

Natural Hair Braiding Opportunity and Freedom Act

April 3, 2021

100.1 Purpose. Natural hair braiding is a traditional practice. It is safe. It presents no significant risks to customers or practitioners' health or safety.

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 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.
- (3) Natural hair braiding is distinct from the practice of cosmetology.
- (4) Natural hair braiding is commonly known as "African-style hair braiding" but is not limited to any cultural, ethnic, racial, or religious form of hair styles.

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.

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 Business license and taxes. Nothing in this chapter shall be construed to exempt the practice of natural hair braiding or operating a natural hair braiding salon from the requirements of (1) a general business registration including a commercial activity license or similar general business license; and (2) any law relating to the payment of taxes on sales and income.

100.8 Consumer Protection. (a) The salon owner is responsible for:

- (1) ensuring the education, training, skills, and competence of persons who work in the owner's salon; and
- (2) protecting the health and safety of customers and persons who work in the owner's salon. This includes the salon's sanitation and all equipment used in it.

(b) In an action based on an injury alleged to have occurred in a salon, a customer may recover from the salon owner damages and other relief as determined by a court.

(c) Nothing in this chapter shall be construed to prohibit private certification or an employer from requiring private certification.

100.9 Effective Date.