

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 230
99TH GENERAL ASSEMBLY

0699H.03C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 328.080, 328.100, 329.010, 329.040, 329.050, 329.060, 329.070, 329.080, 329.085, and 329.130, RSMo, and to enact in lieu thereof eleven new sections relating to the board of cosmetology and barber examiners.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 328.080, 328.100, 329.010, 329.040, 329.050, 329.060, 329.070,
2 329.080, 329.085, and 329.130, RSMo, are repealed and eleven new sections enacted in lieu
3 thereof, to be known as sections 328.080, 329.010, 329.032, 329.040, 329.050, 329.060,
4 329.070, 329.080, 329.085, 329.130, and 329.275, to read as follows:

328.080. 1. Any person desiring to practice barbering in this state shall make application
2 for a license to the board and shall pay the required barber examination fee.

3 2. The board shall examine each qualified applicant and, upon successful completion of
4 the examination and payment of the required license fee, shall issue the applicant a license
5 authorizing him or her to practice the occupation of barber in this state. The board shall admit
6 an applicant to the examination, if it finds that he or she:

7 (1) Is seventeen years of age or older and of good moral character;

8 (2) ~~Is free of contagious or infectious diseases;~~

9 ~~——(3)]~~ Has studied for at least one thousand hours in a period of not less than six months
10 in a properly appointed and conducted barber school under the direct supervision of a licensed
11 instructor; or, if the applicant is an apprentice, the applicant shall have served and completed no
12 less than two thousand hours under the direct supervision of a licensed barber apprentice
13 supervisor;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 ~~[(4)]~~ (3) Is possessed of requisite skill in the trade of barbering to properly perform the
15 duties thereof, including the preparation of tools, shaving, haircutting and all the duties and
16 services incident thereto; and

17 ~~[(5)]~~ (4) Has sufficient knowledge of the common diseases of the face and skin to avoid
18 the aggravation and spread thereof in the practice of barbering.

19 3. The board shall be the judge of whether the barber school, the barber apprenticeship,
20 or college is properly appointed and conducted under proper instruction to give sufficient training
21 in the trade.

22 4. The sufficiency of the qualifications of applicants shall be determined by the board.

23 5. For the purposes of meeting the minimum requirements for examination, the
24 apprentice training shall be recognized by the board for a period not to exceed five years.

 329.010. As used in this chapter, unless the context clearly indicates otherwise, the
2 following words and terms mean:

3 (1) "Accredited school of cosmetology or school of manicuring", an establishment
4 operated for the purpose of teaching cosmetology as defined in this section and meeting the
5 criteria set forth under 34 C.F.R. Part 600, sections 600.1 and 600.2;

6 (2) "Apprentice" or "student", a person who is engaged in training within a cosmetology
7 establishment or school, and while so training performs any of the practices of the classified
8 occupations within this chapter under the immediate direction and supervision of a licensed
9 cosmetologist or instructor;

10 (3) "Board", the state board of cosmetology and barber examiners;

11 (4) "Cosmetologist", any person who, for compensation, engages in the practice of
12 cosmetology, as defined in subdivision (5) of this section;

13 (5) "Cosmetology" includes performing or offering to engage in any acts of the classified
14 occupations of cosmetology for compensation, which shall include:

15 (a) "Class CH - hairdresser" includes arranging, dressing, curling, singeing, waving,
16 permanent waving, cleansing, cutting, bleaching, tinting, coloring, or similar work upon the hair
17 of any person by any means; or removing superfluous hair from the body of any person by means
18 other than electricity, or any other means of arching or tinting eyebrows or tinting eyelashes.
19 Class CH - hairdresser also includes any person who either with the person's hands or with
20 mechanical or electrical apparatuses or appliances, or by the use of cosmetic preparations,
21 antiseptics, tonics, lotions or creams engages for compensation in any one or any combination
22 of the following: massaging, cleaning, stimulating, manipulating, exercising, beautifying or
23 similar work upon the scalp, face, neck, arms or bust;

