

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☒ FLOOR AMENDMENT

No. 1

☐ COMMITTEE AMENDMENT

(Date)

I move to amend Senate Bill No. 283, by the attached floor substitute (Request #3622) for the title, enacting clause and entire body of the measure.

Submitted by:


Senator Bergstrom

I hereby grant permission for the floor substitute to be adopted.



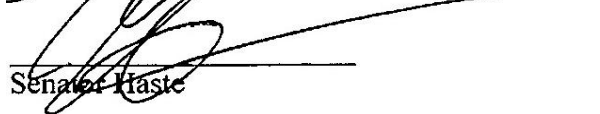
Senator Coleman, Chair (required)

Senator Thompson (Kristen)

Senator Brooks


Senator Burns


Senator Dreyers


Senator Haste

Senator Jett

Senator Treat, President Pro Tempore

Senator Newhouse


Senator Prieto

Senator Pugh


Senator Seifried


Senator Weaver

Senator Young

Senator McCortney, Majority Floor Leader

Note: Business and Commerce committee majority requires seven (7) members' signatures.

Bergstrom-MR-FA-SB283
3/5/2024 4:35 PM

(Floor Amendments Only)

Date and Time Filed: 3-6-24

9:17am *jd*

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 283

By: Bergstrom

FLOOR SUBSTITUTE

[cosmetology and barbering - exception - effective
date]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2021, Section 199.1, is
amended to read as follows:

Section 199.1. As used in the Oklahoma Cosmetology and
Barbering Act:

1. "Apprentice" means a person who is engaged in learning the
practice of cosmetology or barbering in a cosmetology or barbering
establishment;

2. "Barber" or "barber stylist" means any person who engages in
the practice of barbering;

1 3. "Barbering" means ~~any one or any combination of~~ the
2 following practices, when done upon the upper part of the human body
3 for cosmetic purposes and when done for payment either directly or
4 indirectly for the general public, ~~constitutes~~ constitute the
5 practice of barbering, to wit: Shaving or trimming the beard or
6 cutting the hair; giving facial or scalp massages or treatment with
7 oils, creams, lotions or other preparations, either by hand or
8 mechanical appliances; singeing, shampooing or applying lighteners
9 or color to the hair or applying hair tonics; applying cosmetic
10 preparations, antiseptics, powders, oils, clays or lotions to scalp,
11 face, neck or upper part of the body; and removing superfluous hair
12 from the face, neck or upper part of the body;

13 4. "Barber establishment" means an establishment or place of
14 business where one or more persons are engaged in the practice of
15 barbering, but shall not include barber schools or colleges;

16 5. "Barber school" or "barber college" means an establishment
17 operated for the purpose of teaching barbering;

18 6. "Blow-dry styling" means the practice of shampooing,
19 conditioning, drying, arranging, curling, straightening, or styling
20 hair using mechanical devices, hairsprays, and topical agents
21 including, but not limited to, balms, oils, and serums. Blow-dry
22 styling shall include the use and styling of hair extensions, hair
23 pieces, and wigs. Blow-dry styling shall not include cutting hair
24 or the application of dyes, bleach, reactive chemicals, keratin

1 treatments, or other preparations for the coloring and altering of
2 hair structure;

3 7. "Board" means the State Board of Cosmetology and Barbering;

4 ~~7.~~ 8. "Cosmetic studio" means any place or premises where
5 demonstrators give demonstrations, without compensation, for the
6 purpose only of advertising and selling cosmetics;

7 ~~8.~~ 9. "Cosmetician" means a person licensed by the Board to
8 perform patron services limited to hair arranging and application of
9 makeup, including, but not limited to, using hairstyling tools and
10 products. Services must be performed in a licensed establishment;

11 ~~9.~~ 10. "Cosmetology" means any one or combination of practices
12 generally and usually performed by and known as the occupation of
13 beauticians, beauty culturists, beauty operators, cosmeticians,
14 cosmetologists, or hairdressers or of any other person holding
15 himself or herself out as practicing cosmetology by whatever
16 designation and within the meaning of the Oklahoma Cosmetology and
17 Barbering Act and in or upon whatever place or premises.

