



**House Boards, Agencies and Commissions Reported
Substitute for HB341**

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A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Board of Cosmetology and Barbering; to amend Sections 34-7B-1 and 34-7B-13, Code of Alabama 1975, to remove makeup from the definition of "esthetics" and from regulation by the board; and to exempt individuals who only provide makeup application services from licensing or regulation by the board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 34-7B-1 and 34-7B-13, Code of Alabama 1975, are amended to read as follows:

"§34-7B-1

For the purposes of this chapter, the following terms shall have the following meanings:

(1) APPRENTICE. Any person engaged in learning the practices defined in this article including, but not limited to, assisting in the performance of any acts of barbering or cosmetology on the general public under the constant and direct supervision of a person who has held a valid current license issued by the board for at least five years, in a shop licensed by the board.

(2) BARBERING. The occupation of shaving or trimming



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29 the beard, cutting or dressing the hair, giving facial or
30 scalp massages, giving facial or scalp treatment with oils or
31 creams or other preparations made for that purpose, either by
32 hand or by means of mechanical appliances, singeing and
33 shampooing the hair, dyeing the hair, or permanently waving or
34 straightening the hair of any living or deceased person for
35 compensation, as performed by a Class 2 barber.

36 (3) BOARD. The Alabama Board of Cosmetology and
37 Barbering.

38 (4) CLASS 1 BARBER. A person who only does the
39 following in his or her ordinary course of business: Arranges,
40 cleans, cuts, or sings the hair of any person or massages,
41 cleans, stimulates, exercises, or does similar work on the
42 scalp, face, or neck of any person with the hands, or with
43 mechanical or electrical apparatus or appliance, or by the use
44 of cosmetic preparations, antiseptics, tonics, lotions, or
45 creams. Any one or a combination of the following practices,
46 when done upon the human body above the seventh cervical
47 vertebra for cosmetic purposes and not for the treatment of
48 disease or physical or mental ailments, and when done for
49 payment, directly or indirectly or without payment for the
50 public generally: Shaving or trimming the beard or trimming
51 the hair.

52 (5) CLASS 2 BARBER. Any person, other than a student or
53 apprentice, who performs barbering on the general public for
54 compensation, and who shall satisfy the qualifications and
55 licensure requirements provided in this chapter for a Class 2
56 barber. For the purposes of this chapter, the term barber,



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57 standing alone, shall be deemed a reference to a Class 2
58 barber.

59 (6) COSMETOLOGIST. Any person, other than a student or
60 apprentice, who performs cosmetology on the general public for
61 compensation, and who shall satisfy the qualifications and
62 licensure requirements provided in this article for a
63 cosmetologist.

64 (7) COSMETOLOGY. Any of the practices generally
65 recognized as beauty culture, hairdressing, or any other
66 designation engaged in by any person who performs such on the
67 general public for compensation including, but not limited to,
68 cleansing, singeing, cutting, arranging, dressing, curling,
69 braiding, waxing, bleaching, weaving, coloring the hair by
70 hand or mechanical apparatus, the use of creams, lotions, or
71 cosmetic preparations, with or without massage, on the scalp,
72 face, arms, legs, feet, or hands, esthetics practices, nail
73 technology, manicure, pedicure, or desairology.

74 (8) ESTHETICIAN. Any person, other than a student or
75 apprentice, who performs esthetics on the general public for
76 compensation, and who shall satisfy the qualifications and
77 licensure requirements provided in this article for an
78 esthetician.

79 (9) ESTHETICS. The practice of performing acts of skin
80 care including, but not limited to, facials, body waxing,
81 ~~makeup~~, and general esthetics procedures on the general public
82 for compensation.

83 (10) ESTHETICS/MANICURE. A combination of the practices
84 of esthetics and manicure.



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85 (11) ESTHETICIAN/MANICURIST. Any person, other than a
86 student or apprentice, who performs a combination of the
87 practices of esthetics and manicure on the general public for
88 compensation, and who shall satisfy the qualifications and
89 licensure requirements provided in this article for an
90 esthetician/manicurist.

91 (12) INSTRUCTOR. A licensee who teaches in a licensed
92 or registered school of barbering or any branch of cosmetology
93 and completes any applicable requirements for continuing
94 education.

95 (13) LICENSE. A document issued by the board which
96 entitles the holder to practice the profession listed on the
97 document.

98 (14) LICENSEE. Any person holding a license issued
99 pursuant to this article.