24 (b) "Class MO - manicurist" includes cutting, trimming, polishing, coloring, tinting,
25 cleaning or otherwise beautifying a person's fingernails, applying artificial fingernails,

26 massaging, cleaning a person's hands and arms; pedicuring, which includes cutting, trimming,
27 polishing, coloring, tinting, cleaning or otherwise beautifying a person's toenails, applying
28 artificial toenails, massaging and cleaning a person's legs and feet;

29 (c) "Class CA - hairdressing and manicuring" includes all practices of cosmetology, as
30 defined in paragraphs (a) and (b) of this subdivision;

31 (d) "Class E - estheticians" includes the use of mechanical, electrical apparatuses or
32 appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams, not to
33 exceed ten percent phenol, engages for compensation, either directly or indirectly, in any one,
34 or any combination, of the following practices: massaging, cleansing, stimulating, manipulating,
35 exercising, beautifying or similar work upon the scalp, face, neck, ears, arms, hands, bust, torso,
36 legs or feet and removing superfluous hair by means other than electric needle or any other
37 means of arching or tinting eyebrows or tinting eyelashes, of any person;

38 (6) "Cosmetology establishment", that part of any building wherein or whereupon any
39 of the classified occupations are practiced including any space rented within a licensed
40 establishment by a person licensed under this chapter, for the purpose of rendering cosmetology
41 services;

42 (7) "Cross-over license", a license that is issued to any person who has met the licensure
43 and examination requirements for both barbering and cosmetology;

44 (8) **"Hair braider", any person who, for compensation, engages in the practice of**
45 **hair braiding;**

46 (9) **"Hair braiding", in accordance with the requirements of section 329.275, the**
47 **use of techniques that result in tension on hair strands or roots by twisting, wrapping,**
48 **waving, extending, locking, or braiding of the hair by hand or mechanical device, but does**
49 **not include the application of dyes, reactive chemicals, or other preparations to alter the**
50 **color of the hair or to straighten, curl, or alter the structure of the hair;**

51 (10) "Hairdresser", any person who, for compensation, engages in the practice of
52 cosmetology as defined in paragraph (a) of subdivision (5) of this section;

53 ~~[(9)]~~ (11) "Instructor", any person who is licensed to teach cosmetology or any practices
54 of cosmetology pursuant to this chapter;

55 ~~[(10)]~~ (12) "Manicurist", any person who, for compensation, engages in any or all of the
56 practices in paragraph (b) of subdivision (5) of this section;

57 ~~[(11)]~~ (13) "Parental consent", the written informed consent of a minor's parent or legal
58 guardian that must be obtained prior to providing body waxing on or near the genitalia;

59 ~~[(12)]~~ (14) "School of cosmetology" or "school of manicuring", an establishment
60 operated for the purpose of teaching cosmetology as defined in subdivision (5) of this section.

329.032. 1. **Nothing in this chapter shall apply to hairdressing, manicuring, or facial treatments given in the home to members of a person's family or friends for which no charge is made.**

2. **Nothing in this chapter or chapter 328, except for the provisions of sections 329.010 and 329.275, shall apply to persons engaged in the practice of hair braiding, as defined in section 329.010, who have met the requirements in section 329.275.**

329.040. 1. Any person [øf] in good [~~moral character~~] **standing with the board** may make application to the board for a license to own a school of cosmetology on a form provided upon request by the board. Every school of cosmetology in which any of the classified occupations of cosmetology are taught shall be required to obtain a license from the board prior to opening. The license shall be issued upon approval of the application by the board, the payment of the required fees, and the applicant meets other requirements provided in this chapter. The license shall be kept posted in plain view within the school at all times.

2. A school license renewal fee shall be due on or before the renewal date of any school license issued pursuant to this section. If the school license renewal fee is not paid on or before the renewal date, a late fee shall be added to the regular school license fee.

