

Troublesome State Bills Successfully Modified or Pulled in California, Delaware and New Jersey

The week after July 4th finds only four state legislatures – California, Massachusetts, Michigan and North Carolina – actively meeting. As always, AACCS will keep you apprised of the latest state legislative developments of interest to member schools.

California's Senate Business, Professions and Economic Development Committee conducted a hearing last week on several bills that would tighten regulation of private postsecondary schools – including cosmetology schools. According to the [San Francisco Chronicle](#), AB 1340 which was originally drafted as a state Gainful Employment bill was amended to a data collection and reporting bill to address Committee objections.

According to the official Digest, while AB 1340 as amended no longer contains a debt-to-earning metric leading to potential enrollment limitations, it still requires institutions regulated by the Bureau for Private Postsecondary Education (BPPE) to report “individual identifying information, the program the graduate was enrolled in, and specified student loan debt information. The bill would require the bureau to match the data reported by institutions pursuant to this provision with wage data from the Employment Development Department, as specified. The bill would also require the bureau to make available certain program-level and institution-level statistics regarding the earnings levels of students and student debt burdens.”

A bill – AB 1343 – to establish a state 85-15 rule was pulled by its sponsor – Rep. Susan Eggman (D) – and is ineligible for further consideration this year.

The *Chronicle* also reported that Committee members “expressed the greatest concern over AB1345 by Assemblyman Kevin McCarty, D-Sacramento, which would ban colleges from setting recruiting bonuses or quotas for employees. Representatives of for-profit schools said it was written so broadly that it would make it impossible to fire anyone who works on student admissions and enrollment.”

AB 1345 was favorably reported after Assemblyman McCarty indicated that he was negotiating the bill's language with for-profit schools. Both AB 1340 and AB 1345 have been referred to the Senate Education Committee which is expected to consider them on July 10th.

A New Jersey blow drying and hairstyling deregulation bill – A5492 – was withdrawn from consideration last month. Advocacy efforts by the Association of Cosmetology and Hairstyling Schools of New Jersey and PBA led to this successful outcome.

One state south in Delaware, a bill to update Delaware's cosmetology and barbering act was signed into law by Governor Chris Carney on June 27. HB 205, effective upon enactment, allows a licensed cosmetologist with one-year of experience to obtain a master barber license after completing a 35-hour course in shaving. It also reduced the experience needed for licensure reciprocity from three years to one year.

Prior to unanimous Senate and House final passage votes on June 26, Delaware HB 205 was amended to remove House-passed language that would have permitted licensees to supervise up to three apprentices and permitted a licensed instructor to supervise up to five apprentices.

Finally, Rhode Island's House and Senate voted last week to send a hair braiding deregulation bill to Governor Gina Raimondo (D). If signed by the Governor, Substitute H 5677 will allow unlicensed hair braiders to use mechanical devices including curling irons and scissors to perform "minor trimming of natural hair or hair extensions incidental to twisting, wrapping, weaving, extending, locking, or braiding hair."

The text and current status of bills mentioned in this update can be found in AACCS' Bill Tracking Portal at:

<https://www.billtrack50.com/Public/Stakeholder/Jt1r123hjU2jC1MOSr6KVA/Embedded>.

Please do not hesitate to contact me at bnewman@abingdonstrategies.com or by phone at 202-491-5254 with comments or questions.

Additional State Bill Enactment

Connecticut HB 7424

This budget Act includes language establishing licensure for estheticians, and nail and eyelash technicians.

HB 7424 will require licensure applicants to complete at least 600 hours of study for esthetics; 50 hours of study for eyelash technicians, and; 100 hours of study for nail technicians. The bill would however allow individuals who have continuously practiced esthetics, or nail and eyelash technology in Connecticut for two-years prior to the establishment of the license to simply attest compliance with infection prevention and control guidelines. Individuals employed as nail technicians prior to September 30, 2020 – but who are unable to document two-years of experience – can apply for a nail technician trainee license that will allow them to practice up to two years under the supervision of a licensed nail technician.

The Act also allows the Department of Public Health (DPH) to approve esthetics, and nail and eyelash technician schools.