling shall be
23 eligible to obtain a student permit for the purpose of shampooing
24 and rinsing hair if the student submits to the board satisfactory
25 evidence that the student:

26 (1) completed at least 60 hours of relevant course instruction;
27 and

28 (2) does not have a communicable, contagious or infectious
29 disease which could reasonably be expected to be transmitted
30 during the course of rendering shampoo and hair rinsing services.

31 c. All permits shall remain valid only during the period that the
32 student is registered at a licensed school of cosmetology and
33 hairstyling or enrolled in an approved vocational program and shall
34 expire upon a student's graduation, withdrawal or leave of absence
35 from the school or program for more than 90 consecutive days.
36 (cf: P.L.2018, c.126, s.16)

37

38 2. This act shall take effect 90 days next following enactment.

39

40

41

STATEMENT

42

43 This bill permits a cosmetology and hairstyling student with at
44 least 60 hours of course instruction in cosmetology and hairstyling
45 to receive a student permit to shampoo hair.

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.

S2245 RUIZ

1 Presently, in order to obtain a student permit to practice
2 cosmetology and hairstyling, beauty culture, barbering, manicuring
3 or skin care, as appropriate based on the course of instruction in
4 which the student is enrolled, an applicant is required to be a senior
5 student with at least 600 hours of course instruction.

6 Under this bill, a junior student in a course of instruction in
7 cosmetology and hairstyling would be eligible to obtain a student
8 permit to shampoo and rinse hair if the student submits to the Board
9 of Cosmetology and Hairstyling satisfactory evidence that the
10 student has completed at least 60 hours of relevant course
11 instruction, and does not have a communicable, contagious or
12 infectious disease which could reasonably be expected to be
13 transmitted during the course of rendering shampoo and hair rinsing
14 services.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2245

STATE OF NEW JERSEY
221st LEGISLATURE

ADOPTED DECEMBER 9, 2024

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex and Hudson)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Senator ANGELA V. MCKNIGHT

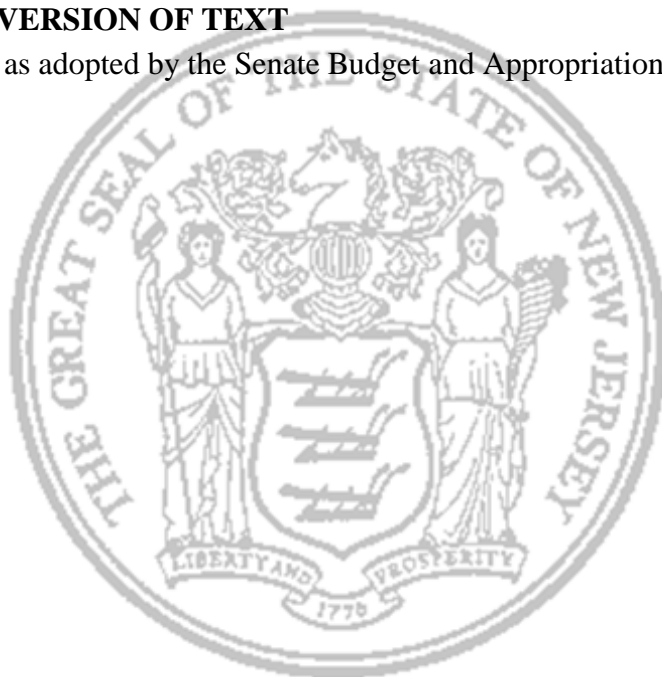
District 31 (Hudson)

SYNOPSIS

Modifies regulation of student permits by NJ State Board of Cosmetology and Hairstyling and establishes oversight of individuals seeking employment as shampoo technicians.

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate Budget and Appropriations Committee.



(Sponsorship Updated As Of: 12/19/2024)

1 AN ACT concerning student permits for certain cosmetology and
2 hairstyling services and amending and supplementing P.L.1984,
3 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 as
9 follows:

10 3. As used in P.L.1984, c.205 (C.45:5B-1 et seq.):

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

13 b. "Barbering" means any one or combination of the following
14 practices when performed on the human body for cosmetic purposes
15 and not for the treatment of disease or physical or mental ailments and
16 when performed for the general public, primarily for male customers:

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

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

19 (3) singeing, dyeing, tinting, coloring, bleaching of the hair;

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

22 (5) massaging, cleansing or stimulating the face, neck or scalp
23 with or without cosmetic preparations, either by hand, mechanical or
24 electrical appliances; or

