

HOUSE RESEARCH

Bill Summary

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Overview

Makes various changes in laws governing the Board of Barber Examiners.

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- 1** **Board of Barber Examiners.** Provides that the Board of Barber Examiners will have four, instead of three, barber members. As under current law, there will continue to be one public member.
- 2** **Officers; compensation; fees; expenses.** Clarifies that section 214.09, governs compensation for board members. Under section 214.09, compensation is \$55 per day spent on board activities, plus expense reimbursement.
- 3** **Fees.** Strikes references to various fees relating to apprentices.
- 4** **Registration mandatory.** States that registration of the practice of barbering serves public health and safety. States that a registered barber may provide barbering services only in a registered barber shop or school, unless prior authorization is given by the board. Strikes references to apprentices. Provides that barber shop registration cards must be issued to the barber shop establishment address. Provides that barber instruction must be provided only in registered barber schools.
- 5** **Definitions.** Amends list of practices that constitute barbering. Defines “barber school,” “barber shop,” “certificate of registration,” “designated registered barber,” and “registered barber.”
- 6** **Persons exempt from registration.** Under current law, nurses and nursing aides are exempt from barbering laws while performing professional duties under supervision of an RN. This section expands the exemption to include nurses and nursing aides under supervision of a

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physician. Amends the exemption for cosmetologists to apply when they are providing cosmetology services, as defined in law. Current law says that cosmetologists shall not hold themselves out of barbers or practice in a barber shop. This section strikes “except in the case of nail technicians” from this provision. Current law exempt persons who perform barbering services for charitable purposes and without compensation in certain facilities. This section adds individual homes to that exemption.

- 7 **Who may receive certificates of registration.** States requirements for receiving a certificate of registration as a registered barber: (1) complete ten grades of education; (2) successfully complete 1,500 hours of study in a barber school, or have a cosmetology license, certification, or registration and complete 500 hours of study; and (3) pass an exam.
- 8 **Qualifications; instructor.** Clarifies the reference to experience in other states in the law governing qualifications for barber instructors.
- 9 **Examinations.** Strikes language stating that a temporary instructor certificate may be valid only until the next examination. The current law, saying that the board may prescribe terms and conditions for this, is not changed.
- 10 **Barber schools.** Amends various provisions relating to barber schools, including prerequisites to admission, maximum hours of schooling per day, course of instruction, student/instructor ratio, own requirements, and requirements for a designated operator.
- 11 **Application; fee.** Requires application for examination to be notarized.
- 12 **Examinations.** States educational requirements for barber students who completed school more than four years prior to application and for registered barbers who fail to renew for four or more years. Strikes requirement for an oral test. Strikes references to apprentices.
- 13 **Certificate or registration; fees.** Strikes references to apprentices.
- 14 **Examination of nonresidents.** Amends provisions governing licensure by presenting credentials for another state or country, and provisions governing educational requirements for individuals without credentials from another state or country.
- 15 **Temporary military permits.** Strikes references to apprentice barbers.
- 16 **Certificates of registration and temporary permits to be displayed.** Provides that an instructor’s and a school’s certificates of registration must be displayed in a part of the barber school that is accessible to the public.
- 17 **Certificates of registration must be renewed annually.** Strikes references to registered apprentices.
- 18 **Registration actions.** Strikes references to apprentices and updates statutory range references.
- 19 **Reinstatement.** Updates statutory range references.
- 20 **Administrative penalties.** Provides that penalty for missing or lapsed shop registration is *up to* \$500 (instead of \$500), and penalties for unregistered barbers are *up to* \$500 (first occurrence) and \$1,000 (second occurrence).

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- 21** **Violations.** Strikes references to apprentices. Changes “beauty parlor” reference to refer instead to “cosmetology salon”. Refers to “sanitation and disinfection” provisions, replacing “sanitary” provisions, and makes this reference apply to any barber workstation in a shop or school.
- 22** **Perjury.** Changes statutory range references.
- 23** **Rules.** Changes statutory range references. Refers to “sanitation and disinfection” provisions, replacing “sanitary” provisions. Strikes reference to apprentices.
- 24** **Not to serve certain persons.** Strikes references to specific diseases and conditions, leaving in place a reference to a person, in a dangerous or infectious state of disease, with contagious or infectious disease. Changes statutory range references.
- 25** **Rulemaking.** Authorizes the Board of Barber examiners to use expedited rulemaking procedures to amend Minnesota Rules, chapter 2100, to conform with this act. (Chapter 2100 contains all of the Board’s rules).
- 26** **Transitioning apprentice barbers to registered barbers.** Provides that an apprentice barber practicing on August 1, 2016, is eligible to apply for registered barber status. An apprentice barber must take the registered barber exam. Provides that all apprentice barber registrations will be discontinued on December 31, 2017.
- 27** **Repealer.** Repeals:
- 154.03: Apprentices may be employed
 - 154.06: Certificates of a registered apprentice
 - 154.11, subd. 2 : Temporary apprentice permits for nonresidents
 - 154.12: Examination of nonresident apprentices
- 28** **Effective date.** The act is effective August 1, 2016