

1 AN ACT concerning African hair braiding.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Barber, Cosmetology, Esthetics, and Nail
5 Technology Act of 1985 is amended by changing Sections 1-11
6 and 3-1 as follows:

7 (225 ILCS 410/1-11) (from Ch. 111, par. 1701-11)

8 (Section scheduled to be repealed on January 1, 2006)

9 Sec. 1-11. Exceptions to Act.

10 (a) Nothing in this Act shall be construed to apply to
11 the educational activities conducted in connection with any
12 monthly, annual or other special educational program of any
13 bona fide association of licensed cosmetologists,
14 estheticians, nail technicians, or barbers, or licensed
15 cosmetology, esthetics, nail technology, or barber schools
16 from which the general public is excluded.

17 (b) Nothing in this Act shall be construed to apply to
18 the activities and services of registered nurses or licensed
19 practical nurses, as defined in the Nursing and Advanced
20 Practice Nursing Act, or to personal care or health care
21 services provided by individuals in the performance of their
22 duties as employed or authorized by facilities or programs
23 licensed or certified by State agencies. As used in this
24 subsection (b), "personal care" means assistance with meals,
25 dressing, movement, bathing, or other personal needs or
26 maintenance or general supervision and oversight of the
27 physical and mental well-being of an individual who is
28 incapable of maintaining a private, independent residence or
29 who is incapable of managing his or her person whether or not
30 a guardian has been appointed for that individual. The
31 definition of "personal care" as used in this subsection (b)

1 shall not otherwise be construed to negate the requirements
2 of this Act or its rules.

3 (c) Nothing in this Act shall be deemed to require
4 licensure of individuals employed by the motion picture,
5 film, television, stage play or related industry for the
6 purpose of providing cosmetology or esthetics services to
7 actors of that industry while engaged in the practice of
8 cosmetology or esthetics as a part of that person's
9 employment.

10 (d) Nothing in this Act shall be construed to apply to
11 persons braiding hair using techniques and methods that
12 originated in Africa.

13 (Source: P.A. 90-580, eff. 5-21-98; 90-742, eff. 8-13-98;
14 91-357, eff. 7-29-99.)

15 (225 ILCS 410/3-1) (from Ch. 111, par. 1703-1)

16 (Section scheduled to be repealed on January 1, 2006)

17 Sec. 3-1. Cosmetology defined. Any one or any
18 combination of the following practices constitutes the
19 practice of cosmetology when done for cosmetic or beautifying
20 purposes and not for the treatment of disease or of muscular
21 or nervous disorder: arranging, (not braiding), dressing,
22 cutting, trimming, curling, waving, chemical restructuring,
23 shaping, singeing, bleaching, coloring or similar work, upon
24 the hair of the head; cutting or trimming facial hair of any
25 person; any practice of manicuring, pedicuring, decorating
26 nails, applying sculptured nails or otherwise artificial
27 nails by hand or with mechanical or electrical apparatus or
28 appliances, or in any way caring for the nails or the skin of
29 the hands or feet including massaging the hands, arms,
30 elbows, feet, lower legs, and knees of another person for
31 other than the treatment of medical disorders; any practice
32 of epilation or depilation of any person; any practice for
33 the purpose of cleansing, massaging or toning the skin of the

1 scalp; beautifying, massaging, cleansing, exfoliating the
2 stratum corneum of the epidermis, or stimulating the skin of
3 the human body by the use of cosmetic preparations,
4 antiseptics, body treatments, body wraps, the use of
5 hydrotherapy, tonics, lotions or creams or any device,
6 electrical or otherwise, for the care of the skin; applying
7 make-up or eyelashes to any person, tinting eyelashes and
8 eyebrows and lightening hair on the body and removing
9 superfluous hair from the body of any person by the use of
10 depilatories, waxing or tweezers. The term "cosmetology"
11 does not include the services provided by an electrologist.
12 Nail technology is the practice and the study of cosmetology
13 only to the extent of manicuring, pedicuring, decorating, and
14 applying sculptured or otherwise artificial nails, or in any
15 way caring for the nail or the skin of the hands or feet
16 including massaging the hands, arms, elbows, feet, lower
17 legs, and knees. Cosmetologists are prohibited from
18 performing any procedure that may puncture or abrade the skin
19 below the stratum corneum of the epidermis or remove closed
20 milia (whiteheads) which may draw blood or serous body fluid.
21 The term cosmetology includes rendering advice on what is
22 cosmetically appealing, but no person licensed under this Act
23 shall render advice on what is appropriate medical treatment
24 for diseases of the skin. Purveyors of cosmetics may
25 demonstrate such cosmetic products in conjunction with any
26 sales promotion and shall not be required to hold a license
27 under this Act. Nothing in this Act shall be construed to
28 prohibit the shampooing of hair by persons employed for that
29 purpose and who perform that task under the direct
30 supervision of a licensed cosmetologist or licensed
31 cosmetology teacher.
32 (Source: P.A. 91-863, eff. 7-1-00.)

33 Section 99. Effective date. This Act takes effect upon

1 becoming law.