

Bill as Introduced

HB 70 - AS INTRODUCED

2021 SESSION

21-0025
10/08

HOUSE BILL

70

AN ACT

authorizing certification for the microblading of eyebrows.

SPONSORS:

Rep. McGuire, Merr. 29; Rep. T. Lekas, Hills. 37; Rep. Pitre, Straf. 2

COMMITTEE:

Executive Departments and Administration

ANALYSIS

This bill allows certain persons who are not licensed for tattooing as body art practitioners to perform microblading of eyebrows.

Explanation:

Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT authorizing certification for the microblading of eyebrows.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraph; Body Art; Microblading. Amend RSA 314-A:2 by inserting after paragraph
2 III the following new paragraph:

3 IV. It shall be unlawful for any person who is not licensed under this chapter to perform the
4 microblading of eyebrows, unless such person has a current license to practice as a cosmetologist or
5 an esthetician under RSA 313-A and has been issued a certificate for microblading eyebrows
6 pursuant to rules adopted by the executive director.

7 2 New Paragraph; Body Art; Rulemaking. Amend RSA 314-A:6 by inserting after paragraph V
8 the following new paragraph:

9 VI. Requirements to obtain and renew a certificate for microblading eyebrows including:

10 (a) Application forms and approval of microblading courses.

11 (b) Standards of hygiene for performing microblading.

12 (c) Procedures for disciplinary action including suspension, limitation, or revocation of a
13 microblading certificate.

14 3 Effective Date. This act shall take effect July 1, 2021.

CHAPTER 60
HB 70 - FINAL VERSION

2021 SESSION

21-0025
10/08

HOUSE BILL **70**

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CHAPTER 60
HB 70 - FINAL VERSION

21-0025
10/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT authorizing certification for the microblading of eyebrows.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 60:1 New Paragraph; Body Art; Microblading. Amend RSA 314-A:2 by inserting after
2 paragraph III the following new paragraph:

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4 microblading of eyebrows, unless such person has a current license to practice as a cosmetologist or
5 an esthetician under RSA 313-A and has been issued a certificate for microblading eyebrows
6 pursuant to rules adopted by the executive director.

7 60:2 New Paragraph; Body Art; Rulemaking. Amend RSA 314-A:6 by inserting after paragraph
8 V the following new paragraph:

9 VI. Requirements to obtain and renew a certificate for microblading eyebrows including:

- 10 (a) Application forms and approval of microblading courses.
11 (b) Standards of hygiene for performing microblading.
12 (c) Procedures for disciplinary action including suspension, limitation, or revocation of a
13 microblading certificate.

60:3 Effective Date. This act shall take effect July 1, 2021.

Approved: June 04, 2021
Effective Date: July 01, 2021

Committee Minutes

SENATE CALENDAR NOTICE
Executive Departments and Administration

Sen Sharon Carson, Chair
Sen John Reagan, Vice Chair
Sen Denise Ricciardi, Member
Sen Kevin Cavanaugh, Member
Sen Suzanne Prentiss, Member

Date: March 10, 2021

HEARINGS

Wednesday	03/17/2021	
(Day)	(Date)	
Executive Departments and Administration	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	HB 94-FN	relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification.
9:15 a.m.	HB 70	authorizing certification for the microblading of eyebrows.
9:30 a.m.	HB 425-FN	establishing technical committees and a cybersecurity advisory committee in the department of information technology
9:45 a.m.	HB 302	relative to the creation and use of electronic records by government agencies.
10:00 a.m.	HB 137	relative to the rulemaking authority of the department of information technology.
10:15 a.m.	HB 173-FN	requiring the independent investment committee of the New Hampshire retirement system to report investment fees.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/91554056560>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: +19292056099,,91554056560# or +13017158592,,91554056560#
4. Webinar ID: 915 5405 6560
5. To view/listen to this hearing on YouTube, use this link:
<https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:
<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 94-FN

Rep. McGuire

Rep. T. Lekas

HB 70

Rep. McGuire

Rep. T. Lekas

Rep. Pitre

HB 425-FN

Rep. L. Ober

HB 302

Rep. L. Ober

HB 137

Rep. L. Ober

Rep. McGuire

Rep. Weyler

Rep. Emerick

Sen. Carson

HB 173-FN

Rep. Schuett

Rep. Schultz

Rep. Ellison

Rep. M. Pearson

Rep. Merchant

Cameron Lapine 271-2104

Sharon M Carson
Chairman

AMENDED
SENATE CALENDAR NOTICE
Executive Departments and Administration

Sen Sharon Carson, Chair
Sen John Reagan, Vice Chair
Sen Denise Ricciardi, Member
Sen Kevin Cavanaugh, Member
Sen Suzanne Prentiss, Member

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9:15 a.m.	HB 70	authorizing certification for the microblading of eyebrows.
9:30 a.m.	HB 208	repealing RSA 323 regarding lightning rod dealers and salesmen.
9:45 a.m.	HB 301	relative to the compensation appeals board.
10:00 a.m.	HB 150	making a technical correction and a clarification in the law governing death benefits for emergency medical technicians and rescue squad members.
10:15 a.m.	HB 173-FN	requiring the independent investment committee of the New Hampshire retirement system to report investment fees.