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

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

30 d. "Beauty culture" means any one or combination of the
31 following practices when performed 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 the general public, primarily for
34 female customers:

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

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

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

41 (4) massaging, cleansing, or stimulating the face, scalp, neck or
42 upper part of the body, with or without cosmetic preparations either by
43 hand, mechanical or electrical appliances;

44 (5) removing superfluous hair from the face, neck, arms, legs or
45 abdomen by the use of depilatories, waxing or tweezers, but not by the

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 use of electrolysis;
- 2 (6) manicuring the fingernails, nail-sculpturing or pedicuring the
3 toenails; or
- 4 (7) cutting, fitting, coloring or styling of hairpieces or wigs to the
5 extent that the services are performed while the wig is being worn by a
6 person.
- 7 e. "Board" means the New Jersey State Board of Cosmetology
8 and Hairstyling.
- 9 f. "Board of Barber Examiners" means the State Board of Barber
10 Examiners established pursuant to P.L.1938, c.197 (C.45:4-27 et seq.).
- 11 g. "Board of Beauty Culture Control" means the Board of Beauty
12 Culture Control established pursuant to Chapter 4A of Title 45 of the
13 Revised Statutes.
- 14 h. "Clinic" means a designated portion of a licensed school in
15 which members of the general public may receive cosmetology and
16 hairstyling services from senior students in exchange for a fee. The
17 clinic shall clearly post the fees for the cosmetology and hairstyling
18 services and provide notice to consumers that the services provided in
19 the clinic are performed by senior students under the supervision of
20 licensed instructors.
- 21 i. "Cosmetologist-hairstylist" means any person who is licensed
22 to engage in the practices encompassed in cosmetology and
23 hairstyling.
- 24 j. "Cosmetology and hairstyling" means any one or combination
25 of the following practices when performed on the human body for
26 cosmetic purposes and not for the treatment of disease or physical or
27 mental ailments and when performed for the general public, for male
28 or female customers:
- 29 (1) shaving or trimming of the beard, mustache or other facial hair;
- 30 (2) shampooing, cutting, arranging, dressing, relaxing, curling,
31 permanent waving or styling of the hair;
- 32 (3) singeing, dyeing, tinting, coloring, bleaching of the hair;
- 33 (4) applying cosmetic preparations, antiseptics, tonics, lotions,
34 creams or makeup to the hair, scalp, face or neck;
- 35 (5) massaging, cleansing or stimulating the face, neck or upper
36 part of the body, with or without cosmetic preparations, either by hand,
37 mechanical or electrical appliances;
- 38 (6) removing superfluous hair from the face, neck, arms, legs or
39 abdomen by the use of depilatories, waxing or tweezers, but not by the
40 use of electrolysis;
- 41 (7) manicuring the fingernails, nail-sculpturing or pedicuring the
42 toenails;
- 43 (8) cutting, fitting, coloring or styling of hairpieces or wigs to the
44 extent that the services are being performed while the wig is being
45 worn by a person.
- 46 (9) (Deleted by amendment, P.L.2018, c.126)
- 47 k. "Manicurist" means a person who holds a license to engage in
48 only the practice of manicuring.

1 1. "Manicuring" means any one or combination of the following
2 practices when performed on the human body for cosmetic purposes
3 and not for the treatment of disease or physical or mental ailments and
4 when performed for the general public, for male or female customers:

- 5 (1) manicuring of the fingernails;
6 (2) pedicuring of the toenails;
7 (3) nail sculpturing; or
8 (4) removing superfluous hair from the face, neck, arms, legs or
9 abdomen by the use of depilatories, waxing or tweezers, but not by the
10 use of electrolysis.

11 m. "Owner" means any person, corporation, firm or partnership
12 who has a financial interest in a school or shop entitling him to
13 participate in the promotion, management and proceeds thereof. It
14 does not include a person whose connection with a school or shop
15 entitles him only to reasonable salary or wages for services actually
16 rendered. "Owner" shall also mean any person, corporation, firm or
17 partnership who has a financial interest in a hair braiding shop
18 entitling the person, corporation, firm or partnership to participate in
19 the promotion, management and proceeds thereof.

20 n. "Practicing licensee" means any person who holds a license to
21 practice barbering, beauty culture, cosmetology and hairstyling,
22 manicuring or as a skin care specialist.

