

By: Senator(s) England

To: Public Health and
Welfare

SENATE BILL NO. 2343

1 AN ACT TO AMEND SECTION 73-7-2, MISSISSIPPI CODE OF 1972, TO
 2 EXCLUDE THREADING FROM THE DEFINITION OF COSMETOLOGY; TO AMEND
 3 SECTION 73-7-31, MISSISSIPPI CODE OF 1972, TO EXCLUDE HAIR
 4 ARRANGING, THREADING AND EXTENDING EYELASHES FROM THE REQUIREMENTS
 5 RELATING TO COSMETOLOGY; TO AMEND SECTION 73-7-71, MISSISSIPPI
 6 CODE OF 1972, TO DEFINE HAIR ARRANGING, THREADING AND EXTENDING
 7 EYELASHES; TO REQUIRE THOSE ENGAGED IN HAIR ARRANGING, THREADING
 8 AND EXTENDING EYELASHES TO REGISTER WITH THE DEPARTMENT OF HEALTH;
 9 TO EXEMPT THOSE ENGAGED IN HAIR ARRANGING, THREADING AND EXTENDING
 10 EYELASHES FROM COSMETOLOGY LICENSURE LAW; AND FOR RELATED
 11 PURPOSES.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

13 **SECTION 1.** Section 73-7-2, Mississippi Code of 1972, is
 14 amended as follows:

15 73-7-2. As used in this chapter, the following terms shall
 16 have the meanings ascribed herein unless the context otherwise
 17 requires:

18 (a) "Board" means the State Board of Cosmetology.

19 (b) "Cosmetology" means any one (1) or a combination of
 20 the following practices if they are performed on a person's head,
 21 face, neck, shoulder, arms, hands, legs or feet for cosmetic
 22 purposes:



23 (i) Cutting, clipping or trimming hair and hair
24 pieces.

25 (ii) Styling, arranging, dressing, curling,
26 waving, permanent waving, straightening, * * * bleaching, tinting,
27 coloring or similarly treating hair and hair pieces.

28 (iii) Cleansing, stimulating, manipulating * * *
29 or applying oils, antiseptics, clays, lotions or other
30 preparations, either by hand or by mechanical or electrical
31 apparatus.

32 (iv) Arching eyebrows * * * by tweezing,
33 waxing * * * or * * * other methods of epilation, excluding
34 threading, or tinting eyebrows and eyelashes.

35 (v) Removing superfluous hair by the use of
36 depilation, excluding threading.

37 (vi) Manicuring and pedicuring.

38 (c) "Cosmetologist" means a person who for
39 compensation, whether direct or indirect, engages in the practice
40 of cosmetology.

41 (d) "Esthetics" means any one (1) or a combination of
42 the following practices:

43 * * *

44 (* * *i) Arching eyebrows to include trimming,
45 tweezing, waxing * * * or * * * other methods of epilation or
46 tinting eyebrows and eyelashes.

47 (* * *ii) Tinting eyelashes or eyebrows.



48 (* * *iii) Waxing, stimulating * * * or
49 cleaning * * * the face, neck, arms or legs of a person by any
50 method with the aid of the hands or any mechanical or electrical
51 apparatus, or by the use of a cosmetic preparation.

52 The term "esthetics" shall not include the diagnosis,
53 treatment or therapy of any dermatological condition.

54 (e) "Esthetician" means any person who, for
55 compensation, either direct or indirect, engages in the practice
56 of esthetics.

57 (f) "Instructor" means a person licensed to teach
58 cosmetology, or manicuring and pedicuring, or esthetics, or all of
59 those, pursuant to this chapter, and shall include those persons
60 engaged in the instruction of student instructors.

61 (g) "Manicuring and pedicuring" means any one (1) or a
62 combination of the following practices:

63 (i) Cutting, trimming, polishing, coloring,
64 tinting, cleansing or otherwise treating a person's nails.

65 (ii) Applying artificial nails.

66 (iii) * * * Cleaning a person's hands, arms, legs
67 or feet.

68 (h) "Manicurist" means a person who for compensation,
69 either direct or indirect, engages in the practice of manicuring
70 and pedicuring.



71 (i) "Master" means a person holding a cosmetology,
72 manicuring and esthetics license who has completed the minimum
73 course of continuing education prescribed by Section 73-7-14.

74 (j) "Salon" means an establishment operated for the
75 purpose of engaging in the practice of cosmetology, or manicuring
76 and pedicuring, or esthetics, or wigology, or all of those.

