

STAND. COM. REP. NO.

751

Honolulu, Hawaii

March 2, 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 Judiciary, to which was referred H.B. No. 1081, H.D. 2, 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;
- (2) Providing a process for licensees and permittees to contest the citation and providing for assessment of fines for each violation; and
- (3) Establishing cosmetology licensing requirements for the person who sells beauty products or demonstrates beauty techniques for promotional purposes, provided that no license shall be required of:



- (A) The person who is not compensated for practicing cosmetology; or
- (B) The person who obtains written consent before providing the cosmetology service from the person who receives the cosmetology service.

The Department of Commerce and Consumer Affairs Regulated Industries Complaints Office, Board of Barbering and Cosmetology, Retail Merchants of Hawaii, and Hawaii Food Industry Association provided comments.

Your Committee has grave concerns about section 2 of this measure that establishes cosmetology license requirements for persons selling or demonstrating a beauty product or technique unless the person is not compensated or obtains prior written consent to provide the service from the person receiving the service.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1081, H.D. 2, and recommends that it pass Third Reading.


Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


SCOTT Y. NISHIMOTO, Chair



State of Hawaii
House of Representatives
The Twenty-ninth Legislature **HSCR 751**

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 1081 HD2	Committee Referral: JAC, CPC, JUD	Date: 02/24/2017		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. NISHIMOTO, Scott Y. (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BELATTI, Della Au	/			
4. BROWER, Tom	/			
5. JOHANSON, Aaron Ling	/			
6. LEE, Chris	/	/		
7. MORIKAWA, Dee		/		
8. NAKASHIMA, Mark M.	/			
9. OSHIRO, Marcus R.		/		
10. McDERMOTT, Bob	/			
11. THIELEN, Cynthia	/			
TOTAL (11)	9	2		
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				