100 (15) MANICURE. The practice of beautifying or grooming
101 the fingernails, toenails, adding nail tips, extensions, gels,
102 or massaging the hands, forearms, feet, or lower legs of the
103 general public for compensation.

104 (16) MANICURIST. Any person, other than a student or
105 apprentice, who performs the practice of manicure on the
106 general public for compensation, and who shall satisfy the
107 qualifications and licensure requirements provided in this
108 article for a manicurist.

109 (17) MANICURE/WAXING. A combination of the practices of
110 manicure and waxing.

111 (18) MANICURIST/WAXER. Any person, other than a student
112 or apprentice, who performs a combination of the practices of



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113 manicure and waxing on the general public for compensation,
114 and who shall satisfy the qualifications and licensure
115 requirements provided in this article for a manicurist/waxer.

116 (19) NATURAL HAIR STYLING. The practice of cleansing,
117 weaving or interweaving, extending, locking, braiding, or
118 arranging the hair without cutting, coloring, permanent
119 waving, relaxing, removing, or chemical treatments.

120 (20) NATURAL HAIRSTYLIST. Any person, other than a
121 student, who performs natural hair styling on the general
122 public for compensation, and who shall satisfy the
123 qualifications and licensure requirements provided in this
124 article for a natural hairstylist.

125 (21) SCHOOL. An establishment licensed or registered by
126 the board to teach any or all of the practices of barbering or
127 cosmetology.

128 (22) SHAMPOO ASSISTANT. Any person who is licensed to
129 perform only the practices of shampooing, cleansing, or
130 applying temporary weekly color rinses to the hair of the
131 general public for compensation, and who shall satisfy the
132 qualifications and licensure requirements provided in this
133 article for a shampoo assistant.

134 (23) SHOP. Any place where barbering or cosmetology is
135 practiced including, but not limited to, a mobile salon. Only
136 a properly licensed person, who is not an apprentice or a
137 student, may operate a shop.

138 (24) STUDENT. Any person who is engaged in learning any
139 practice regulated by this article in a school licensed or
140 registered pursuant to this article, and who, as part of the



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141 learning process, performs or assists in any practice
142 regulated by this article under the immediate supervision of
143 an instructor who is licensed pursuant to this article.

144 (25) THREADING. The practice of eyebrow removal with
145 the use of a loop made of cotton or any other material.

146 (26) THREADER. Any person engaged in the practice of
147 threading on the general public for compensation, and who
148 shall satisfy the qualifications and licensure requirements
149 provided in this article for a threader."

150 "§34-7B-13

151 This chapter does not apply to any of the following
152 persons, activities, or services:

153 (1) Service in the case of emergency or domestic
154 upheaval, without compensation.

155 (2) Licensed medical professionals operating within the
156 scope of their normal practice.

157 (3) Personnel of the United States armed services
158 performing their ordinary duties.

159 (4) Any public trade school or other public school or
160 school program under the purview of the State Board of
161 Education or a local board of education.

162 (5) Any ~~person~~ individual who only occasionally dresses
163 hair and receives no compensation therefor, or does any other
164 act or thing mentioned in this chapter, without holding
165 himself or herself out to the public as a provider of any
166 practices defined in this chapter for compensation.

167 (6) Departments in retail establishments where
168 cosmetics are demonstrated and offered for sale but where no



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169 other acts of cosmetology or barbering are performed.

170 (7) Any individual whose occupation or practice is
171 confined solely to makeup application, and who performs makeup
172 application on the general public for compensation in any
173 venue, including, but not limited to, an event venue, shop,
174 spa, or home. Makeup application includes, but is not limited
175 to, application of makeup primer, face paint, lipstick,
176 eyeliner, eye shadow, foundation, rouge or cheek color,
177 mascara, strip lashes, face powder, corrective stick, and
178 makeup remover, but does not include manual or chemical
179 exfoliation, semipermanent lash application, lash or brow
180 tinting, permanent makeup application, microblading, or hair
181 removal.

182 ~~(7)~~ (8) The licensees of any county or municipal barber
183 board or commission in existence on August 1, 2013, unless
184 such board or commission elects, by resolution adopted by the
185 governing body of the county or municipality, to come under
186 the provisions of this chapter.

187 ~~(8)~~ (9) Any ~~person~~ individual who practices as a Class 1
188 barber."

189 Section 2. This act shall become effective on October
190 1, 2025.