

SENATE, No. 1197

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:
Senator NELLIE POU
District 35 (Bergen and Passaic)

SYNOPSIS

Requires cosmetology and hairstyling licensees to complete domestic violence sensitivity and response training.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning cosmetology and hairstyling and amending and
2 supplementing P.L.1984, c.205.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 6 of P.L.1984, c.205 (C.45:5B-6) is amended to read
8 as follows:

9 6. The board shall:

10 a. Review the qualifications of applicants for licensure;

11 b. Devise examinations for licensure which include practical
12 and written portions;

13 c. Administer and grade examinations or employ competent
14 examiners to administer and grade examinations but in no case shall
15 the board permit a person having any affiliation with a licensed
16 school to examine or grade an applicant who has been a registered
17 student at the school with which the examiner has an affiliation;

18 d. Issue and renew licenses of any cosmetologist-hairstylist,
19 beautician, barber, manicurist, skin care specialist, teacher, shop, or
20 school;

21 e. Issue student permits to senior students, which permits shall
22 remain valid during the period that the student is registered at a
23 licensed school or enrolled in an approved vocational training
24 program;

25 f. Issue temporary permits to applicants for licensure who are
26 awaiting scheduling for or results from an examination;

27 g. Issue registration cards to registered students;

28 h. Suspend, revoke or refuse to renew a license and exercise
29 investigative powers pursuant to the provisions of P.L.1978, c.73
30 (C.45:1-14 et seq.);

31 i. Appoint and employ an executive director and an assistant
32 executive director subject to the approval of the Attorney General,
33 and other employees as necessary to carry out the provisions of this
34 act;

35 j. Determine the duties that the executive director and the
36 assistant executive director shall perform;

37 k. File with the Attorney General a petition to remove any
38 executive director or assistant executive director for cause, which
39 petition shall be acted upon by the Attorney General in a manner
40 which he deems appropriate;

41 l. Establish fees for initial licensure, permits, renewals and
42 restoration of licenses as well as for duplication of lost licenses
43 pursuant to section 2 of P.L.1974, c.46 (C.45:1-3.2);

44 m. Maintain records of all practicing licensees and all licensed
45 teachers. Records shall include the latest work address of each

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 licensee, as provided on applications for licensure and renewals
2 thereof;
- 3 n. Maintain a record of all registered students and all persons
4 holding student permits;
- 5 o. Maintain a record of all shops licensed by the board to offer
6 one or more of the services encompassed within the definition of
7 cosmetology and hairstyling;
- 8 p. Maintain a record of all schools licensed by the board to
9 offer courses of instruction or training in the practice and theory of
10 cosmetology and hairstyling, beauty culture, barbering, manicuring,
11 hair braiding and skin care specialty to registered students, which
12 courses shall be approved by the board for the awarding of credit
13 for licensure;
- 14 q. Make available for public inspection all records required to
15 be kept pursuant to this section;
- 16 r. Promulgate regulations governing the practice and teaching
17 of cosmetology and hairstyling, beauty culture, barbering,
18 manicuring, hair braiding and skin care specialty as are necessary to
19 implement this act and to insure that cosmetology and hairstyling
20 services and instruction in those services are being offered both in a
21 manner which is sanitary and safe and in a manner which is not
22 intended to deceive or mislead the general public;
- 23 s. Promulgate regulations governing the conduct of shops and
24 schools as are necessary to implement this act, including, but not
25 limited to, regulations that ensure that all schools offer instruction
26 on cosmetology and hairstyling, beauty culture, barbering,
27 manicuring, hair braiding and skin care specialty by instructors who
28 are knowledgeable in the practice and teaching of cosmetology and
29 hairstyling, beauty culture, barbering, manicuring, hair braiding and
30 skin care specialty, as the case may be, and to assure that
31 cosmetology and hairstyling services and instruction in those
32 services are being offered both in a manner that is sanitary and safe,
33 and in a manner not intended to deceive or mislead the general
34 public, students of the schools, or organizations awarding financial
35 aid to the students and to clarify or define any term used in the act
36 and to define any activity included in hairstyling and cosmetology,
37 beauty culture, barbering, manicuring, hair braiding and skin care
38 specialty;
- 39 t. Review curricula offered by licensed schools in courses of
40 instruction offered to registered students and approve those
41 curricula which offer comprehensive training in cosmetology and
42 hairstyling, beauty culture, barbering, manicuring, hair braiding and
43 skin care specialty;
- 44 u. Direct the conduct of inspections or investigations of all
45 licensed shops and schools;
- 46 v. Direct the conduct of inspections or investigations of any
47 premises from which the board may have reason to believe that
48 cosmetology and hairstyling, beauty culture, barbering, manicuring,

