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# 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, evidence of completion of  
18 a course or program that covers sanitation, health,  
19 and safety practices required for natural hair  
20 braiding, approved by the board by rule; and



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

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

15        (d) To renew a registration, the registrant shall submit  
16 to the board:

17        (1) A complete application on a form prescribed by the  
18                    board;

19        (2) Evidence of completion of any continuing education  
20                    requirement that covers the sanitation, health, and



- 1           safety practices required for natural hair braiding,  
2           as provided by rules of the board; and
- 3           (3) A renewal fee in an amount as provided by rules of the  
4           board.
- 5           (e) A natural hair braider shall not perform or attempt to  
6 perform services for which a license or permit is required under  
7 this chapter or advertise services in such a way that misleads  
8 consumers to believe that the natural hair braider offers  
9 services for which a license or permit is required under this  
10 chapter. Any natural hair braider who violates this subsection  
11 may be subject to sanctions authorized under this chapter or  
12 other law for the unlicensed practice of barbering or the  
13 unlicensed practice of cosmetology.
- 14           (f) All registrants shall follow the sanitary practices as  
15 provided by rules of the board and any other sanitary practices  
16 or public health guidelines recommended by government agencies  
17 to protect the health and safety of the public.
- 18           (g) Nothing in this section shall be construed to prohibit  
19 a person from obtaining a private certification or an employer  
20 from requiring a person to obtain a private certification.



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

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

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

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

11        "Natural hair braiding" includes:

12        (1) Braiding, cornrowing, extending, locking, twisting,  
13 weaving, or wrapping hair by hand or with braiding  
14 devices, and the minor trimming of hair extensions  
15 incidental thereto;

16        (2) The use of natural or synthetic hair extensions,  
17 natural or synthetic hair and fibers, decorative  
18 beads, and other hair accessories;

19        (3) The making and lacing of wigs from natural hair,  
20 natural fibers, synthetic fibers, and hair extensions;  
21 and



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

5       "Natural hair braiding" does not include:

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

8           (A) Alter the color of hair; or

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

10           or

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

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

15       "~~§~~**439A-3** **License or permit required.** (a) No person  
16       shall for commercial purposes practice as a barber apprentice,  
17       beauty apprentice, barber, beauty operator, or beauty  
18       instructor; operate a barber shop, beauty shop, or beauty  
19       school; or announce or advertise as being prepared or qualified  
20       to practice or operate unless the person obtains a license or  
21       permit as required by this chapter.



1 (b) The practice of barbering and practice of cosmetology  
2 shall be carried on only by persons holding a license or permit  
3 to practice in the State and only in barber shops or beauty  
4 shops; provided that nothing in this chapter shall prevent or  
5 prohibit a barber to practice barbering or beauty operator to  
6 practice cosmetology:

7 (1) At any place for educational purposes;

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

10 (3) At a charitable event; or

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

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

18 (d) Nothing in this chapter shall be construed to prohibit  
19 or restrict the practice of a profession by individuals who are  
20 licensed, certified, or registered under the laws of the State



1 who are performing services within their authorized scope of  
2 practice.

3 (e) This section shall not apply to persons registered  
4 under section 439A- for activities within the practice of  
5 natural hair braiding; provided that the department and board  
6 shall retain enforcement authority over a registrant's conduct  
7 outside that practice for which a license or permit under this  
8 section is required."

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

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

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

16 (2) Issue apprentice permits or temporary permits;

17 (3) Grant, revoke, or suspend licenses, registrations,  
18 apprentice permits, or temporary permits; and

19 (4) Establish, subject to chapter 91 and with the approval  
20 of the governor and the director, rules governing the  
21 practice of barbering [~~and~~], practice of cosmetology,



1           and practice of natural hair braiding and the  
2           standards and requirements for apprenticeship training  
3           and courses of training provided by schools, which  
4           shall have the force and effect of law."