23 o. "Registered student" means a person who is engaged in
24 learning and acquiring a knowledge of any of the practices included in
25 the definition of cosmetology and hairstyling, including beauty culture,
26 barbering, manicuring and skin care specialty, under the direction and
27 supervision of a person duly authorized under P.L.1984, c.205
28 (C.45:5B-1 et seq.) to teach cosmetology and hairstyling and who is
29 enrolled in a program of instruction at a licensed school of
30 cosmetology and hairstyling, completion of which may render him
31 eligible for licensure pursuant to P.L.1984, c.205 (C.45:5B-1 et seq.)
32 but does not mean a person who is enrolled in a public school
33 vocational program in cosmetology and hairstyling approved by the
34 State Board of Education or in any other cosmetology and hairstyling
35 program approved by the State Board of Education.

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

39 q. "School" means an establishment or place licensed by the
40 board to be maintained for the purpose of teaching cosmetology and
41 hairstyling, beauty culture, barbering, manicuring, hair braiding or skin
42 care specialty to registered students.

43 r. "Senior student" means a registered student who has
44 successfully completed one-half of the total hours of instruction
45 required for licensure as a cosmetologist-hairstylist, beautician, barber,
46 manicurist or skin care specialist in a licensed school of cosmetology
47 and hairstyling, as determined by the board pursuant to regulation, or

1 in any public school vocational training program approved by the State
2 Board of Education.

3 s. "Student permit" means a permit issued to **【**a senior student
4 which enables him to practice cosmetology and hairstyling, beauty
5 culture, barbering, manicuring or skin care specialty, as appropriate,
6 based on the course of instruction in which the student is enrolled, in a
7 school clinic or shop while**】** a registered student at a licensed school of
8 cosmetology and hairstyling or enrolled in an approved vocational
9 training program, which enables the student to practice cosmetology
10 and hairstyling, beauty culture, barbering, manicuring, skin care
11 specialty, or hair braiding, as appropriate, based on the course of
12 instruction in which the student is enrolled.

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

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

23 w. (Deleted by amendment, P.L.2009, c.162)

24 x. "Skin care specialist" means a person who holds a license to
25 engage in only the practices included in the definition of skin care
26 specialty.

27 y. "Skin care specialty" means any one or combination of the
28 following practices when performed on the male or female human
29 body for cosmetic purposes and not for the treatment of disease or
30 physical or mental ailments and when performed for the general
31 public, primarily for male customers:

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

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

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

40 z. (Deleted by amendment, P.L.2009, c.162)

41 aa. "Hair braider" or "hair braiding specialist" means a person who
42 holds a license to engage in only the practice of hair braiding.

43 bb. "Hair braiding" means the twisting, wrapping, weaving,
44 extending, locking, or braiding of hair by hand or with mechanical
45 devices. "Hair braiding" may include the use of: natural or synthetic
46 hair extensions or fibers, decorative beads, and other hair accessories;
47 minor trimming of natural hair or hair extensions incidental to
48 twisting, wrapping, weaving, extending, locking, or braiding hair;

1 making of wigs from natural hair, natural or synthetic fibers, and hair
2 extensions; and the use of topical agents in conjunction with
3 performing hair braiding, including conditioners, gels, moisturizers,
4 oils, pomades, and shampoos.

5 cc. (Deleted by amendment, P.L.2023, c.231)

6 dd. "Mobile facility" means a shop capable of being moved from
7 one place to another as or by a motor vehicle that shall be properly
8 registered, insured, and inspected in accordance with all applicable
9 motor vehicle laws and regulations and in compliance with all
10 appropriate municipal laws and regulations including, but not limited
11 to, licensing and land use approvals and permits, if applicable.

12 ee. "Chair or booth rental" means a business arrangement entered
13 into by a written contract whereby a practicing licensee rents or leases
14 a chair or booth from the owner of a licensed shop.

15 ff. "Junior student" means a registered student who has completed
16 less than one-half of the total hours of instruction for licensure as a
17 cosmetologist-hairstylist, beautician, barber, manicurist, skin care
18 specialist, or hair braider in a licensed school of cosmetology and
19 hairstyling, as determined by the board pursuant to section 6 of
20 P.L.1984, c.205 (C.45:5B-6), or in any public school vocational
21 program approved by the State Board of Education.

22 gg. "Shampoo permit" means a permit issued to a registered
23 student at a licensed school of cosmetology and hairstyling or enrolled
24 in an approved vocational program, which enables the student to
25 shampoo and rinse hair if the student is a cosmetology-hairstyling,
26 beauty culture, or barbering student who has successfully completed
27 60 hours of relevant coursework pursuant to section 4 of P.L.1984,
28 c.205 (C.45:5B-4).

