

## 2023 Legislative Update

The 2023 legislative session has concluded. Below is an overview of a policy change that relates to the Minnesota Board of Cosmetology, its licensees, and Minnesotans who receive cosmetology services.

### Hair Technician Licensing

A new license type has been created through legislation and can be issued beginning July 1, 2024 – a *hair technician* license. Individuals will have the option to pursue this license to perform hair care services only, rather than pursuing a cosmetology license, which includes the additional practices of skin care and nail care services.

A *hair technician* is defined as “any person who, for compensation, performs personal services for the cosmetic care of the hair on the scalp. Hair technician services include cutting the hair and the application of dyes, bleach, reactive chemicals, keratin, or other preparations to color or alter the structure of the hair. A person who only performs hairstyling as defined by [subdivision 19](#), is not a hair technician.”

To obtain a *hair technician* license, an individual will need to complete 900 hours of training at a Minnesota licensed cosmetology school. The new law has laid out what must be included in the 900-hour curriculum. You can find the new law on the following pages. The law is effective and the Revisor’s Office expects to get the new law added into Chapter 155A in fall of 2023.

### Additional Comments or Questions

If you have any comments or questions regarding this legislation, please email the Board at [cosmetology@state.mn.us](mailto:cosmetology@state.mn.us).

# Office of the Revisor of Statutes

## Office of the Revisor of Statutes

### Minnesota Session Laws - 2023, Regular Session

This document represents the act as presented to the governor. The version passed by the legislature is the [final engrossment](#). It does not represent the official 2023 session law, which will be available here summer 2023.

Key: (1) ~~language to be deleted~~ (2) new language

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#### CHAPTER 62--H.F.No. 1830

Sec. 96. Minnesota Statutes 2022, section 155A.23, subdivision 8, is amended to read:

Subd. 8. **Manager.** A "manager" is any person who is a cosmetologist, esthetician, advanced practice esthetician, hair technician, nail technician practitioner, or eyelash technician ~~practitioner~~, and who has a manager license and provides any services under that license, as defined in subdivision 3.

Sec. 97. Minnesota Statutes 2022, section 155A.23, subdivision 18, is amended to read:

Subd. 18. **Practitioner.** A "practitioner" is any person licensed as an operator or manager in the practice of cosmetology, esthology, hair technology services, nail technology services, or eyelash technology services.

Sec. 98. Minnesota Statutes 2022, section 155A.23, is amended by adding a subdivision to read:

Subd. 21. **Hair technician.** A "hair technician" is any person who, for compensation, performs personal services for the cosmetic care of the hair on the scalp. Hair technician services include cutting the hair and the application of dyes, bleach, reactive chemicals, keratin, or other preparations to color or alter the structure of the hair. A person who only performs hairstyling as defined by subdivision 19, is not a hair technician.

**EFFECTIVE DATE.** This section is effective on or after July 1, 2024.

Sec. 99. Minnesota Statutes 2022, section 155A.27, subdivision 1, is amended to read:

Subdivision 1. **Licensing.** A person must hold an individual license to practice in the state as a cosmetologist, esthetician, hair technician, nail technician, eyelash technician, advanced practice esthetician, manager, or instructor.

Sec. 100. Minnesota Statutes 2022, section 155A.27, subdivision 5a, is amended to read:

Subd. 5a. **Temporary military license.** The board shall establish temporary licenses for a cosmetologist, hair technician, nail technician, and esthetician in accordance with section [197.4552](#).

Sec. 101. Minnesota Statutes 2022, section 155A.27, subdivision 10, is amended to read:

Subd. 10. **Nonresident licenses.** (a) A nonresident cosmetologist, hair technician, nail technician, ~~or~~ esthetician may be licensed in Minnesota if the individual has completed cosmetology school in a state or country with the same or greater school hour requirements, has an active license in that state or country, and has passed a board-approved theory and practice-based examination, the Minnesota-specific written operator examination for cosmetologist, hair technician, nail technician, ~~or~~ esthetician. If a test is used to verify the qualifications of trained cosmetologists, the test should be translated into the nonresident's native language within the limits of available resources. Licenses shall not be issued under this subdivision for managers or instructors.

(b) If an individual has less than the required number of school hours, the individual must have had a current active license in another state or country for at least three years and have passed a board-approved theory and practice-based examination, and the Minnesota-specific written operator examination for cosmetologist, hair technician, nail technician, ~~or~~ esthetician. If a test is used to verify the qualifications of trained cosmetologists, the test should be translated into the nonresident's native language within the limits of available resources. Licenses must not be issued under this subdivision for managers or instructors.

(c) Applicants claiming training and experience in a foreign country shall supply official English-language translations of all required documents from a board-approved source.

## Sec. 102. [155A.2705] HAIR TECHNICIAN REQUIREMENTS AND TRAINING.

Subdivision 1. Age requirement. An applicant for a hair technician license must be at least 17 years of age.

