



**LEGISLATIVE FISCAL ESTIMATE:**

No

**VETO MESSAGE:**

No

**GOVERNOR'S PRESS RELEASE ON SIGNING:**

Yes

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No

**NEWSPAPER ARTICLES:**

No

RWH/JA



P.L. 2021, CHAPTER 275, *approved November 8, 2021*  
Senate, No. 2996 (*Second Reprint*)

1 AN ACT concerning the practice of cosmetology and hairstyling and  
2 amending and supplementing 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 3 of P.L.1984, c.205 (C.45:5B-3) is amended to read  
8 as follows:

9 3. As used in this act:

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

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

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

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

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

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

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

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

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

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

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

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SCM committee amendments adopted December 14, 2020.

<sup>2</sup>Assembly ABU committee amendments adopted June 21, 2021.

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

- 1 (6) removing superfluous hair from the face, neck, arms, legs or  
2 abdomen by the use of depilatories, waxing or tweezers, but not by  
3 the use of electrolysis;
- 4 (7) manicuring the fingernails, nail-sculpturing or pedicuring the  
5 toenails;
- 6 (8) cutting, fitting, coloring or styling of hairpieces or wigs to  
7 the extent that the services are being performed while the wig is  
8 being worn by a person.
- 9 (9) (Deleted by amendment, P.L.2018, c.126)
- 10 k. "Manicurist" means a person who holds a license to engage  
11 in only the practice of manicuring.
- 12 l. "Manicuring" means any one or combination of the  
13 following practices when performed on the human body for  
14 cosmetic purposes and not for the treatment of disease or physical  
15 or mental ailments and when performed for the general public, for  
16 male or female customers:
- 17 (1) manicuring of the fingernails;  
18 (2) pedicuring of the toenails;  
19 (3) nail sculpturing; or  
20 (4) removing superfluous hair from the face, neck, arms, legs or  
21 abdomen by the use of depilatories, waxing or tweezers, but not by  
22 the use of electrolysis.
- 23 m. "Owner" means any person, corporation, firm or partnership  
24 who has a financial interest in a school or shop entitling him to  
25 participate in the promotion, management and proceeds thereof. It  
26 does not include a person whose connection with a school or shop  
27 entitles him only to reasonable salary or wages for services actually  
28 rendered. "Owner" shall also mean any person, corporation, firm or  
29 partnership who has a financial interest in a hair braiding shop  
30 entitling the person, corporation, firm or partnership to participate  
31 in the promotion, management and proceeds thereof.
- 32 n. "Practicing licensee" means any person who holds a license  
33 to practice barbering, beauty culture, cosmetology and hairstyling,  
34 manicuring or as a skin care specialist.
- 35 o. "Registered student" means a person who is engaged in  
36 learning and acquiring a knowledge of any of the practices included  
37 in the definition of cosmetology and hairstyling, including beauty  
38 culture, barbering, manicuring and skin care specialty, under the  
39 direction and supervision of a person duly authorized under this act  
40 to teach cosmetology and hairstyling and who is enrolled in a  
41 program of instruction at a licensed school of cosmetology and  
42 hairstyling, completion of which may render him eligible for  
43 licensure pursuant to this act but does not mean a person who is  
44 enrolled in a public school vocational program in cosmetology and  
45 hairstyling approved by the State Board of Education or in any  
46 other cosmetology and hairstyling program approved by the State  
47 Board of Education.

- 1 p. "Registration card" means a document issued by the board to  
2 a registered student upon receipt of documentation from a licensed  
3 school of cosmetology and hairstyling that the student is enrolled.
- 4 q. "School" means an establishment or place licensed by the  
5 board to be maintained for the purpose of teaching cosmetology and  
6 hairstyling, beauty culture, barbering, manicuring, hair braiding or  
7 skin care specialty to registered students.
- 8 r. "Senior student" means a registered student who has  
9 successfully completed one-half of the total hours of instruction  
10 required for licensure as a cosmetologist-hairstylist, beautician,  
11 barber, manicurist or skin care specialist in a licensed school of  
12 cosmetology and hairstyling, as determined by the board pursuant to  
13 regulation, or in any public school vocational training program  
14 approved by the State Board of Education.
- 15 s. "Student permit" means a permit issued to a senior student  
16 which enables him to practice cosmetology and hairstyling, beauty  
17 culture, barbering, manicuring or skin care specialty, as appropriate,  
18 based on the course of instruction in which the student is enrolled,  
19 in a school clinic or shop while a registered student at a licensed  
20 school of cosmetology and hairstyling or enrolled in an approved  
21 vocational training program.
- 22 t. "Shop" means any fixed establishment, mobile facility, or  
23 place where one or more persons engage in one or more of the  
24 practices included in the definition of cosmetology and hairstyling,  
25 barbering, beauty culture, manicuring, hair braiding or skin care  
26 specialty.
- 27 u. "Teacher" means any person who is licensed by the board to  
28 give instruction or training in the theory or practice of cosmetology  
29 and hairstyling, beauty culture, barbering, manicuring or skin care  
30 specialty.
- 31 v. "Temporary permit" means a permit issued to applicants for  
32 licensure awaiting scheduling or results of an examination.
- 33 w. (Deleted by amendment, P.L.2009, c.162)
- 34 x. "Skin care specialist" means a person who holds a license to  
35 engage in only the practices included in the definition of skin care  
36 specialty.
- 37 y. "Skin care specialty" means any one or combination of the  
38 following practices when performed on the male or female human  
39 body for cosmetic purposes and not for the treatment of disease or  
40 physical or mental ailments and when performed for the general  
41 public, primarily for male customers:
- 42 (1) applying cosmetic preparations, antiseptics, tonics, lotions,  
43 creams or makeup to the scalp, face or neck;
- 44 (2) massaging, cleansing or stimulating the face, neck or upper  
45 part of the body, with or without cosmetic preparations, either by  
46 hand, mechanical or electrical appliances; or

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

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

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

7 bb. "Hair braiding" means the twisting, wrapping, weaving,  
8 extending, locking, or braiding of hair by hand or with mechanical  
9 devices. "Hair braiding" may include the use of: natural or  
10 synthetic hair extensions or fibers, decorative beads, and other hair  
11 accessories; minor trimming of natural hair or hair extensions  
12 incidental to twisting, wrapping, weaving, extending, locking, or  
13 braiding hair; making of wigs from natural hair, natural or synthetic  
14 fibers, and hair extensions; and the use of topical agents in  
15 conjunction with performing hair braiding, including conditioners,  
16 gels, moisturizers, oils, pomades, and shampoos.

17 cc. "Committee" means the Hair Braiding Establishment  
18 Advisory Committee established pursuant to section 3 of P.L.2018,  
19 c.126.

20 dd. "Mobile facility" means a shop capable of being moved from  
21 one place to another as or by a motor vehicle that shall be properly  
22 registered, insured, and inspected in accordance with all applicable  
23 motor vehicle laws and regulations and in compliance with all  
24 appropriate municipal <sup>2</sup>laws and regulations including, but not  
25 limited to, licensing and<sup>2</sup> land use approvals and permits, if  
26 applicable.

27 (cf: P.L.2019, c.334, s.1)

28  
29 2. Section 8 of P.L.1984, c.205 (C.45:5B-8) is amended to read  
30 as follows:

31 8. No person shall offer or render any of the services  
32 encompassed within the definition of cosmetology and hairstyling,  
33 beauty culture, barbering, manicuring, hair braiding and skin care  
34 specialty services, in a place which is not licensed as a shop or  
35 school, except that a practicing licensee, duly licensed pursuant to  
36 this act, may render the services which he is licensed to offer:

37 a. Upon patients in hospitals, nursing homes, and other  
38 licensed health care facilities;

39 b. Upon inmates and residents of institutions of the Department  
40 of Corrections or the Department of Human Services;

41 c. Upon **[an invalid or handicapped]** a person with a disability  
42 in the person's place of residence, if the practicing licensee is  
43 sponsored by a licensed shop and a record of those services is  
44 maintained by that shop;

45 d. Upon performers or models, prior to, in anticipation of or  
46 during a performance; or

47 e. Upon potential consumers of cosmetic preparations, lotions,  
48 creams, makeup or perfume which are intended for home use if the



1 application of the product is made for the purposes of effecting a  
2 retail sale and the person neither accepts payment from the  
3 consumer for the service, nor makes the provision of the service  
4 contingent upon the purchase of any product or service.

