

## HB404 INTRODUCED



1 HB404  
2 SLLCP85-1  
3 By Representative Givan  
4 RFD: Boards, Agencies and Commissions  
5 First Read: 06-Mar-25

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4 SYNOPSIS:

5 Under existing law, the Alabama Board of  
6 Cosmetology and Barbering is responsible for licensing  
7 and regulating cosmetologists, barbers, estheticians,  
8 manicurists, and other practitioners of beauty culture.

9 This bill would provide for the licensing and  
10 regulation of makeup artists and the permitting of  
11 lash/brow artists by the board.

12 This bill would provide for certain exemptions  
13 and would authorize the operation of mobile studios.

14 This bill would also specify qualifications for  
15 licensing and would provide qualifications for  
16 grandfathering.

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18 A BILL  
19 TO BE ENTITLED  
20 AN ACT  
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22 Relating to the Alabama Board of Cosmetology and  
23 Barbering; to amend Sections 34-7B-1, 34-7B-13, and 34-7B-30,  
24 Code of Alabama 1975; to provide further for definitions; to  
25 provide further for exemptions; to authorize the operation of  
26 mobile studios; to add Section 34-7B-25.1 to the Code of  
27 Alabama 1975, to provide for the qualifications, licensing,  
28 and grandfathering of makeup artists; and to add Section



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34-7B-25.2 to the Code of Alabama 1975, to provide for the qualifications and permitting of lash/brow artists.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 34-7B-1, 34-7B-13, and 34-7B-30 of the Code of Alabama 1975, are amended to read as follows:

"§34-7B-1

For the purposes of this chapter, the following terms ~~shall~~ have the following meanings:

(1) APPRENTICE. Any person engaged in learning the practices defined in this article including, but not limited to, assisting in the performance of any acts of barbering or cosmetology on the general public under the constant and direct supervision of a person who has held a valid current license issued by the board for at least ~~five~~ two years, in a shop or studio licensed by the board.

(2) BARBERING. The occupation of shaving or trimming the beard, cutting or dressing the hair, giving facial or scalp massages, giving facial or scalp treatment with oils or creams or other preparations made for that purpose, either by hand or by means of mechanical appliances, singeing and shampooing the hair, dyeing the hair, or permanently waving or straightening the hair of any living or deceased person for compensation, as performed by a Class 2 barber.

(3) BOARD. The Alabama Board of Cosmetology and Barbering.

(4) CLASS 1 BARBER. A person who only does the following in his or her ordinary course of business: Arranges, cleans, cuts, or singes the hair of any person or massages,



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cleans, stimulates, exercises, or does similar work on the scalp, face, or neck of any person with the hands, or with mechanical or electrical apparatus or appliance, or by the use of cosmetic preparations, antiseptics, tonics, lotions, or creams. Any one or a combination of the following practices, when done upon the human body above the seventh cervical vertebra for cosmetic purposes and not for the treatment of disease or physical or mental ailments, and when done for payment, directly or indirectly or without payment for the public generally: Shaving or trimming the beard or trimming the hair.

(5) CLASS 2 BARBER. Any person, other than a student or apprentice, who performs barbering on the general public for compensation, and who shall satisfy the qualifications and licensure requirements provided in this chapter for a Class 2 barber. For the purposes of this chapter, the term barber, standing alone, shall be deemed a reference to a Class 2 barber.

(6) COSMETOLOGIST. Any person, other than a student or apprentice, who performs cosmetology on the general public for compensation, and who shall satisfy the qualifications and licensure requirements provided in this article for a cosmetologist.

(7) COSMETOLOGY. Any of the practices generally recognized as beauty culture, hairdressing, or any other designation engaged in by any person who performs such on the general public for compensation including, but not limited to, cleansing, singeing, cutting, arranging, dressing, curling,



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85 braiding, waxing, bleaching, weaving, coloring the hair by  
86 hand or mechanical apparatus, the use of creams, lotions, or  
87 cosmetic preparations, with or without massage, on the scalp,  
88 face, arms, legs, feet, or hands, esthetics practices, nail  
89 technology, manicure, pedicure, or desairology.

90 (8) ESTHETICIAN. Any person, other than a student or  
91 apprentice, who performs esthetics on the general public for  
92 compensation, and who shall satisfy the qualifications and  
93 licensure requirements provided in this article for an  
94 esthetician.

95 ~~(9)~~ (10) ESTHETICS. The practice of performing acts of  
96 skin care including, but not limited to, facials, body waxing,  
97 makeup application, and general esthetics procedures on the  
98 general public for compensation.

99 ~~(10)~~ (11) ESTHETICS/MANICURE. A combination of the  
100 practices of esthetics and manicure.

101 ~~(11)~~ (9) ESTHETICIAN/MANICURIST. Any person, other than  
102 a student or apprentice, who performs a combination of the  
103 practices of esthetics and manicure on the general public for  
104 compensation, and who shall satisfy the qualifications and  
105 licensure requirements provided in this article for an  
106 esthetician/manicurist.

