

By Senator Rodriguez

40-01143B-23

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1 A bill to be entitled
2 An act relating to restricted 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. 476.188, 476.194, and 476.204, F.S.;
7 conforming provisions to changes made by the act;
8 amending s. 476.214, F.S.; authorizing the Barbers'
9 Board to discipline persons authorized to practice
10 restricted barbering; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Subsection (8) is added to section 476.144,
15 Florida Statutes, to read:

16 476.144 Licensure.—

17 (8) Notwithstanding any other provision of this chapter or
18 board rule, a person without a license to practice barbering may
19 perform services designated by the board as restricted
20 barbering, provided that all of the following apply:

21 (a) The person performs restricted barbering under the
22 supervision of a licensed barber in a licensed barbershop.

23 (b) The person has not been disciplined relating to the
24 practice of barbering in the previous 5 years.

25 (c) If board rules require completion of an education
26 course on sanitation safety, including education on the subjects
27 of human immunodeficiency virus and acquired immune deficiency
28 syndrome, as a condition of granting a license to practice
29 barbering, the person has successfully completed such education

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30 course requirements to the same extent as would be required to
31 receive a license to practice barbering.

32 Section 2. Subsection (1) of section 476.188, Florida
33 Statutes, is amended to read:

34 476.188 Barber services to be performed in registered
35 barbershop; exception.—

36 (1) Barber services shall be performed only by licensed
37 barbers in registered barbershops, except as otherwise provided
38 in this section. However, a person authorized to perform
39 restricted barbering pursuant to s. 476.144(8) may perform
40 restricted barbering in a licensed barbershop.

41 Section 3. Paragraphs (a), (b), and (d) of subsection (1)
42 of section 476.194, Florida Statutes, are amended to read:

43 476.194 Prohibited acts.—

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

45 (a) Engage in the practice of barbering without an active
46 license as a barber issued pursuant to the provisions of this
47 act by the department, unless the person is authorized to
48 perform restricted barbering under s. 476.144(8).

49 (b) Hire or employ any person to engage in the practice of
50 barbering unless such person holds a valid license as a barber
51 or is authorized to perform restricted barbering under s.
52 476.144(8).

53 (d) Own, operate, maintain, open, establish, conduct, or
54 have charge of, either alone or with another person or persons,
55 a barbershop:

56 1. Which is not licensed under the provisions of this
57 chapter; or

58 2. In which a person not licensed as a barber is permitted

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59 to perform services, unless the person is authorized to perform
60 restricted barbering under s. 476.144(8).

61 Section 4. Paragraph (a) of subsection (1) of section
62 476.204, Florida Statutes, is amended to read:

63 476.204 Penalties.—

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

65 (a) Hold himself or herself out as a barber unless he or
66 she is authorized to provide barbering or restricted barbering
67 ~~duly licensed~~ as provided in this chapter.

68 Section 5. Subsections (1) and (2) of section 476.214,
69 Florida Statutes, are amended to read:

70 476.214 Grounds for suspending, revoking, or refusing to
71 grant license or certificate.—

72 (1) The board shall have the power to revoke or suspend any
73 authorization to practice restricted barbering, license,
74 registration card, or certificate of registration issued
75 pursuant to this act, or to reprimand, censure, deny subsequent
76 licensure of, or otherwise discipline any person authorized to
77 practice restricted barbering or any holder of a license,
78 registration card, or certificate of registration issued
79 pursuant to this act, for any of the following causes:

80 (a) Gross malpractice or gross incompetency in the practice
81 of barbering;

82 (b) Practice by a person knowingly having an infectious or
83 contagious disease; or

84 (c) Commission of any of the offenses described in s.
85 476.194.

86 (2) The board shall keep a record of its disciplinary
87 proceedings against persons authorized to practice restricted

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88 barbering and holders of licenses or certificates of
89 registration issued pursuant to this act.

90 Section 6. This act shall take effect July 1, 2023.