

Testimony of the Board of Barbering and Cosmetology

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 7, 2025
9:50 a.m.
Conference Room 229 and Videoconference**

**On the following measure:
S.B. 1620, RELATING TO NAIL TECHNICIANS**

Chair Keohokalole and Members of the Committee:

My name is Kerrie Shahan, and I am the Executive Officer of the Board of Barbering and Cosmetology (Board). The Board will review this bill at its next publicly noticed meeting on February 11, 2025. For now, the Board offers the following comments:

The purpose of this bill is to exempt natural hair braiders from licensing requirements under the Barbering and Cosmetology Licensing Act.

At its January 7, 2004 meeting, the Board affirmed its belief that “hair braiding” falls within the scope of practice of cosmetologist, hairdressers, and barbers. However, because training and examination requirements for natural hair braiding are minimal, the Board determined that individuals engaged solely in hair braiding are not required to be licensed.

At the same meeting, the Board listed the following activities which are subject to licensing requirements: waxing, cleansing, cutting, singeing, coloring, relaxing, trimming, shampooing, and relaxing.

In addition, the Board notes Page 2, lines 13- 20 and page 3, lines 1-9 provide for “natural hair braiding salons,” but does not include any information on regulation of the shops.

Thank you for the opportunity to testify on this bill.



INSTITUTE FOR JUSTICE

February 5, 2025

Re: Support for Senate Bill 1620

Dear Chair and Members of the Senate Committee on Commerce and Consumer Protection,

My name is Courtney Fontaine, and I am with the Institute for Justice—a nonprofit, public interest law firm that works to protect civil liberties, including the right to pursue the occupation of one’s choosing. I write today in strong support of SB 1620, which would exempt natural hair braiders from unnecessary cosmetology licensing requirements in Hawaii. We commend the bill’s sponsors for recognizing the undue burden current regulations place on braiders and for working to expand economic opportunities for people who practice this culturally significant and time-honored skill.

SB1620 is a critical step toward removing excessive and irrelevant licensing mandates that hinder people—predominantly women of color—from legally pursuing their livelihoods. As the bill acknowledges, natural hair braiding is a safe practice that does not involve cutting, dyeing, or the use of harsh chemicals. Yet, under Hawaii’s current licensing structure, braiders are forced to complete an arduous, costly, and unrelated training process in order to work legally.

Hawaii’s requirements for braiders are among the most burdensome in the nation. As it stands, braiders must complete 1,250 hours in a state-approved hairdressing program, which can cost upwards of \$17,000 in tuition. In Maui, for example, the only available program treats braiding as an afterthought, focusing instead on skills like cutting, coloring, bleaching, and chemical relaxing—none of which are relevant to natural hair braiding. Even worse, an alternative route requires obtaining a full cosmetology license, which demands even more time and money while forcing braiders to learn completely unrelated subjects, such as makeup application, nail care, and facials.

This excessive regulation disproportionately impacts low-income individuals and aspiring entrepreneurs. By exempting braiders from these unnecessary requirements, SB1620 will help remove artificial barriers to entry, allowing more people to legally earn a living doing what they already know how to do. Other states have recognized this and acted accordingly—35 states have already exempted natural hair braiding from licensing laws. It is time for Hawaii to do the same.

Importantly, SB1620 does not compromise consumer safety. Natural hair braiding is a manual skill that has been practiced for generations without the need for government regulation. In fact, complaints about braiders filed with state cosmetology boards are extremely rare. The bill also includes reasonable safeguards, ensuring that salons offering only braiding services remain responsible for sanitation and proper workplace conditions.

To conclude, Hawaii's current laws require braiders to spend excessive time and money on unnecessary training while stifling entrepreneurship and economic mobility. SB1620 is a common-sense reform that will open doors for hardworking people seeking to provide for themselves and their families through an entirely safe and legitimate cultural practice. We urge you to support SB1620 and give natural hair braiders the ability to work without unnecessary government interference. Thank you for your time and consideration.