18 Cosmetology shall include, but not be limited to, any one or
19 combination of the following practices: bleaching, cleansing,
20 curling, cutting, coloring, dressing, removing, singeing, styling,
21 waving, or similar work upon the hair of any person by any means,
22 whether with hands or mechanical or electrical apparatus or
23 appliances. Nothing in the Oklahoma Cosmetology and Barbering Act
24 shall be construed to prohibit the use of hands or mechanical or

1 electrical apparatus or appliances for the nonpermanent removal of
2 hair from the human body without puncturing of the skin or the use
3 of cosmetic preparations, antiseptics, tonics, lotions, or creams,
4 or massaging, cleansing, stimulating, exercising, beautifying, or
5 similarly working the scalp, face, neck, arms, or the manicuring of
6 the nails of any person, exclusive of such of the foregoing
7 practices as are within the scope of practice of the healing arts as
8 provided by law;

9 ~~10.~~ 11. "Cosmetology establishment" means an establishment or
10 place of business where one or more persons are engaged in the
11 practices of cosmetology but shall not include cosmetology schools
12 or colleges;

13 ~~11.~~ 12. "Cosmetology or barber school/college" means any place
14 or premises where instruction in any or all the practices of
15 cosmetology or barbering is given. Any person, firm, institution or
16 corporation, who holds himself, herself or itself out as a school to
17 teach and train, or any person, firm, institution or corporation who
18 shall teach and train any other person or persons in any of the
19 practices of cosmetology or barbering is hereby declared to be
20 engaged in operating a cosmetology and/or barber school, and shall
21 be subject to the provisions of the Oklahoma Cosmetology and
22 Barbering Act. Licensed cosmetology and/or barber schools may offer
23 education to secondary and postsecondary students in this state;

1 ~~12.~~ 13. "Demonstrator" means a person who is not licensed in
2 this state as an operator or instructor and who demonstrates any
3 cosmetic preparation. The person shall be required to obtain a
4 Demonstrator license and pass a state written exam relating to
5 general safety and sanitation from the Board before making any such
6 demonstrations;

7 ~~13.~~ 14. "Facial/Esthetics instructor" means a person licensed
8 by the Board as a qualified teacher of the art and science of facial
9 and esthetics theory and practice;

10 ~~14.~~ 15. "Facialist/Esthetician" means any person who gives
11 facials for compensation;

12 ~~15.~~ 16. "Hairbraiding technician" means a person certified by
13 the Board to perform hairbraiding, hairweaving techniques, and hair
14 extensions in a licensed cosmetology establishment;

15 ~~16.~~ 17. "Hybrid learning" means courses that combine face-to-
16 face classroom instruction with ~~on-line~~ online, computer-based
17 learning;

18 ~~17.~~ 18. "Manicurist/Nail technician" means a person who gives
19 manicures, gives pedicures, or applies artificial nails;

20 ~~18.~~ 19. "Manicurist/Nail technician instructor" means a person
21 licensed by the Board as a qualified teacher of the art and science
22 of nail technology theory and practice;

23 ~~19.~~ 20. "Master barber instructor" means a person who gives
24 instruction in barbering or any practices thereof;

1 ~~20.~~ 21. "Master cosmetology instructor" means a person who
2 gives instruction in cosmetology or any practices thereof;

3 ~~21.~~ 22. "Postsecondary institution" means a school licensed to
4 teach students according to prescribed curriculum as in paragraph 1
5 of subsection G of Section 199.7 of this title and in Board rule
6 175:10-3-34(a);

7 ~~22.~~ 23. "Public school" means any state-supported institution
8 conducting a cosmetology program;

9 ~~23.~~ 24. "Secondary institution" means a school licensed to
10 teach students eligible for credit of five hundred (500) hours of
11 related subjects as prescribed in paragraph 2 of subsection G of
12 Section 199.7 of this title and in Board rule 175:10-3-34(b); ~~and~~

13 ~~24.~~ 25. "Shampooing" means the practice of washing or cleaning
14 hair by use of shampooing, conditioning, and drying, which may use
15 topical agents including, but not limited to, balms, oils, and
16 serums. Shampooing shall include the washing or cleaning of hair
17 extensions, hair pieces, and wigs. Shampooing shall not include
18 cutting hair or the application of dyes, bleach, reactive chemicals,
19 keratin treatments, or other preparations for the coloring and
20 altering of hair structure. Individuals solely practicing
21 shampooing as defined in this paragraph shall not be required to
22 hold a license or certification under the Oklahoma Cosmetology and
23 Barbering Act; and

1 26. "Student" means a person who is enrolled in and attending a
2 cosmetology or barbering school for the purpose of learning the
3 practice of cosmetology or barbering.

4 SECTION 2. This act shall become effective November 1, 2024.

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6 59-2-3622 MR 3/6/2024 9:54:44 AM
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