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4. Webinar ID: **915 5405 6560**
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
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EXECUTIVE SESSION MAY FOLLOW

Cameron Lapine 271-2104

Sharon M Carson
Chairman

Sponsors:

HB 94-FN

Rep. McGuire

Rep. T. Lekas

HB 70

Rep. McGuire

Rep. T. Lekas

Rep. Pitre

HB 173-FN

Rep. Schuett

Rep. Schultz

Rep. Ellison

Rep. M. Pearson

Rep. Merchant

HB 208

Rep. Yokela

HB 301

Rep. Seaworth

HB 150

Rep. Schuett

Rep. Goley

Rep. Soucy

Senate Executive Departments and Administration Committee

Cameron Lapine 271-2104

HB 70, authorizing certification for the microblading of eyebrows.

Hearing Date: March 17, 2021

Time Opened: 9:15 a.m.

Time Closed: 9:25 a.m.

Members of the Committee Present: Senators Carson, Reagan, Ricciardi, Cavanaugh and Prentiss

Members of the Committee Absent : None

Bill Analysis: This bill allows certain persons who are not licensed for tattooing as body art practitioners to perform microblading of eyebrows.

Sponsors:

Rep. McGuire

Rep. T. Lekas

Rep. Pitre

Who supports the bill: Representative Carol McGuire (Merrimack – District 29).

Who opposes the bill: Robin Vogt.

Who is neutral on the bill: Tom Broderick (the Office of Professional Licensure and Certification).

Summary of testimony presented in support:

Representative Carol McGuire

Merrimack – District 29

- Representative McGuire said that HB 70 allows for a certificate for the microblading of eyebrows. She said that microblading is a permanent makeup technique and considered tattooing, which requires a tattoo license and a two-year apprenticeship.
- Rep. McGuire said that some people in New Hampshire do offer microblading at this time. She said that there is significant demand for a less strenuous training program for the technique. She said that while the technique is not as complicated as a tattoo, it does break the skin to create a permanent eyebrow.
- Rep. McGuire said that she worked with the Advisory Board of Body Art Practitioners on HB 70 and that the Board is working on approval for training courses and the sanitation

requirements.

- Rep. McGuire said that HB 70 would allow the Board to train licensed cosmetologists and estheticians to perform microblading and issue a certificate.
- Rep. McGuire said that HB 70 passed House Executive Departments and Administration unanimously both in 2021 and in 2020, and passed the House on the Consent Calendar.
- Senator Ricciardi asked if there should be a form or disclaimer when someone receives a microblading from a certificate holder that states the individual has not gone through the two-year apprentice program.
 - Rep. McGuire said that Senator Ricciardi raised an interesting question but that any safety forms or requirements would be covered in the rulemaking process and not in the statute.
- Senator Prentiss asked if HB 70 would apply to licensed estheticians who want to provide the microblading procedure but are not tattoo artists.
 - Rep. McGuire said that that was correct.

Representative Jaci Grote

Rockingham – District 24

- Representative Grote is a member of House Executive Departments and Administration and said that many of the people who testified at their hearing were cosmetologists with clients who request microblading but the cosmetologists could not provide it.
- Rep. Grote noted that many people who have microblading done are people who have gone through chemotherapy and have permanently lost their eyebrows.

Summary of testimony presented in opposition: None.

Neutral Information Presented:

Tom Broderick

Office of Professional Licensure and Certification (OPLC)

- Mr. Broderick said that although there are two OPLC boards affected by HB 70 – the Body Art Board and the Cosmetology Board – he was speaking on behalf of OPLC the agency and not the individual boards.
- Mr. Broderick said that OPLC has no position on HB 70.
- Mr. Broderick said that microblading uses a small tool made of needles to add a semipermanent pigment to the skin, lasting about a year. He said that small cuts are made into the skin to add the pigment. He said microblading is considered a tattoo under RSA 314-A:1 and someone doing a microblading has to be licensed as a tattoo artist.
- Mr. Broderick said that a few years ago a cosmetologist wanted to provide microblading. That individual worked with their board and worked to develop language, which several legislators, including Senator Reagan, Senator Kahn, and Rep. McGuire, worked on.
- Mr. Broderick said that the main point of HB 70 is public protection and the bill was written with public safety in mind. He said that the certificate will go through the rulemaking

process with the Board Art Board.

