

HOUSE No. 4136

The Commonwealth of Massachusetts

PRESENTED BY:

David Henry Argosky LeBoeuf

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to niche beauty treatments.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/19/2021</i>

HOUSE No. 4136

By Mr. LeBoeuf of Worcester, a petition (accompanied by bill, House, No. 4136) of David Henry Argosky LeBoeuf for legislation to establish greater accessibility in the practice of certain beauty treatments. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to niche beauty treatments.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith greater accessibility in the practice of certain beauty treatments, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 87T of chapter 112 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by inserting, after the definition of “Barbering”, the
3 following definition:-

4 “Blow-dry styling”, the practice of shampooing, conditioning, drying, arranging, curling,
5 straightening or styling hair using only mechanical devices, hair sprays and topical agents, such
6 as balms, oils and serums. Blow-dry styling shall include the use and styling of hair extensions,
7 hair pieces and wigs. Blow-dry styling shall not include cutting hair or the application of dyes,
8 bleach, reactive chemicals, keratin treatments or other preparations to color or alter the structure

9 of hair. Blow-dry styling shall be considered distinct from the practices of cosmetology and
10 hairdressing.

11 SECTION 2. Said section 87T of said chapter 112, as so appearing, is hereby further
12 amended by inserting, after the definition of “Electrolysis”, the following definition:-

13 “Eyelash extension application”, the application, removal and trimming of threadlike
14 natural or synthetic fibers to an eyelash, including the cleansing of the eye area and lashes.
15 Eyelash extension application shall not include the application of color agents, straightening
16 agents, permanent wave solutions, bleaching agents or any other cosmetology service. Eyelash
17 extension application shall be considered distinct from the practices of aesthetics and
18 cosmetology.

19 SECTION 3. Said section 87T of said chapter 112, as so appearing, is hereby further
20 amended by inserting, after the definition of “Licensee”, the following definition:-

21 “Make-up artistry”, the application of a cosmetic to enhance the appearance of the face or
22 skin, including powder, foundation, rouge, eyeshadow, eyeliner, mascara and lipstick. Make-up
23 artistry shall include make-up applied using an airbrush. Make-up artistry shall not include
24 permanent makeup or tattooing. Make-up artistry shall be considered distinct from the practice of
25 aesthetics.

26 SECTION 4. Said section 87T of said chapter 112, as so appearing, is hereby further
27 amended by inserting, after the definition of “Manicuring”, the following definition:-

28 “Mechanical devices”, brushes, clips, combs, curlers, curling irons, flat irons, hairpins,
29 rollers, blunt-tipped needles, thread, tweezers and hair binders.

30 SECTION 5. Said section 87T of said chapter 112, as so appearing, is hereby further
31 amended by adding the following definition:-

32 “Threading”, a method of removing hair from the eyebrows, upper lip or other body parts
33 by using a cotton thread to pull hair from follicles. Threading shall include the use of over-the-
34 counter astringents, gels, powders, tweezers and scissors incidental to threading. Threading shall
35 be considered distinct from the practices of aesthetics and cosmetology.

36 SECTION 6. The first paragraph of section 87V of said chapter 112 is hereby amended
37 by striking out the last sentence, as appearing in section 69 of chapter 358 of the acts of 2020,
38 and inserting in place thereof the following sentence:-

39 Natural hair braiding, blow-dry styling, eyelash extension application, make-up artistry,
40 including acts performed as a demonstrator related to make-up artistry and threading shall be
41 exempt from the rules and regulations issued by the board.