Subd. 2. Application. A complete application for a hair technician license must include the following:

(1) a completed application form;

(2) payment of the fees required by section 155A.25;

(3) passing test results achieved no more than one year before the submission of the application of the following board-approved tests for the license for a hair technician:

(i) the general theory test;

(ii) the written practical test; and

(iii) the test on Minnesota Laws and Rules related to providing hair technician services; and

(4) proof of completion of training in the form of the original course completion certificate with the notarized signatures of the school manager or owner documenting the successful completion of the required training under subdivision 3. If the completed training is more than five years old, a skills course certificate no more than one year old must also be submitted.

Subd. 3. Training. Hair technician training must be completed at a Minnesota-licensed cosmetology school. The training must consist of 900 hours of coursework and planned clinical instruction and experience that includes:

(1) the first 300 hours of the hair technology course that includes:

(i) student orientation;

(ii) preclinical instruction in the theory of sciences, including:

(A) muscle and bone structure and function;

(B) properties of the hair and scalp;

(C) disorders and diseases of the hair and scalp;

(D) chemistry as related to hair technology; and

(E) electricity and light related to the practice of hair technology;

(iii) theory and preclinical instruction on client and service safety prior to students offering services;

(iv) introductory service skills that are limited to the observation of an instructor demonstration, student use of mannequins, or student-to-student application of basic services related to hair technology;

(v) Minnesota statutes and rules pertaining to the regulation of hair technology;

(vi) health and safety instruction that includes:

(A) chemical safety;

(B) safety data sheets;

(C) personal protective equipment (PPE);

(D) hazardous substances; and

(E) laws and regulations related to health and public safety; and

(vii) infection control to protect the health and safety of the public and technician that includes:

(A) disinfectants;

- (B) disinfectant procedures;
- (C) cleaning and disinfection;
- (D) single use items;
- (E) storage of tools, implements, and linens; and
- (F) other implements and equipment used in salons and schools;

(2) 300 hours in hair cutting and styling that includes hair and scalp analysis, cleaning, scalp and hair conditioning, hair design and shaping, drying, arranging, curling, dressing, waving, and nonchemical straightening; and

(3) 300 hours in chemical hair services that includes hair and scalp analysis, dyeing, bleaching, reactive chemicals, keratin, hair coloring, permanent straightening, permanent waving, predisposition and strand tests, safety precautions, chemical mixing, color formulation, and the use of dye removers.

**EFFECTIVE DATE.** This section is effective July 1, 2024.

Sec. 103. Minnesota Statutes 2022, section 155A.271, subdivision 1, is amended to read:

Subdivision 1. **Continuing education requirements.** (a) To qualify for license renewal under this chapter as an individual cosmetologist, hair technician, nail technician, esthetician, advanced practice esthetician, eyelash technician, or salon manager, the applicant must complete four hours of continuing education credits from a board-approved continuing education provider during the three years prior to the applicant's renewal date. One credit hour of the requirement must include instruction pertaining to state laws and rules governing the practice of cosmetology. Three credit hours must include instruction pertaining to health, safety, and infection control matters consistent with the United States Department of Labor's Occupational Safety and Health Administration standards applicable to the practice of cosmetology, or other applicable federal health, infection control, and safety standards, and must be regularly updated so as to incorporate newly developed standards and accepted professional best practices. Credit hours earned are valid for three years and may be applied simultaneously to all individual licenses held by a licensee under this chapter.

(b) ~~Effective August 1, 2017;~~ In addition to the hours of continuing education credits required under paragraph (a), to qualify for license renewal under this chapter as an individual cosmetologist, hair technician, nail technician, esthetician, advanced practice esthetician, or salon manager, the applicant must also complete a four credit hour continuing education course from a board-approved continuing education provider based on any of the following within the licensee's scope of practice:

- (1) product chemistry and chemical interaction;
- (2) proper use and maintenance of machines and instruments;
- (3) business management, professional ethics, and human relations; or
- (4) techniques relevant to the type of license held.

Credits are valid for three years and must be completed with a board-approved provider of continuing education during the three years prior to the applicant's renewal date and may be applied simultaneously to other individual licenses held as applicable, except that credits completed under this paragraph must not duplicate credits completed under paragraph (a).

(c) Paragraphs (a) and (b) do not apply to an instructor license, a school manager license, or an inactive license.

Sec. 104. Minnesota Statutes 2022, section 155A.29, subdivision 1, is amended to read:

Subdivision 1. **Licensing.** A person must not offer cosmetology services for compensation unless the services are provided by a licensee in a licensed salon or as otherwise provided in this section. ~~Each salon must be licensed as a cosmetology salon, a nail salon, esthetician salon, advanced practice esthetician salon, or eyelash extension salon. A salon may hold more than one type of salon license.~~