SECOND REGULAR SESSION
CORRECTED
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1500
99TH GENERAL ASSEMBLY

Reported from the Committee on Professional Registration, April 5, 2018, with recommendation that the Senate Committee Substitute do pass.

ADRIANE D. CROUSE, Secretary.

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 fourteen 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A. Sections 328.080, 328.100, 329.010, 329.040, 329.050, 329.060, 329.070, 329.080, 329.085, and 329.130, RSMo, are repealed and fourteen new sections enacted in lieu thereof, to be known as sections 328.025, 328.080, 328.080, 328.132, 329.010, 329.032, 329.033, 329.040, 329.050, 329.060, 329.070, 329.080, 329.085, 329.130, and 329.275, to read as follows:

328.025. If a license issued under this chapter has been destroyed, lost, mutilated beyond practical usage, or was never received, the licensee shall obtain a duplicate license from the board by appearing in person at the board's office or mailing, by certified mail, return receipt requested, a notarized affidavit stating that the license has been destroyed, lost, mutilated beyond practical usage, or was never received.

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

2. The board shall examine each qualified applicant and, upon successful completion of the examination and payment of the required license fee, shall issue

EXPLANATION–Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.
the applicant a license authorizing him or her to practice the occupation of barber in this state. The board shall admit an applicant to the examination, if it finds that he or she:

(1) Is seventeen years of age or older [and of good moral character];
(2) Is free of contagious or infectious diseases;
(3) Has studied for at least one thousand hours in a period of not less than six months in a properly appointed and conducted barber school under the direct supervision of a licensed instructor; or, if the applicant is an apprentice, the applicant shall have served and completed no less than two thousand hours under the direct supervision of a licensed barber apprentice supervisor;
(4) Is possessed of requisite skill in the trade of barbering to properly perform the duties thereof, including the preparation of tools, shaving, haircutting and all the duties and services incident thereto; and
(5) Has sufficient knowledge of the common diseases of the face and skin to avoid the aggravation and spread thereof in the practice of barbering.

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

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

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

328.132. No city, town, village, county, or other political subdivision shall require a barber licensed under chapter 328 or a cosmetologist licensed under chapter 329, practicing within a licensed barber shop or licensed cosmetology shop to obtain any additional license or permit, including any business license or operating license in order to practice unless the licensed barber or cosmetologist is the owner of the licensed barber shop or licensed cosmetology shop.

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

(1) "Accredited school of cosmetology or school of manicuring", an establishment operated for the purpose of teaching cosmetology as defined in this section and meeting the criteria set forth under 34 C.F.R. Part 600, sections 600.1 and 600.2;
(2) "Apprentice" or "student", a person who is engaged in training within a cosmetology establishment or school, and while so training performs any of the practices of the classified occupations within this chapter under the immediate direction and supervision of a licensed cosmetologist or instructor;

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

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

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

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

(b) "Class MO - manicurist" includes cutting, trimming, polishing, coloring, tinting, cleaning or otherwise beautifying a person's fingernails, applying artificial fingernails, massaging, cleaning a person's hands and arms; pedicuring, which includes cutting, trimming, polishing, coloring, tinting, cleaning or otherwise beautifying a person's toenails, applying artificial toenails, massaging and cleaning a person's legs and feet;

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

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

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

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

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

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

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

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

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

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

[(12)] (14) "School of cosmetology" or "school of manicuring", an establishment 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 who have met the requirements in section 329.275.
329.033. If a license issued under this chapter has been destroyed, lost, mutilated beyond practical usage, or was never received, the licensee shall obtain a duplicate license from the board by appearing in person at the board's office or mailing, by certified mail, return receipt requested, a notarized affidavit stating that the license has been destroyed, lost, mutilated beyond practical usage, or was never received.

329.040. 1. Any person of 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 must earn a minimum of fifty hours or equivalent credits of classroom training before the student may perform any of the acts of the classified occupation of manicurist on any patron or customer of the school of cosmetology;

(5) Requires for the classified occupation of esthetician, the course of study shall be no less than seven hundred fifty 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 shall earn a minimum of seventy-five hours or equivalent credits of classroom training before the student may perform any of the acts of the classified occupation of esthetics on any patron or customer of the school of cosmetology or an esthetics school.

4. The subjects to be taught for the classified occupation of cosmetology shall be as follows and the hours required for each subject shall be not less than those contained in this subsection 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:

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

5. The subjects to be taught for the classified occupation of manicurist shall be as follows and the hours required for each subject shall be not less than those contained in this subsection 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:

(1) Manicuring, hand and arm massage and treatment of nails, two hundred twenty hours;
(2) Salesmanship and shop management, twenty hours;
(3) Sanitation and sterilization, twenty hours;
(4) Anatomy, ten hours;
(5) State law, ten hours;
(6) Study of the use and application of certain chemicals, forty hours; and
(7) Curriculum to be defined by school, not less than eighty hours.

6. The subjects to be taught for the classified occupation of esthetician shall be as follows, and the hours required for each subject shall not be less than those contained in this subsection 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:

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

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

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

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

10. Each licensed school of cosmetology shall provide a minimum of two thousand square feet of floor space, adequate rooms and equipment, including lecture and demonstration rooms, lockers, an adequate library and two restrooms. The minimum equipment requirements shall be: six shampoo bowls, ten hair dryers, two master dustproof and sanitary cabinets, wet sterilizers, and adequate working facilities for twenty students.