3. No school of cosmetology shall be granted a license pursuant to this chapter unless it:

(1) Employs and has present in the school a competent licensed instructor for every twenty-five students in attendance for a given class period and one to ten additional students may be in attendance with the assistance of an instructor trainee. One instructor is authorized to teach up to three instructor trainees immediately after being granted an instructor's license;

(2) Requires all students to be enrolled in a course of study of no less than three hours per day and no more than twelve hours per day with a weekly total that is no less than fifteen hours and no more than seventy-two hours;

(3) Requires for the classified occupation of cosmetologist, the course of study shall be no less than one thousand five hundred hours or, for a student in public vocational/technical school no less than one thousand two hundred twenty hours; provided that, a school may elect to base the course of study on credit hours by applying the credit hour formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as amended. The student must earn a minimum of one hundred and sixty hours or equivalent credits of classroom training before the student may perform any of the acts of the classified occupation of cosmetology on any patron or customer of the school of cosmetology;

(4) Requires for the classified occupation of manicurist, the course of study shall be no less than four hundred hours or the credit hours determined by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as amended. The student

31 must earn a minimum of fifty hours or equivalent credits of classroom training before the student
32 may perform any of the acts of the classified occupation of manicurist on any patron or customer
33 of the school of cosmetology;

34 (5) Requires for the classified occupation of esthetician, the course of study shall be no
35 less than seven hundred fifty hours or the credit hours determined by the formula in Subpart A
36 of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as amended. The
37 student shall earn a minimum of seventy-five hours or equivalent credits of classroom training
38 before the student may perform any of the acts of the classified occupation of esthetics on any
39 patron or customer of the school of cosmetology or an esthetics school.

40 4. The subjects to be taught for the classified occupation of cosmetology shall be as
41 follows and the hours required for each subject shall be not less than those contained in this
42 subsection or the credit hours determined by the formula in Subpart A of Part 668 of Section
43 668.8 of Title 34 of the Code of Federal Regulations, as amended:

- 44 (1) Shampooing of all kinds, forty hours;
- 45 (2) Hair coloring, bleaches and rinses, one hundred thirty hours;
- 46 (3) Hair cutting and shaping, one hundred thirty hours;
- 47 (4) Permanent waving and relaxing, one hundred twenty-five hours;
- 48 (5) Hairsetting, pin curls, fingerwaves, thermal curling, two hundred twenty-five hours;
- 49 (6) Combouts and hair styling techniques, one hundred five hours;
- 50 (7) Scalp treatments and scalp diseases, thirty hours;
- 51 (8) Facials, eyebrows and arches, forty hours;
- 52 (9) Manicuring, hand and arm massage and treatment of nails, one hundred ten hours;
- 53 (10) Cosmetic chemistry, twenty-five hours;
- 54 (11) Salesmanship and shop management, ten hours;
- 55 (12) Sanitation and sterilization, thirty hours;
- 56 (13) Anatomy, twenty hours;
- 57 (14) State law, ten hours;
- 58 (15) Curriculum to be defined by school, not less than four hundred seventy hours.

59 5. The subjects to be taught for the classified occupation of manicurist shall be as
60 follows and the hours required for each subject shall be not less than those contained in this
61 subsection or the credit hours determined by the formula in Subpart A of Part 668 of Section
62 668.8 of Title 34 of the Code of Federal Regulations, as amended:

- 63 (1) Manicuring, hand and arm massage and treatment of nails, two hundred twenty
64 hours;
- 65 (2) Salesmanship and shop management, twenty hours;
- 66 (3) Sanitation and sterilization, twenty hours;

- 67 (4) Anatomy, ten hours;
68 (5) State law, ten hours;
69 (6) Study of the use and application of certain chemicals, forty hours; and
70 (7) Curriculum to be defined by school, not less than eighty hours.

