

SESSION OF 2022

SUPPLEMENTAL NOTE ON SENATE BILL NO. 348

As Amended by House Committee on Health
and Human Services

Brief*

SB 348, as amended, would exempt certain threading methods from the definition of cosmetology in law related to the licensure of cosmetologists. [Note: The Board of Cosmetology (Board) currently does not issue licenses to individuals or facilities specifically for providing threading services.]

The bill would add the definition of threading to mean a method of temporary hair removal from the face or front of the neck by use of a strand of thread to pull hair from follicles. The bill would allow the use of threading to include the use of over-the-counter astringents, gels, powders, tweezers, or scissors incidental to threading but would exclude the use of chemicals, electric needles, heat, or any type of wax or the manipulation of thread using teeth.

The bill also would add the method of threading outside a salon setting to a list of topics the Secretary of Health and Environment must address in an informational brochure concerning infection control techniques. The bill would also require, as a condition of exemption from the practice of cosmetology, an individual engaged in threading to complete the self-test part of the informational brochure and keep the brochure and completed self-test available at the location where the individual is threading.

The bill also would make technical amendments.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The bill was introduced by the Senate Committee on Public Health and Welfare at the request of a representative of the Kansas Justice Institute.

Senate Committee on Public Health and Welfare

In the Senate Committee hearing on February 7, 2022, representatives of Americans for Prosperity, Institute for Justice, and Kansas Justice Institute provided **proponent** testimony. The proponents stated current licensing requirements for threading are unnecessary and the bill would encourage business growth.

Written-only proponent testimony was provided by a private citizen and representatives of the Kansas Chamber and United WE.

A licensed cosmetologist, an owner of a school of cosmetology, and a representative of the Board provided **opponent** testimony. Opponents stated the bill would have a negative impact on the health and safety of the public and that cosmetology licensure ensures licensees are trained according to a state-approved curriculum.

Written-only opponent testimony was provided by two owners of beauty salons, two licensed cosmetologists, and a licensed esthetician.

No neutral testimony was provided.

Senate Committee of the Whole

The Senate Committee of the Whole on February 22, 2022, amended the bill to add electric needles to the list of items excluded from the definition of threading.

House Committee on Health and Human Services

In the House Committee hearing on March 7, 2022, representatives of Americans for Prosperity, Institute for

Justice, and Kansas Justice Institute provided **proponent** testimony, stating threading is a safe form of hair removal that is often learned outside of a traditional classroom setting, and removing the licensure requirement would reduce barriers to entrepreneurship.

Written-only proponent testimony was provided by a private citizen and representatives of the Kansas Chamber and United WE.

Two licensed cosmetologists, two owners of schools of cosmetology, and a representative of the Board provided **opponent** testimony, stating the practice of threading should remain under the jurisdiction of the Board due to possible risks to public health and safety if proper sanitation, disinfection, and storage practices are not followed.

Written-only opponent testimony was provided by cosmetology and esthetics students from Johnson County Community College, four licensed estheticians, two licensed cosmetologists, and an owner of a cosmetology school.

The House Committee amended the bill to remove “or any part of the body” from the definition of threading and replace it with “or the front of the neck” and to add the manipulation of thread using the teeth to the exceptions in the definition of threading.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, the Board states it does not estimate any substantial additional costs to the Cosmetology Fee Fund resulting from enactment of the bill. The Board estimates staff time to collaborate with the Kansas Department of Health and Environment to update the agency’s licensure brochure would take fewer than ten hours and could be accomplished within existing resources. The Board does not estimate any substantial increase or decrease of revenue due to this bill.

State Board of Cosmetology; cosmetology; licensure; threading