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AN ACT

RELATING TO LICENSING; PROVIDING FOR AN EXEMPTION FROM A
COSMETOLOGY LICENSE FOR EYEBROW THREADING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 61-17A-2 NMSA 1978 (being Laws 1993,
Chapter 171, Section 2, as amended) is amended to read:

"61-17A-2. DEFINITIONS.--As used in the Barbers and
Cosmetologists Act:

A. "barber" means a person, other than a student,
who for compensation engages in barbering;

B. "board" means the board of barbers and
cosmetologists;

C. "cosmetologist" means a person, other than a
student, who for compensation engages in cosmetology;

D. "electrologist" means a person, other than a
student, who for compensation removes hair from or destroys
hair on the human body through the use of an electric current
applied to the body with a needle-shaped electrode or probe;

E. "enterprise" means a business venture, firm or
organization;

F. "establishment" means an immobile beauty shop,
barber shop, electrology clinic, salon or similar place of
business in which cosmetology, barbering, eyebrow threading
or electrolysis is performed;

1 G. "esthetician" means a person, other than a
2 student, who for compensation:

3 (1) uses cosmetic preparations, including
4 makeup applications, antiseptics, powders, oils, clays or
5 creams, for the purpose of preserving the health and beauty
6 of the skin and body;

7 (2) massages, cleans, stimulates or
8 manipulates the skin for the purpose of preserving the health
9 and beauty of the skin and body; or

10 (3) performs activities similar to the
11 activities described in Paragraph (1) or (2) of this
12 subsection on any part of the body of a person;

13 H. "eyebrow threading" means a method of hair
14 removal in which a thin thread is doubled, twisted and then
15 rolled over areas of unwanted hair, plucking the hair at the
16 follicle level;

17 I. "manicurist-pedicurist" means a person, other
18 than a student, who for compensation performs work on the
19 nails of a person and applies nail extensions or products to
20 the nails for the purpose of strengthening or preserving the
21 health and beauty of the hands or feet;

22 J. "sanitation" means the maintenance of sanitary
23 conditions to promote hygiene and the prevention of disease
24 through the use of chemical agents or products;

25 K. "school" means a public or private

1 instructional facility approved by the board that teaches
2 cosmetology or barbering; and

3 L. "student" means a person enrolled in a school
4 to learn or be trained in cosmetology, barbering or
5 electrolysis."

6 SECTION 2. Section 61-17A-22 NMSA 1978 (being Laws
7 1993, Chapter 171, Section 22) is amended to read:

8 "61-17A-22. EXEMPTIONS.--The following persons are
9 exempt from the provisions of the Barbers and Cosmetologists
10 Act while in the discharge of their professional duties:

11 A. persons licensed by the law of this state to
12 practice medicine and surgery or chiropractic;

13 B. commissioned medical or surgical officers of
14 the United States army, navy or marine hospital service;

15 C. registered nurses;

16 D. funeral service practitioners; and

17 E. persons providing only eyebrow-threading
18 services."
