

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 591

Short Title: Establish Eyelash Art Technician. (Public)

Sponsors: Senator Salvador (Primary Sponsor).

Referred to: Rules and Operations of the Senate

April 5, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH AN EYELASH ART TECHNICIAN LICENSE UNDER THE
3 NORTH CAROLINA BOARD OF COSMETIC ART EXAMINERS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Chapter 88B of the General Statutes reads as rewritten:

6 "Chapter 88B.

7 "Cosmetic Art.

8 "§ 88B-1. Short title.

9 This chapter shall be known and may be cited as the North Carolina Cosmetic Art Act.

10 "§ 88B-2. Definitions.

11 The following definitions apply in this Chapter:

12 ...

13 (11a) Esthetics. – Refers to any of the following practices: giving facials; applying
14 makeup; performing skin care; removing superfluous hair from the body of a
15 person by use of creams, tweezers, or waxing; ~~applying eyelashes to a person,~~
16 ~~including the application of eyelash extensions, brow or lash color; eyelash~~
17 ~~art;~~ beautifying the face, neck, arms, or upper part of the human body by use
18 of cosmetic preparations, antiseptics, tonics, lotions, or creams; surface
19 manipulation in relation to skin care; or cleaning or stimulating the face, neck,
20 ears, arms, hands, bust, torso, legs, or feet of a person by means of hands,
21 devices, apparatus, or appliances along with the use of cosmetic preparations,
22 antiseptics, tonics, lotions, or creams.

23 (11b) Eyelash art. – Applying eyelashes to a person, including the application of
24 eyelash extensions, brow, or lash color.

25 (11c) Eyelash art license. – A license issued by the Board in accordance with this
26 Chapter.

27 (11d) Eyelash art technician. – An individual issued a license by the Board to
28 practice eyelash art.

29 ...

30 "§ 88B-10.2. Qualifications for licensing eyelash art technicians.

31 The Board shall issue a license to practice as an eyelash art technician to any individual who
32 meets all of the following requirements:

33 (1) Successful completion of an eyelash art training course or curriculum as
34 approved by the Board.

35 (2) Passage of an examination conducted by the Board.

36 (3) Payment of the fees required by G.S. 88B-20.



1 ...

2 "§ 88B-13. Applicants licensed in other states.

3 (a) The Board shall issue a license to an applicant licensed as an apprentice,
4 cosmetologist, esthetician, natural hair care specialist, eyelash art technician, or manicurist in
5 another state if the applicant shows:

- 6 (1) The applicant is an active practitioner in good standing.
- 7 (2) The applicant has practiced at least one of the three years immediately
8 preceding the application for a license.
- 9 (3) There is no disciplinary proceeding or unresolved complaint pending against
10 the applicant at the time a license is to be issued by this State.
- 11 (4) The licensure requirements in the state in which the applicant is licensed are
12 substantially equivalent to those required by this State.

13 (b) Instead of meeting the requirements in subsection (a) of this section, any applicant
14 who is licensed as a cosmetologist, esthetician, natural hair care specialist, eyelash art technician,
15 or manicurist in another state shall be admitted to practice in this State under the same reciprocity
16 or comity provisions that the state in which the applicant is licensed grants to persons licensed in
17 this State.

18 (c) The Board may establish standards for issuing a license to an applicant who is licensed
19 as a teacher in another state. These standards shall include a requirement that the licensure
20 requirements in the state in which the teacher is licensed shall be substantially equivalent to those
21 required in this State and that the applicant shall be licensed by the Board to practice in the area
22 in which the applicant is licensed to teach.

23 ...

24 "§ 88B-20. Fees required.

25 (a) The Board may charge the applicant the actual cost of preparation, administration,
26 and grading of examinations for cosmetologists, apprentices, manicurists, estheticians, natural
27 hair care specialist, or teachers, in addition to its other fees.

28 (b) The Board may charge application fees as follows:

- 29 (1) Inspection of a newly established cosmetic art shop \$ 25.00
- 30 (2) Reciprocity applicant under G.S. 88B-13 \$ 15.00.

31 (c) The Board may charge license fees as follows:

- 32 (1) Cosmetologist.....\$ 39.00 every 3 years
- 33 (2) Apprentice \$ 10.00 per year
- 34 (3) Esthetician \$ 10.00 per year
- 35 (4) Manicurist \$ 10.00 per year
- 36 (4a) Natural hair care specialist..... \$ 10.00 per year
- 37 (4b) Eyelash art technician \$ 10.00 per year
- 38 (5) Teacher \$ 10.00 every 2 years
- 39 (6) Cosmetic art shop per active booth \$ 3.00 per year
- 40 (7) Cosmetic art school \$ 50.00 per year
- 41 (8) Duplicate license \$ 1.00.