5 Nothing contained in this section shall be construed to preclude a  
6 student enrolled in a school of cosmetology and hairstyling licensed  
7 in this State, or in a public school approved by the State Board of  
8 Education to offer a vocational program in cosmetology and  
9 hairstyling, or a student enrolled in a cosmetology and hairstyling  
10 program approved by the State Board of Education, from engaging  
11 in any activities incident to the instruction provided in such school  
12 or program.

13 (cf: P.L.2018, c.126, s.5)

14  
15 3. Section 36 of P.L.1984, c.205 (C.45:5B-36) is amended to  
16 read as follows:

17 36. a. A shop or school owner shall notify the board prior to  
18 initiating a change of location, a change of ownership, or such other  
19 change as the board may determine pursuant to regulation. The  
20 shop or school shall submit to the board an initial application for  
21 licensure. If a change of ownership results from the death or  
22 disability of a principal shareholder in a corporation, or partner in a  
23 partnership which holds a shop or school license, the new owner  
24 shall notify the board within six months after the change has been  
25 effected. For purposes of this section, a change of ownership shall  
26 be deemed to have occurred if more than 50% of the outstanding  
27 stock or other financial interest is transferred.

28 b. <sup>2</sup>(1)<sup>2</sup> A shop that is a mobile facility shall <sup>2</sup>[provide to the  
29 board] publish on a website that is accessible to the public<sup>2</sup> a 14-  
30 day location schedule at least 14 days in advance of the first  
31 scheduled date <sup>2</sup>[and] . The mobile facility may make changes to  
32 the schedule within the first seven days after posting it to the  
33 website. If the schedule changes after the first seven days, the  
34 mobile facility<sup>2</sup> shall immediately notify the board of any change to  
35 that schedule.

36 <sup>2</sup>(2) A shop that is a mobile facility shall be equipped with and  
37 utilize an automatic vehicle location system to track the location of  
38 the vehicle with respect to compliance with the schedule required  
39 pursuant to paragraph (1) of this subsection, in such manner as may  
40 be established by the board. For purposes of this paragraph,  
41 “automatic vehicle location system” means an automated system,  
42 such as a global positioning system, for tracking the geographic  
43 location of a motor vehicle and transmitting that location  
44 information to an authorized receiving entity, and “global  
45 positioning system” means a reporting technology that is monitored  
46 by a network of electronic navigation components in which a  
47 vehicle may be identified and tracked via satellite.

1       (3) It shall be unlawful for a shop that is a mobile facility to  
2 engage in services at a location other than the scheduled location as  
3 set forth in the schedule published pursuant to paragraph (1) of this  
4 subsection, unless the licensee shall demonstrate good cause for the  
5 failure to comply with this requirement. It shall not be unlawful  
6 pursuant to this paragraph for a mobile facility that is parked  
7 outside the home of a customer receiving services to not to be at the  
8 pre-determined location at the scheduled time.<sup>2</sup>

9 (cf: P.L.2009, c.162, s.28)

10  
11       4. (New section) a. To be licensed as a shop pursuant to  
12 section 9 of P.L.1984, c.205 (C.45:5B-9), a mobile facility shall  
13 <sup>2</sup>comply with the federal "Americans with Disabilities Act of 1990"  
14 (42 U.S.C. s.12101 et seq.) and additionally shall<sup>2</sup> display a  
15 permanent sign indicating the name of the shop, which shall be  
16 clearly visible to the general public from the exterior of the shop,  
17 and shall contain:

18       (1) a minimum of 75 square feet of floor space;

19       (2) one lavatory including a toilet, hand washing facilities, and a  
20 door;

21       (3) one shampoo basin with hot and cold running water and a  
22 reclining chair;

23       (4) a designated area for cleaning and disinfecting implements  
24 and tools;

25       (5) one ultrasonic unit for cleaning metal implements and tools;

26       (6) a clean, closed receptacle for storage of sanitized  
27 implements and tools at each work station;

28       (7) a closed container for clean linens;

29       (8) a closed container for soiled linens;

30       (9) a closed waste container accessible to each work station;

31       (10) hair drying facilities or hair drying equipment;

32       (11) a dispensary or place where supplies are prepared and  
33 dispensed; and

34       (12) any other equipment necessary to provide the services  
35 offered by the shop in a safe and sanitary manner.

36       b. A mobile facility licensed as a manicuring or skin care  
37 specialty shop by the board shall be required to have at least one  
38 sink in the work area with hot and cold running water but shall be  
39 exempt from the requirement for a shampoo basin required pursuant  
40 to subsection a. of this section.

41       c. A mobile facility licensed as a barbering shop shall be  
42 required to contain at least one chair with an adjustable headrest  
43 suitable for performing shaving services.

44       d. A mobile facility shall maintain a stationary position  
45 whenever an individual therein is engaged in one or more of the  
46 practices included in the definition of cosmetology and hairstyling,  
47 barbering, beauty culture, manicuring, hair braiding or skin care  
48 specialty.

1       <sup>1</sup>e. A mobile facility wherein an individual is engaged in one or  
2 more of the services included in the definition of cosmetology and  
3 hairstyling, barbering, beauty culture, manicuring, hair braiding or  
4 skin care specialty shall not operate within 300 feet of a shop  
5 licensed by the board to perform such services and that is not a  
6 mobile facility unless the mobile facility is:

- 7       (1) parked outside the home of a customer receiving services;  
8       (2) lawfully participating in an event, including, but not limited  
9 to, a municipal or county function; or  
10       (3) affiliated with the licensed shop.<sup>1</sup>  
11

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

14       6. The board shall:

- 15       a. Review the qualifications of applicants for licensure;  
16       b. Devise examinations for licensure which include practical  
17 and written portions;  
18       c. Administer and grade examinations or employ competent  
19 examiners to administer and grade examinations but in no case shall  
20 the board permit a person having any affiliation with a licensed  
21 school to examine or grade an applicant who has been a registered  
22 student at the school with which the examiner has an affiliation;  
23       d. Issue and renew licenses of any cosmetologist-hairstylist,  
24 beautician, barber, manicurist, skin care specialist, teacher, shop, or  
25 school;  
26       e. Issue student permits to senior students, which permits shall  
27 remain valid during the period that the student is registered at a  
28 licensed school or enrolled in an approved vocational training  
29 program;  
30       f. Issue temporary permits to applicants for licensure who are  
31 awaiting scheduling for or results from an examination;  
32       g. Issue registration cards to registered students;  
33       h. Suspend, revoke or refuse to renew a license and exercise  
34 investigative powers pursuant to the provisions of P.L.1978, c.73  
35 (C.45:1-14 et seq.);  
36       i. Appoint and employ an executive director and an assistant  
37 executive director subject to the approval of the Attorney General,  
38 and other employees as necessary to carry out the provisions of this  
39 act;  
40       j. Determine the duties that the executive director and the  
41 assistant executive director shall perform;  
42       k. File with the Attorney General a petition to remove any  
43 executive director or assistant executive director for cause, which  
44 petition shall be acted upon by the Attorney General in a manner  
45 which he deems appropriate;  
46       l. Establish fees for initial licensure, permits, renewals and  
47 restoration of licenses as well as for duplication of lost licenses  
48 pursuant to section 2 of P.L.1974, c.46 (C.45:1-3.2);

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

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

7 w. Establish criteria and standards for education and experience  
8 required for licensure.<sup>2</sup>

9 (cf: P.L.2018, c.126, s.3)

10

11 <sup>2</sup>~~[5.]~~ 6.<sup>2</sup> This act shall take effect <sup>2</sup>~~[immediately]~~ on the first  
12 day of the twelfth month following the date of enactment, but the  
13 board may take such anticipatory action as shall be necessary for  
14 the implementation of this act<sup>2</sup>.

