

AMENDED IN SENATE SEPTEMBER 1, 2005

AMENDED IN ASSEMBLY APRIL 4, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 163**

---

**Introduced by Assembly Member Bermudez  
(Coauthors: Assembly Members Bass, DeVore, Frommer, Shirley  
Horton, Koretz, Maze, Mountjoy, Tran, Vargas, and Yee)**

January 19, 2005

---

An act to amend ~~Section 7316~~ *Sections 7316 and 7337* of the Business and Professions Code, relating to barbering and cosmetology.

LEGISLATIVE COUNSEL'S DIGEST

AB 163, as amended, Bermudez. Barbering and cosmetology: threading: *examination and licensure*.

The Barbering and Cosmetology Act regulates barbering, cosmetology, skin care, nail care, and electrolysis. *Under existing law, the State Board of Barbering and Cosmetology licenses and regulates persons engaged in the practice of barbering and cosmetology. Existing law, until July 1, 2007, excludes threading, as defined, from the practice of barbering and cosmetology. Existing law requires that every application for admission to examination and licensure be in writing on forms provided by the board.*

This bill would revise the definition of threading to include the possible incidental trimming of eyebrow hair. *The bill would make the application for admission to examination and the application for licensure two separate applications.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 7316 of the Business and Professions  
2 Code is amended to read:

3 7316. (a) The practice of barbering is all or any combination  
4 of the following practices:

5 (1) Shaving or trimming the beard or cutting the hair.

6 (2) Giving facial and scalp massages or treatments with oils,  
7 creams, lotions, or other preparations either by hand or  
8 mechanical appliances.

9 (3) Singeing, shampooing, arranging, dressing, curling,  
10 waving, chemical waving, hair relaxing, or dyeing the hair or  
11 applying hair tonics.

12 (4) Applying cosmetic preparations, antiseptics, powders, oils,  
13 clays or lotions to scalp, face, or neck.

14 (5) Hairstyling of all textures of hair by standard methods  
15 which are current at the time of the hairstyling.

16 (b) The practice of cosmetology is all or any combination of  
17 the following practices:

18 (1) Arranging, dressing, curling, waving, machineless  
19 permanent waving, permanent waving, cleansing, cutting,  
20 shampooing, relaxing, singeing, bleaching, tinting, coloring,  
21 straightening, dyeing, applying hair tonics to, beautifying, or  
22 otherwise treating by any means, the hair of any person.

23 (2) Massaging, cleaning or stimulating the scalp, face, neck,  
24 arms, or upper part of the human body, by means of the hands,  
25 devices, apparatus or appliances, with or without the use of  
26 cosmetic preparations, antiseptics, tonics, lotions, or creams.

27 (3) Beautifying the face, neck, arms, or upper part of the  
28 human body, by use of cosmetic preparations, antiseptics, tonics,  
29 lotions, or creams.

30 (4) Removing superfluous hair from the body of any person by  
31 the use of depilatories or by the use of tweezers, chemicals,  
32 preparations or by the use of devices or appliances of any kind or  
33 description, except by the use of light waves, commonly known  
34 as rays.

35 (5) Cutting, trimming, polishing, tinting, coloring, cleansing,  
36 or manicuring the nails of any person.

37 (6) Massaging, cleansing, treating, or beautifying the hands or  
38 feet of any person.

1 (c) Within the practice of cosmetology there exist the specialty  
2 branches of skin care, and nail care.

3 (1) Skin care is any one or more of the following practices:

4 (A) Giving facials, applying makeup, giving skin care,  
5 removing superfluous hair from the body of any person by the  
6 use of depilatories, tweezers or waxing, or applying eyelashes to  
7 any person.

8 (B) Beautifying the face, neck, arms, or upper part of the  
9 human body, by use of cosmetic preparations, antiseptics, tonics,  
10 lotions, or creams.

11 (C) Massaging, cleaning, or stimulating the face, neck, arms,  
12 or upper part of the human body, by means of the hands, devices,  
13 apparatus, or appliances, with the use of cosmetic preparations,  
14 antiseptics, tonics, lotions, or creams.

15 (2) Nail care is the practice of cutting, trimming, polishing,  
16 coloring, tinting, cleansing, or manicuring the nails of any person  
17 or massaging, cleansing, or beautifying the hands or feet of any  
18 person.

19 (d) The practice of barbering and the practice of cosmetology  
20 do not include any of the following:

21 (1) The mere sale, fitting, or styling of wigs or hairpieces.

22 (2) Natural hair braiding. Natural hair braiding is a service that  
23 results in tension on hair strands or roots by twisting, wrapping,  
24 weaving, extending, locking, or braiding by hand or mechanical  
25 device, provided that the service does not include haircutting or  
26 the application of dyes, reactive chemicals, or other preparations  
27 to alter the color of the hair or to straighten, curl, or alter the  
28 structure of the hair.

29 (3) Threading. Threading is a technique that results in  
30 removing hair by twisting thread around unwanted hair and  
31 pulling it from the skin and the possible incidental trimming of  
32 eyebrow hair. This paragraph shall become inoperative on July 1,  
33 2007.

34 (e) The board shall report any complaints received on the  
35 practice of threading to the department and the Joint Committee  
36 on Boards, Commissions, and Consumer Protection no later than  
37 September 1, 2005.

38 (f) Notwithstanding paragraph (2) of subdivision (d), a person  
39 who engages in natural hairstyling, which is defined as the  
40 provision of natural hair braiding services together with any of

1 the services or procedures defined within the regulated practices  
2 of barbering or cosmetology, is subject to regulation pursuant to  
3 this chapter and shall obtain and maintain a barbering or  
4 cosmetology license as applicable to the services respectively  
5 offered or performed.

6 (g) Electrolysis is the practice of removing hair from, or  
7 destroying hair on, the human body by the use of an electric  
8 needle only.

9 “Electrolysis” as used in this chapter includes electrolysis or  
10 thermolysis.

11 *SEC. 2. Section 7337 of the Business and Professions Code is*  
12 *amended to read:*

13 7337. Every application for admission to examination ~~and~~  
14 ~~licensure~~ shall be in writing, on forms prepared and furnished by  
15 the board. *Every application for licensure shall be in writing, on*  
16 *forms prepared and furnished by the board.*

17 Each application shall be accompanied by the required fee, and  
18 shall contain proof of the qualifications of the applicant for  
19 examination ~~and~~ or licensure. It shall be verified by the oath of  
20 the applicant. Every applicant shall, as a condition of admittance  
21 to the examination facility, present satisfactory proof of  
22 identification. Satisfactory proof of identification shall be in the  
23 form of a valid, unexpired driver’s license or identification card,  
24 containing the photograph of the person to whom it was issued,  
25 issued by any state, federal, or other government entity.