77 (k) "School" means an establishment, public or private,
78 operated for the purpose of teaching cosmetology, or manicuring
79 and pedicuring, or esthetics, or wigology, or all of those.

80 **SECTION 2.** Section 73-7-31, Mississippi Code of 1972, is
81 amended as follows:

82 73-7-31. Nothing in this chapter shall apply to:

83 (a) Hairdressing, manicuring or facial treatments given
84 in the home to members of family or friends for which no charge is
85 made.

86 (b) Persons whose practice is limited to the
87 application of cosmetic products to another person * * *, with or
88 without compensation.

89 (c) Barbers, and nothing in this chapter shall affect
90 the jurisdiction of the State Board of Barber Examiners.

91 (d) Persons engaged in the practice of hair braiding,
92 hair arranging, threading or extending eyelashes as defined in
93 Section 73-7-71 who have completed the self-test part of the
94 brochure on infection control techniques prepared by the State
95 Department of Health and who keep the brochure and completed



96 self-test available at the location at which the person is engaged
97 in hair braiding, hair arranging, threading or extending
98 eyelashes.

99 (e) Personas engaged in the practice of shampooing and
100 conditioning hair.

101 **SECTION 3.** Section 73-7-71, Mississippi Code of 1972, is
102 amended as follows:

103 73-7-71. (1) For the purpose of this section, the following
104 terms shall have the following meanings:

105 (a) "Hair braiding" means the use of techniques that
106 result in tension on hair strands or roots by twisting, wrapping,
107 weaving, extending, locking or braiding of the hair by hand or
108 mechanical device, but does not include the application of dyes,
109 reactive chemicals, or other preparations to alter the color of
110 the hair or to straighten, curl or alter the structure of the
111 hair.

112 (b) "Hair arranging" means to arrange, style, curl,
113 dry, or straighten hair by hand or mechanical device. It includes
114 the use of hairsprays and topical agents, such as balms, oils and
115 serums, and the use and styling of hair extensions and wigs. It
116 also includes massaging the face and neck. It does not include
117 cutting hair or the application of dyes, bleach, reactive
118 chemicals, keratin treatments, or other preparations to color or
119 alter the structure of hair.



120 (c) "Threading" means to remove hair from the eyebrows,
121 upper lip, or other body parts by using cotton thread to pull hair
122 from follicles.

123 (d) "Extending eyelashes" means to apply artificial
124 eyelash extensions with glue to natural eyelashes or to remove
125 artificial eyelash extensions.

126 (2) No person shall engage in hair braiding, hair arranging,
127 threading or extending eyelashes for compensation in the State of
128 Mississippi without first registering with the State Department of
129 Health. The department may charge each registrant a fee of not
130 more than Twenty-five Dollars (\$25.00) to cover the department's
131 costs in registering the person and providing the person with the
132 brochure prepared under subsection (3) of this section, which fee
133 shall be uniform for all registrants. Any increase in the fee
134 charged by the board under this subsection shall be in accordance
135 with the provisions of Section 41-3-65. The purpose of this
136 registration is only to maintain a listing of those persons who
137 engage in hair braiding, hair arranging, threading or extending
138 eyelashes for compensation in the state, and does not authorize
139 the department to license or regulate * * * these practices * * *,
140 except as provided in subsection (4) of this section.

141 (3) The State Department of Health shall develop and
142 prepare * * * brochures containing information about infection
143 control techniques that are appropriate for hair braiding, hair
144 arranging, threading or extending eyelashes in or outside of a



145 salon setting. The brochures shall be made available through the
146 department's website or by mail, upon request, for a fee to cover
147 the department's mailing costs. The brochures shall contain a
148 separate self-test for each service with questions on the
149 information contained in the brochures regarding each service.
150 For a person engaged in hair braiding, hair arranging, threading
151 or extending eyelashes to be exempt from the cosmetology licensure
152 law, Section 73-7-1 et seq., the person shall complete the
153 self-test part of the brochure for the services the person will
154 provide and keep the brochure and completed self-test available at
155 the location at which the person is engaged in hair braiding, hair
156 arranging, threading or extending eyelashes.

157 (4) Representatives of the department may visit any facility
158 or premises in which hair braiding, hair arranging, threading or
159 extending eyelashes is performed at any time during business hours
160 to determine if the brochure and completed self-test are available
161 at the facility or premises.

162 (5) This section does not apply to cosmetologists, or
163 barbers licensed to practice in Mississippi in their respective
164 fields.

165 **SECTION 4.** This act shall take effect and be in force from
166 and after July 1, 2021.