15

16

17

18

19 Allows Board of Cosmetology and Hairstyling licensees to  
20 operate mobile facilities when providing services.

**SENATE, No. 2996**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

INTRODUCED OCTOBER 8, 2020

**Sponsored by:**

**Senator MICHAEL L. TESTA, JR.**

**District 1 (Atlantic, Cape May and Cumberland)**

**Senator STEPHEN M. SWEENEY**

**District 3 (Cumberland, Gloucester and Salem)**

**Co-Sponsored by:**

**Senator Sarlo**

**SYNOPSIS**

Allows Board of Cosmetology and Hairstyling licensees to operate mobile facilities when providing services.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 11/12/2020)**

1 AN ACT concerning the practice of cosmetology and hairstyling and  
2 amending and supplementing 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 3 of P.L.1984, c.205 (C.45:5B-3) is amended to read  
8 as follows:

9 3. As used in this act:

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

12 (1) manicuring of the fingernails;

13 (2) pedicuring of the toenails;

14 (3) nail sculpturing; or

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

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

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

30 o. "Registered student" means a person who is engaged in  
31 learning and acquiring a knowledge of any of the practices included  
32 in the definition of cosmetology and hairstyling, including beauty  
33 culture, barbering, manicuring and skin care specialty, under the  
34 direction and supervision of a person duly authorized under this act  
35 to teach cosmetology and hairstyling and who is enrolled in a  
36 program of instruction at a licensed school of cosmetology and  
37 hairstyling, completion of which may render him eligible for  
38 licensure pursuant to this act but does not mean a person who is  
39 enrolled in a public school vocational program in cosmetology and  
40 hairstyling approved by the State Board of Education or in any  
41 other cosmetology and hairstyling program approved by the State  
42 Board of Education.

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

46 q. "School" means an establishment or place licensed by the  
47 board to be maintained for the purpose of teaching cosmetology and

- 1 hairstyling, beauty culture, barbering, manicuring, hair braiding or  
2 skin care specialty to registered students.
- 3 r. "Senior student" means a registered student who has  
4 successfully completed one-half of the total hours of instruction  
5 required for licensure as a cosmetologist-hairstylist, beautician,  
6 barber, manicurist or skin care specialist in a licensed school of  
7 cosmetology and hairstyling, as determined by the board pursuant to  
8 regulation, or in any public school vocational training program  
9 approved by the State Board of Education.
- 10 s. "Student permit" means a permit issued to a senior student  
11 which enables him to practice cosmetology and hairstyling, beauty  
12 culture, barbering, manicuring or skin care specialty, as appropriate,  
13 based on the course of instruction in which the student is enrolled,  
14 in a school clinic or shop while a registered student at a licensed  
15 school of cosmetology and hairstyling or enrolled in an approved  
16 vocational training program.
- 17 t. "Shop" means any fixed establishment, mobile facility, or  
18 place where one or more persons engage in one or more of the  
19 practices included in the definition of cosmetology and hairstyling,  
20 barbering, beauty culture, manicuring, hair braiding or skin care  
21 specialty.
- 22 u. "Teacher" means any person who is licensed by the board to  
23 give instruction or training in the theory or practice of cosmetology  
24 and hairstyling, beauty culture, barbering, manicuring or skin care  
25 specialty.
- 26 v. "Temporary permit" means a permit issued to applicants for  
27 licensure awaiting scheduling or results of an examination.
- 28 w. (Deleted by amendment, P.L.2009, c.162)
- 29 x. "Skin care specialist" means a person who holds a license to  
30 engage in only the practices included in the definition of skin care  
31 specialty.
- 32 y. "Skin care specialty" means any one or combination of the  
33 following practices when performed on the male or female human  
34 body for cosmetic purposes and not for the treatment of disease or  
35 physical or mental ailments and when performed for the general  
36 public, primarily for male customers:
- 37 (1) applying cosmetic preparations, antiseptics, tonics, lotions,  
38 creams or makeup to the scalp, face or neck;
- 39 (2) massaging, cleansing or stimulating the face, neck or upper  
40 part of the body, with or without cosmetic preparations, either by  
41 hand, mechanical or electrical appliances; or
- 42 (3) removing superfluous hair from the face, neck, arms, legs or  
43 abdomen by the use of depilatories, waxing or tweezers, but not by  
44 the use of electrolysis.
- 45 z. (Deleted by amendment, P.L.2009, c.162)
- 46 aa. "Hair braider" or "hair braiding specialist" means a person  
47 who holds a license to engage in only the practice of hair braiding.

1       bb. "Hair braiding" means the twisting, wrapping, weaving,  
2 extending, locking, or braiding of hair by hand or with mechanical  
3 devices. "Hair braiding" may include the use of: natural or  
4 synthetic hair extensions or fibers, decorative beads, and other hair  
5 accessories; minor trimming of natural hair or hair extensions  
6 incidental to twisting, wrapping, weaving, extending, locking, or  
7 braiding hair; making of wigs from natural hair, natural or synthetic  
8 fibers, and hair extensions; and the use of topical agents in  
9 conjunction with performing hair braiding, including conditioners,  
10 gels, moisturizers, oils, pomades, and shampoos.

11       cc. "Committee" means the Hair Braiding Establishment  
12 Advisory Committee established pursuant to section 3 of P.L.2018,  
13 c.126.

14       dd. "Mobile facility" means a shop capable of being moved from  
15 one place to another as or by a motor vehicle that shall be properly  
16 registered, insured, and inspected in accordance with all applicable  
17 motor vehicle laws and regulations and in compliance with all  
18 appropriate municipal land use approvals and permits, if applicable.  
19 (cf: P.L.2019, c.334, s.1)

20

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

23       8. No person shall offer or render any of the services  
24 encompassed within the definition of cosmetology and hairstyling,  
25 beauty culture, barbering, manicuring, hair braiding and skin care  
26 specialty services, in a place which is not licensed as a shop or  
27 school, except that a practicing licensee, duly licensed pursuant to  
28 this act, may render the services which he is licensed to offer:

29       a. Upon patients in hospitals, nursing homes, and other  
30 licensed health care facilities;

31       b. Upon inmates and residents of institutions of the Department  
32 of Corrections or the Department of Human Services;

33       c. Upon **[an invalid or handicapped]** a person with a disability  
34 in the person's place of residence, if the practicing licensee is  
35 sponsored by a licensed shop and a record of those services is  
36 maintained by that shop;

37       d. Upon performers or models, prior to, in anticipation of or  
38 during a performance; or

39       e. Upon potential consumers of cosmetic preparations, lotions,  
40 creams, makeup or perfume which are intended for home use if the  
41 application of the product is made for the purposes of effecting a  
42 retail sale and the person neither accepts payment from the  
43 consumer for the service, nor makes the provision of the service  
44 contingent upon the purchase of any product or service.

45       Nothing contained in this section shall be construed to preclude a  
46 student enrolled in a school of cosmetology and hairstyling licensed  
47 in this State, or in a public school approved by the State Board of  
48 Education to offer a vocational program in cosmetology and

1 hairstyling, or a student enrolled in a cosmetology and hairstyling  
2 program approved by the State Board of Education, from engaging  
3 in any activities incident to the instruction provided in such school  
4 or program.

5 (cf: P.L.2018, c.126, s.5)

6

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

9 36. a. A shop or school owner shall notify the board prior to  
10 initiating a change of location, a change of ownership, or such other  
11 change as the board may determine pursuant to regulation. The  
12 shop or school shall submit to the board an initial application for  
13 licensure. If a change of ownership results from the death or  
14 disability of a principal shareholder in a corporation, or partner in a  
15 partnership which holds a shop or school license, the new owner  
16 shall notify the board within six months after the change has been  
17 effected. For purposes of this section, a change of ownership shall  
18 be deemed to have occurred if more than 50% of the outstanding  
19 stock or other financial interest is transferred.

20 b. A shop that is a mobile facility shall provide to the board a  
21 14-day location schedule at least 14 days in advance of the first  
22 scheduled date and shall immediately notify the board of any  
23 change to that schedule.

24 (cf: P.L.2009, c.162, s.28)

25

26 4. (New section) a. To be licensed as a shop pursuant to  
27 section 9 of P.L.1984, c .205 (C.45:5B-9), a mobile facility shall  
28 display a permanent sign indicating the name of the shop, which  
29 shall be clearly visible to the general public from the exterior of the  
30 shop, and shall contain:

31 (1) a minimum of 75 square feet of floor space;

32 (2) one lavatory including a toilet, hand washing facilities, and a  
33 door;

34 (3) one shampoo basin with hot and cold running water and a  
35 reclining chair;

36 (4) a designated area for cleaning and disinfecting implements  
37 and tools;

38 (5) one ultrasonic unit for cleaning metal implements and tools;

39 (6) a clean, closed receptacle for storage of sanitized  
40 implements and tools at each work station;

41 (7) a closed container for clean linens;

42 (8) a closed container for soiled linens;

43 (9) a closed waste container accessible to each work station;

44 (10) hair drying facilities or hair drying equipment;

45 (11) a dispensary or place where supplies are prepared and  
46 dispensed; and

47 (12) any other equipment necessary to provide the services  
48 offered by the shop in a safe and sanitary manner.