29 hh. "Shampoo technician" means an individual who is certified
30 to provide hair washing services, including shampooing,
31 conditioning and glazing, in a shop licensed pursuant to section 9 of
32 P.L.1984, c.205 (C.45:5B-9).

33 (cf: P.L.2023, c.231, s.1)

34

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

37 6. The board shall:

38 a. Review the qualifications of applicants for licensure;

39 b. Devise examinations for licensure which include practical and
40 written portions;

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

46 d. Issue and renew licenses of any cosmetologist-hairstylist,
47 beautician, barber, manicurist, skin care specialist, teacher, shop, chair
48 or booth rental, or school;

- 1 e. Issue student permits to **【senior】** registered students, which
2 permits shall remain valid during the period that the student is
3 registered at a licensed school or enrolled in an approved vocational
4 training program;
- 5 f. Issue temporary permits to applicants for licensure who are
6 awaiting scheduling for or results from an examination;
- 7 g. Issue registration cards to registered students;
- 8 h. Suspend, revoke or refuse to renew a license and exercise
9 investigative powers pursuant to the provisions of P.L.1978, c.73
10 (C.45:1-14 et seq.);
- 11 i. Appoint and employ an executive director and an assistant
12 executive director subject to the approval of the Attorney General, and
13 other employees as necessary to carry out the provisions of this act;
- 14 j. Determine the duties that the executive director and the
15 assistant executive director shall perform;
- 16 k. File with the Attorney General a petition to remove any
17 executive director or assistant executive director for cause, which
18 petition shall be acted upon by the Attorney General in a manner
19 which he deems appropriate;
- 20 l. Establish fees for initial licensure, permits, renewals and
21 restoration of licenses as well as for duplication of lost licenses
22 pursuant to section 2 of P.L.1974, c.46 (C.45:1-3.2);
- 23 m. Maintain records of all practicing licensees and all licensed
24 teachers. Records shall include the latest work address of each
25 licensee, as provided on applications for licensure and renewals
26 thereof;
- 27 n. Maintain a record of all registered students and all persons
28 holding student permits;
- 29 o. Maintain a record of all shops licensed by the board to offer
30 one or more of the services encompassed within the definition of
31 cosmetology and hairstyling;
- 32 p. Maintain a record of all schools licensed by the board to offer
33 courses of instruction or training in the practice and theory of
34 cosmetology and hairstyling, beauty culture, barbering, manicuring,
35 hair braiding and skin care specialty to registered students, which
36 courses shall be approved by the board for the awarding of credit for
37 licensure;
- 38 q. Make available for public inspection all records required to be
39 kept pursuant to this section;
- 40 r. Promulgate regulations governing the practice and teaching of
41 cosmetology and hairstyling, beauty culture, barbering, manicuring,
42 hair braiding and skin care specialty as are necessary to implement
43 P.L.1984, c.205 (C.45:5B-1 et seq.) and to insure that cosmetology and
44 hairstyling services and instruction in those services are being offered
45 both in a manner which is sanitary and safe and in a manner which is
46 not intended to deceive or mislead the general public;
- 47 s. Promulgate regulations governing the conduct of shops,
48 including, but not limited to, mobile facilities, chair or booth rentals,

1 and schools as are necessary to implement P.L.1984, c.205 (C.45:5B-1
2 et seq.), including, but not limited to, regulations that ensure that all
3 schools offer instruction on cosmetology and hairstyling, beauty
4 culture, barbering, manicuring, hair braiding and skin care specialty by
5 instructors who are knowledgeable in the practice and teaching of
6 cosmetology and hairstyling, beauty culture, barbering, manicuring,
7 hair braiding and skin care specialty, as the case may be, and to assure
8 that cosmetology and hairstyling services and instruction in those
9 services are being offered both in a manner that is sanitary and safe,
10 and in a manner not intended to deceive or mislead the general public,
11 students of the schools, or organizations awarding financial aid to the
12 students and to clarify or define any term used in the act and to define
13 any activity included in hairstyling and cosmetology, beauty culture,
14 barbering, manicuring, hair braiding and skin care specialty;

15 t. Review curricula offered by licensed schools in courses of
16 instruction offered to registered students and approve those curricula
17 which offer comprehensive training in cosmetology and hairstyling,
18 beauty culture, barbering, manicuring, hair braiding and skin care
19 specialty;

20 u. Direct the conduct of inspections and investigations of all
21 licensed shops, including shops with chair or booth rentals, and
22 schools;

23 v. Direct the conduct of inspections or investigations of any
24 premises from which the board may have reason to believe that
25 cosmetology and hairstyling, beauty culture, barbering, manicuring,
26 hair braiding and skin care specialty services are being offered, or that
27 courses of instruction are being offered to registered students;

28 w. Establish criteria and standards for education and experience
29 required for licensure; and

30 x. Maintain a record of all individuals holding chair or booth
31 rental licenses.

