



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1384

Introduced 2/9/2007, by Sen. Kwame Raoul

SYNOPSIS AS INTRODUCED:

225 ILCS 410/3-1 from Ch. 111, par. 1703-1
225 ILCS 410/Art. IIIIE heading new
225 ILCS 410/3E-1 new
225 ILCS 410/3E-5 new

Amends the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985. Removes braiding from the list of practices that constitute the practice of cosmetology. Adds an Article concerning hair braiders. Provides that beginning 9 months after the effective date of the amendatory Act, no person may operate or be employed as a hair braider in this State unless he or she possesses a valid certificate of health, safety, and hygiene instruction issued by the Department. Sets forth requirements for the issuance of the certificate. Grants rulemaking authority to the Department of Financial and Professional Regulation.

LRB095 08954 RAS 29145 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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 Section 3-1 and
6 by adding Article IIIIE as follows:

7 (225 ILCS 410/3-1) (from Ch. 111, par. 1703-1)

8 (Section scheduled to be repealed on January 1, 2016)

9 Sec. 3-1. Cosmetology defined. Any one or any combination
10 of the following practices constitutes the practice of
11 cosmetology when done for cosmetic or beautifying purposes and
12 not for the treatment of disease or of muscular or nervous
13 disorder: arranging, ~~braiding~~, dressing, cutting, trimming,
14 curling, waving, chemical restructuring, shaping, singeing,
15 bleaching, coloring or similar work, upon the hair of the head
16 or any cranial prosthesis; cutting or trimming facial hair of
17 any person; any practice of manicuring, pedicuring, decorating
18 nails, applying sculptured nails or otherwise artificial nails
19 by hand or with mechanical or electrical apparatus or
20 appliances, or in any way caring for the nails or the skin of
21 the hands or feet including massaging the hands, arms, elbows,
22 feet, lower legs, and knees of another person for other than
23 the treatment of medical disorders; any practice of epilation

1 or depilation of any person; any practice for the purpose of
2 cleansing, massaging or toning the skin of the scalp;
3 beautifying, massaging, cleansing, exfoliating, or stimulating
4 the stratum corneum of the epidermis by the use of cosmetic
5 preparations, body treatments, body wraps, the use of
6 hydrotherapy, or any device, electrical, mechanical, or
7 otherwise; applying make-up or eyelashes to any person or
8 lightening hair on the body and removing superfluous hair from
9 the body of any person by the use of depilatories, waxing or
10 tweezers. The term "cosmetology" does not include the services
11 provided by an electrologist. Nail technology is the practice
12 and the study of cosmetology only to the extent of manicuring,
13 pedicuring, decorating, and applying sculptured or otherwise
14 artificial nails, or in any way caring for the nail or the skin
15 of the hands or feet including massaging the hands, arms,
16 elbows, feet, lower legs, and knees. Cosmetologists are
17 prohibited from using any technique, product, or practice
18 intended to affect the living layers of the skin. The term
19 cosmetology includes rendering advice on what is cosmetically
20 appealing, but no person licensed under this Act shall render
21 advice on what is appropriate medical treatment for diseases of
22 the skin. Purveyors of cosmetics may demonstrate such cosmetic
23 products in conjunction with any sales promotion and shall not
24 be required to hold a license under this Act. Nothing in this
25 Act shall be construed to prohibit the shampooing of hair by
26 persons employed for that purpose and who perform that task

1 under the direct supervision of a licensed cosmetologist or
2 licensed cosmetology teacher.

3 (Source: P.A. 94-451, eff. 12-31-05.)

4 (225 ILCS 410/Art. IIIE heading new)

5 ARTICLE IIIE. HAIR BRAIDERS

6 (225 ILCS 410/3E-1 new)

7 (Section scheduled to be repealed on January 1, 2016)

8 Sec. 3E-1. Hair braider defined. For the purposes of this
9 Article, "hair braider" means any person who, for compensation,
10 practices any one or any combination of the following
11 processes: the process of interweaving an individual's natural
12 hair; the process of interweaving together synthetic hair with
13 human hair by hand; or similar work upon the hair of any
14 person, which does not otherwise constitute the practice of
15 cosmetology as defined in Section 3-1 of this Act.

16

17 (225 ILCS 410/3E-5 new)

18 (Section scheduled to be repealed on January 1, 2016)

19 Sec. 3E-5. Certificate of health, safety, and hygiene
20 instruction required.

21 (a) Beginning 9 months after the effective date of this
22 amendatory Act of the 95th General Assembly, no person may
23 operate or be employed as a hair braider in this State unless

1 he or she possesses a valid certificate of health, safety, and
2 hygiene instruction issued by the Department.

3 (b) The Department shall issue a certificate of health,
4 safety, and hygiene instruction to any person who (i) has
5 completed 100 hours of Department-approved cosmetology
6 instruction in the areas of health, safety, and hygiene and
7 (ii) has passed an examination given by the Department.

8 (c) The Department shall adopt rules necessary for the
9 implementation and administration of this Article.