

## IMPORTANT NOTICE

### RECENT LAW CHANGE: (Act 073, SLH 2022); EFFECTIVE JULY 1, 2022

Act 073, SLH 2022 "RELATING TO THE BARBERING AND COSMETOLOGY LICENSING ACT repeals Hawaii Revised Statutes ("HRS") chapters 438 and 439. A new chapter will be assigned at a later date.

The purpose of Act 073, SLH 2022 are to: (1) add and update definitions to satisfy current industry practice needs; (2) Align and remedy inconsistencies between chapter 438 and 439; (3) removes the five-year license requirement for barber and beauty operator board of barbering and cosmetology member seats currently required by HRS section 438-3; (4) raises fees for penalties and disciplinary actions; and (5) removes medical clearance requirements.

#### **BELOW PROVIDES AN OVERVIEW OF THE CHANGES THAT AFFECTS LICENSING:**

**MINIMUM AGE:** Barber apprentice, beauty apprentice, barber, beauty operator, and beauty instructor applicant shall be at least 16 years of age.

**MINIMUM EDUCATION:** Barber applicant will now also be required to have an education equivalent to the completion of high school.

**BARBER TRAINING:** A barber applicant shall complete either 1500 hours of training in a barber school -OR- 3000 hours of training as a barber apprentice.

**NOTE:** HRS Chapter 438 previously required barber applicants to complete 1500 hours of training in a barber school or barber apprenticeship.

The increase in barber apprenticeship training hour from 1500 to 3000 hours is delayed until July 1, 2023. Any holder of a barber apprentice permit in effect before July 1, 2023, who files an application for a barber's license before July 1, 2024, may satisfy the training requirement by having 1500 hours of barber training in a barber shop or beauty shop.

**UPDATES REGARDING APPRENTICESHIP:**

- (1) A licensed barber or beauty operator shall be able to train **only** one apprentice per apprenticeship period.
- (2) Apprentices shall have forty-two months from the date of registration to complete training at the minimum of twenty hours per week.
- (3) Barber apprentices and beauty apprentices training in a barber shop or beauty shop shall be compensated in accordance with HRS chapter 387.

**UPDATES REGARDING QUALIFICATION FOR EXAMINATION:**

- (1) Once a barber, beauty operator, or beauty instructor applicant is approved to sit for the examination, there is no limitations as to how many times an applicant can retake the examination.

(2) Barber remedial apprenticeship training due to failing four consecutive examinations will no longer be applicable because HRS section 438-7(e) is repealed.

**UPDATES REGARDING  
TEMPORARY PERMITS:**

- (1) The Board may issue a temporary permit to an applicant approved for examination. The temporary permit shall be effective for one year from the date of issuance.
- (2) The board may grant an extension to a temporary permit if the professional testing service is unable to administer the examination on a regular basis.

**UPDATES REGARDING  
BARBER SHOPS AND  
BEAUTY SHOPS:**

Barber shops and beauty shops MUST have adequate sanitary facilities.

Act 073, SLH 2022 defines the following in § -2:

"Adequate sanitary facilities" means toilets located in properly ventilated rooms with doors, hot and cold running water, sinks or wash basins, and other requirements as may be prescribed by rule of the board.

**UPDATES REGARDING  
RESTORATION  
REQUIREMENTS:**

Failure to restore a forfeited license within 3 years after the license expiration date will result in the termination of the license and the person must apply as a new applicant and meet current licensing requirements. The board may require the person to take and pass the examination.