



Artificial Barrier To Natural Hair Braiding in Massachusetts About To Fall If Legislation Yanking Government-Issued Licensing Requirement Passes

December 8, 2020

Tom Joyce

Soon, you may no longer need a government-issued license to conduct natural hair braiding for pay in Massachusetts.

An amendment to the state budget bill would change the state's requirements.

Currently, hairdressers need a cosmetology license from the state to use their hands to braid hair in the Commonwealth.

Obtaining the license ain't cheap: it requires attending 1,000 hours of cosmetology school, which typically costs more than \$12,000 in Massachusetts, [according to Cosmetology-License.com](#). A hairdresser must also [pay Massachusetts](#) \$136 for the license.

An amendment filed by state Representative Nika Elugardo (D-Jamaica Plain) would change all that.

Elugardo, who identifies as a socialist, [filed Amendment 79](#) to the House Budget. It would exempt natural hair braiding from activities requiring a cosmetology license.

The amendment to the state budget bill has passed both chambers of the Massachusetts Legislature. It is now on the desk of Governor Charlie Baker.

It hasn't drawn notable opposition so far.

As of the start of this year, 28 states had exempted the practice from needing a license, with 17 making the exemption between 2014 and 2019, [according to the Institute for Justice](#).

Elugardo told New Boston Post that the amendment would "reverse structural racism in one small part of the systems supporting black entrepreneurship."

"Hair braiding is an ancient tradition that can be essential to maintaining the health of natural black hair," Elugardo said in an email message. "Hair braiding is not cosmetology (as it involves no chemicals, cutting, or processing) but is rather a cultural practice and potentially lucrative money-making venture learned by many black women, like myself, as children.

"This bill will open doors for economic advancement and would likely reduce the consumer cost of braiding services, which can run well into the hundreds per service," she added.

Elugardo noted that the Institute for Justice — which has worked with U.S. Representative Ayanna Pressley (D-Dorchester) on occupational licensing reform at the federal level — asked her to file the amendment. Elugardo also said that she modeled it after a bill filed by state Senator Ryan Fattman (R-Sutton) called “An Act reducing regulations for hair braiders” ([S.144](#)).

Fattman explained his support for the idea in a telephone interview with New Boston Post earlier this year.

He noted that, for the most part, cosmetology schools do not teach natural hair braiding.

“So you have to go to school for a thousand hours and paying somewhere between \$10,000 and \$20,000 and you’re putting in all of that time to train for a vocation you’re not being taught,” Fattman said. “How does that make any sense? Any common sense person would say it makes no sense.”

“They have these skills, yet they have to pay all of this money if they want employment, so it’s a complete waste of time and resources,” he added. “We want people to live in this country, be productive, and to pursue their American dream.”

Earlier this year, Jennifer McDonald, a research analyst for the Institute of Justice, told New Boston Post that occupational licensing can be an unnecessary barrier to work and entrepreneurship.

“Take a hard look at the licenses Massachusetts as other states have and ask, ‘is it for health and safety?’” McDonald said in a telephone interview. “If it really is health and safety, let’s examine the actual risk that can be posed by the unlicensed practice of this occupation. More often than not, we find the license isn’t necessary to protect public health and safety or something a lot less burdensome could be put in place instead.”

The amendment filed by Elugardo received praise from Shoshanna Weissmann of R Street Institute, and Mike Tanner of the CATO Institute, when asked for comment by New Boston Post.

Weissmann, who works on occupational licensing reform, told New Boston Post in an email message that she was happy to see the amendment added to the budget.

“This is fantastic,” Weissmann wrote, “and I’m so excited the measure has such broad sponsorship! The practice of natural hair braiding is safe without the braider holding a cosmetology license that teaches students practices wholly unrelated to braiding. This measure will enable entrepreneurs to get into business at a critical time without negative effects on safety.”

As Weissmann noted, the amendment has 17 co-sponsors in the Massachusetts House of Representatives.

Tanner, a senior fellow at CATO who specializes in domestic issues, told New Boston Post that this change is long overdue.

“There is absolutely no health or safety justification for these regulations,” Tanner said in a telephone interview. “They stem from a long history of racism and protectionism from existing groups. The legislature should be commended for taking this step, but it’s only a small step. They need to be taking a look at a long range of occupational licensing and making it much easier for people to move in and out of various professions.”

“It’s absolutely a racial justice issue,” he added. “This clearly has a disproportionate impact on people of color, and its history, it’s designed to keep people of color out of the cosmetology industry.”