32 (cf: P.L.2023, c.231, s.2)

33

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

36 7. No person shall render any of the services encompassed within
37 the definition of cosmetology and hairstyling, beauty culture,
38 barbering, manicuring, hair braiding and skin care specialty services,
39 without first having secured a license from the board which permits
40 the offering of that service in accordance with the authority provided
41 by the license, except for the following persons when acting within the
42 scope of their profession or occupation:

43 a. Persons authorized by the laws of this State to practice
44 medicine and surgery, dentistry, chiropractic and acupuncture;

45 b. Registered nurses, licensed practical nurses, nurses' aides,
46 physical therapists, physical therapy assistants, and other licensed
47 health care professionals;

1 c. Personnel employed by, and providing services in facilities
2 regulated by, the United States Department of Veterans Affairs or the
3 United States Department of Defense;

4 d. Persons employed to render cosmetology and hairstyling
5 services in the course of and incidental to the business of employers
6 engaged in the theatrical, radio, television or motion picture
7 production industries, modeling or photography;

8 e. Persons employed to demonstrate, recommend or administer
9 cosmetic preparations, lotions, creams, makeup or perfume intended
10 for home use for the purposes of effecting retail sales if those persons
11 neither accept payment from the consumer for that demonstration nor
12 make the demonstration contingent upon the purchase of any product
13 or service; **or**

14 f. **Senior** Registered students holding a student permit;
15 provided that those services are rendered in a school clinic or licensed
16 shop during hours that the student does not have scheduled classes;
17 and

18 g. Persons employed as shampoo technicians.

19 (cf: P.L.2018, c.126, s.4)

20
21 4. Section 25 of P.L.1984, c.205 (C.45:5B-25) is amended to
22 read as follows:

23 25. a. To be eligible to obtain a student permit, an applicant
24 shall submit to the board satisfactory evidence that **he** the
25 applicant:

26 **Is** (1) is a **senior** registered student in a course of
27 instruction in cosmetology and hairstyling, beauty culture,
28 barbering, manicuring, hair braiding or skin care, as appropriate;
29 and

30 **Does** (2) does not have a communicable, contagious or
31 infectious disease which could reasonably be expected to be
32 transmitted during the course of rendering cosmetology and
33 hairstyling, beauty culture, barbering, manicuring, hair braiding or
34 skin care specialty services.

35 b. A junior student in a course of instruction in cosmetology
36 and hairstyling shall be eligible to obtain a shampoo permit for the
37 purpose of shampooing and rinsing hair if the student submits to the
38 board satisfactory evidence that the student:

39 (1) completed at least 60 hours of relevant course instruction;
40 and

41 (2) does not have a communicable, contagious or infectious
42 disease which could reasonably be expected to be transmitted
43 during the course of rendering shampoo and hair rinsing services.

44 c. All permits shall remain valid only during the period that the
45 student is registered at a licensed school of cosmetology and
46 hairstyling or enrolled in an approved vocational program and shall

1 expire upon a student's graduation, withdrawal or leave of absence
2 from the school or program for more than 90 consecutive days.
3 (cf: P.L.2018, c.126, s.16)
4

5 5. (New section) An individual who is seeking employment as
6 a shampoo technician and who is not currently enrolled in a
7 program that leads to a professional license offered by the New
8 Jersey State Board of Cosmetology and Hairstyling shall complete
9 one of the following:

10 a. a program for shampoo technicians of 60 hours offered by a
11 school licensed by the board pursuant to section 10 of P.L.1984,
12 c.205 (C.45:5B-10), or a public school vocational program
13 approved by the State Board of Education; or

14 b. training of 60 hours provided, for a reasonable fee, by a shop
15 licensed pursuant to section 9 of P.L.1984, c.205 (C.45:5B-9) with a
16 focus on shampooing and temporary rinses.
17

18 6. (New section) a. An individual who completes a
19 program pursuant to subsection a. of section 5 of P.L. , c.
20 (C.) (pending before the Legislature as this bill) or training
21 pursuant to subsection b. of section 5 of P.L. , c. (C.)
22 (pending before the Legislature as this bill) shall be required to take
23 and pass a practical examination. The examination may be:

24 (1) taken at and administered by:

25 (a) a licensed school; or

26 (b) a public school offering a vocational program to be a
27 shampoo technician; or

28 (2) scheduled and administered by the board.

