

# Natural Hair Braiding Protection Act

June 6, 2018

**100.1 Purpose.** Natural hair braiding is a traditional practice that is safe. It presents no significant health and safety risks to customers or practitioners. This state should protect liberty. It has no interest in requiring practitioners to obtain an occupational license or other form of occupational regulation because such regulation makes it unnecessarily difficult for natural hair braiders to earn an honest living through their practice, to provide for themselves and their families, to offer their services to and compete for customers, and to create new employment and business opportunities through their entrepreneurship. In addition, such occupational regulation harms consumers by limiting their choices, forcing consumers to forgo braiding services or enter the underground economy.

## **100.2 Definitions.**

**Subdivision 1. Natural hair braiding.** Natural hair braiding is a service of twisting, wrapping, weaving, extending, locking, or braiding hair by hand or with mechanical devices.

(1) Natural hair braiding includes:

- (a) the use of natural or synthetic hair extensions, natural or synthetic hair and fibers, decorative beads, and other hair accessories;
- (b) minor trimming of natural hair or hair extensions incidental to twisting, wrapping, weaving, extending, locking, or braiding hair;
- (c) the making of wigs from natural hair, natural fibers, synthetic fibers, and hair extensions; and
- (d) the use of topical agents such as conditioners, gels, moisturizers, oils, pomades, and shampoos in conjunction with performing (a)-(c).

(2) Natural hair braiding is commonly known as “African-style hair braiding” but is not limited to any particular cultural, ethnic, racial, or religious forms of hair styles;

(3) Natural hair braiding is distinct from the practice of cosmetology.

(4) Natural hair braiding does not include:

- (a) the application of dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl, or alter the structure of the hair; or

- (b) the use of chemical hair joining agents such as synthetic tape, keratin bonds, or fusion bonds.

**Subd. 2. Mechanical devices.** Mechanical devices mean clips, combs, crochet hooks, curlers, curling irons, hairpins, rollers, scissors, blunt-tipped needles, thread, and hair binders.

**100.3 Exemption.** The practice of natural hair braiding is exempt from state regulation under this chapter.

**100.4 Restrictions.** Unless otherwise licensed under this chapter, a practitioner of natural hair braiding shall not:

- (1) perform or attempt to perform services regulated as the practice of cosmetology; or
- (2) advertise in a manner that misleads consumers as to services the practitioner may offer under this chapter.

**100.5 Penalty.** A practitioner of natural hair braiding who violates paragraph 100.4 may be subject to sanction for the unlicensed practice of cosmetology under this chapter.

**100.6 Preemption.** This chapter preempts ordinances, permits and other regulations by other units of government which prohibit or regulate in any matter (1) the licensing of a person who performs natural hair braiding, or (2) the devices, equipment or facility used to perform natural hair braiding.

**100.7 Effective Date.**