

STAND. COM. REP. NO.

554

Honolulu, Hawaii

February 17, 2017

RE: H.B. No. 1081

H.D. 2

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1081, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CITATIONS FOR BEAUTY CULTURE VIOLATIONS,"

begs leave to report as follows:

The purpose of this measure is to expedite enforcement and compliance with beauty culture laws, and allow investigative staff to focus efforts and resources on other beauty culture violations by:

- (1) Authorizing the Department of Commerce and Consumer Affairs to issue a citation for specific violations of beauty culture laws by licensees and permittees; and
- (2) Providing a process for licensees and permittees to contest the citation and providing for assessment of fines for each violation.

The Department of Commerce and Consumer Affairs and Board of Barbering and Cosmetology testified in support of this measure.

While your Committee finds that there is a need to provide additional enforcement authority to ensure compliance with beauty culture laws, your Committee notes that there is a large and

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growing problem with individuals who sell or demonstrate beauty products or techniques. Although these individuals are essentially practicing cosmetology, they are not presently required to be licensed. Consequently, addressing complaints received against these individuals is difficult.

Accordingly, your Committee has amended this measure by inserting language that establishes that a person selling or demonstrating a beauty product or technique must meet cosmetology licensing requirements unless the person is not compensated or obtains prior written consent to provide the service from the person receiving the service.

Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1081, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as H.B. No. 1081, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,

  
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ANGUS L.K. MCKELVEY, Chair



