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HOUSE BILL NO. 742

Offered January 14, 2026

A BILL to amend and reenact §§ 54.1-700, 54.1-701, and 54.1-706 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 7 of Title 54.1 a section numbered 54.1-708, relating to barbers and cosmetologists; barbershop trainees.

 Patron—Williams

 Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-700, 54.1-701, and 54.1-706 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 7 of Title 54.1 a section numbered 54.1-708 as follows:

§ 54.1-700. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Barber" means any person who shaves, shapes, or trims the beard; cuts, singes, or dyes the hair or applies lotions thereto; applies, treats, or massages the face, neck, or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays, or other preparations in connection with shaving, cutting, or trimming the hair or beard, and practices barbering for compensation and when such services are not performed for the treatment of disease.

"Barbering" means any one or any combination of the following acts, when done on the human body for compensation and not for the treatment of disease, shaving, shaping, and trimming the beard; cutting, singeing, or dyeing the hair or applying lotions thereto; applications, treatment or massages of the face, neck, or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays, or other preparations in connection with shaving, cutting, or trimming the hair or a beard. The term "barbering" shall not apply to the acts described hereinabove when performed by any person in his home if such service is not offered to the public.

"Barber instructor" means any person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of barbering.

"Barbershop" means any establishment or place of business within which the practice of barbering is engaged in or carried on by one or more barbers *and may include the training of barbershop trainees under regulations of the Board.*

"Barbershop trainee" means any person who practices barbering under the direct supervision of one or more licensed barbers in a barbershop through a training program pursuant to § 54.1-708 and registers as a trainee with the Board.

"Board" means the Board for Barbers and Cosmetology.

"Body-piercer" means any person who for remuneration penetrates the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing" means the act of penetrating the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing salon" means any place in which a fee is charged for the act of penetrating the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing school" means a place or establishment licensed by the Board to accept and train students in body-piercing.

"Cosmetologist" means any person who administers hair removal treatments; administers basic facial treatments to enhance or improve the appearance and care of the skin using lotions, oils, cleansers, or other preparations by manual practices only; manicures or pedicures the nails of any person; arranges, dresses, curls, waves, cuts, shapes, singes, waxes, tweezes, trims, bleaches, colors, relaxes, straightens, or performs similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances unless such acts as adjusting, combing, or brushing prestyled wigs or hairpieces do not alter the prestyled nature of the wig or hairpiece, and practices cosmetology for compensation. The term "cosmetologist" does not include hair braiding upon human hair or a wig or hairpiece.

"Cosmetology" includes the following practices: administering hair removal treatments; administering basic cleansing facial treatments to enhance or improve the appearance and care of the skin, which only includes a cleanse, tone, and application of a mask or moisturizer; manicuring or pedicuring the nails of any person; arranging, dressing, curling, waving, cutting, shaping, singeing, waxing, tweezing, trimming, bleaching, coloring, relaxing, straightening, or similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances, but shall not include hair braiding

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59 upon human hair, or a wig or hairpiece, or such acts as adjusting, combing, or brushing prestyled wigs or
60 hairpieces when such acts do not alter the prestyled nature of the wig or hairpiece.

61 "Cosmetology instructor" means a person who has been certified by the Board as having completed an
62 approved curriculum and who meets the competency standards of the Board as an instructor of cosmetology.

63 "Cosmetology salon" means any commercial establishment, residence, vehicle, or other establishment,
64 place, or event wherein cosmetology is offered or practiced on a regular basis for compensation and may
65 include the training of apprentices under regulations of the Board.

66 "Ear-piercer" means any person who for remuneration penetrates the ear of a person to make a hole, mark,
67 or scar, generally permanent in nature.

68 "Ear-piercing" means the act of penetrating the ear of a person to make a hole, mark, or scar, generally
69 permanent in nature.

70 "Ear-piercing salon" means any place in which a fee is charged for the act of penetrating the ear by the aid
71 of needles or any other instrument designed to touch or puncture the skin.

72 "Ear-piercing school" means a place or establishment licensed by the Board to accept and train students in
73 ear-piercing.

74 "Esthetician" means a person who engages in the practice of esthetics for compensation.