71 6. The subjects to be taught for the classified occupation of esthetician shall be as
72 follows, and the hours required for each subject shall not be less than those contained in this
73 subsection or the credit hours determined by the formula in Subpart A of Part 668 of Section
74 668.8 of Title 34 of the Code of Federal Regulations, as amended:

- 75 (1) Facials, cleansing, toning, massaging, one hundred twenty hours;
76 (2) Makeup application, all phases, one hundred hours;
77 (3) Hair removal, thirty hours;
78 (4) Body treatments, aromatherapy, wraps, one hundred twenty hours;
79 (5) Reflexology, thirty-five hours;
80 (6) Cosmetic sciences, structure, condition, disorder, eighty-five hours;
81 (7) Cosmetic chemistry, products and ingredients, seventy-five hours;
82 (8) Salon management and salesmanship, fifty-five hours;
83 (9) Sanitation and sterilization, safety, forty-five hours;
84 (10) State law, ten hours; and
85 (11) Curriculum to be defined by school, not less than seventy-five hours.

86 7. Training for all classified occupations shall include practical demonstrations, written
87 and/or oral tests, and practical instruction in sanitation, sterilization and the use of antiseptics,
88 cosmetics and electrical appliances consistent with the practical and theoretical requirements as
89 applicable to the classified occupations as provided in this chapter.

90 8. No school of cosmetology shall operate within this state unless a proper license
91 pursuant to this chapter has first been obtained.

92 9. Nothing contained in this chapter shall prohibit a licensee within a cosmetology
93 establishment from teaching any of the practices of the classified occupations for which the
94 licensee has been licensed for not less than two years in the licensee's regular course of business,
95 if the owner or manager of the business does not hold himself or herself out as a school and does
96 not hire or employ or personally teach regularly at any one and the same time, more than one
97 apprentice to each licensee regularly employed within the owner's business, not to exceed one
98 apprentice per establishment, and the owner, manager, or trainer does not accept any fee for
99 instruction.

100 10. Each licensed school of cosmetology shall provide a minimum of two thousand
101 square feet of floor space, adequate rooms and equipment, including lecture and demonstration
102 rooms, lockers, an adequate library and two restrooms. The minimum equipment requirements

103 shall be: six shampoo bowls, ten hair dryers, two master dustproof and sanitary cabinets, wet
104 sterilizers, and adequate working facilities for twenty students.

105 11. Each licensed school of cosmetology for manicuring only shall provide a minimum
106 of one thousand square feet of floor space, adequate room for theory instruction, adequate
107 equipment, lockers, an adequate library, two restrooms and a clinical working area for ten
108 students. Minimum floor space requirement proportionately increases with student enrollment
109 of over ten students.

110 12. Each licensed school of cosmetology for esthetics only shall provide a minimum of
111 one thousand square feet of floor space, adequate room for theory instruction, adequate
112 equipment, lockers, an adequate library, two restrooms and a clinical working area for ten
113 students. Minimum floor space requirement increases fifty square feet per student with student
114 enrollment of over ten.

115 13. No school of cosmetology may have a greater number of students enrolled and
116 scheduled to be in attendance for a given class period than the total floor space of that school will
117 accommodate. Floor space required per student shall be no less than fifty square feet per
118 additional student beyond twenty students for a school of cosmetology, beyond ten students for
119 a school of manicuring and beyond ten students for a school of esthetics.

120 14. Each applicant for a new school shall file a written application with the board upon
121 a form approved and furnished upon request by the board. The applicant shall include a list of
122 equipment, the proposed curriculum, and the name and qualifications of any and all of the
123 instructors.

124 15. Each school shall display in a conspicuous place, visible upon entry to the school,
125 a sign stating that all cosmetology services in this school are performed by students who are in
126 training.

127 16. Any student who wishes to remain in school longer than the required training period
128 may make application for an additional training license and remain in school. A fee is required
129 for such additional training license.

130 17. All contractual fees that a student owes to any cosmetology school shall be paid
131 before such student may be allowed to apply for any examination required to be taken by an
132 applicant applying for a license pursuant to the provisions of this chapter.