29 b. In accordance with subsection c. of section 6 of P.L.1984,
30 c.205 (C.45:5B-6), an examiner who has an affiliation with a
31 licensed school shall not grade any portion of the practical
32 examination of an individual who attended the licensed school
33 where the examiner is affiliated.

34 c. Upon passage of the examination, the board shall be
35 notified, in a form and manner as it determines, for examinations
36 graded by examiners at a licensed school or public school offering a
37 vocational program to be a shampoo technician. Notification of
38 examination passage shall include submission of:

39 (1) proof of completion of a program offered pursuant to
40 subsection a. of section 5 of P.L. , c. (C.) (pending before
41 the Legislature as this bill); or

42 (2) a notarized attestation demonstrating completion of training
43 by an individual pursuant to subsection b. of section 5 of P.L. , c.
44 (C.) (pending before the Legislature as this bill).

45 d. Upon receipt of information required of subsection c. of this
46 section, the board shall issue a certification, for a reasonable fee, to
47 an individual to provide services as a shampoo technician. The
48 certification is to be renewed on a biennial basis.

1 7. (New section) If an individual certified as a shampoo
2 technician pursuant to P.L. , c. (C.) (pending before the
3 Legislature as this bill) does not maintain certification and seeks
4 reactivation, the individual shall:

5 a. if the reactivation is sought after a period of fewer than 10
6 years, submit an application and pay a reactivation fee, as
7 determined by the board; or

8 b. if the reactivation is sought after a period of 10 years or
9 more, sit for the examination required for initial certification
10 pursuant to section 6 of P.L. , c. (C.) (pending before the
11 Legislature as this bill) and upon passage, submit an application and
12 pay a reactivation fee, as determined by the board.

13

14 8. (New section) a. The board shall promulgate rules and
15 regulations pursuant to the “Administrative Procedure Act,”
16 P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purposes of
17 sections 5 through 7 of P.L. , c. (C.) (pending before the
18 Legislature as this bill).

19 b. The regulations shall include, among other items, standards
20 for:

21 (1) qualifications to be a shampoo technician;

22 (2) the individuals authorized to provide training in a licensed
23 shop and to be examiners for the practical examination; and

24 (3) the amount of the fees to be paid by individuals training as a
25 shampoo technician through a licensed shop and for the issuance of
26 an initial certification and the annual renewal of a certification.

27

28 9. Section 1 through 4 of this act shall take effect 90 days next
29 following enactment and sections 5 through 8 shall take effect on
30 the first day of the thirteenth month next following enactment.

SENATE, No. 2245

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex and Hudson)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Permits cosmetology and hairstyling students with at least 60 hours of course instruction in cosmetology and hairstyling to receive student permit to wash hair.

CURRENT VERSION OF TEXT

As reported by the Senate Commerce Committee with technical review.



(Sponsorship Updated As Of: 12/5/2024)

1 AN ACT concerning cosmetology and hairstyling student permits
2 and amending P.L.1984, c.205.

3

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

6

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

9 25. a. To be eligible to obtain a student permit, an applicant
10 shall submit to the board satisfactory evidence that **[he]** the
11 applicant:

12 **[a. Is]** (1) is a senior student, pursuant to N.J.A.C.13:28-6.21, in
13 a course of instruction in cosmetology and hairstyling, beauty
14 culture, barbering, manicuring, hair braiding or skin care, as
15 appropriate; and

16 **[b. Does]** (2) does not have a communicable, contagious or
17 infectious disease which could reasonably be expected to be
18 transmitted during the course of rendering cosmetology and
19 hairstyling, beauty culture, barbering, manicuring, hair braiding or
20 skin care specialty services.

21 b. A junior student, pursuant to N.J.A.C.13:28-6.21, in a course
22 of instruction in cosmetology and hairstyling shall be eligible to
23 obtain a student permit for the purpose of shampooing and rinsing
24 hair if the student submits to the board satisfactory evidence that the
25 student:

26 (1) completed at least 60 hours of relevant course instruction;
27 and

28 (2) does not have a communicable, contagious or infectious
29 disease which could reasonably be expected to be transmitted
30 during the course of rendering shampoo and hair rinsing services.