75 "Esthetics" includes the following practices of administering cosmetic treatments to enhance or improve
76 the appearance of the skin: cleansing, toning, performing effleurage or other related movements, stimulating,
77 exfoliating, or performing any other similar procedure on the skin of the human body or scalp by means of
78 cosmetic preparations, treatments, or any nonlaser device, whether by electrical, mechanical, or manual
79 means, for care of the skin; applying make-up or eyelashes to any person, tinting or perming eyelashes and
80 eyebrows, and lightening hair on the body except the scalp; and removing unwanted hair from the body of
81 any person by the use of any nonlaser device, by tweezing, or by use of chemical or mechanical means.
82 However, "esthetics" is not a healing art and shall not include any practice, activity, or treatment that
83 constitutes the practice of medicine, osteopathic medicine, or chiropractic. The terms "healing arts," "practice
84 of medicine," "practice of osteopathic medicine," and "practice of chiropractic" shall mean the same as those
85 terms are defined in § 54.1-2900.

86 "Esthetics instructor" means a licensed esthetician who has been certified by the Board as having
87 completed an approved curriculum and who meets the competency standards of the Board as an instructor of
88 esthetics.

89 "Esthetics spa" means any commercial establishment, residence, vehicle, or other establishment, place, or
90 event wherein esthetics is offered or practiced on a regular basis for compensation under regulations of the
91 Board.

92 "Master barber" means a licensed barber who, in addition to the practice of barbering, performs waving,
93 shaping, bleaching, relaxing, or straightening upon human hair; performs similar work on a wig or hairpiece;
94 or performs waxing limited to the scalp.

95 "Master esthetician" means a licensed esthetician who, in addition to the practice of esthetics, offers to the
96 public for compensation, without the use of laser technology, lymphatic drainage, chemical exfoliation, or
97 microdermabrasion, and who has met such additional requirements as determined by the Board to practice
98 lymphatic drainage, chemical exfoliation with products other than Schedules II through VI controlled
99 substances as defined in the Drug Control Act (§ 54.1-3400 et seq.), and microdermabrasion of the epidermis.

100 "Nail care" means manicuring or pedicuring natural nails or performing artificial nail services.

101 "Nail salon" means any commercial establishment, residence, vehicle or other establishment, place or
102 event wherein nail care is offered or practiced on a regular basis for compensation and may include the
103 training of apprentices under regulations of the Board.

104 "Nail school" means a place or establishment licensed by the board to accept and train students in nail
105 care.

106 "Nail technician" means any person who for compensation manicures or pedicures natural nails, or who
107 performs artificial nail services for compensation, or any combination thereof.

108 "Nail technician instructor" means a licensed nail technician who has been certified by the Board as
109 having completed an approved curriculum and who meets the competency standards of the Board as an
110 instructor of nail care.

111 "Physical (wax) depilatory" means the wax depilatory product or substance used to remove superfluous
112 hair.

113 "School of cosmetology" means a place or establishment licensed by the Board to accept and train
114 students and which offers a cosmetology curriculum approved by the Board.

115 "School of esthetics" means a place or establishment licensed by the Board to accept and train students
116 and which offers an esthetics curriculum approved by the Board.

117 "Tattoo parlor" means any place in which tattooing is offered or practiced.

118 "Tattoo school" means a place or establishment licensed by the Board to accept and train students in
119 tattooing.

120 "Tattooer" means any person who for remuneration practices tattooing.

"Tattooing" means the placing of designs, letters, scrolls, figures, symbols, or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin, including permanent make-up or permanent jewelry, by the aid of needles or any other instrument designed to touch or puncture the skin.

"Wax technician" means any person licensed by the Board who removes hair from the hair follicle using a physical (wax) depilatory or by tweezing.

"Wax technician instructor" means a licensed wax technician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of waxing.

"Waxing" means the temporary removal of superfluous hair from the hair follicle on any area of the human body through the use of a physical (wax) depilatory or by tweezing.

"Waxing salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein waxing is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Waxing school" means a place or establishment licensed by the Board to accept and train students in waxing.

§ 54.1-701. Exemptions.

