SENATE . . . . . No. 2678

The Commonwealth of Massachusetts

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

SENATE, January 31, 2022.

The committee on Consumer Protection and Professional Licensure, to whom was referred the petitions (accompanied by bill, Senate, No. 176) of Cynthia Stone Creem and Marian T. Ryan, Middlesex District Attorney for legislation to mandate domestic violence and sexual assault awareness education for aestheticians, barbers, cosmetologists, electrologists, hairdressers, manicurists, and massage therapists; (accompanied by bill, Senate, No. 190) of Diana DiZoglio for legislation to require domestic violence and sexual assault education for certain licensed occupations; (accompanied by bill, House, No. 311) of Christine P. Barber, Paul J. Donato and Michelle M. DuBois for legislation to mandate domestic violence and sexual assault awareness education for aestheticians, barbers, cosmetologists, electrologists, hairdressers, manicurists, and massage therapists; and (accompanied by bill, House, No. 331) of Tackey Chan relative to the posting of information about the National Human Trafficking Resource Center hotline at hair salons or cosmetology schools, reports the accompanying bill (Senate, No. 2678).

For the committee,
Susan L. Moran

FILED ON: 1/31/2022

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In the One Hundred and Ninety-Second General Court
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An Act to mandate domestic violence and sexual assault awareness education.

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

SECTION 1. Section 87T of chapter 112 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out the definition of "Board", and inserting in place thereof the following:-

"Board", the board of registration of cosmetology and barbering established by section 42 of chapter 13.

SECTION 2. Section 87BB of chapter 112 of the General Laws, as so appearing, is hereby amended by striking out the fifth paragraph, and inserting in place thereof the following:-

The board may make such reasonable rules and regulations as are necessary for the proper conduct of schools, qualifications of instructors, courses of study and hours of study and as to standards of professional training; provided, however, a school which teaches hairdressing shall set as a requirement upon graduation at least one hour of domestic violence and sexual assault awareness training as approved by the board.

SECTION 3. Section 87CC of chapter 112 of the General Laws, as so appearing, is hereby amended by adding at the end thereof the following new paragraph:-

The commissioner of the division of occupational licensure shall establish and promote the voluntary use of a free of charge standardized domestic violence and sexual assault awareness online training for licensees as approved by the board.

SECTION 4. Chapter 112 of the General Laws, as so appearing, is hereby amended by inserting after section 87DD the following new section:-

Section 87DD 1/2. (a) The board shall provide a sample sign, to be approved by the attorney general, to all persons owning a shop, school, or mobile business engaged in cosmetology or hairdressing. Such sign shall be not less than eight and one-half inches high and eleven inches wide containing the following notice:

"WARNING. Obtaining forced labor or services is a crime under Massachusetts law. If you or someone you know is being forced to engage in any activity and cannot leave – whether it is commercial sex, housework, farm work or any other activity – call the National Human Trafficking Hotline: 1-888-373-7888. You can remain anonymous, and the Hotline is available 24 hours a day, seven days a week."

Such notice shall be provided in English, Spanish, Chinese, Vietnamese, and Portuguese, and any other language as recommended by the board, whereby the English notice must cover at least one-half of the sign, to display in such shop, school or mobile business in a conspicuous manner clearly visible to the public and employees.

(b) The board shall periodically, and at least annually, consult with the attorney general as to whether a sample sign pursuant to subsection (a) shall be provided in any other language.

SECTION 5. Section 87JJ of chapter 112 of the General Laws, as so appearing, is hereby amended by striking out the third paragraph, and inserting in place thereof the following:-

The board may make such reasonable rules and regulations as are necessary for the proper conduct of post-secondary institutions, qualifications of instructors, courses of study, hours of study and standards of professional training; provided, however, a post-secondary institution which teaches hairdressing shall set as a requirement upon graduation at least one hour of domestic violence and sexual assault awareness training as approved by the board.

SECTION 6. Chapter 258C of the General Laws, as so appearing, is hereby amended by inserting, after section 13, the following new section:-

Section 13A. No licensee, student or regular student under sections 87T to 87KK, inclusive, of chapter 112, or their employer, who has completed at least of one hour of domestic violence and sexual assault awareness training as approved by the board of registration of cosmetology and barbering shall be criminally liable for acting in good faith or failing to act on information obtained during the course of employment concerning potential domestic violence or sexual assault, nor be civilly liable for damages as a result of any acts or omissions in providing or obtaining in good faith, or attempting to provide or obtain, such assistance unless such acts or omissions constitute willful, wanton or reckless conduct.