SENATE, No. 2967

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MARCH 18, 2024

Sponsored by:
Senator ANGELA V. MCKNIGHT
District 31 (Hudson)

SYNOPSIS

Establishes optional special needs training program for professional and shop licensees of New Jersey State Board of Cosmetology and Hairstyling.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning cosmetology and hairstyling and amending and supplementing P.L.1984, c.205.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 6 of P.L.1984, c.205 (C.45:5B-6) is amended to read as follows:

6. The board shall:

a. Review the qualifications of applicants for licensure;

b. Devise examinations for licensure which include practical and written portions;

c. Administer and grade examinations or employ competent examiners to administer and grade examinations but in no case shall the board permit a person having any affiliation with a licensed school to examine or grade an applicant who has been a registered student at the school with which the examiner has an affiliation;

d. Issue and renew licenses of any cosmetologist-hairstylist, beautician, barber, manicurist, skin care specialist, teacher, shop, chair or booth rental, or school;

e. Issue student permits to senior students, which permits shall remain valid during the period that the student is registered at a licensed school or enrolled in an approved vocational training program;

f. Issue temporary permits to applicants for licensure who are awaiting scheduling for or results from an examination;

g. Issue registration cards to registered students;

h. Suspend, revoke or refuse to renew a license and exercise investigative powers pursuant to the provisions of P.L.1978, c.73 (C.45:1-14 et seq.);

i. Appoint and employ an executive director and an assistant executive director subject to the approval of the Attorney General, and other employees as necessary to carry out the provisions of **[**this act**]** P.L.1984, c.205 (C.45:5B-1 et seq.);

j. Determine the duties that the executive director and the assistant executive director shall perform;

k. File with the Attorney General a petition to remove any executive director or assistant executive director for cause, which petition shall be acted upon by the Attorney General in a manner which he deems appropriate;

l. Establish fees for initial licensure, permits, renewals and restoration of licenses as well as for duplication of lost licenses pursuant to section 2 of P.L.1974, c.46 (C.45:1-3.2);

m. Maintain records of all practicing licensees and all licensed teachers. Records shall include the latest work address of each

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

licensee, as provided on applications for licensure and renewals thereof, and if the licensee completed training pursuant to section 2 of P.L. , c. (C.) (pending before the Legislature as this bill) to provide services to individuals with special needs;

n. Maintain a record of all registered students and all persons holding student permits;

o. Maintain a record of all shops licensed by the board to offer one or more of the services encompassed within the definition of cosmetology and hairstyling, which shall include, if applicable, if a shop or mobile shop is certified as "friendly to individuals with special needs" pursuant to section 2 of P.L. , c. (C.) (pending before the Legislature as this bill);

p. Maintain a record of all schools licensed by the board to offer courses of instruction or training in the practice and theory of cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty to registered students, which courses shall be approved by the board for the awarding of credit for licensure;

q. Make available for public inspection all records required to be kept pursuant to this section;

r. Promulgate regulations governing the practice and teaching of cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty as are necessary to implement of P.L.1984, c.205 (C.45:5B-1 et seq.) and to insure that cosmetology and hairstyling services and instruction in those services are being offered both in a manner which is sanitary and safe and in a manner which is not intended to deceive or mislead the general public;

s. Promulgate regulations governing the conduct of shops, including but not limited to mobile facilities, chair or booth rentals, and schools as are necessary to implement of P.L.1984, c.205 (C.45:5B-1 et seq.), including, but not limited to, regulations that ensure that all schools offer instruction on cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty by instructors who are knowledgeable in the practice and teaching of cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty, as the case may be, and to assure that cosmetology and hairstyling services and instruction in those services are being offered both in a manner that is sanitary and safe, and in a manner not intended to deceive or mislead the general public, students of the schools, or organizations awarding financial aid to the students and to clarify or define any term used in the act and to define any activity included in hairstyling and cosmetology, beauty culture, barbering, manicuring, hair braiding and skin care specialty;