42 (d) The Board may require payment of late fees and reinstatement fees as follows:

- 43 (1) Apprentice, cosmetologist, esthetician, manicurist,
44 natural hair care specialist, and teacher late renewal \$ 10.00
- 45 (2) Cosmetic art schools and shops late renewal \$ 10.00
- 46 (3) Reinstatement – cosmetic art schools and shops..... \$ 25.00.

47 (e) The Board may prorate fees as appropriate.

48 "§ 88B-21. Renewals; expired licenses; inactive status.

49 ...

50 (c) Apprentice, esthetician, natural hair care specialist, eyelash art technician, and
51 manicurist licenses shall be renewed annually on or before October 1 of each year. A late fee

1 shall be charged for the renewal of licenses after that date. Any license not renewed shall expire
2 on October 1 of that year.

3 (d) Teacher licenses shall be renewed every two years on or before October 1. A late fee
4 shall be charged for the renewal of licenses after that date. Any license not renewed shall expire
5 on October 1 of that year.

6 (e) Prior to renewal of a license, a teacher, cosmetologist, esthetician, natural hair care
7 specialist, eyelash art technician, or manicurist shall annually complete eight hours of
8 Board-approved continuing education for each year of the licensing cycle. A cosmetologist may
9 complete up to 24 hours of required continuing education at any time within the cosmetologist's
10 three-year licensing cycle. Licensees shall submit written documentation to the Board showing
11 that they have satisfied the requirements of this subsection. A licensee who is in active practice
12 as a cosmetologist, esthetician, natural hair care specialist, eyelash art technician, or manicurist,
13 has practiced for at least 10 consecutive years in that profession, and is 60 years of age or older
14 does not have to meet the continuing education requirements of this subsection. A licensee who
15 is in active practice as a cosmetologist and has at least 20 consecutive years of experience as a
16 cosmetologist, does not have to meet the continuing education requirements of this subsection,
17 but shall report any continuing education classes completed to the Board, whether the continuing
18 education classes are Board-approved or not. Promotion of products and systems shall be allowed
19 at continuing education given in-house or at trade shows. Continuing education classes may also
20 be offered in secondary languages as needed. No member of the Board may offer continuing
21 education courses as required by this section.

22 ...

23 **"§ 88B-22. Licenses required; criminal penalty.**

24 (a) Except as provided in this Chapter, no person may practice or attempt to practice
25 cosmetic art for pay or reward in any form, either directly or indirectly, without being licensed
26 as an apprentice, cosmetologist, esthetician, natural hair care specialist, eyelash art technician, or
27 manicurist by the Board.

28 (b) Except as provided in this Chapter, no person may practice cosmetic art or any part
29 of cosmetic art, for pay or reward in any form, either directly or indirectly, outside of a licensed
30 cosmetic art shop.

31 (c) No person may open or operate a cosmetic art shop in this State unless a license has
32 been issued by the Board for that shop.

33 (d) An individual licensed as an esthetician, natural hair care specialist, or manicurist
34 may practice only that part of cosmetic art for which the individual is licensed.

35 (d1) No person may teach cosmetic art in a Board-approved cosmetic art school unless the
36 person is a teacher licensed under this Chapter. A guest lecturer may be exempt from the
37 requirements of this subsection upon approval by the Board.

38 (e) An apprentice licensed under the provisions of this Chapter shall apprentice under the
39 direct supervision of a cosmetologist. An apprentice shall not operate a cosmetic art shop.

40 (f) A violation of this Chapter is a Class 3 misdemeanor.

41 **"§ 88B-23. Licenses to be posted.**

42 (a) Every apprentice, cosmetologist, esthetician, eyelash art technician, manicurist,
43 natural hair care specialist, and teacher licensed under this Chapter shall display the certificate
44 of license issued by the Board within the shop in which the person works.

45 (b) Every certificate of license to operate a cosmetic art shop or school shall be
46 conspicuously posted in the shop or school for which it is issued.

47 **"§ 88B-24. Revocation of licenses and other disciplinary measures.**

48 The Board may restrict, suspend, revoke, or refuse to issue, renew, or reinstate any license
49 for any of the following:

50 ...

1 (9) Violation of G.S. 86A-15 by a cosmetologist, esthetician, natural hair care
2 specialist, eyelash art technician, or manicurist licensed by the Board and
3 practicing cosmetic art in a barber shop.

4 "

5 **SECTION 2.** The North Carolina Board of Cosmetic Art Examiners shall adopt
6 temporary rules to implement the provisions of this act. The Board shall post information on their
7 publicly available website advertising the eyelash art technician application process and shall
8 provide information on which accredited school is approved by the Board for training as an
9 eyelash art technician for licensure.

10 **SECTION 3.** This act becomes effective October 1, 2023.