329.050. 1. Applicants for examination or licensure pursuant to this chapter shall
2 possess the following qualifications:

3 (1) They [~~must be persons of good moral character,~~] **shall provide documentation of**
4 **successful completion of approved courses at an accredited school of cosmetology as**
5 **defined in this chapter**, have an education equivalent to the successful completion of the tenth
6 grade, and be at least seventeen years of age;

7 (2) If the applicants are apprentices, they shall have served and completed, as an
8 apprentice under the supervision of a licensed cosmetologist, the time and studies required by
9 the board which shall be no less than three thousand hours for cosmetologists, and no less than
10 eight hundred hours for manicurists and no less than fifteen hundred hours for esthetics.
11 However, when the classified occupation of manicurist is apprenticed in conjunction with the
12 classified occupation of cosmetologist, the apprentice shall be required to successfully complete
13 an apprenticeship of no less than a total of three thousand hours;

14 (3) If the applicants are students, they shall have had the required time in a licensed
15 school of no less than one thousand five hundred hours training or the credit hours determined
16 by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal
17 Regulations, as amended, for the classification of cosmetologist, with the exception of public
18 vocational technical schools in which a student shall complete no less than one thousand two
19 hundred twenty hours training. All students shall complete no less than four hundred hours or
20 the credit hours determined by the formula in Subpart A of Part 668 of Section 668.8 of Title 34
21 of the Code of Federal Regulations, as amended, for the classification of manicurist. All students
22 shall complete no less than seven hundred fifty hours or the credit hours determined by the
23 formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal
24 Regulations, as amended, for the classification of esthetician. However, when the classified
25 occupation of manicurist is taken in conjunction with the classified occupation of cosmetologist,
26 the student shall not be required to serve the extra four hundred hours or the credit hours
27 determined by the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of
28 Federal Regulations, as amended, otherwise required to include manicuring of nails; and

29 (4) They shall have passed an examination to the satisfaction of the board.

30 2. A person may apply to take the examination required by subsection 1 of this section
31 if the person is a graduate of a school of cosmetology or apprentice program in another state or
32 territory of the United States ~~[which has substantially the same requirements as an educational~~
33 ~~establishment licensed pursuant to this chapter]~~. A person may apply to take the examination
34 required by subsection 1 of this section if the person is a graduate of an educational
35 establishment in a foreign country that provides training for a classified occupation of
36 cosmetology, as defined by section 329.010, and has educational requirements that are
37 substantially the same requirements as an educational establishment licensed under this chapter.
38 The board has sole discretion to determine the substantial equivalency of such educational
39 requirements. The board may require that transcripts from foreign schools be submitted for its
40 review, and the board may require that the applicant provide an approved English translation of
41 such transcripts.

42 3. Each application shall contain a statement that, subject to the penalties of making a
43 false affidavit or declaration, the application is made under oath or affirmation and that its
44 representations are true and correct to the best knowledge and belief of the person signing the
45 application.

46 4. The sufficiency of the qualifications of applicants shall be determined by the board,
47 but the board may delegate this authority to its executive director subject to such provisions as
48 the board may adopt.

49 5. For the purpose of meeting the minimum requirements for examination, training
50 completed by a student or apprentice shall be recognized by the board for a period of no more
51 than five years from the date it is received.

52 **6. Applications for examination or licensure shall be denied if the applicant has**
53 **pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the**
54 **following offenses or offenses of a similar nature established under the laws of this, any**
55 **other state, the United States, or any other country, notwithstanding whether sentence is**
56 **imposed:**

57 **(1) Any dangerous felony as defined under section 556.061 or murder in the first**
58 **degree;**

59 **(2) Any of the following sexual offenses: rape in the first degree, forcible rape,**
60 **rape, statutory rape in the first degree, statutory rape in the second degree, rape in the**
61 **second degree, sexual assault, sodomy in the first degree, forcible sodomy, statutory**
62 **sodomy in the first degree, statutory sodomy in the second degree, child molestation in the**
63 **first degree, child molestation in the second degree, sodomy in the second degree, deviate**
64 **sexual assault, sexual misconduct involving a child, sexual misconduct in the first degree**
65 **under section 566.090 as it existed prior to August 28, 2013, sexual abuse under section**
66 **566.100 as it existed prior to August 28, 2013, sexual abuse in the first or second degree,**
67 **enticement of a child, or attempting to entice a child;**

