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Young mom from Hays sues Kansas Board of Cosmetology to offer sugaring

Kansas Justice Institute files constitutional lawsuit to protect the right to earn an honest living

Hays, KS – Bryn Green's dream business—providing sugaring services in her hometown of Hays, Kansas—has run head-first into an irrational and arbitrary occupational licensing regime enforced by the Kansas Board of Cosmetology. She is fighting back against the Board of Cosmetology's unconstitutional occupational license mandates, with the help of Kansas Justice Institute.

Ms. Green is a 32-year-old mom in Hays, Kansas. To help support her family, Ms. Green wants the opportunity to offer sugaring, an ancient grooming technique that uses a mixture of sugar, lemon juice, and water to safely remove unwanted hair. Sugaring would also allow her greater flexibility in raising her son. But in Kansas, it is a crime to practice unlicensed sugaring, and Ms. Green is not licensed.

To obtain a license, Bryn would have to complete 1,500 or 1,000 hours of instruction in an expensive cosmetology school. There is no esthetician school in Hays.

It is estimated that 99% of the cosmetology curriculum teaches things other than sugaring.

After graduating from the 1,500-hour program, Bryn would have to complete two exams. But the practical skills exam is computer-based and does not cover the sugaring technique.

"People shouldn't be forced to spend tens of thousands of dollars on irrelevant cosmetology school, and take irrelevant examinations, just to be able to use sugar, lemon juice, and water, to safely remove unwanted hair," KJI litigation director Sam MacRoberts said.

"It shouldn't be a crime to use sugar, lemon juice, and water to remove unwanted hair," MacRoberts said. "There's no good reason for the State of Kansas to force someone to attend 1,500 hours of irrelevant and expensive schooling," MacRoberts continued.

"Sugaring is an entirely safe and natural process, it's been around for centuries," said Bryn, "it is ridiculous to me that the requirement is to spend thousands of dollars, tens of thousands of dollars, and thousands of hours to obtain a license that I am literally going to use 1% of."

The Kansas Constitution protects the right to earn an honest living, free from unreasonable government regulations.

"Bryn isn't suing the government for money. She's fighting to protect everyone's rights under the Kansas Constitution—the right to earn an honest living," MacRoberts said.

Over the decades, occupational licensing has exploded even though, as <u>President Obama's Administration determined</u>, "most research does not find that licensing improves quality or public health and safety."

Represented at no charge by Kansas Justice Institute, Ms. Green is suing the Board of Cosmetology to vindicate her rights, and the rights of all Kansans, to be free from unreasonable government regulations.

This case is part of KJI's litigation efforts to make it easier for families to earn honest livings. In 2019, KJI successfully sued the State of Kansas over its <u>raw milk advertising prohibition</u>, and in 2020, KJI sued the State over its occupational licensing requirement involving <u>eyebrow threading</u>. Just this year, KJI sued the City of Ottawa, Kansas, over its home-based business prohibitions involving <u>beekeeping</u> and gardening.

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