Sincerely,
Courtney Fontaine
Legislative Policy Associate
Institute for Justice
cfontaine@ij.org

LATE

Untangling Natural Hair Braiders Will Not Harm Consumers

Conor Norris

Director of Labor Policy, Knee Regulatory Research Center at West Virginia University

Hawaii Senate Committee on Commerce and Consumer Protection

February 7, 2025

Chairman Keohokalole, Vice Chair Fukunaga, and all distinguished members of the Senate Committee on Commerce and Consumer Protection:

Thank you for allowing me to testify on the regulation of beauty services and professionals in Hawaii. I am the Director of Labor Policy at the Knee Regulatory Research Center at West Virginia University. The main takeaways of my comments are the following:

1. Licensing is not always the appropriate form of regulation.
2. Licensing minimum education requirements can be costly for aspiring professionals.
3. Hawaii would join 35 states that have removed licensing requirements for natural hair braiders.

Occupational licensing laws are designed to protect consumers from harm and ensure high quality services. Occupational licensing is also the most stringent form of regulation, preventing individuals from working until they meet specific education, experience, or training requirements, pass exams, and pay fees. Protecting the public from harm from low quality professionals is an important goal; however, licensing requirements are not always necessary.

Licensing can be costly, and we have to weigh both the costs and the benefits of licensing. They create barriers to entry that make it more difficult for individuals to enter a profession. The out-of-pocket expenses necessary to complete the mandatory minimum levels of education are too onerous for many aspiring workers to overcome, especially in the beauty industry.¹ Research estimates that licensing reduces the supply of professionals², and increases the prices that consumers pay for services.³

¹ Menjou, Mindy, Michael Bednarczuk, and Amy Hunter. "Beauty School Debt and Drop-Outs: How State Cosmetology Licensing Fails Aspiring Beauty Workers." *Institute for Justice* (2021).

² Peter Blair and Bobby Chung, "How Much of Barrier to Entry is Occupational Licensing?," *British Journal of Industrial Relations* 57, no. 4 (2019): 919-43; Timmons, Edward J., and Robert J. Thornton. "The Licensing of Barbers in the USA." *British Journal of Industrial Relations* 48, no. 4 (2010).

³ Kleiner, Morris M., and Evan J. Soltas. "A welfare analysis of occupational licensing in US states." *Review of Economic Studies* 90, no. 5 (2023): 2481-2516.

The accumulation of licensing laws also contributes to income inequality.⁴ Making it more difficult to enter professions traps people in lower-paying jobs and reduces entrepreneurship, one path to the American Dream.

Unfortunately, we do not have good evidence that licensing improves the quality of services.⁵ We are also unable to find evidence that licensing improves the quality of beauty professions in particular.⁶

Right now, Hawaii has some of the most onerous licensing requirements for natural hair braiders, who need a hairdresser license. In order to obtain a license, aspiring professionals must complete a 1,250-hour long training program in hairstyling, covering services like giving manicures or bleaching hair. In fact, only a small portion of the curriculum actually includes hair braiding, making most of the education a waste of time and money for a hair braider. It is unlikely that this education will improve safety or quality.

There is direct research on hair braider reform which finds evidence that reform led to an increase in new hair braiders, especially more opportunities for smaller owner-operated beauty salons.⁷ Removing unnecessary barriers to entry worked to help increase employment without sacrificing consumer safety.

I have never asked my barber to see a state issued license. Instead, I ask my friends or look at reviews online to learn about a provider's reputation and quality. Hair braiding, which does not rely on chemicals like cosmetology, is a safe service that consumers can rely on reviews instead of costly licensing laws.

Hawaii has the chance to join 35 other states that have delicensed the profession of hairbraiding. Rather than going out on a limb, this legislation will bring Hawaii in line with the majority of other states.

Although licensing laws are designed to protect consumers, they are not always the best way to achieve that goal. Aspiring hair braiders suffer, facing roadblocks to meaningful work. Individuals should not be prevented from entering a profession unless there is evidence of a need for regulation.

Conor Norris

⁴ Meehan, Brian, Edward Timmons, and Ilya Kukaev. "The effects of growth in occupational licensing on intergenerational mobility." *Economics Bulletin* 39, no. 2 (2019).

⁵ Norris, Conor, Alex Adams, and Edward Timmons. "How do licensing boards provide oversight? An Idaho case study." *Economic Affairs* 44, no. 3 (2024): 527-539.

⁶ Deyo, Darwyn. *Licensing and Service Quality: Evidence Using Yelp Consumer Reviews*. George Mason University Working Paper. (2016); Deyo, Darwyn. *Testing Licensing and Consumer Satisfaction for Beauty Services in the United States*. SJSU ScholarWorks (2022).

