
A BILL FOR AN ACT

RELATING TO NATURAL HAIR BRAIDING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that natural hair
2 braiding is a traditional practice that does not present
3 significant health and safety risks to consumers or
4 practitioners. While natural hair braiding is distinct from the
5 practice of cosmetology or barbering, existing law has been
6 interpreted to require natural hair braiders to obtain a license
7 from the board of barbering and cosmetology, imposing an undue
8 burden on those who engage in natural hair braiding as a
9 profession. Licensees are required to undergo education and
10 training for cosmetology practices that are outside the scope of
11 natural hair braiding, such as nail care and makeup application.
12 For these reasons, the legislature believes it is inappropriate
13 for natural hair braiders to be subject to the licensure
14 requirements under the Barbering and Cosmetology Licensing Act.

15 The legislature further finds that, although natural hair
16 braiders should be exempt from licensure due to the nature of
17 their practice, natural hair braiding nevertheless involves



1 direct contact with clients and the use of tools and materials
2 that, if not properly sanitized or sterilized, may create
3 conditions that pose risks to the health and safety of clients.

4 Accordingly, the purpose of this Act is to require natural
5 hair braiders to be registered, rather than licensed, under the
6 Barbering and Cosmetology Licensing Act.

7 SECTION 2. Chapter 439A, Hawaii Revised Statutes, is
8 amended by adding a new section to be appropriately designated
9 and to read as follows:

10 "§439A- Natural hair braiders; registration required;
11 renewal. (a) No person shall engage in the practice of natural
12 hair braiding unless the person has registered with the board
13 under this section.

14 (b) Registration shall include:

15 (1) Submission of a complete application for registration
16 on a form prescribed by the board;

17 (2) Beginning November 1, 2026, submission of proof of
18 completion of a board-approved course or program on
19 sanitation, health, and safety; and

20 (3) An application fee in an amount as provided in rules
21 adopted by the board.



1 (c) Each certificate of registration shall be valid
2 through December 31 of each odd-numbered year. A registration
3 shall be renewed by December 31 of each odd-numbered year upon
4 meeting the requirements under subsection (d). Failure to renew
5 a registration shall cause the registration to be forfeited. A
6 registration that has been forfeited may be restored within one
7 year of the forfeiture date upon payment of renewal and
8 restoration fees. Failure to restore a forfeited registration
9 within one year shall result in the automatic termination of the
10 registration. A person whose registration has been terminated
11 pursuant to this section shall be required to reapply for a new
12 registration as a new applicant.

13 (d) To renew a registration, the registrant shall submit
14 to the board:

15 (1) A complete application on a form prescribed by the
16 board;

17 (2) Evidence of completion of any continuing education
18 requirement that may be established by the board by
19 rule; and

20 (3) A renewal fee in an amount as provided by rules of the
21 board.



1 (e) A natural hair braider shall not perform or attempt to
2 perform services for which a license or permit is required under
3 this chapter or advertise services in such a way that misleads
4 consumers to believe that the natural hair braider offers
5 services for which a license or permit is required under this
6 chapter. Any natural hair braider who violates this subsection
7 may be subject to sanctions authorized under this chapter or
8 other law for the unlicensed practice of barbering or the
9 unlicensed practice of cosmetology.

10 (f) All registrants shall follow the sanitary practices as
11 prescribed by rules of the board and any other sanitary
12 practices or public health guidelines recommended by government
13 agencies to protect the health and safety of the public.

14 (g) Nothing in this section shall be construed to prohibit
15 a person from obtaining a private certification or an employer
16 from requiring a person to obtain a private certification.

17 (h) This section shall not apply to a person who holds a
18 license or permit under this chapter."

19 SECTION 3. Section 439A-2, Hawaii Revised Statutes, is
20 amended by adding three new definitions to be appropriately
21 inserted and to read as follows:



1 "Braiding device" means blunt-tipped needles, clips,
2 combs, crochet hooks, curlers, curling irons, hair binders,
3 hairpins, rollers, scissors, or threads.

4 "Natural hair braider" means a person who engages in the
5 practice of natural hair braiding.