1       b. A mobile facility licensed as a manicuring or skin care  
2 specialty shop by the board shall be required to have at least one  
3 sink in the work area with hot and cold running water but shall be  
4 exempt from the requirement for a shampoo basin required pursuant  
5 to subsection a. of this section.

6       c. A mobile facility licensed as a barbering shop shall be  
7 required to contain at least one chair with an adjustable headrest  
8 suitable for performing shaving services.

9       d. A mobile facility shall maintain a stationary position  
10 whenever an individual therein is engaged in one or more of the  
11 practices included in the definition of cosmetology and hairstyling,  
12 barbering, beauty culture, manicuring, hair braiding or skin care  
13 specialty.

14

15       5. This act shall take effect immediately.

16

17

18

#### STATEMENT

19

20       This bill allows licensees of the New Jersey State Board of  
21 Cosmetology and Hairstyling to provide services using mobile  
22 facilities.

23       The bill amends the definition of “shop” in the statute governing  
24 the New Jersey State Board of Cosmetology and Hairstyling to  
25 include mobile facilities. The bill adds a definition of “mobile  
26 facility” to mean a licensed shop capable of being moved from one  
27 place to another as or by a motor vehicle that shall be properly  
28 registered, insured and inspected in accordance with all applicable  
29 motor vehicle laws and regulations and in compliance with all  
30 appropriate municipal land use approvals and permits, if applicable.

31       The bill further supplements the law to allow practicing licensees  
32 to render any cosmetology and hairstyling services in a mobile  
33 facility so long as certain requirements are met. A mobile facility is  
34 to display a permanent sign indicating the name of the shop, which  
35 is clearly visible to the general public from the exterior of the shop,  
36 and contain:

37       (1) a minimum of 75 square feet of floor space;

38       (2) at least one lavatory including a toilet, hand washing  
39 facilities and a door;

40       (3) one shampoo basin with hot and cold running water and a  
41 reclining chair;

42       (4) a designated area for cleaning and disinfecting implements  
43 and tools;

44       (5) an ultrasonic unit for cleaning metal implements and tools;

45       (6) a clean, closed receptacle for storage of sanitized  
46 implements and tools at each work station;

47       (7) a closed container for clean linens;

48       (8) a closed container for soiled linens;

- 1 (9) a closed waste container accessible to each work station;  
2 (10) hair drying facilities or hair drying equipment;  
3 (11) a dispensary or place where supplies are prepared and  
4 dispensed; and  
5 (12) any other equipment as is necessary to provide those  
6 services offered by the shop in a safe and sanitary manner.
- 7 Under the bill, a mobile facility licensed as a manicuring or skin  
8 care specialty shop by the board is required to have at least one sink  
9 in the work area with hot and cold running water but is exempt from  
10 the requirement for a shampoo basin. In addition, a mobile facility  
11 licensed as a barbering shop is required to contain at least one chair  
12 with an adjustable headrest suitable for performing shaving  
13 services.
- 14 The bill provides that a shop that is a mobile facility is required  
15 to provide to the board a 14-day location schedule at least 14 days  
16 in advance of the first scheduled date and to immediately notify the  
17 board of any change to that schedule.
- 18 Under the bill, a mobile facility is to maintain a stationary  
19 position whenever an individual therein is engaged in one or more  
20 of the practices included in the definition of cosmetology and  
21 hairstyling, barbering, beauty culture, manicuring, hair braiding or  
22 skin care specialty.
- 23 The bill also amends the law to replace certain outdated  
24 terminology.

# ASSEMBLY BUDGET COMMITTEE

## STATEMENT TO

[First Reprint]

## SENATE, No. 2996

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 22, 2021

The Assembly Budget Committee reports favorably Senate Bill No. 2996 (1R), with committee amendments.

As amended, this bill allows licensees of the New Jersey State Board of Cosmetology and Hairstyling to provide services using mobile facilities.

The bill amends the definition of “shop” in the statute governing the New Jersey State Board of Cosmetology and Hairstyling to include mobile facilities. The bill adds a definition of “mobile facility” to mean a licensed 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.

The bill further supplements the law to allow practicing licensees to render any cosmetology and hairstyling services in a mobile facility so long as certain requirements are met. A mobile facility is to display a permanent sign indicating the name of the shop, which is clearly visible to the general public from the exterior of the shop, and contain:

- (1) a minimum of 75 square feet of floor space;
- (2) at least one lavatory including a toilet, hand washing facilities and a door;
- (3) one shampoo basin with hot and cold running water and a reclining chair;
- (4) a designated area for cleaning and disinfecting implements and tools;
- (5) an ultrasonic unit for cleaning metal implements and tools;
- (6) a clean, closed receptacle for storage of sanitized implements and tools at each work station;
- (7) a closed container for clean linens;
- (8) a closed container for soiled linens;
- (9) a closed waste container accessible to each work station;
- (10) hair drying facilities or hair drying equipment;

(11) a dispensary or place where supplies are prepared and dispensed; and

(12) any other equipment as is necessary to provide those services offered by the shop in a safe and sanitary manner.

Under the bill, a mobile facility licensed as a manicuring or skin care specialty shop by the board is required to have at least one sink in the work area with hot and cold running water but is exempt from the requirement for a shampoo basin. In addition, a mobile facility licensed as a barbering shop is required to contain at least one chair with an adjustable headrest suitable for performing shaving services.

The bill provides that a shop that is a mobile facility is required to publish on a website that is accessible to the public a 14-day location schedule at least 14 days in advance of the first scheduled date. The mobile facility may make changes to the schedule within the first seven days after posting it to the website but after that time, the mobile facility is to immediately notify the board of any change to that schedule.

Under the bill, a mobile facility is to maintain a stationary position whenever an individual therein is engaged 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.

The bill also amends the law to replace certain outdated terminology.

As amended and reported by the committee Senate Bill No. 2996 (1R) is identical to Assembly Bill No. 5019 as also amended and reported by the committee.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) require mobile facilities to post the 14 day location schedule online and meet certain automatic vehicle location system requirements;

(2) clarify that it is a violation of the bill for the mobile facility to not be in its stated location, except under certain circumstances;

(3) require a mobile facility to comply with the federal "Americans with Disabilities Act of 1990";

(4) require mobile facilities to be in compliance with all applicable municipal laws and regulations;

(5) clarify that the board is to promulgate regulations concerning mobile facilities; and

(6) extend the effective date of the bill to the first day of the twelfth month next following the date of enactment.

#### FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.



# SENATE COMMERCE COMMITTEE

## STATEMENT TO

### SENATE, No. 2996

with committee amendments

# STATE OF NEW JERSEY

DATED: DECEMBER 14, 2020

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 2996.

This bill allows licensees of the New Jersey State Board of Cosmetology and Hairstyling to provide services using mobile facilities.

The bill amends the definition of “shop” in the statute governing the New Jersey State Board of Cosmetology and Hairstyling to include mobile facilities. The bill adds a definition of “mobile facility” to mean a licensed 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 land use approvals and permits, if applicable.

The bill further supplements the law to allow practicing licensees to render any cosmetology and hairstyling services in a mobile facility so long as certain requirements are met. A mobile facility is to display a permanent sign indicating the name of the shop, which is clearly visible to the general public from the exterior of the shop, and contain:

- (1) a minimum of 75 square feet of floor space;
- (2) at least one lavatory including a toilet, hand washing facilities and a door;
- (3) one shampoo basin with hot and cold running water and a reclining chair;
- (4) a designated area for cleaning and disinfecting implements and tools;
- (5) an ultrasonic unit for cleaning metal implements and tools;
- (6) a clean, closed receptacle for storage of sanitized implements and tools at each work station;
- (7) a closed container for clean linens;
- (8) a closed container for soiled linens;
- (9) a closed waste container accessible to each work station;
- (10) hair drying facilities or hair drying equipment;
- (11) a dispensary or place where supplies are prepared and dispensed; and

(12) any other equipment as is necessary to provide those services offered by the shop in a safe and sanitary manner.

Under the bill, a mobile facility licensed as a manicuring or skin care specialty shop by the board is required to have at least one sink in the work area with hot and cold running water but is exempt from the requirement for a shampoo basin. In addition, a mobile facility licensed as a barbering shop is required to contain at least one chair with an adjustable headrest suitable for performing shaving services.

The bill provides that a shop that is a mobile facility is required to provide to the board a 14-day location schedule at least 14 days in advance of the first scheduled date and to immediately notify the board of any change to that schedule.