⁷ Timmons, Edward and Catherine Konieczny. "Untangling Hair Braider Deregulation in Virginia: A Case Study Approach." Mercatus Working Paper, Mercatus Center at George Mason University, Arlington, VA, (2017).

Feb. 7, 2025, 9:50 a.m.
Hawaii State Capitol
Conference Room 229 and Videoconference

LATE

To: Senate Committee on Commerce and Consumer Protection
Sen. Jarrett Keohokalole, Chair
Sen. Carol Fukunaga, Vice-Chair

From: Grassroot Institute of Hawaii
Ted Kefalas, Director of Strategic Campaigns

RE: COMMENTS IN SUPPORT OF SB1620 — RELATING TO NATURAL HAIR BRAIDING

Aloha Chair Keohokalole, Vice-Chair Fukunaga and other members of the Committee,

The Grassroot Institute of Hawaii would like to offer its **strong support** for [SB1620](#), which would exempt natural hair braiders from state licensing requirements under certain conditions.

This bill would add much-needed clarity to the current state licensing regulations, which place hair braiders in a difficult position.

Hair braiders fall under the oversight of the Hawaii Board of Barbering and Cosmetology, which determined — in response to [Cornwell v. Hamilton](#), a 1999 Ninth Circuit case holding that California's mandated cosmetology curriculum was largely irrelevant to braiders — that braiders in Hawaii require a better regulatory solution than they currently have.¹ But that better solution has never materialized.

Thus, hair braiders in Hawaii are technically required to have a cosmetology license in order to publicly practice their craft for money. Yet, that requirement is not being enforced by the state Board because of questions about its legality.

In other words, the Board looks the other way on braiding while still holding the position that can — and eventually might — put forth licensing regulations for braiders.

¹ Email exchange between the Grassroot Institute and the Hawaii Board of Barbering and Cosmetology, Aug. 6, 2024.

This means that, for years, Hawaii braiders have been stuck in limbo. The legality of their trade is in question, and nothing prevents the Board from handing down an onerous series of regulations that could drive them out of business.

Meanwhile, the state’s cosmetology license is — as recognized by the Board of Barbering and Cosmetology — completely unsuited to the practice of braiding.

In fact, the cosmetology license itself is onerous. At an average cost of \$21,829, cosmetology programs in Hawaii are among the most expensive in the nation.²

A Hawaii cosmetology license also requires 1,800 educational hours,³ but very little of that time is spent on braiding or skills necessary to a braiding salon. Even the lower requirements for a hairdressing license — 1,250 hours of beauty school training⁴ — still require applicants to spend substantial amounts of time and money for an education that is largely irrelevant to braiding.

SB1620 takes a sensible approach to this issue by exempting hair braiders from cosmetology licensing requirements so long as their activities are limited to braiding.

It is clear that there is no real risk to public health involved in allowing braiders to operate freely in Hawaii. Many other states have safely deregulated the practice, and Hawaii has declined to establish braiding regulations for years.

Currently, 34 states completely exempt braiders from licensure, and 22 of those states have done so within the past 10 years.⁵

An additional consideration is that hair braiders are often women serving minority communities, with natural hair braiding often a traditional cultural practice.

The Committee should support greater opportunity and entrepreneurship in these communities by passing SB1620 and eliminating unnecessary regulation of hair braiders.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

² Mindy Menjou, Michael Bednarczuk and Amy Hunter, [“Beauty School Debt and Drop-outs: How State Cosmetology Licensing Fails Aspiring Beauty Workers,”](#) Institute for Justice, July 2021, p. 34.

³ [Ibid](#), p.24.

⁴ [“Beauty Operator Application,”](#) Hawaii Board of Barbering and Cosmetology, accessed Feb. 5, 2025.

⁵ [“Natural Hair Braiding Opportunity and Freedom Act,”](#) Institute for Justice, accessed Feb. 5, 2025.

SB-1620

Submitted on: 2/4/2025 10:55:52 PM

Testimony for CPN on 2/7/2025 9:50:00 AM

Submitted By	Organization	Testifier Position	Testify
Sara Yi	Individual	Support	Written Testimony Only

Comments:

I am in strong support of SB 1620.

I am a strong supporter of reforming occupational licensing when it proves to be a barrier to individuals who are qualified to enter their professions. Licensing should be about enabling people to follow their passions and pursue meaningful careers, not about creating unnecessary financial and time barriers.

