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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **3202**

02/11/2020 Authored by Christensen, Edelson, Robbins, Elkins, Runbeck and others
The bill was read for the first time and referred to the Committee on Government Operations
03/02/2020 Adoption of Report: Amended and re-referred to the State Government Finance Division

1.1 A bill for an act
1.2 relating to state government; exempting hairstyling and makeup application from
1.3 licensing; amending Minnesota Statutes 2018, sections 155A.23, subdivisions 3,
1.4 5, by adding subdivisions; 155A.27, subdivision 9; 155A.29, subdivision 6.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 155A.23, subdivision 3, is amended to read:

1.7 Subd. 3. **Cosmetology.** "Cosmetology" is the practice of personal services, for
1.8 compensation, for the cosmetic care of the hair, nails, and skin. These services include
1.9 cleaning, conditioning, shaping, reinforcing, coloring and enhancing the body surface in
1.10 the areas of the head, scalp, face, arms, hands, legs, feet, and trunk of the body, except where
1.11 these services are performed by a barber under sections 154.001, 154.002, 154.003, 154.01
1.12 to 154.161, 154.19 to 154.21, and 154.24 to 154.26. Cosmetology does not include hairstyling
1.13 or makeup services.

1.14 Sec. 2. Minnesota Statutes 2018, section 155A.23, subdivision 5, is amended to read:

1.15 Subd. 5. **Esthetician.** An "esthetician" is any person who, for compensation, performs
1.16 personal services for the cosmetic care of the skin only, but does not include makeup services.

1.17 Sec. 3. Minnesota Statutes 2018, section 155A.23, is amended by adding a subdivision to
1.18 read:

1.19 Subd. 19. **Hairstyling.** "Hairstyling" is the practice of cleaning, drying, arranging, or
1.20 styling hair. It includes the use of hair sprays and topical agents, such as shampoos and
1.21 conditioners. It also includes the use and styling of hair extensions and wigs. It does not

2.1 include cutting or the application of dyes, bleach, reactive chemicals, keratin, or other
2.2 preparations to color or alter the structure of hair.

2.3 Sec. 4. Minnesota Statutes 2018, section 155A.23, is amended by adding a subdivision to
2.4 read:

2.5 Subd. 20. **Makeup services.** "Makeup services" is the application of a cosmetic to
2.6 enhance the face or skin, including powder, foundation, rouge, eyeshadow, eyeliner, mascara,
2.7 and lipstick. Makeup services includes the application of makeup applied using an airbrush.
2.8 Makeup services does not include the application of permanent makeup, tattooing, or facial
2.9 services. A person who, for compensation, performs only makeup services is not an
2.10 esthetician.

2.11 Sec. 5. Minnesota Statutes 2018, section 155A.27, subdivision 9, is amended to read:

2.12 Subd. 9. **Exemptions.** (a) Persons licensed to provide cosmetology services in other
2.13 states visiting this state for cosmetology demonstrations shall be exempted from the licensing
2.14 provisions of sections 155A.21 to 155A.36 if services to consumers are in the physical
2.15 presence of a licensed cosmetologist.

2.16 (b) A person who performs hairstyling, makeup services, or threading shall be exempt
2.17 from the licensing provisions of sections 155A.21 to 155A.36.

2.18 Sec. 6. Minnesota Statutes 2018, section 155A.29, subdivision 6, is amended to read:

2.19 Subd. 6. **Exemption.** The facility in which a person provides hairstyling, makeup services,
2.20 or threading and no other services requiring licensure by this chapter is exempt from the
2.21 requirement for a salon license under this section.