Under the bill, a mobile facility is to maintain a stationary position whenever an individual therein is engaged 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.

The bill also amends the law to replace certain outdated terminology.

**COMMITTEE AMENDMENTS:**

The committee amended the bill to prohibit mobile facilities from operating within 300 feet of a Board-licensed shop unless the mobile facility is:

- 1) parked outside the home of a customer receiving services;
- 2) lawfully participating in an event, including, but not limited to, a municipal or county function; or
- 3) affiliated with the licensed shop.

# ASSEMBLY, No. 5019

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED NOVEMBER 19, 2020

**Sponsored by:**

**Assemblyman ANTWAN L. MCCLELLAN**  
**District 1 (Atlantic, Cape May and Cumberland)**  
**Assemblyman ADAM J. TALIAFERRO**  
**District 3 (Cumberland, Gloucester and Salem)**  
**Assemblyman GORDON M. JOHNSON**  
**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblymen Simonsen, Bergen, Assemblywomen Murphy, Dunn and**  
**Assemblyman Giblin**

**SYNOPSIS**

Allows Board of Cosmetology and Hairstyling licensees to operate mobile facilities when providing services.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/1/2021)**

A5019 MCCLELLAN, TALIAFERRO

2

1 AN ACT concerning the practice of cosmetology and hairstyling and  
2 amending and supplementing 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 3 of P.L.1984, c.205 (C.45:5B-3) is amended to read  
8 as follows:

9 3. As used in this act:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 (1) manicuring of the fingernails;

13 (2) pedicuring of the toenails;

14 (3) nail sculpturing; or

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

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

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

30 o. "Registered student" means a person who is engaged in  
31 learning and acquiring a knowledge of any of the practices included  
32 in the definition of cosmetology and hairstyling, including beauty  
33 culture, barbering, manicuring and skin care specialty, under the  
34 direction and supervision of a person duly authorized under this act  
35 to teach cosmetology and hairstyling and who is enrolled in a  
36 program of instruction at a licensed school of cosmetology and  
37 hairstyling, completion of which may render him eligible for  
38 licensure pursuant to this act but does not mean a person who is  
39 enrolled in a public school vocational program in cosmetology and  
40 hairstyling approved by the State Board of Education or in any  
41 other cosmetology and hairstyling program approved by the State  
42 Board of Education.

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

46 q. "School" means an establishment or place licensed by the  
47 board to be maintained for the purpose of teaching cosmetology and

- 1 hairstyling, beauty culture, barbering, manicuring, hair braiding or  
2 skin care specialty to registered students.
- 3 r. "Senior student" means a registered student who has  
4 successfully completed one-half of the total hours of instruction  
5 required for licensure as a cosmetologist-hairstylist, beautician,  
6 barber, manicurist or skin care specialist in a licensed school of  
7 cosmetology and hairstyling, as determined by the board pursuant to  
8 regulation, or in any public school vocational training program  
9 approved by the State Board of Education.
- 10 s. "Student permit" means a permit issued to a senior student  
11 which enables him to practice cosmetology and hairstyling, beauty  
12 culture, barbering, manicuring or skin care specialty, as appropriate,  
13 based on the course of instruction in which the student is enrolled,  
14 in a school clinic or shop while a registered student at a licensed  
15 school of cosmetology and hairstyling or enrolled in an approved  
16 vocational training program.
- 17 t. "Shop" means any fixed establishment, mobile facility, or  
18 place where one or more persons engage in one or more of the  
19 practices included in the definition of cosmetology and hairstyling,  
20 barbering, beauty culture, manicuring, hair braiding or skin care  
21 specialty.
- 22 u. "Teacher" means any person who is licensed by the board to  
23 give instruction or training in the theory or practice of cosmetology  
24 and hairstyling, beauty culture, barbering, manicuring or skin care  
25 specialty.
- 26 v. "Temporary permit" means a permit issued to applicants for  
27 licensure awaiting scheduling or results of an examination.
- 28 w. (Deleted by amendment, P.L.2009, c.162)
- 29 x. "Skin care specialist" means a person who holds a license to  
30 engage in only the practices included in the definition of skin care  
31 specialty.
- 32 y. "Skin care specialty" means any one or combination of the  
33 following practices when performed on the male or female human  
34 body for cosmetic purposes and not for the treatment of disease or  
35 physical or mental ailments and when performed for the general  
36 public, primarily for male customers:
- 37 (1) applying cosmetic preparations, antiseptics, tonics, lotions,  
38 creams or makeup to the scalp, face or neck;
- 39 (2) massaging, cleansing or stimulating the face, neck or upper  
40 part of the body, with or without cosmetic preparations, either by  
41 hand, mechanical or electrical appliances; or
- 42 (3) removing superfluous hair from the face, neck, arms, legs or  
43 abdomen by the use of depilatories, waxing or tweezers, but not by  
44 the use of electrolysis.
- 45 z. (Deleted by amendment, P.L.2009, c.162)
- 46 aa. "Hair braider" or "hair braiding specialist" means a person  
47 who holds a license to engage in only the practice of hair braiding.

1       bb. "Hair braiding" means the twisting, wrapping, weaving,  
2 extending, locking, or braiding of hair by hand or with mechanical  
3 devices. "Hair braiding" may include the use of: natural or  
4 synthetic hair extensions or fibers, decorative beads, and other hair  
5 accessories; minor trimming of natural hair or hair extensions  
6 incidental to twisting, wrapping, weaving, extending, locking, or  
7 braiding hair; making of wigs from natural hair, natural or synthetic  
8 fibers, and hair extensions; and the use of topical agents in  
9 conjunction with performing hair braiding, including conditioners,  
10 gels, moisturizers, oils, pomades, and shampoos.

11       cc. "Committee" means the Hair Braiding Establishment  
12 Advisory Committee established pursuant to section 3 of P.L.2018,  
13 c.126.

14       dd. "Mobile facility" means a shop capable of being moved from  
15 one place to another as or by a motor vehicle that shall be properly  
16 registered, insured, and inspected in accordance with all applicable  
17 motor vehicle laws and regulations and in compliance with all  
18 appropriate municipal land use approvals and permits, if applicable.  
19 (cf: P.L.2019, c.334, s.1)

20

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

23       8. No person shall offer or render any of the services  
24 encompassed within the definition of cosmetology and hairstyling,  
25 beauty culture, barbering, manicuring, hair braiding and skin care  
26 specialty services, in a place which is not licensed as a shop or  
27 school, except that a practicing licensee, duly licensed pursuant to  
28 this act, may render the services which he is licensed to offer:

29       a. Upon patients in hospitals, nursing homes, and other  
30 licensed health care facilities;

31       b. Upon inmates and residents of institutions of the Department  
32 of Corrections or the Department of Human Services;

33       c. Upon **[an invalid or handicapped]** a person with a disability  
34 in the person's place of residence, if the practicing licensee is  
35 sponsored by a licensed shop and a record of those services is  
36 maintained by that shop;

37       d. Upon performers or models, prior to, in anticipation of or  
38 during a performance; or

39       e. Upon potential consumers of cosmetic preparations, lotions,  
40 creams, makeup or perfume which are intended for home use if the  
41 application of the product is made for the purposes of effecting a  
42 retail sale and the person neither accepts payment from the  
43 consumer for the service, nor makes the provision of the service  
44 contingent upon the purchase of any product or service.

45       Nothing contained in this section shall be construed to preclude a  
46 student enrolled in a school of cosmetology and hairstyling licensed  
47 in this State, or in a public school approved by the State Board of  
48 Education to offer a vocational program in cosmetology and



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1 hairstyling, or a student enrolled in a cosmetology and hairstyling  
2 program approved by the State Board of Education, from engaging  
3 in any activities incident to the instruction provided in such school  
4 or program.

5 (cf: P.L.2018, c.126, s.5)

6

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

9 36. a. A shop or school owner shall notify the board prior to  
10 initiating a change of location, a change of ownership, or such other  
11 change as the board may determine pursuant to regulation. The  
12 shop or school shall submit to the board an initial application for  
13 licensure. If a change of ownership results from the death or  
14 disability of a principal shareholder in a corporation, or partner in a  
15 partnership which holds a shop or school license, the new owner  
16 shall notify the board within six months after the change has been  
17 effected. For purposes of this section, a change of ownership shall  
18 be deemed to have occurred if more than 50% of the outstanding  
19 stock or other financial interest is transferred.

20 b. A shop that is a mobile facility shall provide to the board a  
21 14-day location schedule at least 14 days in advance of the first  
22 scheduled date and shall immediately notify the board of any  
23 change to that schedule.

