2023

PCS for HB 1251

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1	A bill to be entitled
2	An act relating to limited barbering; amending s.
3	476.144, F.S.; authorizing persons without a license
4	to practice barbering to perform restricted barbering
5	at barbershops if certain requirements are met;
6	amending ss. 476.184, 476.188, 476.194, and 476.204,
7	F.S.; conforming provisions to changes made by the
8	act; amending s. 476.214, F.S.; authorizing the
9	Barbers' Board to discipline persons authorized to
10	practice restricted barbering; providing an effective
11	date; providing an effective date.
12	
13	Be It Enacted by the Legislature of the State of Florida:
14	
15	Section 1. Subsection (8) is added to section 476.144,
16	Florida Statutes, to read:
17	476.144 Licensure
18	(8)(a) As used in this chapter, "limited barbering" means
19	the following practices when done for remuneration for the
20	public, but not when done for the treatment of disease or
21	physical or mental ailments:
22	1. Hair cutting and styling, including the application of
23	hair tonics and hair spray, but not including the application of
24	any other chemical preparations or solutions to the hair,
25	2. Mustache and beard trimming, and
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3. Shampooing the hair, including the application of

27 shampoos and hair conditioners, and blow drying the hair. 28 (b) Notwithstanding any other provision of this chapter or board rule, a person without a license to practice barbering, 29 30 who has not completed the examination or training required under s. 476.114 may perform limited barbering, if: 31 32 1. The person registers his or her name with the board. 2. The person performs limited barbering in a licensed 33 34 barbershop with a licensed barber present. 35 3. The person has completed the continuing educational course approved by the board on human immunodeficiency virus and 36 37 acquired immune deficiency syndrome, as required by s. 455.2228. 4. The person complies with all safety and sanitation 38 39 requirements for barbershop personnel while practicing limited 40 barbering at a licensed barbershop. 41 (c) Upon receipt of the registration request, the board: 42 1. May not charge a fee for such registration. 43 2. May deny such registration if the person has been 44 disciplined relating to the practice of barbering in the previous 3 years in any jurisdiction or as provided under s. 45 46 455.213(3). 47 3. Must list the person on the department's website as a 48 limited barber upon granting a registration. Section 2. Subsection (10) of section 476.184, Florida 49 50 Statutes, is amended to read:

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51	476.184 Barbershop licensure; requirements; fee;
52	inspection; license display
53	(10) Each barbershop shall display, in a conspicuous
54	place, the barbershop license and each individual licensee's
55	certificate or each individual's proof of limited barbering
56	registration.
57	Section 3. Subsection (1) of section 476.188, Florida
58	Statutes, is amended to read:
59	476.188 Barber services to be performed in registered
60	barbershop; exception
61	(1) Barber services shall be performed only by licensed
62	barbers in registered barbershops, except as otherwise provided
63	in this section. However, a person registered to perform limited
64	barbering pursuant to s. 476.144(8) may perform limited
65	barbering in a licensed barbershop.
66	Section 4. Paragraphs (a), (b), and (d) of subsection (1)
67	of section 476.194, Florida Statutes, are amended to read:
68	476.194 Prohibited acts
69	(1) It is unlawful for any person to:
70	(a) Engage in the practice of barbering without an active
71	license as a barber issued pursuant to the provisions of this
72	act by the department, unless the person is registered to
73	perform limited barbering under s. 476.144(8).
74	(b) Hire or employ any person to engage in the practice of
75	barbering unless such person holds a valid license as a barber
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76	or is registered to perform limited barbering under s.
77	476.144(8).
78	(d) Own, operate, maintain, open, establish, conduct, or
79	have charge of, either alone or with another person or persons,
80	a barbershop:
81	1. Which is not licensed under the provisions of this
82	chapter; or
83	2. In which a person not licensed as a barber is permitted
84	to perform services, unless the person is registered to perform
85	limited barbering under s. 476.144(8).
86	Section 5. Paragraph (a) of subsection (1) of section
87	476.204, Florida Statutes, is amended to read:
88	476.204 Penalties
89	(1) It is unlawful for any person to:
90	(a) Hold himself or herself out as a barber unless duly
91	licensed as provided in this chapter or registered to perform
92	limited barbering under s. 476.144(8).
93	Section 6. Subsections (1) and (2) of section 476.214,
94	Florida Statutes, are amended to read:
95	476.214 Grounds for suspending, revoking, or refusing to
96	grant license or certificate
97	(1) The board shall have the power to revoke or suspend
98	any license, registration card, or certificate of registration <u>,</u>
99	including a registration to practice limited barbering, issued
100	pursuant to this act, or to reprimand, censure, deny subsequent
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101 licensure of, or otherwise discipline any holder of a license, 102 registration card, or certificate of registration, including a 103 registration to practice limited barbering, issued pursuant to 104 this act, for any of the following causes: 105 Gross malpractice or gross incompetency in the (a) 106 practice of barbering; 107 (b) Practice by a person knowingly having an infectious or 108 contagious disease; or 109 (C) Commission of any of the offenses described in s. 110 476.194. The board shall keep a record of its disciplinary 111 (2) 112 proceedings against holders of licenses or certificates of 113 registration, including a registration to practice limited 114 barbering, issued pursuant to this act. 115 Section 7. This act shall take effect July 1, 2023.

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