

HOUSE BILL REPORT

HB 2809

As Reported By House Committee On:
Commerce & Labor

Title: An act relating to exempting photography studios from cosmetology licensing requirements.

Brief Description: Exempting photography studios from cosmetology licensing requirements.

Sponsors: Representatives Backlund, Finkbeiner, Flemming, L. Johnson, Stevens, Romero, Basich, Talcott, Chandler, Casada, McMorris and Cothern.

Brief History:

Reported by House Committee on:
Commerce & Labor, February 4, 1994, DP.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 9 members: Representatives Heavey, Chair; G. Cole, Vice Chair; Lisk, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Conway; Horn; King; Springer and Veloria.

Staff: Anastasia Sandstrom (786-7349) and Jim Kelley (786-7166).

Background: A cosmetology or related license is required of a person who engages in the commercial practice of cutting, trimming, styling, shampooing, permanent waving, chemical relaxing or straightening, bleaching, or coloring hair, manicuring or removing hair. A person who engages in the unauthorized practice of cosmetology is liable for a fine of one thousand dollars.

People who care for patients in nursing homes or other similar residential facilities, or in hospitals, are exempt.

Photography studios are not exempt from the provisions of the licensing statute and are required to employ licensed cosmetologists to style the hair of customers in preparation for photography sessions.

Application of make-up is not part of the practice of cosmetology. Hair spray, mousse, and gel are not chemicals for the purposes of the cosmetology licensing law.

Summary of Bill: Photography studios are not required to employ licensed cosmetologists to style the hair of customers in preparation for photography sessions. Photography studio employees who style, curl or tease a customer's hair, without using chemicals, in order to prepare the customer for a photography session are exempt from the cosmetology licensing requirement.

Fiscal Note: Requested January 25, 1994.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: The application of cosmetology laws to photography studios is a good example of over-regulation. Hair styling needs in photography consist only of hair spray, curling and teasing as necessary to prepare a customer for a photography session. It is a great burden on photography studios to be required to hire licensed cosmetologists to prepare the hair of customers. Photography studios that specialize in glamorous photographs routinely hire make-up artists. Because of the licensing requirement these studios must also hire cosmetologists in order to prepare the hair of customers. Cosmetologists are not trained to be make-up artists.

Testimony Against: Photography studios should be required to employ licensed cosmetologists in order to promote healthy and sanitary hair styling practices. Diseases and hair disorders can be transferred by using shared hair implements. Licensed cosmetologists are trained to avoid problems like this. There is no guarantee that photography studio employees will use safe hair styling practices. The years when the hair styling professions were not regulated showed that serious problems result when hair stylists are not required to be trained in safe and sanitary methods.

Witnesses: (In favor) Representative Bill Backlund, prime sponsor; and Wally Kempe, Glamour Shots. (Opposed) Darrel Camp, Washington State Cosmetology School Operators Association.