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

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

13. No school of cosmetology may have a greater number of students enrolled and scheduled to be in attendance for a given class period than the total floor space of that school will accommodate. Floor space required per student shall be no less than fifty square feet per additional student beyond twenty students for a school of cosmetology, beyond ten students for a school of manicuring and beyond ten students for a school of esthetics.
14. Each applicant for a new school shall file a written application with
the board upon a form approved and furnished upon request by the board. The
applicant shall include a list of equipment, the proposed curriculum, and the
name and qualifications of any and all of the instructors.

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

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

17. All contractual fees that a student owes to any cosmetology school
shall be paid before such student may be allowed to apply for any examination
required to be taken by an 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 possess the following qualifications:

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

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

(3) If the applicants are students, they shall have had the required time
in a licensed school of no less than one thousand five hundred hours training 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, for the
classification of cosmetologist, with the exception of public vocational technical
schools in which a student shall complete no less than one thousand two hundred
twenty hours training. All students shall complete 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, for the 
classification of manicurist. All students shall complete no less than seven 
hundred fifty 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, for the classification of esthetician. However, when the classified 
occupation of manicurist is taken in conjunction with the classified occupation of 
cosmetologist, the student shall not be required to serve the extra 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, 
otherwise required to include manicuring of nails; and

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

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

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

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

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

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

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

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

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

   (4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree, promoting obscenity in the second degree when the penalty is enhanced to a class E felony, promoting child pornography in the first degree, promoting child pornography in the second degree, possession of child pornography in the first degree, possession of child pornography in the second degree, furnishing child pornography to a minor, furnishing pornographic materials to minors, or coercing acceptance of obscene material.

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

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

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

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

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

329.080. 1. An instructor trainee shall be a licensed cosmetologist,
esthetician or manicurist and shall hold a license as an instructor trainee in
cosmetology, esthetics or manicuring. An applicant for a license to practice as an
instructor trainee shall submit to the board the required fee and a written
application on a form supplied by the board upon request that the applicant [is
of good moral character, in good physical and mental health,] has successfully
completed at least a four-year high school course of study or the equivalent, and
holds a Missouri license to practice as a cosmetologist, esthetician or
manicurist. Each application shall contain a statement that it is made under
oath or affirmation and that its representations are true and correct to the best
knowledge and belief of the person signing the application, subject to the
penalties of making a false affidavit or declaration.

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

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

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

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

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

   and

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

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

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

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

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

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

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

(b) Proof of full-time work experience of not less than one year as a cosmetology 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 application on a form supplied by the board showing that the applicant has met the requirements set forth in section 329.080. An applicant who has met all requirements as determined by the board shall be allowed to take the instructor examination, including any person who has been licensed three or more years as a cosmetologist, manicurist or esthetician. If the applicant passes the examination to the satisfaction of the board, the board shall issue to the applicant an instructor license.

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

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

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

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

6. Any person licensed as a cosmetology instructor prior to the training requirements which became effective January 1, 1979, may continue to be licensed as such, provided such license is maintained and the licensee complies with the continued training requirements as provided in subsection 3 of this section. Any person with an expired instructor license that is not restored to current status within two years of the date of expiration shall be required to meet the 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 cosmetology to any applicant who holds a current license that is issued by another state, territory of the United States, or the District of Columbia [whose requirements for licensure are substantially equal to the licensing requirements in Missouri at the time the application is filed or who has practiced cosmetology for at least two consecutive years in another state, territory of the United States, or the District of Columbia]. The applicant under this subsection shall pay the appropriate application and licensure fees at the time of making application. A licensee who is currently under disciplinary action with another board of cosmetology shall not be licensed by reciprocity under the provisions of this chapter.

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

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

2. No person shall engage in hair braiding for compensation in
the state of Missouri without first registering with the
board. Applicants for a certificate of registration to engage in hair
braiding shall submit to the board an application and a required fee,
as set by the board. Such fee shall not exceed twenty dollars. Prior to
receiving a certificate, each applicant shall also watch an instructional
video prepared by the board in accordance with subsection 4 of this
section.

3. Registered hair braiders shall keep their information that the
board requires for initial registration current and up to date with the
board.

4. The board shall develop and prepare an instructional video,
no more than two hours in length, that contains information about
infection control techniques and diseases of the scalp that are
appropriate for hair braiding in or outside of a salon setting and any
other information to be determined by the board. The instructional
video shall be made available to applicants through the division of
professional registration's website. The board shall also develop and
prepare a brochure that contains a summary of the information
contained in the instructional video. The brochure shall be made
available through the division of professional registration's website, or
by mail, upon request, for a fee to cover the board's mailing costs.

5. Any person who registers as a hair braider under this section
shall post a copy of his or her certificate of registration in a
conspicuous place at his or her place of business. If the person is
operating outside his or her place of business he or she shall provide
to the client or customer a copy of his or her certificate of registration.

6. (1) The board may inspect hair braiding establishments or
facilities where hair braiding occurs during business hours to ensure:
(a) Persons registered as hair braiders are not operating outside
the scope of practice of hair braiding; and
(b) Compliance with this section and rules promulgated
thereunder;
(2) In addition to the causes listed in section 329.140, the board
may also suspend or revoke a certificate of registration if a person
registered as a hair braider is found to be operating outside the scope
of practice of hair braiding.

7. Nothing in this section shall apply to any cosmetologists
licensed to practice in this state in their respective classifications.

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