68 **(3) Any of the following offenses against the family and related offenses: incest,**
69 **abandonment of a child in the first degree, abandonment of a child in the second degree,**
70 **endangering the welfare of a child in the first degree, abuse of a child, using a child in a**
71 **sexual performance, promoting sexual performance by a child, or trafficking in children;**
72 **and**

73 **(4) Any of the following offenses involving child pornography and related offenses:**
74 **promoting obscenity in the first degree, promoting obscenity in the second degree when the**
75 **penalty is enhanced to a class E felony, promoting child pornography in the first degree,**
76 **promoting child pornography in the second degree, possession of child pornography in the**
77 **first degree, possession of child pornography in the second degree, furnishing child**

78 **pornography to a minor, furnishing pornographic materials to minors, or coercing**
79 **acceptance of obscene material.**

329.060. 1. Every person desiring to sit for the examination for any of the occupations
2 provided for in this chapter shall file with the board a written application on a form supplied to
3 the applicant, and shall submit proof of the required age~~[,]~~ **and** educational qualifications, ~~and~~
4 ~~of good moral character]~~ together with the required cosmetology examination fee. Each
5 application shall contain a statement that it is made under oath or affirmation and that its
6 representations are true and correct to the best knowledge and belief of the person signing same,
7 subject to the penalties of making a false affidavit or declaration.

8 2. Upon the filing of the application and the payment of the fee, the board shall, upon
9 request, issue to the applicant, if the applicant is qualified to sit for the examination, a temporary
10 license for the practicing of the occupations as provided in this chapter. Any person receiving
11 a temporary license shall be entitled to practice the occupations designated on the temporary
12 license, under the supervision of a person licensed in ~~cosmetology]~~ **the occupation**, until the
13 expiration of the temporary license. Any person continuing to practice the occupation beyond
14 the expiration of the temporary license without being licensed in ~~cosmetology]~~ **that** occupation
15 as provided in this chapter is guilty of an infraction.

329.070. 1. Apprentices or students shall be ~~licensed]~~ **registered** with the board and
2 shall pay a student fee or an apprentice fee prior to beginning their course, and shall ~~be of good~~
3 ~~moral character and]~~ have an education equivalent to the successful completion of the tenth
4 grade.

5 2. An apprentice or student shall not be enrolled in a course of study that shall exceed
6 twelve hours per day or that is less than three hours per day. The course of study shall be no
7 more than seventy-two hours per week and no less than fifteen hours per week.

8 3. Every person desiring to act as an apprentice in any of the classified occupations
9 within this chapter shall file with the board a written application on a form supplied to the
10 applicant, together with the required apprentice fee.

329.080. 1. An instructor trainee shall be a licensed cosmetologist, esthetician or
2 manicurist and shall hold a license as an instructor trainee in cosmetology, esthetics or
3 manicuring. An applicant for a license to practice as an instructor trainee shall submit to the
4 board the required fee and a written application on a form supplied by the board upon request
5 that the applicant ~~is of good moral character, in good physical and mental health,]~~ has
6 successfully completed at least a four-year high school course of study or the equivalent, and
7 holds a Missouri license to practice as a cosmetologist, esthetician or manicurist. Each
8 application shall contain a statement that it is made under oath or affirmation and that its

9 representations are true and correct to the best knowledge and belief of the person signing the
10 application, subject to the penalties of making a false affidavit or declaration.

11 2. An applicant approved by the board shall be issued an instructor trainee license. The
12 license shall be issued for a definite period needed to complete training requirements to become
13 eligible for taking the examinations. An applicant shall be approved for an instructor trainee
14 license only for those classified occupations [~~of cosmetology~~] for which the applicant is licensed
15 at the time the instructor trainee application is submitted to the board.