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

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

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

16          "**[+]§439A-15[+]** **Citation for licensee, registrant, or**  
17          **permittee violations; fines.** (a) In addition to any other  
18          remedy available under this chapter, the department may issue a  
19          citation to any person who holds a barber, beauty operator,  
20          beauty instructor, barber shop, beauty shop, or beauty school  
21          license [~~7~~]; a natural hair braider certificate of registration;



1 or a temporary permit or apprentice permit, for any of the  
2 following violations of this chapter or rules adopted pursuant  
3 to this chapter and chapter 91:

4 (1) Failure of [a]:

5 (A) A barber, beauty operator, beauty instructor,  
6 barber shop, beauty shop, beauty school, barber  
7 apprentice, beauty apprentice, or temporary  
8 permittee engaged in the practice of barbering or  
9 practice of cosmetology; or

10 (B) A natural hair braider engaged in the practice of  
11 natural hair braiding,

12 to display a license, certificate of registration, or  
13 permit in a conspicuous place in the office, place of  
14 business or employment, or school, during all hours of  
15 operation;

16 (2) Failure of a barber shop owner, beauty shop owner, or  
17 beauty school owner to ensure that only individuals  
18 who hold a current and appropriate license or permit  
19 engage in the practice of barbering or practice of  
20 cosmetology in the barber shop, beauty shop, or beauty  
21 school;



- 1 (3) Failure of a barber shop or beauty shop engaged in the  
2 practice of barbering or practice of cosmetology to  
3 conspicuously display in reception or work rooms, a  
4 price list or sign that shall read "PRICE LIST  
5 AVAILABLE UPON REQUEST" in capital letters at least  
6 three-fourths of one inch;
- 7 (4) Failure of a beauty school to identify each beauty  
8 instructor-trainee at the beauty school with a name  
9 tag, stating that person's full name and the words  
10 "Instructor-trainee", to be worn during all hours of  
11 instruction;
- 12 (5) Failure of a beauty school to identify each beauty  
13 instructor at the beauty school with a name tag,  
14 stating that person's full name, the word  
15 "Instructor", and identifying the beauty instructor's  
16 appropriate beauty operator category, to be worn  
17 during all hours of instruction;
- 18 (6) Failure of a beauty school, during all hours of  
19 instruction, to operate the beauty school with a  
20 beauty instructor-student ratio of at least one beauty



1 instructor for every twenty-five students, and with a  
2 minimum of two beauty instructors; or

3 (7) Failure of a beauty school that performs work upon or  
4 for members of the public to display, in a conspicuous  
5 place in each reception and work room, a sign [~~not~~] no  
6 less than eighteen inches by twenty-four inches that  
7 shall state "School of Beauty Culture--Work done by  
8 students under supervision" in letters [~~not~~] no less  
9 than one-half of one inch.

10 (b) Each citation:

11 (1) Shall be in writing and describe the basis of the  
12 citation, including the specific statute or rule  
13 violated;

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

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

18 (4) Shall inform the licensee, registrant, or permittee  
19 that the licensee, registrant, or permittee may submit  
20 a written request to the board or its designee for a



1 hearing to contest the citation, within twenty  
2 calendar days from the service of the citation.

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

7 (d) If the licensee, registrant, or permittee does not  
8 timely submit a written request to the board or its designee for  
9 a hearing, the citation shall be deemed a final order of the  
10 board.

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

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

17 "[+]§439A-16[+] Refusal to grant license, certificate of  
18 registration, or permit; suspension and revocation of licenses,  
19 certificates of registration, or permits. (a) In addition to  
20 any other actions authorized by law, the board may take  
21 disciplinary action against any license, certificate of



1 registration, or permit issued under this chapter, including but  
2 not limited to suspension, revocation, fine, or a combination  
3 thereof, or refuse to grant or renew any license, certificate of  
4 registration, or permit for any cause authorized by law,  
5 including but not limited to the following:

- 6 (1) Procuring a license, certificate of registration, or  
7 permit through fraud, misrepresentation, or deceit;
- 8 (2) Professional misconduct, gross negligence, or manifest  
9 incapacity;
- 10 (3) Permitting a person without a license, certificate of  
11 registration, apprentice permit, or temporary permit  
12 to perform activities that require a license,  
13 certificate of registration, apprentice permit, or  
14 temporary permit under this chapter;
- 15 (4) Violation of this chapter or the rules adopted  
16 pursuant thereto;
- 17 (5) Making any false representation or promise through  
18 advertising or otherwise;
- 19 (6) Failing to display a license, certificate of  
20 registration, apprentice permit, or temporary permit  
21 as provided in this chapter;



1 (7) Any other conduct constituting fraudulent or dishonest  
2 dealings;

3 (8) Failing to comply with a board order; or

4 (9) Making a false statement on any document submitted or  
5 required to be filed by this chapter.

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

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

12 "[+]§439A-16.5[+] Revocation of license or certificate of  
13 registration or denial of application to renew, restore, or  
14 reinstate a license or certificate of registration based on  
15 conviction requiring registration as a sex offender; conditions.

16 (a) Notwithstanding any law to the contrary, the board shall  
17 automatically revoke a license or certificate of registration or  
18 deny an application to renew, restore, or reinstate a license or  
19 certificate of registration under either of the following  
20 circumstances:



1           (1) The licensee or registrant has been convicted in any  
2           court in or outside of this State of any offense that,  
3           if committed or attempted in this State, based on the  
4           elements of the convicted offense, would have been  
5           punishable as one or more of the offenses described in  
6           chapter 846E; or

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

11          (b) The board shall notify the licensee or registrant of  
12          the license or certificate of registration revocation or denial  
13          of application to renew, restore, or reinstate the license or  
14          certificate of registration and of the right to elect to have a  
15          hearing as provided in subsection (c).

16          (c) Upon revocation of the license or certificate of  
17          registration or denial of an application to renew, restore, or  
18          reinstate, the licensee or registrant may file a written request  
19          for a hearing with the board within ten days of the notice. The  
20          hearing shall be held within thirty days of the revocation or



1 denial. The proceeding shall be conducted in accordance with  
2 chapter 91.

3 (d) For the purposes of enforcement of this section, a  
4 plea or verdict of guilty, or a conviction after a plea of nolo  
5 contendere, shall be deemed a conviction. The record of  
6 conviction shall be conclusive evidence of the fact that the  
7 conviction occurred.

8 (e) If the related conviction of the [~~license holder~~]  
9 licensee or registrant is overturned upon appeal, the revocation  
10 or denial ordered pursuant to this section shall automatically  
11 cease. Nothing in this subsection shall prohibit the board from  
12 pursuing disciplinary action based on any cause other than the  
13 overturned conviction.

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

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

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



1           (2) The person engaged in the offense with a patient or  
2           client, or with a former patient or client if the  
3           relationship was terminated primarily for the purpose  
4           of committing the offense."

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

7           "(a) An appeal may be taken from a final action of the  
8           board suspending or revoking a license, certificate of  
9           registration, apprentice permit, or temporary permit for the  
10          causes pursuant to section 439A-16 to the circuit court of the  
11          circuit in which the person whose license, certificate of  
12          registration, apprentice permit, or temporary permit has been  
13          suspended or revoked resides.

14          (b) Any person aggrieved by the denial of a license,  
15          certificate of registration, apprentice permit, or temporary  
16          permit by the board may submit a request for a hearing pursuant  
17          to chapter 91 within sixty days of the date of notification of  
18          the denial or refusal."

19          SECTION 11. No later than November 1, 2026, the board of  
20          barbering and cosmetology shall adopt rules pursuant to chapter  
21          91, Hawaii Revised Statutes, prescribing the approved courses or



1 programs that cover sanitation, health, and safety practices  
2 required for natural hair braiding, that are necessary for  
3 registration under section 2 of this Act.

4 SECTION 12. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 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; Sanitation, Health, and Safety Practices

**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 that cover sanitation, health, and safety practices required for natural hair braiding. Effective 7/1/3000. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

