

SECOND REGULAR SESSION

HOUSE BILL NO. 1794

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRIER.

5219H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 328.075, 328.080, and 328.120, RSMo, and to enact in lieu thereof three new sections relating to barbering.

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

Section A. Sections 328.075, 328.080, and 328.120, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 328.075, 328.080, and 328.120, to read as follows:

328.075. 1. Any person desiring to practice as an apprentice for barbering in this state shall, **before beginning his or her apprenticeship:**

(1) Complete the sixty hours of instruction described in section 328.080;

(2) Apply to the board~~[-shall be registered]~~ ;

(3) Register as an apprentice with the board~~[-and shall]~~ ; and

(4) Pay the appropriate fees ~~[prior to beginning their apprenticeship]~~.

Barber apprentices shall be of good moral character and shall be at least seventeen years of age.

2. Any ~~[person]~~ **establishment** desiring to ~~[act as an apprentice supervisor]~~ **supervise apprentices** for barbering in this state shall first possess a license ~~[to practice the occupation of barbering]~~ **from the board under section 328.115**, apply to the board, pay the appropriate fees, ~~[complete an eight-hour apprentice supervision instruction course certified by the board, and be issued a license as a barber apprentice supervisor prior to supervising barber apprentices]~~ **and meet any other requirements set by the board.**

3. The board may promulgate rules establishing the criteria for the supervision and training of barber apprentices.

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.

17 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
18 under the authority delegated in this section shall become effective only if it complies with and
19 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
20 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
21 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule
22 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
23 proposed or adopted after August 28, 2004, shall be invalid and void.

 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~~ **completed** at least ~~[one thousand]~~ **sixty** hours ~~[in a period of not~~
10 ~~less than six months]~~ **of instruction in the areas of health, safety, and well-being, as**
11 **determined by the board**, in a properly appointed and conducted barber school ~~[under the direct~~
12 ~~supervision of a licensed instructor; or, if the applicant is an apprentice, the applicant shall have~~
13 ~~served and completed no less than two thousand hours under the direct supervision of a licensed~~
14 ~~barber apprentice supervisor]~~ . **The instruction may be completed online;**

15 (4) **Has served and completed an apprenticeship of at least one hundred hours at**
16 **one or more establishments authorized by the board to supervise apprentices;**

17 (5) Is possessed of requisite skill in the trade of barbering to properly perform the duties
18 thereof, including the preparation of tools, shaving, haircutting and all the duties and services
19 incident thereto; and

20 ~~[(5)]~~ (6) Has sufficient knowledge of the common diseases of the face and skin to avoid
21 the aggravation and spread thereof in the practice of barbering.

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

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

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

 328.120. 1. Any firm, corporation or person may make application to the board for a
2 license to own and operate a barber school or college on the form prescribed by the board. Every

3 barber school or college in which the occupation of barbering is taught shall be required to obtain
4 a license from the board prior to opening. The license shall be issued upon approval of the
5 application by the board, the payment of the required fees, and the board's determination that the
6 applicant meets all other requirements of this chapter and any rules promulgated thereunder. The
7 license shall be kept posted in plain view within the barber school or college at all times.

8 2. A barber school or college license renewal application and fee shall be submitted on
9 or before the renewal date of any school or college license issued under this section. If the barber
10 school or college license renewal fee is not paid on or before the renewal date, a late fee shall be
11 added to the regular license renewal fee.

12 3. The board shall promulgate rules and regulations regarding the course of study in a
13 barber school or college, and may revoke any license issued hereunder for any violation of the
14 provisions of this section or rule promulgated pursuant to this section. The board shall follow
15 the procedure prescribed by chapter 621 to revoke a barber school license. Licenses shall not be
16 restricted to any one group or person but shall be granted to any reasonably qualified person or
17 group under a fair and nondiscriminating method of determination.

18 4. ~~[There shall be not less than one teacher or instructor for every fifteen students in any
19 barber school or college holding a license under this section.~~

20 ~~———5.]~~ The barber school or college shall immediately file with the board the name and age
21 of each student entering the school, and the board shall cause the same to be entered in a register
22 kept for that purpose. A registration fee shall be paid by the student.

23 ~~[6.]~~ **5.** The barber school or college shall certify to the board the names of all students
24 who successfully completed a course of study approved by the board and consisting of at least
25 ~~[one thousand]~~ **sixty** hours of study ~~[under the direct supervision of a licensed instructor in a
26 period of not less than six months].~~

27 ~~[7.]~~ **6.** No rule or portion of a rule promulgated under the authority of this chapter shall
28 become effective unless it has been promulgated pursuant to the provisions of section 536.024.

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