

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

1 State of Arkansas *As Engrossed: H2/3/15 H2/5/15 H2/11/15*

2 90th General Assembly

A Bill

3 Regular Session, 2015

HOUSE BILL 1177

4

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

7

8

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

15

Subtitle

16

TO CREATE THE NATURAL HAIR BRAIDING

17

PROTECTION ACT.

18

19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21

22 SECTION 1. Arkansas Code Title 17, Chapter 26, is amended to add an
23 additional subchapter to read as follows:

24

25 Subchapter 5 – Natural Hair Braiding Protection Act

26

27 17-26-501. Title.

28 This subchapter shall be known and may be cited as the “Natural Hair
29 Braiding Protection Act.”

30

31 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.

11
12 17-26-503. Definitions.

13 As used in this subchapter:

14
15 (1) "Mechanical device" means clips, combs, curlers, curling irons,
16 hairpins, rollers, scissors, needles, thread, and hair binders; and

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

20 (iii) The use of natural or synthetic hair
21 extensions, natural or synthetic hair fibers, decorative beads, and other
22 hair accessories;

23 (iv) The minor trimming of natural hair or hair
24 extensions incidental to twisting, wrapping, weaving, extending, locking, or
25 braiding hair;

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

28 (vi) The making of wigs from natural hair, natural
29 fibers, synthetic fibers, and hair extensions.

30 (B) Natural hair braiding does not include:

31 (i) The application of dyes, reactive chemicals, or
32 other preparations to alter the color of the hair or to straighten, curl, or
33 alter the structure of the hair;

34 (ii) The use of chemical hair joining agents such as
35 synthetic tape, keratin bonds, or fusion bonds; or

36 (iii) Embellishing or beautifying hair by cutting or

1 singeing except as needed in the braiding process.

2 (C) Natural hair braiding is commonly known as "African-
3 style hair braiding" but is not limited to any particular cultural, ethnic,
4 racial, or religious form of hairstyle.

5
6 17-26-504. Exemption.

7 The practice of natural hair braiding, except as provided by this
8 subchapter, is exempt from regulation under this chapter and is exempt from
9 the authority of the Cosmetology Technical Advisory Committee, the State
10 Board of Health, and the Department of Health.

11
12 17-26-505. Application of certification requirements.

13 (a) A person who has practiced natural hair braiding for two (2)
14 consecutive years as of December 31, 2015, shall be granted a natural hair
15 braiding certificate if he or she completes and files the following on or
16 before December 31, 2015:

17 (1) An application for certification;

18 (2) Payment of the registration fee of thirty dollars
19 (\$30.00) every two (2) years;

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

22 (4) An affidavit signed by an employer or customer of the
23 applicant attesting that he or she has witnessed the applicant practicing
24 natural hair braiding in the past two (2) years.

25 (b)(1) Except as provided under subsection (a) of this section, an
26 applicant for natural hair braiding certification asserting reciprocity with
27 another state shall:

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

31 (B) Pass a written examination approved by the Cosmetology
32 Technical Advisory Committee;

33 (C) Submit an application for certification; and

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

36 (2) Except as provided under subsection (a) of this section, an

1 applicant for natural hair braiding certification who is not asserting
2 reciprocity with another state shall:

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

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

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

9 (D) Submit an application for certification; and

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

12 (c) An individual may engage in natural hair braiding and operate an
13 establishment where only natural hair braiding is practiced without obtaining
14 natural hair braiding certification.

15
16 /s/Ballinger
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36