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1 A bill to be entitled
2 An act relating to barbering; amending s. 476.034, F.S.;
3 defining the terms "barbering intern" and "internship
4 sponsor"; creating s. 476.145, F.S.; providing for the
5 selection and placement of barbering interns; requiring a
6 school of barbering or a barbering program to provide
7 written notice to the Barbers' Board regarding the
8 internship sponsor and the barbering intern; providing
9 requirements and duties of the internship sponsor;
10 requiring a barbershop to post notice regarding services
11 of a student intern; requiring a barbering intern to
12 possess written authorization to practice barbering;
13 requiring the board to establish education prerequisites
14 for barbering internships; authorizing the board to
15 terminate an internship of a barbering intern or the
16 sponsorship of an internship sponsor; requiring the board
17 to give notice of termination; amending s. 476.188, F.S.;
18 authorizing barber services to be provided by barbering
19 interns; amending s. 476.192, F.S.; providing a limit on
20 the registration fee for internship sponsors; amending s.
21 476.194, F.S., relating to prohibited acts, to conform;
22 providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. Section 476.034, Florida Statutes, is amended
27 to read:

28 476.034 Definitions.—As used in this act:

29 (1) "Barber" means a person who is licensed to engage in
 30 the practice of barbering in this state under the authority of
 31 this chapter.

32 (2) "Barbering" means any of the following practices when
 33 done for remuneration and for the public, but not when done for
 34 the treatment of disease or physical or mental ailments:
 35 shaving, cutting, trimming, coloring, shampooing, arranging,
 36 dressing, curling, or waving the hair or beard or applying oils,
 37 creams, lotions, or other preparations to the face, scalp, or
 38 neck, either by hand or by mechanical appliances.

39 (3) "Barbering intern" means a student enrolled in a
 40 1,200-hour barbering program who participates in an optional
 41 work-experience internship under the direct supervision of a
 42 licensed barber in a licensed barbershop.

43 (4)~~(3)~~ "Barbershop" means any place of business wherein
 44 the practice of barbering is carried on.

45 (5)~~(4)~~ "Board" means the Barbers' Board.

46 (6)~~(5)~~ "Department" means the Department of Business and
 47 Professional Regulation.

48 (7) "Internship sponsor" means a licensed barber
 49 registered with the board for the purpose of supervising a
 50 barbering intern and ensuring compliance by the intern with the
 51 laws and rules of this state and the internship requirements
 52 established by the board and administered through a school of
 53 barbering or a barbering program.

54 Section 2. Section 476.145, Florida Statutes, is created
 55 to read:

56 476.145 Barbering internships.-

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57 (1) The selection and placement of barbering interns shall
58 be determined by the school of barbering or the barbering
59 program. The school or program shall determine whether a student
60 is eligible to become a barbering intern and whether an
61 internship sponsor meets the requirements for its educational
62 objectives. The school or program, on behalf of the student,
63 shall provide written notice to the board that an internship
64 sponsor has been selected and name the barbering intern to be
65 supervised. The school or program shall determine the length and
66 schedule of an individual barbering internship, but such
67 internship may not exceed 12 months. Internships may not
68 substitute or take the place of educational or licensure
69 requirements.

70 (2) Each internship sponsor shall obtain approval from a
71 school of barbering or barbering program and shall register with
72 the board before accepting placement of each barbering intern.
73 The application for registration must include the name and
74 contact person of the school or program placing the intern, the
75 name and address of the internship sponsor, and other
76 information that the board requires.

77 (3) The internship sponsor must have an active license and
78 shall actively supervise the barbering intern in the practice of
79 barbering pursuant to rules established by the board. A
80 barbering intern may practice only within the field of barbering
81 in which he or she is engaged in the course of study. The
82 internship sponsor shall ensure that the barbering intern is
83 complying with the laws and rules governing barbering and is
84 complying with the educational objectives and guidelines

85 established by the school of barbering or the barbering program
86 and the board.

87 (4) All services provided by the barbering intern shall be
88 expressly approved by the internship sponsor and contracted for
89 by the internship sponsor. The internship sponsor shall ensure
90 that the public is clearly informed that the barbering intern is
91 not a licensed barber.