24 (cf: P.L.2009, c.162, s.28)

25

26 4. (New section) a. To be licensed as a shop pursuant to  
27 section 9 of P.L.1984, c .205 (C.45:5B-9), a mobile facility shall  
28 display a permanent sign indicating the name of the shop, which  
29 shall be clearly visible to the general public from the exterior of the  
30 shop, and shall contain:

31 (1) a minimum of 75 square feet of floor space;

32 (2) one lavatory including a toilet, hand washing facilities, and a  
33 door;

34 (3) one shampoo basin with hot and cold running water and a  
35 reclining chair;

36 (4) a designated area for cleaning and disinfecting implements  
37 and tools;

38 (5) one ultrasonic unit for cleaning metal implements and tools;

39 (6) a clean, closed receptacle for storage of sanitized  
40 implements and tools at each work station;

41 (7) a closed container for clean linens;

42 (8) a closed container for soiled linens;

43 (9) a closed waste container accessible to each work station;

44 (10) hair drying facilities or hair drying equipment;

45 (11) a dispensary or place where supplies are prepared and  
46 dispensed; and

47 (12) any other equipment necessary to provide the services  
48 offered by the shop in a safe and sanitary manner.

1       b. A mobile facility licensed as a manicuring or skin care  
2 specialty shop by the board shall be required to have at least one  
3 sink in the work area with hot and cold running water but shall be  
4 exempt from the requirement for a shampoo basin required pursuant  
5 to subsection a. of this section.

6       c. A mobile facility licensed as a barbering shop shall be  
7 required to contain at least one chair with an adjustable headrest  
8 suitable for performing shaving services.

9       d. A mobile facility shall maintain a stationary position  
10 whenever an individual therein is engaged in one or more of the  
11 practices included in the definition of cosmetology and hairstyling,  
12 barbering, beauty culture, manicuring, hair braiding or skin care  
13 specialty.

14

15       5. This act shall take effect immediately.

16

17

18

STATEMENT

19

20       This bill allows licensees of the New Jersey State Board of  
21 Cosmetology and Hairstyling to provide services using mobile  
22 facilities.

23       The bill amends the definition of “shop” in the statute governing  
24 the New Jersey State Board of Cosmetology and Hairstyling to  
25 include mobile facilities. The bill adds a definition of “mobile  
26 facility” to mean a licensed shop capable of being moved from one  
27 place to another as or by a motor vehicle that shall be properly  
28 registered, insured and inspected in accordance with all applicable  
29 motor vehicle laws and regulations and in compliance with all  
30 appropriate municipal land use approvals and permits, if applicable.

31       The bill further supplements the law to allow practicing licensees  
32 to render any cosmetology and hairstyling services in a mobile  
33 facility so long as certain requirements are met. A mobile facility is  
34 to display a permanent sign indicating the name of the shop, which  
35 is clearly visible to the general public from the exterior of the shop,  
36 and contain:

37       (1) a minimum of 75 square feet of floor space;

38       (2) at least one lavatory including a toilet, hand washing  
39 facilities and a door;

40       (3) one shampoo basin with hot and cold running water and a  
41 reclining chair;

42       (4) a designated area for cleaning and disinfecting implements  
43 and tools;

44       (5) an ultrasonic unit for cleaning metal implements and tools;

45       (6) a clean, closed receptacle for storage of sanitized  
46 implements and tools at each work station;

47       (7) a closed container for clean linens;

48       (8) a closed container for soiled linens;

- 1 (9) a closed waste container accessible to each work station;  
2 (10) hair drying facilities or hair drying equipment;  
3 (11) a dispensary or place where supplies are prepared and  
4 dispensed; and  
5 (12) any other equipment as is necessary to provide those  
6 services offered by the shop in a safe and sanitary manner.
- 7 Under the bill, a mobile facility licensed as a manicuring or skin  
8 care specialty shop by the board is required to have at least one sink  
9 in the work area with hot and cold running water but is exempt from  
10 the requirement for a shampoo basin. In addition, a mobile facility  
11 licensed as a barbering shop is required to contain at least one chair  
12 with an adjustable headrest suitable for performing shaving  
13 services.
- 14 The bill provides that a shop that is a mobile facility is required  
15 to provide to the board a 14-day location schedule at least 14 days  
16 in advance of the first scheduled date and to immediately notify the  
17 board of any change to that schedule.
- 18 Under the bill, a mobile facility is to maintain a stationary  
19 position whenever an individual therein is engaged in one or more  
20 of the practices included in the definition of cosmetology and  
21 hairstyling, barbering, beauty culture, manicuring, hair braiding or  
22 skin care specialty.
- 23 The bill also amends the law to replace certain outdated  
24 terminology.

# ASSEMBLY BUDGET COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 5019

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 22, 2021

The Assembly Budget Committee reports favorably Assembly Bill No. 5019, with committee amendments.

As amended, this bill allows licensees of the New Jersey State Board of Cosmetology and Hairstyling to provide services using mobile facilities.

The bill amends the definition of “shop” in the statute governing the New Jersey State Board of Cosmetology and Hairstyling to include mobile facilities. The bill adds a definition of “mobile facility” to mean a licensed 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.

The bill further supplements the law to allow practicing licensees to render any cosmetology and hairstyling services in a mobile facility so long as certain requirements are met. A mobile facility is to display a permanent sign indicating the name of the shop, which is clearly visible to the general public from the exterior of the shop, and contain:

- (1) a minimum of 75 square feet of floor space;
- (2) at least one lavatory including a toilet, hand washing facilities and a door;
- (3) one shampoo basin with hot and cold running water and a reclining chair;
- (4) a designated area for cleaning and disinfecting implements and tools;
- (5) an ultrasonic unit for cleaning metal implements and tools;
- (6) a clean, closed receptacle for storage of sanitized implements and tools at each work station;
- (7) a closed container for clean linens;
- (8) a closed container for soiled linens;
- (9) a closed waste container accessible to each work station;
- (10) hair drying facilities or hair drying equipment;
- (11) a dispensary or place where supplies are prepared and dispensed; and

(12) any other equipment as is necessary to provide those services offered by the shop in a safe and sanitary manner.

Under the bill, a mobile facility licensed as a manicuring or skin care specialty shop by the board is required to have at least one sink in the work area with hot and cold running water but is exempt from the requirement for a shampoo basin. In addition, a mobile facility licensed as a barbering shop is required to contain at least one chair with an adjustable headrest suitable for performing shaving services.

The bill provides that a shop that is a mobile facility is required to publish on a website that is accessible to the public a 14-day location schedule at least 14 days in advance of the first scheduled date. The mobile facility may make changes to the schedule within the first seven days after posting it to the website but after that time, the mobile facility is to immediately notify the board of any change to that schedule.

Under the bill, a mobile facility is to maintain a stationary position whenever an individual therein is engaged 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.

The bill also amends the law to replace certain outdated terminology.

As amended and reported by the committee Assembly Bill No. 5019 is identical to Senate Bill No. 2996 (1R) as also amended and reported by the committee.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to:

- (1) prohibit mobile facilities from operating within 300 feet of a board-licensed shop unless the mobile facility meets certain requirements;
- (2) require mobile facilities to post the 14 day location schedule online and meet certain automatic vehicle location system requirements;
- (3) clarify that it is a violation of the bill for the mobile facility to not be in its stated location, except under certain circumstances;
- (4) require a mobile facility to comply with the federal "Americans with Disabilities Act of 1990";
- (5) require mobile facilities to be in compliance with all applicable municipal laws and regulations;
- (6) clarify that the board is to promulgate regulations concerning mobile facilities; and
- (7) extend the effective date of the bill to the first day of the twelfth month next following the date of enactment.

#### FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

# Governor Murphy Takes Action on Legislation

11/8/2021

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

**S-249/A-1259 (Singleton, Turner/Schaer, DeCroce, Vainieri Huttle)** – Requires pharmacy benefits manager providing services within Medicaid program to disclose certain information to DHS

**S-324/A-3533 (Diegnan, A.M. Bucco/Benson, Freiman, DeCroce)** – Authorizes operators of motor vehicles to display electronic proof of registration; requires MVC to send application for registration renewal to lessee of leased vehicle

**SCS for S-399 and 1645/ACS for A-869 and 1380 (Lagana, Weinberg, Stack, Turner, Cunningham/Chiaravalloti, Holley)** – Requires residential landlords to install covers on steam radiators upon request of tenant

**S-537/A-3110 (Codey/McKeon, Verrelli, Vainieri Huttle)** – Establishes certain minimum and maximum temperatures in rooming and boarding houses, dementia care homes, and certain nursing homes and residential health care facilities

**S-550/A-1616 (Codey, Pennacchio/Lampitt, Conaway, Vainieri Huttle)** – Requires certain student identification cards to contain telephone number for suicide prevention hotline

**SCS for S-647/A-4825 (Greenstein, Singleton/McKeon, Karabinchak, Stanley)** – Revises cybersecurity, asset management, and related reporting requirements in “Water Quality Accountability Act”

**S-828/A-2101 (Lagana, Greenstein/Swain, Tully, Verrelli)** – Requires public utilities and local units to provide notice prior to initiating certain infrastructure projects

**S-829/A-2135 (Lagana, Singleton/Tully, Swain, Murphy)** – Requires property condition disclosure statement to indicate presence of lead plumbing in residential property

**S-830/A-2134 (Lagana, Greenstein/Tully, Swain, Conaway)** – Requires public water systems to offer drinking water tests to customers in certain circumstances

**S-894/A-3874 (Pou, Greenstein/Lopez, Vainieri Huttle)** – Prohibits sale of paint or coating removal products that contain methylene chloride unless purchaser meets certain safety standards for use

**S-1010/A-2103 (Lagana, Turner/Swain, Tully, Johnson)** – Permits counties and municipalities to bond for alternative fuel vehicles

**S-1047/A-1712 (Cryan, Pou/Burzichelli, Karabinchak, Giblin)** – Concerns disclosure of certain information prior to sale of real estate

**S-1148/A-1221 (Ruiz, Pou/Chaparro, Speight, Wimberly)** – Requires emergency contact information and access instructions for social services hotline to be provided to tenants of multiple dwellings

**S-1239/A-5131 (Codey/McKeon, Danielsen, Jasey)** – Authorizes imposition of fee for connection to municipal electric distribution system

**S-1259/A-2628 (Singleton/Murphy)** – Concerns labor contractors

**S-1726/A-795 (Lagana, Pou/Verrelli, Swain, Zwicker)** – Prohibits sale of cosmetic products that have been tested on animals

- S-2727/A-4775 (Pennacchio, Pou/Vainieri Huttie, Jasey, McKnight)** – Establishes Multigenerational Family Housing Continuity Commission; provides municipal guidance to periodically analyze local advancement of commission’s senior citizen housing recommendations
- S-2861/A-5390 (Singleton, Addiego/Quijano, McKnight, Speight)** – Concerns certain restrictive covenants on real property
- S-2996/A-5019 (Testa, Sweeney/McClellan, Taliaferro, Johnson)** – Allows Board of Cosmetology and Hairstyling licensees to operate mobile facilities when providing services
- S-3000/A-4688 (Weinberg, Greenstein/Benson, Verrelli, Vainieri Huttie)** – Codifies and establishes certain network adequacy standards for pediatric primary and specialty care in Medicaid program
- S-3032/A-4855 (Sweeney, Vitale/Benson, Vainieri Huttie, Chiaravalloti)** – Requires DOH to develop Statewide plan for infection control and prevention infrastructure improvements in nursing homes
- S-3091/A-4933 (Addiego, Bateman/Burzichelli, Benson, Mukherji)** – Requires builders to offer unit concrete products that utilize carbon footprint-reducing technology as option in new construction; establishes tax incentives, and State and local purchasing requirements, for unit concrete products that utilize carbon footprint-reducing technology
- S-3253/A-2619 (Singleton, Ruiz/Murphy, Speight, Mukherji)** – Establishes alternate route to expedite certification of teachers at early college high school programs
- S-3318/A-5893 (Sweeney, Pou/Vainieri Huttie, Caputo, Karabinchak)** – Provides for voluntary contributions by taxpayers on gross income tax returns for Special Olympics New Jersey
- S-3590/A-5536 (Diegnan, Turner/Burzichelli, Giblin)** – Allows formation of limited liability companies by real estate salespersons and broker-salespersons to receive commission income and requires certain disclosures on promotions
- S-3811/A-5769 (Sweeney, Scutari/Reynolds-Jackson, Quijano, Carter)** – Establishes Kean University as public urban research university
- S-3948/A-5896 (Addiego, Gopal/Houghtaling, Downey)** – Authorizes supplemental State aid to school districts receiving certain federal Impact Aid; makes appropriation
- SJR-41/AJR-33 (Cruz-Perez, Addiego/Lopez, McKnight)** – Designates June 2 of each year as “Gun Violence Awareness Day”
- SJR-109/AJR-208 (Weinberg, Pou/McKnight, Benson, Vainieri Huttie)** – Condemns hate and violent extremism and commits to defense of safe and just democracy
- A-637/S-2670 (Caputo, Dancer, Houghtaling/Beach)** – Revises permit and license processes for sports pools operators and online sports pool operators; revises definitions of certain sports events; allows for transactional waiver for sports wagering lounge
- A-853/S-797 (Chiaravalloti, Karabinchak, McKnight/Cunningham, Doherty)** – Prohibits municipal licensure of children operating temporary businesses
- A-2311/S-356 (Calabrese, Jasey/Cryan, Codey)** – Establishes study commission to examine development of mutually beneficial relationships between institutions of higher education and municipalities
- A-3027/S-793 (Lampitt, Jasey, Houghtaling/Cunningham, Singleton)** – Commits \$3 million from Supplemental Workforce Fund for Basic Skill to NJ Community College Consortium for Workforce and Economic Development
- ACS for A-3352/S-3504 (Kennedy, Stanley, Calabrese/Smith)** – Requires certain newly constructed warehouses to be solar-ready buildings

**A-3897/S-3263 (Armato, Mazzeo, DiMaso/Beach, Gopal)** – Increases fee for New Jersey Waterfowl Stamps

**A-4138/S-2701 (Vainieri Huttle, Benson, Giblin/Gopal, Codey)** – Requires Department of Human Services to develop public emergency response plan for licensed providers of services to individuals with developmental disabilities

**A-4367/S-2794 (Mukherji, Sumter, Taliaferro/Pou, Scutari)** – Provides that AOC shall administer program for municipal courts allowing defendants to engage in online plea negotiations, entry of guilty plea, and payment of fine or penalty

**A-4484/S-3153 (McKnight, Kennedy, Mukherji, Gove/Pou, Vitale)** – Requires State Long-Term Care Ombudsman to establish long-term care advocacy and educational training program

**A-4538/S-3131 (Lampitt, Quijano/Pou, A.M. Bucco)** – Requires dental insurers to provide credits for reduced usage during coronavirus disease 2019 pandemic

**A-4544/S-3150 (Caputo, Jasey, Murphy/Pou, Codey)** – Permits school nurse who is retired from TPAF to return to employment for up to two years without reenrollment in TPAF

**A-4633/S-2856 (Giblin, DeCroce/Pou)** – Permits certain nonresident Certified Public Accountants to provide attest services

**A-4831/S-3953 (Chaparro, Kennedy, Murphy/Scutari)** – Clarifies classification in this State of criminal offenses committed in other states or under federal law

**A-4836/S-3313 (Giblin, Benson, Downey/Pou, Turner)** – Establishes task force to evaluate quality, efficacy, costs, and educational outcomes of online courses offered by public and independent institutions of higher education and degree-granting proprietary institutions during COVID-19 pandemic

**A-4861/S-3041 (Vainieri Huttle, Armato, Verrelli/Vitale, Gopal)** – Requires DOH to publish total number of COVID-19 deaths and cases in long-term care facilities

**A-4869/S-2414 (Wirths, Verrelli, Space/Singleton, Madden)** – Requires certain bidders for prevailing wage public work to provide proof that prevailing wage will be paid

**A-5059/S-3031 (Conaway, Vainieri Huttle, Benson/Sweeney, Vitale)** – Requires DOH to establish certain nursing education and professional advancement programs

**A-5212/S-3638 (Conaway, Verrelli, Karabinchak/Turner, Diegnan)** – Permits dentists to administer vaccines under certain circumstances

**A-5751/S-3823 (Swain, Timberlake, Carter, Johnson/Weinberg, Gopal)** – Expands State corrections officers training to include topics contributing to their core mission of treating inmates with dignity, fairness, and respect

**A-5817/S-3852 (Tully, Swain, Benson/Lagana, Diegnan)** – Revises violation and fines for approving or assigning unauthorized individuals as school bus drivers

