

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H2/3/15 H2/5/15

A Bill

HOUSE BILL 1177

5 By: Representatives Ballinger, Bentley, Rushing, Womack, Vaught, Gonzales, Harris, *Brown, Gates,*
6 *House, M. Hodges, Bell, V. Flowers, Wardlaw*
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE NATURAL HAIR BRAIDING PROTECTION
10 ACT; TO *EXEMPT CERTAIN HAIR* BRAIDING FROM THE
11 COSMETOLOGY TECHNICAL ADVISORY COMMITTEE; AND FOR
12 OTHER PURPOSES.
13
14

Subtitle

15 TO CREATE THE NATURAL HAIR BRAIDING
16 PROTECTION ACT.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 17, Chapter 26, is amended to add an
23 additional subchapter to read as follows:
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Subchapter 5 – Natural Hair Braiding Protection Act

17-26-501. Title.

28 This subchapter shall be known and may be cited as the “Natural Hair
29 Braiding Protection Act.”
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17-26-502. Legislative findings.

32 The General Assembly finds that:

33 (1) Natural hair braiding is a traditional practice that is
34 safe;

35 (2) Natural hair braiding presents no significant health and
36 safety risks to customers or practitioners;



1 (3) Occupational regulation harms consumers by limiting their
2 choices or by forcing consumers to forgo braiding services or enter the
3 underground economy;

4 (4) Occupational regulation and occupational licenses cause
5 unnecessary difficulties for natural hair braiders to earn an honest living
6 through their practice, to provide for themselves and their families, to
7 offer their services to and compete for customers, and to create new
8 employment and business opportunities through their entrepreneurship; and

9 (5) It is the public policy of this state to protect economic
10 liberty.

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12 17-26-503. Definitions.

13 As used in this subchapter:

14 (1)(A) "Hair braiding" means the technique performed by hand
15 that results in tension on hair roots such as twisting, locking, or braiding
16 of the hair.

17 (B) "Hair braiding" does not include:

18 (i) The application of dyes, reactive chemicals or
19 other preparations to alter the color or to straighten, curl, or alter the
20 structure of the hair; or

21 (ii) Embellishing or beautifying hair by cutting or
22 singeing, except as needed in the braiding process;

23 (2) "Mechanical device" means clips, combs, curlers, curling irons,
24 hairpins, rollers, scissors, needles, thread, and hair binders; and

25 (2)(A) "Natural hair braiding" means a service of twisting,
26 wrapping, weaving, extending, locking, or braiding hair by hand or with a
27 mechanical device that includes without limitation:

28 (iii) The use of natural or synthetic hair
29 extensions, natural or synthetic hair fibers, decorative beads, and other
30 hair accessories;

31 (iv) The minor trimming of natural hair or hair
32 extensions incidental to twisting, wrapping, weaving, extending, locking, or
33 braiding hair;

34 (v) The use of topical agents such as conditioners,
35 gels, moisturizers, oils, pomades, and shampoos; and

36 (vi) The making of wigs from natural hair, natural

1 fibers, synthetic fibers, and hair extensions.

2 (B) Natural hair braiding does not include:

3 (i) The application of dyes, reactive chemicals, or
4 other preparations to alter the color of the hair or to straighten, curl, or
5 alter the structure of the hair follicle; or

6 (ii) The use of chemical hair joining agents such as
7 synthetic tape, keratin bonds, or fusion bonds.

8 (C) Natural hair braiding is commonly known as “African-
9 style hair braiding” but is not limited to any particular cultural, ethnic,
10 racial, or religious form of hairstyle.

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12 17-26-504. Exemption.

13 The practice of natural hair braiding, except as provided by this
14 subchapter, is exempt from regulation under this chapter and is exempt from
15 the authority of the Cosmetology Technical Advisory Committee, the State
16 Board of Health, and the Department of Health.

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18 17-26-505. Application of licensing requirements.

19 (a)(1) A person who has practiced hair braiding for two (2)
20 consecutive years as of December 31, 2015, shall be granted a hair braiding
21 certificate if he or she completes and files the following on or before
22 December 31, 2015:

23 (A) An application for certification;

24 (B) Payment of the registration fee of thirty dollars
25 (\$30.00) every two (2) years;

26 (C) An affidavit signed by the applicant attesting that he
27 or she has practiced hair braiding for two (2) consecutive years; and

28 (D) An affidavit signed by an employer or customer of the
29 applicant attesting that he or she has witnessed the applicant practicing
30 hair braiding in the past two (2) years.

31 (b)(1) Except as provided under subsection (a) of this section, an
32 applicant for hair braiding certification asserting reciprocity with another
33 state shall:

34 (A) Provide a certificate, a license, or a registration
35 from another state that shows that he or she was legally practicing natural
36 hair styling, braiding, or natural hair cultivation in that state;

1 (B) Pass a written examination approved and administered
2 by the Cosmetology Technical Advisory Committee;

3 (C) Submit an application for certification; and

4 (D) Pay a registration fee of thirty dollars (\$30.00)
5 every two (2) years.

6 (2) Except as provided under subsection (a) of this section, an
7 applicant for hair braiding certification who is not asserting reciprocity
8 with another state shall:

9 (A) Provide proof of completion of an eighty-hour health
10 and safety course approved by the committee;

11 (B) Provide proof of completion of a forty-hour scalp care
12 course approved by the committee;

13 (C) Pass a written examination approved and administered
14 by the committee on health, safety, scalp care, and the law;

15 (D) Submit an application for certification; and

16 (E) Pay a registration fee of thirty dollars (\$30.00)
17 every two (2) years.

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19 /s/Ballinger
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