The provisions of this chapter shall not apply to:

1. Persons authorized by the laws of the Commonwealth to practice medicine and surgery or osteopathy or chiropractic;

2. Registered nurses licensed to practice in the Commonwealth;

3. Persons employed in state or local penal or correctional institutions, rehabilitation centers, sanatoria, or institutions for care and treatment of individuals with mental illness or intellectual disability, or for care and treatment of geriatric patients, as barbers, cosmetologists, wax technicians, nail technicians, estheticians, barber instructors, cosmetology instructors, wax technician instructors, nail technician instructors, or esthetics instructors who practice only on inmates of or patients in such sanatoria or institutions;

4. Persons licensed as funeral directors or embalmers in the Commonwealth;

5. Gratuitous services as a barber, nail technician, cosmetologist, wax technician, tattooer, body-piercer, ear-piercer, or esthetician;

6. Students enrolled in an approved school taking a course in barbering, nail care, cosmetology, waxing, tattooing, body-piercing, ear-piercing, or esthetics;

7. Persons working in a cosmetology salon whose duties are expressly confined to the blow drying, arranging, dressing, curling, or cleansing of human hair;

8. Apprentices or trainees serving in a barbershop, nail salon, waxing salon, cosmetology salon, ear-piercing salon, or esthetics spa licensed by the Board in accordance with the Board's regulations;

9. Schools of barbering, nail care, waxing, or cosmetology in public schools; and

10. Persons whose activities are confined solely to applying make-up, including such activities that are ancillary to applying make-up.

§ 54.1-706. Different requirements for licensure.

A. The Board shall have the discretion to impose different requirements for licensure for the practice of barbering, cosmetology, nail care, waxing, tattooing, body-piercing, ear-piercing, and esthetics.

B. The Board shall issue a license to practice as a master barber in the Commonwealth to:

1. An individual who holds a valid, unexpired license as a barber issued by the Board prior to December 8, 2017; or

2. An applicant who has successfully (i) completed the educational requirements as required by the Board, (ii) completed the experience requirements as required by the Board, and (iii) passed the examination approved by the Board. *The Board shall issue a license to a barbershop trainee who satisfies the requirements pursuant to § 54.1-708.*

C. The Board may develop different classes of ear-piercing licenses.

§ 54.1-708. Competency-based licensure for barbering.

A. Any licensed barbershop may register with the Board to employ and train barbershop trainees under the direct supervision of one or more licensed barbers. Such barbershop shall notify customers before receipt of a barbering service that such service will be completed by an unlicensed barbershop trainee. The owner of such barbershop shall be responsible for the education, training, skills, and competence of employed barbershop trainees, including (i) work area, supply, and client preparation; (ii) haircutting; and (iii) straight razor shaving with instruction on variable timing and blood exposure procedure. Such barbershop shall ensure each barbershop trainee possesses (a) a supply kit, (b) a full-size mannequin head, (c) the Board-approved examination bulletin, and (d) a Board-approved barbering textbook. Such barbershop shall maintain a ratio of at least one licensed barber present to supervise up to four barbershop trainees.

B. Any barbershop trainee is eligible to take the examination approved by the Board upon submission of a signed statement to the Board attesting that such trainee has the necessary skills to competently practice barbering and to take such examination. Such statement shall be provided by the barbershop owner or the

183 *licensed barber acting as a supervisor to such trainee. Any barbershop trainee who fails the examination*
184 *approved by the Board may retest within one year of the date in which such trainee became eligible to take*
185 *such examination. The Board shall issue a license to any trainee that passes such examination.*

186 *C. Any barbershop trainee shall not exceed four years of training for competency-based licensure and*
187 *shall pass the examination approved by the Board within four years of commencing training at any*
188 *barbershop registered pursuant to subsection A. Such barbershop trainee shall not participate in a registered*
189 *apprenticeship while acting as a barbershop trainee pursuant to this section.*

190 *D. Nothing in this section shall be construed to prohibit any person who does not qualify for licensure*
191 *pursuant to this section from seeking licensure through a school of barbering or registered apprenticeship.*

192 *E. Pursuant to this section, the Board may (i) develop forms for barbershop and barbershop trainee*
193 *registration and the attestation required for examination; (ii) waive any part of the examination requirement*
194 *for good cause; and (iii) establish penalties for any violation of the provisions of section. The Board shall not*
195 *penalize a barbershop owner or licensed barber acting as a supervisor to a barbershop trainee if such*
196 *barbershop trainee fails the examination approved by the Board.*