cml

Date Hearing Report completed: March 17, 2021

Speakers

Senate Remote Testify

Executive Departments and Administration Committee Testify List for Bill HB70 on Support: 1 Oppose: 1 Neutral: 1 Total to Testify: 2

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testify</u>
McGuire, Carol	mcguire4house@gmail.com	Not Given	An Elected Official	Merrimack 29	Support	Yes
Broderick, Tom	thomas.r.broderick@oplc.nh.gov	271-3103	State Agency Staff	Office of Professional Licensure and Certification	Neutral	Yes
Vogt, Robin	robin.w.vogt@gmail.com	603.969.5720	A Member of the Public	Myself	Oppose	No

Voting Sheets

**Senate Executive Departments and
Administration Committee
EXECUTIVE SESSION RECORD
2021 Session**

Bill # HB70

Hearing date: 3-17-21

Executive Session date: 3-17-21

Motion of: OTP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Ricciardi

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Thursday, March 18, 2021

THE COMMITTEE ON Executive Departments and Administration

to which was referred **HB 70**

AN ACT

authorizing certification for the microblading of
eyebrows.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Denise Ricciardi
For the Committee

This bill allows certain persons who are not licensed for tattooing as body art practitioners to perform microblading of eyebrows. The practice of microblading eyebrows is currently treated as tattooing, the license for which requires a two-year apprentice program. The microblading process is not as complex as a full tattoo but does require skin to be broken to insert a semi-permanent pigment. This is a process that is often used by people with cancer who have undergone chemotherapy and lost their eyebrows. Guidelines for the certification and rules for sanitation and safety requirements will be developed by the Advisory Board of Body Art Practitioners through the normal rulemaking process.

Cameron Lapine 271-2104

FOR THE CONSENT CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 70, authorizing certification for the microblading of eyebrows.

Ought to Pass, Vote 5-0.

Senator Denise Ricciardi for the committee.

This bill allows certain persons who are not licensed for tattooing as body art practitioners to perform microblading of eyebrows. The practice of microblading eyebrows is currently treated as tattooing, the license for which requires a two-year apprentice program. The microblading process is not as complex as a full tattoo but does require skin to be broken to insert a semi-permanent pigment. This is a process that is often used by people with cancer who have undergone chemotherapy and lost their eyebrows. Guidelines for the certification and rules for sanitation and safety requirements will be developed by the Advisory Board of Body Art Practitioners through the normal rulemaking process.

General Court of New Hampshire - Bill Status System

Docket of HB70

Docket Abbreviations

Bill Title: authorizing certification for the microblading of eyebrows.*Official Docket of HB70.:*

Date	Body	Description
1/4/2021	H	Introduced (in recess of) 01/06/2021 and referred to Executive Departments and Administration HJ 2 P. 34
1/21/2021	H	Public Hearing: 02/01/2021 10:45 am Members of the public may attend using the following link: To join the webinar: https://zoom.us/j/94106022547 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/5/2021	H	Committee Report: Ought to Pass (Vote 19-0; CC) HC 12 P. 5
2/24/2021	H	Ought to Pass: MA VV 02/24/2021 HJ 3 P. 7
3/4/2021	S	Introduced 03/04/2021 and Referred to Executive Departments and Administration; SJ 7
3/10/2021	S	Remote Hearing: 03/17/2021, 09:15 am; Links to join the hearing can be found in the Senate Calendar; SC 15
3/18/2021	S	Committee Report: Ought to Pass, 03/25/2021; Vote 5-0; CC; SC 16
3/25/2021	S	Ought to Pass: RC 24Y-0N, MA; OT3rdg; 03/25/2021; SJ 9
4/12/2021	S	Enrolled RC 24Y-0N, MA, (In recess of 04/08/2021); SJ 12
4/12/2021	H	Enrolled (in recess of) 04/09/2021 HJ 7 P. 99
6/9/2021	H	Signed by Governor Sununu 06/04/2021; Chapter 60; Eff: 07/01/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 70

Senate Committee: ED+A

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # ___ ___ - amendment # ___

___ - amendment # ___ ___ - amendment # ___

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # ___ ___ - amendment # ___

___ - amendment # ___ ___ - amendment # ___

Post Floor Action: (if applicable) {Clerk's Office}

Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

Enrolled Bill Amendment(s)

Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Cameron M. Jopine
Committee Aide

7/20/21
Date

Senate Clerk's Office AK