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HOUSE BILL 341

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Monica Youngblood

AN ACT

RELATING TO LICENSING; PROVIDING FOR AN EXEMPTION FROM A
COSMETOLOGY LICENSE FOR EYEBROW THREADING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 61-17A-2 NMSA 1978 (being Laws 1993,
Chapter 171, Section 2, as amended) is amended to read:

"61-17A-2. DEFINITIONS.--As used in the Barbers and
Cosmetologists Act:

A. "barber" means a person, other than a student,
who for compensation engages in barbering;

B. "board" means the board of barbers and
cosmetologists;

C. "cosmetologist" means a person, other than a
student, who for compensation engages in cosmetology;

D. "electrologist" means a person, other than a

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1 student, who for compensation removes hair from or destroys
2 hair on the human body through the use of an electric current
3 applied to the body with a needle-shaped electrode or probe;

4 E. "enterprise" means a business venture, firm or
5 organization;

6 F. "establishment" means an immobile beauty shop,
7 barber shop, electrology clinic, salon or similar place of
8 business in which cosmetology, barbering or electrolysis is
9 performed;

10 G. "esthetician" means a person, other than a
11 student, who for compensation:

12 (1) uses cosmetic preparations, including
13 makeup applications, antiseptics, powders, oils, clays or
14 creams, for the purpose of preserving the health and beauty of
15 the skin and body;

16 (2) massages, cleans, stimulates or
17 manipulates the skin for the purpose of preserving the health
18 and beauty of the skin and body; or

19 (3) performs activities similar to the
20 activities described in Paragraph (1) or (2) of this subsection
21 on any part of the body of a person;

22 H. "eyebrow threading" means a method of hair
23 removal in which a thin thread is doubled, twisted and then
24 rolled over areas of unwanted hair, plucking the hair at the
25 follicle level;

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1 ~~[H.]~~ I. "manicurist-pedicurist" means a person,
2 other than a student, who for compensation performs work on the
3 nails of a person and applies nail extensions or products to
4 the nails for the purpose of strengthening or preserving the
5 health and beauty of the hands or feet;

6 ~~[I.]~~ J. "sanitation" means the maintenance of
7 sanitary conditions to promote hygiene and the prevention of
8 disease through the use of chemical agents or products;

9 ~~[J.]~~ K. "school" means a public or private
10 instructional facility approved by the board that teaches
11 cosmetology or barbering; and

12 ~~[K.]~~ L. "student" means a person enrolled in a
13 school to learn or be trained in cosmetology, barbering or
14 electrolysis."

15 **SECTION 2.** Section 61-17A-22 NMSA 1978 (being Laws 1993,
16 Chapter 171, Section 22) is amended to read:

17 "61-17A-22. EXEMPTIONS.--The following persons are exempt
18 from the provisions of the Barbers and Cosmetologists Act while
19 in the discharge of their professional duties:

20 A. persons licensed by the law of this state to
21 practice medicine and surgery or chiropractic;

22 B. commissioned medical or surgical officers of the
23 United States army, navy or marine hospital service;

24 C. registered nurses; ~~[and]~~

25 D. funeral service practitioners; and

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E. persons providing only eyebrow-threading services."