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

36 (cf: P.L.2018, c.126, s.16)

37

38 2. This act shall take effect 90 days next following enactment.

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.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 2245

STATE OF NEW JERSEY

DATED: JUNE 10, 2024

The Senate Commerce Committee reports favorably Senate Bill No. 2245.

This bill permits a cosmetology and hairstyling student with at least 60 hours of course instruction in cosmetology and hairstyling to receive a student permit to shampoo hair.

Presently, in order to obtain a student permit to practice cosmetology and hairstyling, beauty culture, barbering, manicuring or skin care, as appropriate based on the course of instruction in which the student is enrolled, an applicant is required to be a senior student. To qualify as a senior student, an individual is to have completed half of the total hours of instruction in the requisite program.

Under this bill, a junior student in a course of instruction in cosmetology and hairstyling would be eligible to obtain a student permit to shampoo and rinse hair if the student submits to the Board of Cosmetology and Hairstyling satisfactory evidence that the student has completed at least 60 hours of relevant course instruction, and does not have a communicable, contagious, or infectious disease that could reasonably be expected to be transmitted during the course of rendering shampoo and hair rinsing services.

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 2245

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2024

The Senate Budget and Appropriations Committee reports favorably the Senate Committee Substitute for Senate Bill No. 2245.

This substitute authorizes the performance of services involving shampooing and rinsing hair for various individuals. Under the substitute, a registered student in a program from cosmetology and hairstyling, beauty culture, or barbering with at least 60 hours of course instruction in cosmetology and hairstyling completed may receive a shampoo permit. The student may be a junior student, with less than half of coursework and training completed, or a senior student, with at least half of required coursework and training completed.

An individual who is not a registered student but seeks employment to shampoo and rinse hair can obtain employment as a shampoo technician through the substitute. To do so, the individual is to complete 60 hours of training: (1) offered by a school licensed by the New Jersey State Board of Cosmetology and Hairstyling or a public school vocational program approved by the State Board of Education; or (2) provided by a licensed shop, for a reasonable fee.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 2245
STATE OF NEW JERSEY
221st LEGISLATURE

DATED: JUNE 18, 2024

SUMMARY

- Synopsis:** Permits cosmetology and hairstyling students with at least 60 hours of course instruction in cosmetology and hairstyling to receive student permit to wash hair.
- Type of Impact:** Annual State Revenue and Expenditure Increases.
- Agencies Affected:** Department of Law and Public Safety.

Office of Legislative Services Estimate

Annual Fiscal Impact	
State Cost Increase	Indeterminate
State Revenue Increase	Indeterminate

- The Office of Legislative Services (OLS) notes that the bill’s expansion of a student permit to junior students to shampoo and rinse hair will result in annual increases in State revenue collections from permit fees, fines, and penalties by indeterminate amounts.
- The OLS has no information on the number of new students that will apply for the permit or the marginal regulatory cost per new permit holder, given that the cost will depend on operating decisions made by the State Board of Cosmetology and Hairstyling.

BILL DESCRIPTION

This bill permits a cosmetology and hairstyling student with at least 60 hours of course instruction in cosmetology and hairstyling to receive a student permit to shampoo hair.

Presently, in order to obtain a student permit to practice cosmetology and hairstyling, beauty culture, barbering, manicuring, or skin care, as appropriate based on the course of instruction in which the student is enrolled, an applicant is required to be a senior student, which requires a student to have completed half of the total hours of instruction in the requisite program.

Under this bill, a junior student in a course of instruction in cosmetology and hairstyling would be eligible to obtain a student permit to shampoo and rinse hair if the student submits to the State

Board of Cosmetology and Hairstyling satisfactory evidence that the student has completed at least 60 hours of relevant course instruction and has met other certain health requirements.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS notes that the bill's expansion of a student permit to authorize junior students to shampoo and rinse hair will result in annual increases in State revenue collections from permit fees, fines, and penalties by indeterminate amounts. In the absence of information regarding demand for the expanded student permit, the OLS cannot project the magnitude of the associated annual State revenue gain. The student permit fee is currently \$5 per applicant.

The OLS anticipates that the expanded student permit would increase the recurring administrative expenditures of the State Board of Cosmetology and Hairstyling to issue new permits and regulate the new junior students. The OLS, however, has no information on the number of new applicants that will apply for the expanded student permit or the marginal regulatory cost per new permit holder, given that the cost will depend on operating decisions made by the State Board of Cosmetology and Hairstyling.