107 (12) INSTRUCTOR. A licensee who teaches in a licensed  
108 or registered school of barbering or any branch of cosmetology  
109 and completes any applicable requirements for continuing  
110 education.

111 (13) LASH/BROW APPLICATION. The practice of performing  
112 temporary, semi-permanent lash application services including,



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but not limited to, strip lashes, cluster lashes, individual and single lashes, lash extensions, brow tint, brow laminations, brow wax, brow arch, brow extensions, brow threading, and lash lift. The term does not include microblading, microshading, or microfeathering.

(14) LASH/BROW ARTIST. Any person, other than a student or apprentice, who performs lash/brow application services on the general public for compensation and who shall satisfy the qualifications and permitting requirements provided in this article for a lash/brow artist.

~~(13)~~ (15) LICENSE. A document issued by the board which entitles the holder to practice the profession listed on the document.

~~(14)~~ (16) LICENSEE. Any person holding a license issued pursuant to this article.

(17) MAKEUP APPLICATION. The practice of applying professional beauty and cosmetic preparations and products to the skin, eyebrows, and lashes of the faces and necks of the general public for compensation to enhance, alter, or transform a person's appearance including, but not limited to, manual makeup applications, airbrush application, temporary and semi-permanent false lash application including lash lift, strip lash, individual lash, single lash, cluster lash, lash extensions, lash tint, brow tint, brow wax, brow arch, face wax, chin wax, upper lip wax, brow threading, brow lamination, prosthetic, special effects, and desairology.

(18) MAKEUP ARTIST. Any person, other than a student or apprentice, who performs makeup application on the general



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public for compensation, and who shall satisfy the qualifications and licensing requirements provided in this article for a makeup artist.

~~(15)~~ (19) MANICURE. The practice of beautifying or grooming the fingernails, toenails, adding nail tips, extensions, gels, or massaging the hands, forearms, feet, or lower legs of the general public for compensation.

~~(16)~~ (21) MANICURIST. Any person, other than a student or apprentice, who performs the practice of manicure on the general public for compensation, and who shall satisfy the qualifications and licensure requirements provided in this article for a manicurist.

~~(17)~~ (20) MANICURE/WAXING. A combination of the practices of manicure and waxing.

~~(18)~~ (22) MANICURIST/WAXER. Any person, other than a student or apprentice, who performs a combination of the practices of manicure and waxing on the general public for compensation, and who shall satisfy the qualifications and licensure requirements provided in this article for a manicurist/waxer.

~~(19)~~ (23) NATURAL HAIR STYLING. The practice of cleansing, weaving or interweaving, extending, locking, braiding, or arranging the hair without cutting, coloring, permanent waving, relaxing, removing, or chemical treatments.

~~(20)~~ (24) NATURAL HAIRSTYLIST. Any person, other than a student, who performs natural hair styling on the general public for compensation, and who shall satisfy the qualifications and licensure requirements provided in this



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169 article for a natural hairstylist.

170 ~~(21)~~ (25) SCHOOL. An establishment licensed or  
171 registered by the board to teach any or all of the practices  
172 of barbering or cosmetology.

173 ~~(22)~~ (26) SHAMPOO ASSISTANT. Any person who is licensed  
174 to perform only the practices of shampooing, cleansing, or  
175 applying temporary weekly color rinses to the hair of the  
176 general public for compensation, and who shall satisfy the  
177 qualifications and licensure requirements provided in this  
178 article for a shampoo assistant.

179 ~~(23)~~ (27) SHOP. Any place where barbering or cosmetology  
180 is practiced including, but not limited to, a mobile salon.  
181 Only a properly licensed person, who is not an apprentice or a  
182 student, may operate a shop.

183 ~~(24)~~ (28) STUDENT. Any person who is engaged in learning  
184 any practice regulated by this article in a school licensed or  
185 registered pursuant to this article, and who, as part of the  
186 learning process, performs or assists in any practice  
187 regulated by this article under the immediate supervision of  
188 an instructor who is licensed pursuant to this article.

189 (29) STUDIO. Any place where makeup, brow, lash, or  
190 other esthetics services are practiced including, but not  
191 limited to, a mobile studio or salon. Only a properly licensed  
192 person, who is not an apprentice or student, may operate a  
193 studio or salon.

194 ~~(25)~~ (31) THREADING. The practice of eyebrow removal  
195 with the use of a loop made of cotton or any other material.

196 ~~(26)~~ (30) THREADER. Any person engaged in the practice





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of threading on the general public for compensation, and who shall satisfy the qualifications and licensure requirements provided in this article for a threader."

"§34-7B-13

This chapter does not apply to any of the following persons, activities, or services:

(1) Service in the case of emergency or domestic upheaval, without compensation.

(2) Licensed medical professionals operating within the scope of their normal practice.

(3) Personnel of the United States ~~armed services~~ Armed Services performing their ordinary duties.

(4) Any public trade school or other public school or school program under the purview of the State Board of Education or a local board of education.

(5) Any person who only occasionally dresses hair and receives no compensation therefor, or does any other act or thing mentioned in this chapter, without holding himself or herself out to the public as a provider of any practices defined in this chapter for compensation.

