

1 **SENATE FLOOR VERSION**

2 February 26, 2024

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 283

6 By: Bergstrom

7 [ cosmetology and barbering - exception - effective  
8 date ]

9  
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 59 O.S. 2021, Section 199.1, is  
12 amended to read as follows:

13 Section 199.1. As used in the Oklahoma Cosmetology and  
14 Barbering Act:

15 1. "Apprentice" means a person who is engaged in learning the  
16 practice of cosmetology or barbering in a cosmetology or barbering  
17 establishment;

18 2. "Barber" or "barber stylist" means any person who engages in  
19 the practice of barbering;

20 3. "Barbering" means ~~any one or any combination of the~~  
21 following practices, when done upon the upper part of the human body  
22 for cosmetic purposes and when done for payment either directly or  
23 indirectly for the general public, ~~constitutes~~ constitute the  
24 practice of barbering, to wit: Shaving or trimming the beard or

1 cutting the hair; giving facial or scalp massages or treatment with  
2 oils, creams, lotions or other preparations, either by hand or  
3 mechanical appliances; singeing, shampooing or applying lighteners  
4 or color to the hair or applying hair tonics; applying cosmetic  
5 preparations, antiseptics, powders, oils, clays or lotions to scalp,  
6 face, neck or upper part of the body; and removing superfluous hair  
7 from the face, neck or upper part of the body;

8 4. "Barber establishment" means an establishment or place of  
9 business where one or more persons are engaged in the practice of  
10 barbering, but shall not include barber schools or colleges;

11 5. "Barber school" or "barber college" means an establishment  
12 operated for the purpose of teaching barbering;

13 6. "Blow-dry styling" means the practice of shampooing,  
14 conditioning, drying, arranging, curling, straightening, or styling  
15 hair using mechanical devices, hairsprays, and topical agents  
16 including, but not limited to, balms, oils, and serums. Blow-dry  
17 styling shall include the use and styling of hair extensions, hair  
18 pieces, and wigs. Blow-dry styling shall not include cutting hair  
19 or the application of dyes, bleach, reactive chemicals, keratin  
20 treatments, or other preparations for the coloring and altering of  
21 hair structure. Individuals solely practicing blow-dry styling as  
22 defined in this paragraph shall not be required to hold a license or  
23 certification under the Oklahoma Cosmetology and Barbering Act;

24 7. "Board" means the State Board of Cosmetology and Barbering;

1       ~~7.~~ 8. "Cosmetic studio" means any place or premises where  
2 demonstrators give demonstrations, without compensation, for the  
3 purpose only of advertising and selling cosmetics;

4       ~~8.~~ 9. "Cosmetician" means a person licensed by the Board to  
5 perform patron services limited to ~~hair arranging and the~~  
6 application of makeup, ~~including, but not limited to, using~~  
7 ~~hairstyling tools and products~~. Services must be performed in a  
8 licensed establishment;

9       ~~9.~~ 10. "Cosmetology" means any one or combination of practices  
10 generally and usually performed by and known as the occupation of  
11 beauticians, beauty culturists, beauty operators, cosmeticians,  
12 cosmetologists, or hairdressers or of any other person holding  
13 himself or herself out as practicing cosmetology by whatever  
14 designation and within the meaning of the Oklahoma Cosmetology and  
15 Barbering Act and in or upon whatever place or premises.  
16 Cosmetology shall include, but not be limited to, any one or  
17 combination of the following practices: bleaching, cleansing,  
18 curling, cutting, coloring, dressing, removing, singeing, styling,  
19 waving, or similar work upon the hair of any person by any means,  
20 whether with hands or mechanical or electrical apparatus or  
21 appliances. Nothing in the Oklahoma Cosmetology and Barbering Act  
22 shall be construed to prohibit the use of hands or mechanical or  
23 electrical apparatus or appliances for the nonpermanent removal of  
24 hair from the human body without puncturing of the skin or the use

1 of cosmetic preparations, antiseptics, tonics, lotions, or creams,  
2 or massaging, cleansing, stimulating, exercising, beautifying, or  
3 similarly working the scalp, face, neck, arms, or the manicuring of  
4 the nails of any person, exclusive of such of the foregoing  
5 practices as are within the scope of practice of the healing arts as  
6 provided by law;

7 ~~10.~~ 11. "Cosmetology establishment" means an establishment or  
8 place of business where one or more persons are engaged in the  
9 practices of cosmetology but shall not include cosmetology schools  
10 or colleges;

11 ~~11.~~ 12. "Cosmetology or barber school/college" means any place  
12 or premises where instruction in any or all the practices of  
13 cosmetology or barbering is given. Any person, firm, institution or  
14 corporation, who holds himself, herself or itself out as a school to  
15 teach and train, or any person, firm, institution or corporation who  
16 shall teach and train any other person or persons in any of the  
17 practices of cosmetology or barbering is hereby declared to be  
18 engaged in operating a cosmetology and/or barber school, and shall  
19 be subject to the provisions of the Oklahoma Cosmetology and  
20 Barbering Act. Licensed cosmetology and/or barber schools may offer  
21 education to secondary and postsecondary students in this state;

22 ~~12.~~ 13. "Demonstrator" means a person who is not licensed in  
23 this state as an operator or instructor and who demonstrates any  
24 cosmetic preparation. The person shall be required to obtain a

1 Demonstrator license and pass a state written exam relating to  
2 general safety and sanitation from the Board before making any such  
3 demonstrations;

4 ~~13.~~ 14. "Facial/Esthetics instructor" means a person licensed  
5 by the Board as a qualified teacher of the art and science of facial  
6 and esthetics theory and practice;

7 ~~14.~~ 15. "Facialist/Esthetician" means any person who gives  
8 facials for compensation;

9 ~~15.~~ 16. "Hairbraiding technician" means a person certified by  
10 the Board to perform hairbraiding, hairweaving techniques, and hair  
11 extensions in a licensed cosmetology establishment;

12 ~~16.~~ 17. "Hybrid learning" means courses that combine face-to-  
13 face classroom instruction with ~~en-line~~ online, computer-based  
14 learning;

15 ~~17.~~ 18. "Manicurist/Nail technician" means a person who gives  
16 manicures, gives pedicures, or applies artificial nails;

17 ~~18.~~ 19. "Manicurist/Nail technician instructor" means a person  
18 licensed by the Board as a qualified teacher of the art and science  
19 of nail technology theory and practice;

20 ~~19.~~ 20. "Master barber instructor" means a person who gives  
21 instruction in barbering or any practices thereof;

22 ~~20.~~ 21. "Master cosmetology instructor" means a person who  
23 gives instruction in cosmetology or any practices thereof;

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1       ~~21.~~ 22. "Postsecondary institution" means a school licensed to  
2 teach students according to prescribed curriculum as in paragraph 1  
3 of subsection G of Section 199.7 of this title and in Board rule  
4 175:10-3-34(a);

5       ~~22.~~ 23. "Public school" means any state-supported institution  
6 conducting a cosmetology program;

7       ~~23.~~ 24. "Secondary institution" means a school licensed to  
8 teach students eligible for credit of five hundred (500) hours of  
9 related subjects as prescribed in paragraph 2 of subsection G of  
10 Section 199.7 of this title and in Board rule 175:10-3-34(b); and

11       ~~24.~~ 25. "Student" means a person who is enrolled in and  
12 attending a cosmetology or barbering school for the purpose of  
13 learning the practice of cosmetology or barbering.

14       SECTION 2. This act shall become effective November 1, 2024.

15       COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE  
16       February 26, 2024 - DO PASS AS AMENDED BY CS

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