6 "Natural hair braiding" includes:

7 (1) Braiding, cornrowing, extending, locking, twisting,
8 weaving, or wrapping hair by hand or with braiding
9 devices, and the minor trimming of hair extensions
10 incidental thereto;

11 (2) The use of natural or synthetic hair extensions,
12 natural or synthetic hair and fibers, decorative
13 beads, and other hair accessories;

14 (3) The making and lacing of wigs from natural hair,
15 natural fibers, synthetic fibers, and hair extensions;
16 and

17 (4) The use of topical agents, including conditioners,
18 gels, moisturizers, oils, or pomades in conjunction
19 with the performance of the practices described in
20 paragraphs (1) through (3).

21 "Natural hair braiding" does not include:



1 (1) The application of dyes, reactive chemicals, or other
2 preparations to:

3 (A) Alter the color of hair; or

4 (B) Straighten, curl, or alter the structure of hair;

5 or

6 (2) The use of chemical hair joining agents including
7 synthetic tape, keratin bonds, or fusion bonds."

8 SECTION 4. Section 439A-3, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "[+]§439A-3[+] **License or permit required.** (a) No person
11 shall for commercial purposes practice as a barber apprentice,
12 beauty apprentice, barber, beauty operator, or beauty
13 instructor; operate a barber shop, beauty shop, or beauty
14 school; or announce or advertise as being prepared or qualified
15 to practice or operate unless the person obtains a license or
16 permit as required by this chapter.

17 (b) The practice of barbering and practice of cosmetology
18 shall be carried on only by persons holding a license or permit
19 to practice in the State and only in barber shops or beauty
20 shops; provided that nothing in this chapter shall prevent or



1 prohibit a barber to practice barbering or beauty operator to
2 practice cosmetology:

3 (1) At any place for educational purposes;

4 (2) Upon persons at a health care, nursing, mental, or
5 correctional facility;

6 (3) At a charitable event; or

7 (4) At a person's private home, office, or hotel room when
8 requested to do so.

9 (c) All licensees and permittees shall follow the sanitary
10 practices as prescribed by rules of the board and any other
11 sanitary practices or public health guidelines recommended by
12 government agencies to protect the health and safety of the
13 public.

14 (d) Nothing in this chapter shall be construed to prohibit
15 or restrict the practice of a profession by individuals who are
16 licensed, certified, or registered under the laws of the State
17 who are performing services within their authorized scope of
18 practice.

19 (e) This section shall not apply to persons registered
20 under section 439A- for activities within the practice of
21 natural hair braiding; provided that the department and board



1 shall retain enforcement authority over a registrant's conduct
2 outside that practice for which a license or permit under this
3 section is required."

4 SECTION 5. Section 439A-5, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) In addition to any other powers and duties authorized
7 by law, the board shall have all the powers necessary to
8 effectuate the purpose of this chapter, including the power to:

9 (1) Approve examinations for licensure to engage in the
10 practice of barbering and practice of cosmetology;

11 (2) Issue apprentice permits or temporary permits;

12 (3) Grant, revoke, or suspend licenses, registrations,
13 apprentice permits, or temporary permits; and

14 (4) Establish, subject to chapter 91 and with the approval
15 of the governor and the director, rules governing the
16 practice of barbering [~~and~~], practice of cosmetology,
17 and practice of natural hair braiding and the
18 standards and requirements for apprenticeship training
19 and courses of training provided by schools, which
20 shall have the force and effect of law."



1 SECTION 6. Section 439A-12, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§439A-12[+] **Display of licenses, certificates of**
4 **registration, or permits.** The license of a barber, beauty
5 operator, beauty instructor, barber shop, beauty shop, or beauty
6 school[-]; the certificate of registration of a natural hair
7 braider; and the permit of a barber apprentice, beauty
8 apprentice, or temporary permittee, shall be conspicuously
9 displayed in the place of business or employment."

10 SECTION 7. Section 439A-15, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "[+]§439A-15[+] **Citation for licensee, registrant, or**
13 **permittee violations; fines.** (a) In addition to any other
14 remedy available under this chapter, the department may issue a
15 citation to any person who holds a barber, beauty operator,
16 beauty instructor, barber shop, beauty shop, or beauty school
17 license [-] ; a natural hair braider certificate of
18 registration; or a temporary permit or apprentice permit, for
19 any of the following violations of this chapter or rules adopted
20 pursuant to this chapter and chapter 91:

21 (1) Failure of [a]:



- 1 (A) A barber, beauty operator, beauty instructor,
2 barber shop, beauty shop, beauty school, barber
3 apprentice, beauty apprentice, or temporary
4 permittee engaged in the practice of barbering or
5 practice of cosmetology; or
- 6 (B) A natural hair braider engaged in the practice of
7 natural hair braiding,
8 to display a license, certificate of registration, or
9 permit in a conspicuous place in the office, place of
10 business or employment, or school, during all hours of
11 operation;
- 12 (2) Failure of a barber shop owner, beauty shop owner, or
13 beauty school owner to ensure that only individuals
14 who hold a current and appropriate license or permit
15 engage in the practice of barbering or practice of
16 cosmetology in the barber shop, beauty shop, or beauty
17 school;
- 18 (3) Failure of a barber shop or beauty shop engaged in the
19 practice of barbering or practice of cosmetology to
20 conspicuously display in reception or work rooms, a
21 price list or sign that shall read "PRICE LIST



- 1 AVAILABLE UPON REQUEST" in capital letters at least
2 three-fourths of one inch;
- 3 (4) Failure of a beauty school to identify each beauty
4 instructor-trainee at the beauty school with a name
5 tag, stating that person's full name and the words
6 "Instructor-trainee", to be worn during all hours of
7 instruction;
- 8 (5) Failure of a beauty school to identify each beauty
9 instructor at the beauty school with a name tag,
10 stating that person's full name, the word
11 "Instructor", and identifying the beauty instructor's
12 appropriate beauty operator category, to be worn
13 during all hours of instruction;
- 14 (6) Failure of a beauty school, during all hours of
15 instruction, to operate the beauty school with a
16 beauty instructor-student ratio of at least one beauty
17 instructor for every twenty-five students, and with a
18 minimum of two beauty instructors; or
- 19 (7) Failure of a beauty school that performs work upon or
20 for members of the public to display, in a conspicuous
21 place in each reception and work room, a sign [~~not~~] no



1 less than eighteen inches by twenty-four inches that
2 shall state "School of Beauty Culture--Work done by
3 students under supervision" in letters [~~not~~] no less
4 than one-half of one inch.

5 (b) Each citation:

6 (1) Shall be in writing and describe the basis of the
7 citation, including the specific statute or rule
8 violated;

9 (2) May contain an order of abatement and the assessment
10 of a fine in the amount of \$500 for each violation;

11 (3) Shall be served on the licensee, registrant, or
12 permittee by personal service; and

13 (4) Shall inform the licensee, registrant, or permittee
14 that the licensee, registrant, or permittee may submit
15 a written request to the board or its designee for a
16 hearing to contest the citation, within twenty
17 calendar days from the service of the citation.

18 (c) If the licensee, registrant, or permittee timely
19 submits a written request to the board or its designee for a
20 hearing, the board may designate a hearings officer to conduct
21 the hearing in accordance with chapter 91.



1 (d) If the licensee, registrant, or permittee does not
2 timely submit a written request to the board or its designee for
3 a hearing, the citation shall be deemed a final order of the
4 board.

5 (e) Failure of a licensee, registrant, or permittee to pay
6 any assessed fine within thirty calendar days, unless the
7 licensee, registrant, or permittee contests the citation, may
8 result in further disciplinary action taken by the board."

9 SECTION 8. Section 439A-16, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "[+]§439A-16[+] Refusal to grant license, certificate of
12 registration, or permit; suspension and revocation of licenses,
13 certificates of registration, or permits. (a) In addition to
14 any other actions authorized by law, the board may take
15 disciplinary action against any license, certificate of
16 registration, or permit issued under this chapter, including but
17 not limited to suspension, revocation, fine, or a combination
18 thereof, or refuse to grant or renew any license, certificate of
19 registration, or permit for any cause authorized by law,
20 including but not limited to the following:



- 1 (1) Procuring a license, certificate of registration, or
2 permit through fraud, misrepresentation, or deceit;
- 3 (2) Professional misconduct, gross negligence, or manifest
4 incapacity;
- 5 (3) Permitting a person without a license, certificate of
6 registration, apprentice permit, or temporary permit
7 to perform activities that require a license,
8 certificate of registration, apprentice permit, or
9 temporary permit under this chapter;
- 10 (4) Violation of this chapter or the rules adopted
11 pursuant thereto;
- 12 (5) Making any false representation or promise through
13 advertising or otherwise;
- 14 (6) Failing to display a license, certificate of
15 registration, apprentice permit, or temporary permit
16 as provided in this chapter;
- 17 (7) Any other conduct constituting fraudulent or dishonest
18 dealings;
- 19 (8) Failing to comply with a board order; or
- 20 (9) Making a false statement on any document submitted or
21 required to be filed by this chapter.