**A-5818/S-3849 (Tully, Swain, Benson/Lagana, Diegnan)** – Provides for debarment of school bus contractors for certain violations; requires certain information in pupil transportation contract bid

**AJR-204/SJR-105 (Jasey, Benson, Reynolds-Jackson/Cunningham, T. Kean)** – Designates April of each year as “Educational Opportunity Fund (EOF) Month” in New Jersey

**AJR-238/SJR-123 (Burzichelli/Sweeney, Singleton)** – Urges U.S. President and EPA to take appropriate action, through waivers and other reforms, to allow blending of renewable fuels under the federal “Clean Air Act”

Governor Murphy conditionally vetoed the following bills:

**S-108/A-169 (Gill, Turner/Caputo, Wirths)** – **CONDITIONAL** - Concerns speech rights of student journalists at public schools and public institutions of higher education



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**S-2078/A-5008 (Weinberg, Addiego/Lampitt, Benson, Vainieri Huttie) – CONDITIONAL** - Establishes “Stillbirth Resource Center” and regional Fetal and Infant Mortality Review Committee, and programs for the prevention and reduction of incidences of stillbirth; expands list of professionals authorized to provide stillbirth-related care

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**S-2160/A-5701 (Sweeney, Oroho, Singer/Carter, Lampitt, Jasey) – CONDITIONAL** - Creates special education unit within the Office of Administrative Law; requires annual report

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**S-2525/A-4274 (Rice, Singleton, Turner/Conaway, Sumter, Stanley) – CONDITIONAL** - Expands powers and duties of State Chief Diversity Officer to promote diversity in State government and public contracting

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**S-2559/ACS for A-4179 and 4200 (Gopal, Gill/Downey, Conaway, Benson, Houghtaling, Karabinchak) – CONDITIONAL** - Revises requirements for health insurance providers and Medicaid to cover services provided using telemedicine and telehealth; appropriates \$5 million

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**S-2834/A-5312 (Ruiz, Cunningham/Quijano, Lampitt, McKnight) – CONDITIONAL** - Mandates training on culturally responsive teaching for all candidates for teaching certification

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**S-2953/A-4785 (Sweeney, Cunningham/Quijano, Verrelli, Mukherji) – CONDITIONAL** - Expands scope of inmate reentry assistance and benefits

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**S-3238/A-5213 (Ruiz, Pou/Verrelli, McKnight, McKeon) – CONDITIONAL** - Establishes New Jersey Easy Enrollment Health Insurance Program

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**S-3488/A-5537 (Sweeney, Gopal, O'Scanlon/Burzichelli, Dancer, Spearman) – CONDITIONAL** - Modifies certain procedures pertaining to school district regionalization; establishes grant program for cost reimbursement of conducting regionalization feasibility studies; and provides financial incentives for regionalization

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**S-3867/A-5868 (Addiego, Singleton/Benson, Verrelli, Vainieri Huttie) – CONDITIONAL** - Establishes Opioid Recovery and Remediation Fund and Opioid Recovery and Remediation Fund Advisory Council; provides for funds received from opioid settlements to support substance use disorder prevention and treatment programs

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**S-3955/A-5905 (Ruiz/Timberlake, Speight, Spearman) – CONDITIONAL** - Establishes “Rental Assistance Navigation Program” in DCA; makes appropriation

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**A-1533/S-3321 (Spearman, Reynolds-Jackson, Schaer/Stack, Turner) – CONDITIONAL** - Requires reservation of portion of tenant-based vouchers under State rental assistance program for persons displaced due to redevelopment of an affordable housing development; provides displaced persons with affordable housing priority status

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**A-2455/S-2204 (Benson, Vainieri Huttle, DeAngelo/Greenstein, Oroho) – CONDITIONAL** - Establishes pilot program in DOE to support FIRST Robotics Programs in school districts

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**A-3062/S-1196 (Pintor Marin, Moen, Reynolds-Jackson/Pou, Cruz-Perez) – CONDITIONAL** - Establishes three year Financial Empowerment Pilot Program

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**A-4002/S-2257 (Caputo, Dancer, Murphy/Gopal, Sarlo) – CONDITIONAL** - Allows deduction of promotional gaming credit from gross revenue on sports wagering

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**A-4433/S-2715 (Greenwald, Mukherji, Lampitt/Beach, Corrado) – CONDITIONAL** - Creates grant program to encourage school districts to partner with institutions of higher education in training school-based mental health services providers

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**A-4435/S-2717 (Verrelli, Greenwald, Speight, Lampitt/Beach, Corrado) – CONDITIONAL** - Requires DCF to give priority to certain school districts with student mental health counseling centers in awarding grants under School Based Youth Services Program

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**A-4630/S-577 (Burzichelli/Madden, Singleton) – CONDITIONAL** - Concerns labor harmony agreements in retail and distribution center projects

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**A-4746/S-3947 (Mosquera, Lopez, Chaparro, Dunn/Vitale, Turner) – CONDITIONAL** - Requires that certain provider subsidy payments for child care services be based on enrollment

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**A-4834/S-3474 (Mazzeo, Quijano, Downey/Pou, Turner) – CONDITIONAL** - Requires disclosure letter be included with mail falsely implying State government connection

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**A-4850/S-3095 (Karabinchak, Freiman, Calabrese, Greenwald/Diegnan) – CONDITIONAL** - Establishes expedited construction inspection program

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**A-5033/S-3279 (Benson, Dancer, Verrelli/Gopal) – CONDITIONAL** - Authorizes motor vehicle dealers to sell motor vehicles online and obtain electronic signatures for motor vehicle transactions

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**A-5353/S-3421 (Conaway, Vainieri Huttle, Benson/Madden, Turner) – CONDITIONAL** - Provides for certification of temporary nurse aides

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**A-5599/S-3916 (Chiaravalloti, Vainieri Huttle, McKnight/Scutari, Gill) – CONDITIONAL** - Establishes order of protection for current or former judge; upgrades and clarifies harassment against current or former judge; bars firearms possession by persons against whom current or former judge order of protection is entered

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**A-5864/S-3939 (Speight, Pintor Marin, Chaparro, McKnight, DeAngelo, Bergen/Gopal, Cryan) – CONDITIONAL** - Allows law enforcement officers to review body worn camera recordings prior to creating initial report

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Governor Murphy absolute vetoed the following bills:

**S-415/A-4685 (Turner/Quijano, Verrelli) – ABSOLUTE** - Requires reentry assistance to be provided to certain inmates who have served their maximum sentence

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**S-969/ACS for A-2687 (Ruiz, Turner/Mazzeo, Lampitt, Moen) – CONDITIONAL** - Establishes loan redemption program for teachers in certain fields to redeem loan amounts received under New Jersey College Loans to Assist State Students Loan Program through employment in certain low performing schools

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**S-2261/A-4265 (Singleton/Conaway) – ABSOLUTE** - Revises law relating to common interest communities

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**S-2347/A-4030 (Sweeney, Greenstein, T. Kean/Mukherji, Benson, Murphy) – ABSOLUTE** - Establishes Employment and Business-Related Tax Deferral Assistance Program in EDA to allow small businesses to defer the payment and remittance of certain employment and business-related taxes during COVID-19 public health emergency

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**S-3093/A-4910 (Gopal, Sweeney, Singleton/Burzichelli, Johnson, Danielsens) – ABSOLUTE** - Establishes county-based mitigation plan to allow businesses to operate during pandemic

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**S-3505/A-5371 (Scutari, Weinberg/Mukherji, Johnson, Quijano) – ABSOLUTE** - Requires assignment of unemployment claims handlers to legislative districts and partisan offices during COVID-19 pandemic state of emergency; appropriates \$1.8 million

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**S-3868/A-5895 (Sarlo/Giblin) – ABSOLUTE** - Concerns construction code enforcing agency fee revenue

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**A-2722/S-1862 (Mukherji/Gopal, Oroho) – ABSOLUTE** - Requires Commissioner of Corrections to institute 30-minute shift overlap in State correctional facilities

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**A-4297/S-2631 (Houghtaling, Downey, Space/Gopal, Oroho) – ABSOLUTE** - Permits conduct of bingos and raffles remotely; permits online sale of tickets for all bingos and raffles

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**A-5231/S-3806 (Lopez, Coughlin, Freiman/Vitale) – ABSOLUTE** - Allows county or municipal governing body to enter into revenue sharing agreement for alcoholic beverage sales by concessionaire permit holder

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