16 3. The instructor trainee shall be required to complete six hundred hours of instructor
17 training within a Missouri licensed school of cosmetology consisting of a curriculum including
18 both theory and practical training to include the following:

19 (1) Two hundred hours to be devoted to basic principles of student teaching to include
20 teaching principles, lesson planning, curriculum planning and class outlines, teaching methods,
21 teaching aids, testing and evaluation;

22 (2) Fifty hours of psychology as applied to cosmetology, personality and teaching,
23 teacher evaluation, counseling, theories of learning, and speech;

24 (3) Fifty hours of business experience or management including classroom management,
25 record keeping, buying and inventorying supplies, and state law; and

26 (4) Three hundred hours of practice teaching in both theory and practical application.

27 4. For the purpose of meeting the minimum requirements for examination, training
28 completed within a school of cosmetology by an instructor trainee shall be recognized by the
29 board for a period of no more than five years from the date it is received.

30 5. The six hundred hours required pursuant to subsection 3 of this section may be
31 reduced as follows:

32 (1) Three years of experience as a [~~practicing~~] **licensed** cosmetologist, **esthetician, or**
33 **manicurist** may be substituted for three hundred hours of training. The three hundred hours will
34 be partially reduced in proportion to experience **as a licensee** greater than six months but less
35 than three; or

36 (2) Four and one-half college credit hours in teaching methodology, as defined by rule,
37 may be substituted for three hundred hours of training. Applicants requesting credit shall submit
38 to the board a certified transcript together with a course description certified by the
39 administrating education institution as being primarily directed to teaching methodology. The
40 three hundred hours will be partially reduced in proportion to college credit hours in teaching
41 methodology of less than four and one-half hours; or

42 (3) Applicants who apply from states where the requirements are not substantially equal
43 to those in force in Missouri at the time of application, may be eligible for the examination if
44 they provide[-

45 ~~——(a)—~~ an affidavit verifying a current, valid instructor license in another state, territory of
46 the United States, District of Columbia, or foreign country, state or province~~]; and~~

47 ~~——(b)— Proof of full-time work experience of not less than one year as a cosmetology~~
48 ~~instructor within the three-year period immediately preceding the application for examination].~~

329.085. 1. Any person desiring an instructor license shall submit to the board a written
2 application on a form supplied by the board showing that the applicant has met the requirements
3 set forth in section 329.080. An applicant who has met all requirements as determined by the
4 board shall be allowed to take the instructor examination, including any person who has been
5 licensed three or more years as a cosmetologist, manicurist or esthetician. If the applicant passes
6 the examination to the satisfaction of the board, the board shall issue to the applicant an
7 instructor license.

8 2. The instructor examination fee and the instructor license fee for an instructor license
9 shall be nonrefundable.

10 3. The instructor license renewal fee shall be in addition to the regular cosmetologist,
11 esthetician or manicurist license renewal fee. For each renewal the instructor shall submit proof
12 of having attended a teacher training seminar or workshop at least once every two years,
13 sponsored by any ~~[university, or]~~ Missouri vocational association, or bona fide state cosmetology
14 association specifically approved by the board to satisfy the requirement for continued training
15 of this subsection. Renewal fees shall be due and payable on or before the renewal date and, if
16 the fee remains unpaid thereafter in such license period, there shall be a late fee in addition to
17 the regular fee.

18 4. Instructors duly licensed as physicians or attorneys or lecturers on subjects not directly
19 pertaining to the practice pursuant to this chapter need not be holders of licenses provided for
20 in this chapter.

21 5. The board shall grant instructor licensure upon application and payment of a fee
22 equivalent to the sum of the instructor examination fee and the instructor license fee, provided
23 the applicant establishes compliance with the ~~[cosmetology]~~ instructor requirements of another
24 state, territory of the United States, or District of Columbia ~~[wherein the requirements are~~
25 ~~substantially equal or superior to those in force in Missouri at the time the application for~~
26 ~~licensure is filed]~~ and the applicant holds a current instructor license in the other jurisdiction at
27 the time of making application.