1 hair braiding and skin care specialty services are being offered, or
2 that courses of instruction are being offered to registered students;

3 **[and]**

4 w. Establish criteria and standards for education and experience
5 required for licensure, which shall include one hour of domestic
6 violence sensitivity and response training, to be completed prior to
7 the student's completion of a course of instruction at a school of
8 cosmetology and hairstyling licensed in this State, or at a public
9 school approved by the State Board of Education to offer a
10 vocational program in cosmetology and hairstyling, or at a
11 cosmetology and hairstyling program approved by the State Board
12 of Education. The training shall include, but not be limited to,
13 information concerning recognizing the signs of abuse and assault
14 and the resources available to victims of domestic violence. The
15 board shall prescribe regulations regarding the additional
16 requirements for, and the approval of providers of, domestic
17 violence sensitivity and response training;

18 x. In conjunction with a provider of domestic violence
19 sensitivity and response training, develop, regularly update, and
20 make available on the Division of Consumer Affairs website, in
21 English, Spanish, Korean, and the three languages next most
22 commonly spoken in the State, a presentation on domestic violence
23 prevention and intervention appropriate for those licensed by the
24 board and notify applicants for renewal of licensure of how to
25 access that presentation; and

26 y. Provide information to licensees on where to obtain
27 materials to educate consumers on domestic violence prevention
28 and intervention.

29 (cf: P.L.2018, c.126, s.3)

30
31 2. (New section) A practicing licensee, or the practicing
32 licensee's employer, shall not be civilly or criminally liable for
33 acting in good faith or failing to act on information obtained during
34 the course of employment concerning potential domestic violence
35 or sexual assault.

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37 3. This act shall take effect immediately.

40 STATEMENT

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42 This bill requires any person who holds a license to practice
43 cosmetology and hairstyling, barbering, beauty culture, manicuring,
44 hair braiding, or skin care specialty to complete one hour of
45 domestic violence sensitivity and response training prior to the
46 completion of a course of instruction, vocational program, or other
47 approved program in cosmetology and hairstyling. The bill requires
48 the New Jersey State Board of Cosmetology and Hairstyling to

1 establish criteria and standards for domestic violence sensitivity and
2 response training for practicing licensees. The training is required
3 to include, but shall not be limited to, information concerning
4 recognizing the signs of abuse and assault and the resources
5 available to victims of domestic violence. The bill requires the
6 board to issue regulations regarding the additional requirements for,
7 and the approval of providers of, domestic violence sensitivity and
8 response training.

9 In addition, the bill requires the board, in conjunction with a
10 provider of domestic violence sensitivity and response training, to
11 develop, regularly update, and make available on the Division of
12 Consumer Affairs website in English, Spanish, Korean, and the
13 three languages next most commonly spoken in the State, a
14 presentation on domestic violence prevention and intervention
15 appropriate for those licensed by the board and to notify applicants
16 for renewal of licensure of how to access the presentation. The bill
17 also requires the board to provide information to licensees on where
18 to obtain materials to educate consumers domestic violence.

19 Pursuant to the provisions of the bill, a practicing licensee or the
20 practicing licensee's employer will not be civilly or criminally
21 liable for acting in good faith or failing to act on information
22 obtained during the course of employment concerning potential
23 domestic violence or sexual assault.