In many cases, current licensing requirements, especially in fields like cosmetology, are overly broad and irrelevant to the specific skills required. For instance, according to a recent article in the newspaper, hair braiders in Hawaii are required to complete 1,250 hours of training in unrelated areas, such as hair cutting and chemical treatments. This is both a significant financial cost and an unnecessary obstacle.

I strongly urge this committee to pass SB 1620.

Thank you for the opportunity to testify.

LATE

SB-1620

Submitted on: 2/5/2025 8:21:09 PM
Testimony for CPN on 2/7/2025 9:50:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaiulani Flores	Individual	Support	In Person

Comments:

Aloha,

I am Kaiulani Flores, and I'll be providing testimony today in support of Bill SB1620.

Musicians and artists often start training young. My childhood passion while growing up in Maui was natural hair braiding.

I started practicing French braids on my dad when I was 5. Through sheer creativity, I subsequently explored various other braiding styles. There were no YouTube videos back then, so I asked my parents for hair magazines on braiding, found in Maui's own Foodland stores. These became my textbooks. I studied the pictures and mastered every technique that I could.

Today, people who seek me out for my services do not care that I am self-taught. My work speaks for itself. But the Hawai'i Board of Barbering and Cosmetology will not let me braid for pay. If I collect a single dollar, the state could fine and imprison me.

To earn an honest living as a braider, I would have to complete 1,250 hours in a state-approved hairdressing program. The only option in Maui costs nearly \$17,000 and treats my chosen occupation as an afterthought. The course catalogue describes instruction in cutting, coloring, bleaching, permanent waving, and chemical relaxing—topics that have nothing to do with braiding.

Alternatively, braiders in Hawai'i have the option to obtain a full cosmetology license. However, this path is even more time-consuming, requiring 1,800 hours of training. It also incurs higher costs exceeding \$25,000 and diverts braiders further off course with irrelevant modules on makeup, nails, and facials.

After graduation, hairdressers and cosmetologists must pass two state exams that ask not a single question about braiding. It's like forcing an aspiring auto mechanic to enroll in pilot school before fixing cars. The license would tell customers nothing.

Professionals in many industries do not face such obstacles. Musicians, artists, chefs, wedding photographers, dog trainers, coaches, and consultants can take money from anyone willing to pay.

Other occupations involve minimal barriers. When I worked as a tattooist and permanent makeup artist, I completed all certification requirements in less than one week. People in a hurry could do the coursework online in just 75 minutes, pay some fees, and be ready to perform invasive cosmetic procedures in under a day.

The state requires a bit more for emergency medical technicians. They need 150 classroom hours. Still, the contrast with hair braiders is extreme. Unlike EMTs, who assist paramedics in life-and-death situations, hair braiders work in relaxed conditions.

They do not use scissors, hot wax, or harsh chemicals. Most of the time, they use nothing but their hands. Yet Hawai'i demands eight times more instruction for braiders than EMTs—and 1,000 times more than tattooists.

Besides being unfair, the forced schooling is counterproductive. Small-business owners drive the economy, and Hawai'i should not interfere except when necessary for health and safety. Putting difficult and unnecessary restrictions on braiders keeps willing workers on the sidelines without providing any public benefit.

Many local braiders respond by slipping into the shadows, looking over their shoulders like criminals. I see this firsthand. Braiders that come to the islands, start providing services without a license, with many who dare to advertise so freely and publicly.

I cannot live like this. As a local, trying to provide for myself and my ohana, I want to do what my home state requires. Lawmakers in Honolulu can help during the 2025 legislative session by freeing braiders from the beauty school mandate.

California, Florida, Texas, and 31 other states already have taken this step. They completely exempt braiders from licensure and report no problems. The Institute for Justice, a public interest law firm, provides model legislation that Hawai'i could use as a reference.

The time for change is long overdue.

Five times since 1980, Hawai'i's Office of the Auditor has studied whether the beauty industry needs licensing at all. The answer is always the same: No. Yet lawmakers fail to act.

Exempting braiders would be a good first step. It would mean that all braiders could operate in the open, providing income for themselves and their Ohana without fear of anyone shutting them down.

I personally would feel like a big weight has been lifted off my shoulders. I finally could relax as a braider, like I used to when practicing on my father as a child.

Mahalo for your time and for allowing me to speak today.