28 6. Any person licensed as a cosmetology instructor prior to the training requirements
29 which became effective January 1, 1979, may continue to be licensed as such, provided such
30 license is maintained and the licensee complies with the continued training requirements as
31 provided in subsection 3 of this section. Any person with an expired instructor license that is not

32 restored to current status within two years of the date of expiration shall be required to meet the
33 training and examination requirements as provided in this section and section 329.080.

329.130. [~~1.~~] The board shall grant without examination a license to practice
2 cosmetology to any applicant who holds a current license that is issued by another state, territory
3 of the United States, or the District of Columbia [~~whose requirements for licensure are~~
4 ~~substantially equal to the licensing requirements in Missouri at the time the application is filed~~
5 ~~or who has practiced cosmetology for at least two consecutive years in another state, territory of~~
6 ~~the United States, or the District of Columbia~~]. The applicant under this [subsection] **section**
7 shall pay the appropriate application and licensure fees at the time of making application. A
8 licensee who is currently under disciplinary action with another board of cosmetology shall not
9 be licensed by reciprocity under the provisions of this chapter.

10 [~~2. Any person who lawfully practiced or received training in another state who does not~~
11 ~~qualify for licensure without examination may apply to the board for licensure by examination.~~
12 ~~Upon application to the board, the board shall evaluate the applicant's experience and training~~
13 ~~to determine the extent to which the applicant's training and experience satisfies current Missouri~~
14 ~~licensing requirements and shall notify the applicant regarding his or her deficiencies and inform~~
15 ~~the applicant of the action that he or she must take to qualify to take the examination. The~~
16 ~~applicant for licensure under this subsection shall pay the appropriate examination and licensure~~
17 ~~fees.~~]

329.275. 1. The practices of cosmetology and barbering shall not include hair
2 **braiding; except that, nothing in this section shall be construed as prohibiting a licensed**
3 **cosmetologist or barber from performing the service of hair braiding as defined in section**
4 **329.010.**

5 **2. No person shall engage in hair braiding in the state of Missouri without first**
6 **registering with the board. The board may charge each registrant a fee of not more than**
7 **twenty-five dollars to cover the board's costs in registering the person and providing the**
8 **person with the brochure prepared under subsection 3 of this section, which fee shall be**
9 **uniform for all registrants. The purpose of registration of hair braiders is only to maintain**
10 **a listing of those persons who engage in hair braiding for compensation in the state and**
11 **does not authorize the board to license or regulate the practice of hair braiding in this**
12 **state, except as provided in subsection 4 of this section.**

13 **3. The board shall develop and prepare a brochure containing information about**
14 **infection control techniques and diseases of the scalp that are appropriate for hair braiding**
15 **in or outside of a salon setting. The brochure shall be made available through the division**
16 **of professional registration's website or by mail, upon request, for a fee to cover the**
17 **board's mailing costs. The brochure shall contain a self-test with questions on the**

18 **information contained in the brochure. For a person engaged in the practice of hair**
19 **braiding to be exempt from licensure under this chapter, the person shall complete the self-**
20 **test portion of the brochure and keep the brochure and completed self-test available at the**
21 **location at which such person is engaged in the practice of hair braiding.**

22 **4. Representatives of the board may visit any facility or premises in which hair**
23 **braiding is performed at any time during business hours to determine if the brochure and**
24 **completed self-test are available at the facility or premises.**

25 **5. Nothing in this section shall apply to any cosmetologists licensed to practice in**
26 **this state in their respective classifications.**

27

2 ~~[328.100. The board may at any time require any barber to whom a~~
3 ~~certificate of registration is issued to be examined at the licensee's expense by a~~
4 ~~licensed physician to ascertain if such barber is free of infectious or contagious~~
5 ~~diseases and is not afflicted with any physical or mental ailment which would~~
~~render him unfit to practice the occupation of barbering.]~~

✓