t. Review curricula offered by licensed schools in courses of instruction offered to registered students and approve those curricula which offer comprehensive training in cosmetology and

hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty;

u. Direct the conduct of inspections and investigations of all licensed shops, including shops with chair or booth rentals, and schools;

v. Direct the conduct of inspections or investigations of any premises from which the board may have reason to believe that cosmetology and hairstyling, beauty culture, barbering, manicuring, hair braiding and skin care specialty services are being offered, or that courses of instruction are being offered to registered students;

w. Establish criteria and standards for education and experience required for licensure; **[**and**]**

x. Maintain a record of all individuals holding chair or booth rental licenses; and

y. Establish the criteria and standards for:

(1) instruction and training of a board licensee in providing services to individuals with special needs, including, but not limited to, individuals with sensory processing disorder; and

(2) the certification of shops licensed pursuant to section 9 of P.L.1984, c.205 (C.45:5B-9) and mobile shops licensed pursuant to section 4 of P.L.2021, c.275 (C.45:5B-9.1) that seek to provide services to individuals with special needs.

(cf: P.L.2023, c.231, s.2)

2. (New section) a. The board shall collaborate with educational and community organizations, as designated by the Director of the Division of Consumer Affairs, to establish criteria and standards for:

(1) a licensee of the board who seeks training in providing services to individuals with special needs; and

(2) a program that certifies a shop licensed pursuant to section 9 of P.L.1984, c.205 (C.45:5B-9) or a mobile shop licensed pursuant to section 4 of P.L.2021, c.275 (C.45:5B-9.1) as friendly to individuals with special needs.

b. A licensee who completes instruction and training as established by the board, pursuant to subsection a. of this section, shall submit proof demonstrating the completion to the board. Upon approval by the board, the individual shall be issued a designation, in a form and manner to be determined by the board, that the individual is authorized to provide services to individuals with special needs. A licensee who seeks to maintain the designation may be required, as determined by the board, to receive additional training prior to biennial renewal of the license.

c. A shop or mobile shop may apply to the board for certification pursuant to subsection a. of this section. The board shall prescribe regulations concerning the requirements for the application, which shall include, at a minimum, satisfactory evidence that at least one half of the practicing licensees employed

by the shop have completed the training program established pursuant to subsection x. of section 6 of P.L.1984, c.205 (C.45:5B-6). Certification pursuant to this section shall be renewable on an annual basis on a date determined by the board.

d. Upon approval by the board of an application submitted by a shop or mobile shop for certification pursuant to this section, the board shall issue a sign, to be conspicuously displayed in the shop, indicating that the shop is so certified and has the designation as "friendly to individuals with special needs."

e. No shop may display a sign indicating that the shop is "friendly to individuals with special needs" unless the shop is certified pursuant to this section.

3. This act shall take effect on the first day of the 24th month next following the date of enactment.

STATEMENT

This bill establishes a training program for cosmetology and hairstyling licensees to receive instruction and training in how to work with individuals with special needs, including individuals with sensory processing disorder. Under the bill, any person who holds a license to practice cosmetology and hairstyling, hair braiding, barbering, beauty culture, manicuring, or skin care specialty in the State may undertake the training program.

In addition, the bill establishes a certification for shops and mobile shops licensed by the New Jersey State Board of Cosmetology and Hairstyling (the board) to indicate that the shop is "friendly to individuals with special needs." The board is to prescribe regulations concerning the requirements for an application for certification pursuant to the bill, which requirements are to include, at a minimum, satisfactory evidence that at least one half of the practicing licensee employed by the shop have completed the training program established pursuant to the bill. Upon completion of a satisfactory application to the board, a shop is to be issued a sign indicating that the shop is "friendly to individuals with special needs."

The bill requires the board to collaborate with educational and community organizations, as designated by the Director of the Division of Consumer Affairs, to establish criteria and standards for training for practicing licensees and certification for shop licensees.