LATE

SB-1620

Submitted on: 2/5/2025 8:35:01 PM

Testimony for CPN on 2/7/2025 9:50:00 AM

Submitted By	Organization	Testifier Position	Testify
Terri Chang	Individual	Support	Remotely Via Zoom

Comments:

As a licensed cosmetologist, I understand the value of training and education in ensuring service and safety standards. However, the current system requires people who want to braid hair to spend thousands of dollars and many hours of school—despite having learned these skills from family members or being naturally talented. The financial burden is especially tough for lower-income workers, and even after obtaining their licenses, many don't earn enough extra income to justify the cost of their education and training.

While I personally value the training I've received, I recognize that these requirements may prevent others who want to work but can't afford to enter the industry. I've seen firsthand how I keep talented, skilled workers from pursuing their dreams and contributing to the economy.

I urge you to support SB 1620 so that hardworking individuals who want to use their skills can do so without being held back by unnecessary financial barriers. This reform would help workers, small business owners, and our local economy as a whole.

Thank you for listening.

LATE

To whom this may concern,

I am honored to share my testimony in support of Kaiulani Flores, whose passion and skill for braiding have not only brought joy and confidence to those she serves but have also given her the opportunity to express a part of who she is.

Kaiulani is a distinguished artist, and her braiding skills are just one of many masterpieces—an art form that requires patience, creativity, and dedication, but not harsh chemicals or dangerous tools. She has spent years perfecting her craft, offering beautiful, intricate, and protective hairstyles that celebrate natural beauty. Her work is more than aesthetics; it is a form of self-expression and a way to uplift her community.

For many, braiding is more than a service—it is a livelihood. Requiring a license for this time-honored skill places an unnecessary burden on talented individuals like Kaiulani, who simply want to earn an honest living doing what they love. The licensing process often involves expensive and irrelevant coursework, turning what should be an opportunity into a barrier rather than a benefit.

I have personally witnessed the impact of Kaiulani's work—how she empowers her clients by giving them styles that make them feel confident and cared for. Her braiding is safe, professional, and deeply valued by her friends and family. I can only imagine the positive impact she could have on an entire community. Preventing her and others from earning a living without a license does not protect consumers—it only restricts hard working entrepreneurs from pursuing their passion.

I urge the court to recognize that braiding is an artistic practice shared with love, not a public health risk, and that requiring unnecessary licensing places an unfair burden on skilled individuals. I respectfully ask for your consideration in allowing talented braiders like Kaiulani continue their passion freely, without restrictive legal barriers.

With much thanks,

Sincerely,

Kiara Corpuz-Butihi

LATE

Chair Keohokalole, Vice Chair Fukunaga and Committee Members -

My name is Leslie Roste with the Future of the Beauty Industry Coalition in support of SB 1620.

This committee is tasked with ensuring consumer safety and that safety would not be at risk by passing SB 1620. I am a nurse by training and worked as an Infection Control nurse prior to coming the professional beauty industry 15 years ago. Since that time, I have worked as a subject matter expert on health & public safety in the professional beauty industry during which I helped over 30 states evaluate and update health & public safety rules and curriculum. I also served as an item writer and evaluator for a national licensure exam and wrote science content, including infection control for both major textbooks used in cosmetology theory education. Natural hair braiding has very few risks – they use no chemicals and do not cut or use heat. While Hawaii requires 1800 hours of education to become a cosmetologist and 1250 hours to become a hair dresser, almost none of that time is spent on natural hair braiding and it is not included as subject matter on the national exams because so few states regulate its practice. In fact, 34 states specifically exclude natural hair braiding from licensure requirements. Currently in Hawaii a natural hair braider is required to complete a program of either 1250 or 1800 hours that generally costs between \$10,000 and \$22,000 for a program that spends less than 1% of those hours on braiding.

Given that natural hair braiding can be done safely and has been in at least 34 other states without the cost and time of full licensure, I encourage this committee to pass SB1620.

Respectfully Submitted,

Leslie Roste, RN

lgroste@gmail.com / 816-955-1643

LATE

SB-1620

Submitted on: 2/6/2025 4:42:41 PM
Testimony for CPN on 2/7/2025 9:50:00 AM

Submitted By	Organization	Testifier Position	Testify
Mokihana	Individual	Support	Written Testimony Only

Comments:

I STRONGLY support Bill SB1620.