92 (5) Pursuant to rules established by the board, the
93 barbershop in which a barbering intern is engaged in the
94 practice of barbering shall post notice in a conspicuous manner
95 within the barbershop indicating that a student intern is
96 providing services on the premises.

97 (6) A barbering intern shall possess written documentation
98 of his or her authorization to engage in the practice of
99 barbering from the student's school of barbering or barbering
100 program and shall furnish such documentation to the department
101 before engaging in the practice of barbering and upon request by
102 department personnel.

103 (7) The board shall establish by rule the education
104 prerequisites for barbering internships, including the minimum
105 number of hours of classroom instruction and required course
106 work. The board shall establish by rule the number of permitted
107 barbering internships per internship sponsor, the minimum and
108 maximum number of internship hours, and the recommended
109 educational objectives and guidelines for an internship program
110 in a school of barbering or barbering program.

111 (8) The board may terminate the internship of any
112 barbering intern and the sponsorship of any internship sponsor

113 for a violation of the laws and rules governing barbering and
 114 board rules governing internships. The board shall provide
 115 notice of termination of an internship to the internship
 116 sponsor, the school of barbering or barbering program, and the
 117 barbering intern. In the case of a terminated barbering
 118 internship, the school or program shall determine the
 119 educational status of the barbering intern.

120 Section 3. Subsection (1) of section 476.188, Florida
 121 Statutes, is amended to read:

122 476.188 Barber services to be performed in registered
 123 barbershop; exception.—

124 (1) Barber services shall be performed only by a licensed
 125 barber or a barbering intern supervised by a licensed barber
 126 ~~barbers~~ in a registered barbershop ~~barbershops~~, except as
 127 otherwise provided in this section.

128 Section 4. Subsection (1) of section 476.192, Florida
 129 Statutes, is amended to read:

130 476.192 Fees; disposition.—

131 (1) The board shall set by rule fees according to the
 132 following schedule:

133 (a) For barbers, fees for original licensing, license
 134 renewal, and delinquent renewal may ~~shall~~ not exceed \$100.

135 (b) For barbers, fees for endorsement application,
 136 examination, and reexamination may ~~shall~~ not exceed \$150.

137 (c) For barbershops, fees for license application,
 138 original licensing, license renewal, and delinquent renewal may
 139 ~~shall~~ not exceed \$150.

140 (d) For duplicate licenses and certificates, fees may

141 ~~shall~~ not exceed \$25.

142 (e) For internship sponsors, fees for registration may not
 143 exceed \$30.

144 Section 5. Section 476.194, Florida Statutes, is amended
 145 to read:

146 476.194 Prohibited acts.—

147 (1) It is unlawful for any person to:

148 (a) Engage in the practice of barbering as a barbering
 149 intern without authorization or ~~without an active license~~ as a
 150 barber without an active license issued pursuant to the
 151 provisions of this act by the department.

152 (b) Engage in willful or repeated violations of this act
 153 or of any of the rules adopted by the board.

154 (c) Hire or employ any person to engage in the practice of
 155 barbering unless such person holds a valid license as a barber
 156 or is authorized as a barbering intern under this chapter and
 157 supervised by a licensed barber.

158 (d) Obtain or attempt to obtain a license for money other
 159 than the required fee or any other thing of value or by
 160 fraudulent misrepresentations.

161 (e) Own, operate, maintain, open, establish, conduct, or
 162 have charge of, either alone or with another person or persons,
 163 a barbershop:

164 1. Which is not licensed under the provisions of this
 165 chapter; or

166 2. In which a person who is not licensed as a barber or
 167 authorized as a barbering intern ~~as a barber~~ is permitted to
 168 perform services.

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169 (f) Use or attempt to use a license to practice barbering
170 when the ~~said~~ license is suspended or revoked.

171 (2) Any person who violates any provision of this section
172 commits ~~is guilty of~~ a misdemeanor of the second degree,
173 punishable as provided in s. 775.082 or s. 775.083.

174 Section 6. This act shall take effect July 1, 2011.