

LEGISLATIVE HISTORY CHECKLIST
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(Manicurist--remove
 Superfluous hair)

NJSA: 45:5B-3

LAWS OF: 1995 **CHAPTER:** 262

BILL NO: S543

SPONSOR(S): Kosco and Cardinale

DATE INTRODUCED: February 10, 1994

COMMITTEE: **ASSEMBLY** ---
SENATE: Commerce

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** November 9, 1995
SENATE: October 3, 1994

DATE OF APPROVAL: November 15, 1995

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

P.L.1995, CHAPTER 262, approved November 15, 1995

1994 Senate No. 543

1 AN ACT concerning the practice of manicuring and amending
2 P.L.1984, c.205.

3
4 BE IT ENACTED by the Senate and General Assembly of the
5 State of New Jersey:

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

8 3. As used in this act:

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

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

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

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

20 (3) singeing or dyeing of the hair;

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

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

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

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

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

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

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

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

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

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

1 practices when done on the human body for cosmetic purposes
2 and not for the treatment of disease or physical or mental
3 ailments and when done for payment directly or indirectly or
4 when done without payment for the general public:

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

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

17 n. "Practicing licensee" means any person who holds a license
18 to practice barbering, beauty culture, cosmetology and
19 hairstyling or manicuring.

20 o. "Registered student" means a person who is engaged in
21 learning and acquiring a knowledge of the practice of
22 cosmetology and hairstyling under the direction and supervision
23 of a person duly authorized under this act to teach cosmetology
24 and hairstyling and who is enrolled in a program of instruction at
25 a licensed school of cosmetology and hairstyling, completion of
26 which may render him eligible for licensure pursuant to this act
27 but does not mean a person who is enrolled in a public school
28 vocational program in cosmetology and hairstyling approved by
29 the State Board of Education.

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

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

37 r. "Senior student" means a registered student who has
38 successfully completed 600 hours of instruction in cosmetology
39 and hairstyling in a program offered at a licensed school of
40 cosmetology and hairstyling or a student enrolled in an approved
41 vocational training program in cosmetology and hairstyling who
42 has completed 600 hours of instruction.

43 s. "Student permit" means a permit issued to a senior student
44 which enables him to practice cosmetology and hairstyling in a
45 school clinic or shop while a registered student at a licensed
46 school of cosmetology and hairstyling or enrolled in an approved
47 vocational training program.

48 t. "Shop" means any fixed establishment or place where one or
49 more persons engage in one or more of the practices included in
50 the definition of cosmetology or hairstyling, barbering, beauty
51 culture or manicuring.

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

1 v. "Temporary permit" means a permit issued to applicants for
2 licensure awaiting scheduling or results of an examination.
3 (cf: P.L.1984, c.205, s.3)

4 2. This act shall take effect on the 60th day following
5 enactment.

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STATEMENT

10 Under current law, a manicurist is a person holding a limited
11 license who is permitted to manicure fingernails, pedicure
12 toenails and engage in nail sculpturing. This bill would also
13 permit a manicurist to remove superfluous hair from the face,
14 neck, arms, legs or abdomen by the use of depilatories, waxing or
15 tweezers, but not by the use of electrolysis.

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20 Permits manicurists to remove superfluous hair.

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SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 543

STATE OF NEW JERSEY

DATED: MAY 5, 1994

The Senate Commerce Committee reports favorably Senate, No. 543.

Under current law, a manicurist is a person holding a limited license who is permitted to manicure fingernails, pedicure toenails and engage in nail sculpturing. This bill would also permit a manicurist to remove 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.