



**AMERICANS FOR
PROSPERITY**
NORTH DAKOTA

Good morning Mr. Chairman, members of the committee,

My name is Abigail Christiansen with Americans for Prosperity North Dakota. I'm here today to offer amendments to SB 2092 regarding the licensing and regulation of beauty related care. Here are the offered amendments to the current bill; to summarize this is what the amendments will provide:

Exempt niche beauty services, including blow dry services, eyelash extension application, and make up application from the cosmetology and esthetician license.

- Amending the bill to add definitions of blow dry services, eyelash extension application, and makeup application in section 1.
- Amends the bill to create distinctions between these services and the broader cosmetology licenses so that they are exempt from licensure requirements in section 1. (which would be in addition to North Dakotas approach to hair braiding and threading exemption that was determined last session.)

Allows for out of state estheticians and manicurists to get a ND esthetician or manicurist license, respectively, if they are able to demonstrate experience, like cosmetology.

- No longer strike through estheticians and manicurists from the second reciprocity option under section 18.

The purpose of the stated amendments is aimed at lessening the regulatory burden on low-risk activities within the beauty space. As many of us in this room know, small-town North Dakota depends on small businesses and entrepreneurship. As it stands, I cannot, in Milnor, ND, hire my best friend's sister to curl my hair for my wedding in the barn, unless she has a cosmetology degree-- even though we've been able to purchase and use curling iron since junior high.

These amendments brought forth are only allowing for non-chemical, every-day processes that women are doing daily for themselves. It's a direct burden on small town businesses, most of which are owned by women. Neighboring states like Minnesota have passed similar language in 2019-2020 (SF 2898), North Dakota must be friendly to small businesses to continue to attract the best and brightest to our state.



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Suggested Changes to Senate Bill NO. 2092

p. 1, line 15, insert the following definition to read as follows: “1. “Blow-dry services” means the practice of shampooing, conditioning, drying, arranging, curling, straightening or styling hair using only mechanical devices, hair sprays and topical agents, such as balms, oils and serums. It also includes the use and styling of hair extensions, hair pieces and wigs. It does not include cutting hair or the application of dyes, bleach, reactive chemicals, keratin treatments or other preparations to color or alter the structure of hair. It is distinct from the practice of cosmetology.”

p. 2, delete lines 11-12, and insert: “(3) manipulation and application of product, dyes or chemicals to eyebrows to design, treat, tint or lighten eyebrows.”

p. 2, line 16, after natural hair braiding insert: “, makeup application, eyelash extension application, blow dry services.” to read as follows: “The term does not include hair braiding, makeup application, eyelash extension application, blow dry services, or threading.”

p. 2, delete lines 23-24, and insert the following: “5. Esthetics” means manipulation and application of product, dyes or chemicals to eyelashes and eyebrows to design, treat, tint and lighten eyebrows and skin care. The term does not include makeup application, eyelash extension application, or threading.

p. 2, line 26, insert the following definition to read as follows: “7. “Eyelash extension application” means the application, removal, and trimming of threadlike natural or synthetic fibers to an eyelash and includes the cleansing of the eye area and lashes. Eyelash extensions do not include color agents, straightening agents, permanent wave solutions, bleaching agents, or any other cosmetology service. It is distinct from the practices of esthetics and cosmetology.”

p. 3, line 13, insert the following definition to read as follows: “11. “Makeup application” means the application of a cosmetic to enhance the appearance of the face or skin, including powder, foundation, rouge, eyeshadow, eyeliner, mascara, and lipstick. Makeup services includes the application of makeup applied using an airbrush. Makeup services does not include the application of permanent makeup or tattooing. It is distinct from the practices of cosmetology and esthetics.”

p. 4, line 26, strikethrough “cosmetic preparations”, and on p. 4, line 30, insert: “, makeup application.” before or threading to read as follows: “means the use of ~~cosmetic preparations~~, antiseptics, tonics, lotion creams, or otherwise, massaging, cleansing, stimulating, manipulating, performing noninvasive hair removal, including waxing and tweezing, beautifying, or similar noninvasive care and work on the body of any ~~person~~individual. The term does not include invasive care, makeup application or threading.”

p. 13, lines 10 through 12, remove strikethrough to read as follows: “The applicant is licensed in good standing in any other state, territory, or jurisdiction of the United States to practice cosmetology, manicuring, or esthetics;”