(6) Departments in retail establishments where cosmetics are demonstrated and offered for sale but where no other acts of cosmetology or barbering are performed.

(7) The licensees of any county or municipal barber board or commission in existence on August 1, 2013, unless such board or commission elects, by resolution adopted by the governing body of the county or municipality, to come under ~~the provisions of~~ this chapter.



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(8) Any person who practices as a Class 1 barber.

(9) Any person who works exclusively under contract with the International Alliance of Theatrical Stage Employees (IATSE), or its successor organization."

"§34-7B-30

(a) (1) ~~Beginning January 1, 2022, the~~ The board may issue a license for the operation of a mobile salon or mobile studio to an applicant who submits an application on a form approved by the board, pays required fees as determined by rule of the board, and is in compliance with this ~~chapter~~ article.

(2) Requirements that apply to a shop under this ~~chapter~~ article shall apply to mobile salons, except to the extent that the requirements conflict with rules adopted by the board under subsection (b).

(b) ~~By January 1, 2022, the~~ The board shall adopt rules to implement this section including, but not limited to, the establishment of fees and minimum specifications for the facilities, technical equipment, environment, supplies, personnel, operation, ownership, and procedures for the operation of mobile salons and mobile studios."

Section 2. Sections 34-7B-25.1 and 34-7B-25.2 are added to the Code of Alabama 1975, to read as follows:

§34-7B-25.1

(a) Subject to subsection (c), no person may be admitted to an examination or licensed as a makeup artist unless he or she satisfies all of the following qualifications:



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253 (1) Is at least 16 years of age.

254 (2) Has successfully completed at least 10 grades in  
255 secondary school, or the equivalent.

256 (3) Has successfully completed one, or a combination  
257 of, the following:

258 a. At least 300 clock hours of makeup application  
259 instruction in a school licensed or registered under this  
260 chapter or on courses reported in credit hours. Credit hour  
261 programs shall be reviewed and approved by the board as  
262 satisfying licensure requirements.

263 b. At least 600 hours in a shop or studio, over a  
264 period of two years and not exceeding eight hours a day or 48  
265 hours a week, under the immediate supervision of a makeup  
266 artist, esthetician, or cosmetologist who has been  
267 continuously licensed under this chapter for at least two  
268 years.

269 (b) Any applicant for a makeup artist license who  
270 satisfies the qualifications in subsection (a), registers with  
271 the board, pays any applicable examination fee, successfully  
272 completes any required examination, and pays an original  
273 license fee shall be issued a makeup artist license. Any  
274 person licensed pursuant to this section shall be subject to  
275 this article and rules adopted by the board including, but not  
276 limited to, shop or studio requirements, sanitation  
277 procedures, and license renewal.

278 (c) Any person who, on August 1, 2025, has been  
279 professionally applying makeup for at least two years and who  
280 submits proof satisfactory to the board of the following: (i)



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maintaining a professional website for at least two years;  
(ii) maintaining insurance coverage of a type and in an amount  
required by board rule; (iii) completing a 16-hour course  
approved and administered by the board or a third-party  
provider approved by the board; and (iv) demonstrating  
proficiency pursuant to a skills examination administered by  
the board, upon payment of the applicable license fee by  
January 1, 2026, shall be licensed by the board as a makeup  
artist under this section.

### §34-7B-25.2

(a) Subject to subsection (c), no person may be  
admitted to an examination or issued a permit as a lash/brow  
artist unless he or she possesses all the following  
qualifications:

(1) Is at least 16 years of age.

(2) Has successfully completed at least 10 grades in  
secondary school, or the equivalent.

(3) Has successfully completed one, or a combination  
of, the following:

a. At least 250 clock hours of lash and brow  
application instruction in a school licensed or registered  
under this chapter or on courses reported in credit hours.  
Credit hour programs shall be reviewed and approved by the  
board as satisfying permitting requirements.

b. At least 500 hours in a shop or studio, over a  
period of two years and not exceeding eight hours a day or 48  
hours a week, under the immediate supervision of a makeup  
artist, cosmetologist, esthetician, or lash/brow artist who



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has been continuously licensed under this article for at least two years.

(b) Any applicant for a lash/brow permit who satisfies the qualifications in subsection (a), registers with the board, pays any applicable examination fee, successfully completes any required examination, and pays an original license fee shall be issued a lash/brow artist permit. Any person permitted as a lash/brow artist pursuant to this section shall be subject to this article and rules adopted by the board including, but not limited to, shop or studio requirements, sanitation procedures, and permit renewal.

(c) Any person who, on August 1, 2025, has been professionally engaging in lash/brow application for at least two years and who submits proof satisfactory to the board of the following: (i) maintaining a professional website for at least two years; (ii) maintaining insurance coverage of a type and in an amount required by board rule; (iii) completing a 16-hour course approved and administered by the board or a third-party provider approved by the board; and (iv) demonstrating proficiency pursuant to a skills examination administered by the board, upon payment of the applicable license fee by January 1, 2026, shall be issued a permit by the board as a lash/brow artist under this section.

Section 3. This act shall become effective on August 1, 2025.