Section: Law and Public Safety
Analyst: Kristin Brunner Santos
Lead Fiscal Analyst
Approved: Thomas Koenig
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2245
STATE OF NEW JERSEY
221st LEGISLATURE

DATED: DECEMBER 26, 2024

SUMMARY

- Synopsis:** Modifies regulation of student permits by NJ State Board of Cosmetology and Hairstyling and establishes oversight of individuals seeking employment as shampoo technicians.
- Type of Impact:** Annual State Revenue and Expenditure Increases.
- Agencies Affected:** Department of Law and Public Safety.

Office of Legislative Services Estimate

Annual Fiscal Impact	
State Cost Increase	Indeterminate
State Revenue Increase	Indeterminate

- The Office of Legislative Services (OLS) notes that the bill’s expansion to allow employment opportunities for certain individuals to shampoo and rinse hair will result in annual increases in State revenue collections from examination and certification fees, fines, and penalties by indeterminate amounts.
- The OLS does not have information on the number of new students that will apply for the shampoo permit or the marginal regulatory cost per new permit holder or the number of individuals who will apply to be shampoo technicians with which to arrive at a cost estimate. The magnitude of the cost increase will also depend on operating decisions made by the New Jersey State Board of Cosmetology and Hairstyling.

BILL DESCRIPTION

This bill authorizes the performance of services involving shampooing and rinsing hair for various individuals. Under the bill, a registered student in a program from cosmetology and hairstyling, beauty culture, or barbering with at least 60 hours of course instruction in cosmetology and hairstyling completed may receive a shampoo permit. The student may be a junior student,

with less than half of coursework and training completed, or a senior student, with at least half of required coursework and training completed.

An individual who is not a registered student, but seeks employment to shampoo and rinse hair can obtain employment as a shampoo technician under the bill. To do so, the individual is to complete 60 hours of training: (1) offered by a school licensed by the New Jersey State Board of Cosmetology and Hairstyling or a public school vocational program approved by the State Board of Education; or (2) provided by a licensed shop, for a reasonable fee.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS notes that the bill's establishment of a shampoo permit for certain students and a certification as shampoo technician for individuals not enrolled in a school or program will result in annual increases in State revenue collections from permit and certification fees, fines, and penalties by indeterminate amounts. In the absence of information regarding demand for the expanded student permit and for certification as a shampoo technician, the OLS cannot project the magnitude of the associated annual State revenue gain. The student permit fee is currently \$5 per applicant.

The OLS anticipates that the expanded student permit would increase the recurring administrative expenditures of the New Jersey State Board of Cosmetology and Hairstyling to issue new permits and regulate the new junior students. The New Jersey State Board of Cosmetology and Hairstyling oversees an estimated 89,000 licenses annually. The OLS, however, does not have information on the number of new applicants that will apply for the expanded student permit or certification as a shampoo technician or the marginal regulatory cost per new permit or certificate with which to arrive at a cost estimate. The magnitude of the cost increase will also depend on operating decisions made by the New Jersey State Board of Cosmetology and Hairstyling.

Section: Law and Public Safety
Analyst: Kristin Brunner Santos
Lead Fiscal Analyst
Approved: Thomas Koenig
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Governor Murphy Takes Action on Legislation

02/3/2025

TRENTON – Today, Governor Murphy signed the following bills into law:

A-1899/S-1981 (Conaway, Speight/Vitale, Mukherji) - Expands authority of pharmacy technician in administering drugs and vaccines and permits certain pharmacists and pharmacy interns, externs, and technicians to administer COVID-19 vaccine

A-3414/SCS for S-2245 (Murphy, Lampitt, Speight/Ruiz, Turner, McKnight) - Modifies regulation of student permits by NJ State Board of Cosmetology and Hairstyling and establishes oversight of individuals seeking employment as shampoo technicians

A-3894/S-2580 (Murphy, Quijano/Bucco, Singleton) - Amends certain fire safety statutes to update licensure and equipment requirements and liability, fee, and penalty provisions; expands membership of Fire Protection Equipment Advisory Committee

A-5117/S-3994 (Greenwald/Beach, Sarlo) - Modifies number of signatures required for candidates to be placed on primary, general, nonpartisan municipal, and school election ballots; requires Secretary of State to publish certain nominating petition forms by January 1 of each year