1 (b) Any licensee, registrant, or permittee who violates
2 this chapter or the rules adopted pursuant thereto shall be
3 fined [~~not~~] no less than \$500 and [~~not~~] no more than \$2,000 for
4 each violation."

5 SECTION 9. Section 439A-16.5, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "[+]§439A-16.5[+] Revocation of license or certificate of
8 registration or denial of application to renew, restore, or
9 reinstate a license or certificate of registration based on
10 conviction requiring registration as a sex offender; conditions.

11 (a) Notwithstanding any law to the contrary, the board shall
12 automatically revoke a license or certificate of registration or
13 deny an application to renew, restore, or reinstate a license or
14 certificate of registration under either of the following
15 circumstances:

16 (1) The licensee or registrant has been convicted in any
17 court in or outside of this State of any offense that,
18 if committed or attempted in this State, based on the
19 elements of the convicted offense, would have been
20 punishable as one or more of the offenses described in
21 chapter 846E; or



1 (2) The licensee or registrant has been required to
2 register as a sex offender pursuant to chapter 846E,
3 regardless of whether the related conviction has been
4 appealed.

5 (b) The board shall notify the licensee or registrant of
6 the license or certificate of registration revocation or denial
7 of application to renew, restore, or reinstate the license or
8 certificate of registration and of the right to elect to have a
9 hearing as provided in subsection (c).

10 (c) Upon revocation of the license or certificate of
11 registration or denial of an application to renew, restore, or
12 reinstate, the licensee or registrant may file a written request
13 for a hearing with the board within ten days of the notice. The
14 hearing shall be held within thirty days of the revocation or
15 denial. The proceeding shall be conducted in accordance with
16 chapter 91.

17 (d) For the purposes of enforcement of this section, a
18 plea or verdict of guilty, or a conviction after a plea of nolo
19 contendere, shall be deemed a conviction. The record of
20 conviction shall be conclusive evidence of the fact that the
21 conviction occurred.



1 (e) If the related conviction of the [~~license holder~~]
2 licensee or registrant is overturned upon appeal, the revocation
3 or denial ordered pursuant to this section shall automatically
4 cease. Nothing in this subsection shall prohibit the board from
5 pursuing disciplinary action based on any cause other than the
6 overturned conviction.

7 (f) Any final order of discipline taken pursuant to this
8 section shall be a matter of public record.

9 (g) The board shall not restore, renew, or otherwise
10 reinstate the license or certificate of registration of a person
11 under any of the following circumstances:

12 (1) The person has been required to register as a sex
13 offender pursuant to chapter 846E, regardless of
14 whether the conviction has been appealed; and

15 (2) The person engaged in the offense with a patient or
16 client, or with a former patient or client if the
17 relationship was terminated primarily for the purpose
18 of committing the offense."

19 SECTION 10. Section 439A-17, Hawaii Revised Statutes, is
20 amended by amending subsections (a) and (b) to read as follows:



1 "(a) An appeal may be taken from a final action of the
2 board suspending or revoking a license, certificate of
3 registration, apprentice permit, or temporary permit for the
4 causes pursuant to section 439A-16 to the circuit court of the
5 circuit in which the person whose license, certificate of
6 registration, apprentice permit, or temporary permit has been
7 suspended or revoked resides.

8 (b) Any person aggrieved by the denial of a license,
9 certificate of registration, apprentice permit, or temporary
10 permit by the board may submit a request for a hearing pursuant
11 to chapter 91 within sixty days of the date of notification of
12 the denial or refusal."

13 SECTION 11. No later than November 1, 2026, the board of
14 barbering and cosmetology shall adopt rules pursuant to chapter
15 91, Hawaii Revised Statutes, prescribing the approved courses or
16 programs on sanitation, health, and safety necessary for
17 registration under section 2 of this Act.

18 SECTION 12. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 13. This Act shall take effect on July 1, 3000.



Report Title:

Board of Barbering and Cosmetology; Natural Hair Braiding;
Exemption from Licensure; Registration

Description:

Requires natural hair braiders to be registered, rather than licensed, under the Board of Barbering and Cosmetology. By 11/1/2026, requires the Board to adopt rules prescribing the approved courses or programs on sanitation, health, and safety. Effective 7/1/3000. (HD1)

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