

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Regulatory Reform &
 2 Economic Development Subcommittee
 3 Representative Valdés offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
 7 Section 1. Subsection (8) is added to section 476.144,
 8 Florida Statutes, to read:
 9 476.144 Licensure.—

10 (8)(a) Limited barbering only includes the following
 11 practices when done for remuneration and for the public, but not
 12 when done for the treatment of disease or physical or mental
 13 ailments:

14 1. Hair cutting and styling, including the application of
 15 hair tonics and hair spray, but not including the application of
 16 any other chemical preparations or solutions to the hair,

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17 2. Mustache and beard trimming,

18 3. Shampooing hair, including the application of shampoos
19 and hair conditioners and blow drying the hair

20 (b) Notwithstanding any other provision of this chapter or
21 board rule, a person without a license to practice barbering and
22 who has not completed an examination or training required under
23 s. 476.114 may perform limited barbering, if:

24 1. The person registers his or her name with the board.

25 2. The person performs limited barbering in a licensed
26 barbershop with a licensed barber present.

27 3. The person has completed a continuing educational
28 course approved by the board on human immunodeficiency virus and
29 acquired immune deficiency syndrome, as required by s. 455.2228.

30 4. The person complies with all safety and sanitation
31 requirements for barbershop personnel while practicing limited
32 barbering.

33 (c) Upon receipt of the registration request, the board:

34 a. May not charge a fee for such registration.

35 b. May deny such registration if the person has been
36 disciplined relating to the practice of barbering in the
37 previous 5 years in any jurisdiction or as provided under s.
38 455.213(3).

39 2. Must list the person on department's website as a
40 limited barber if he or she is granted a registration.

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41 Section 2. Subsection (10) of section 476.184, Florida
42 Statutes, is amended to read:

43 476.184 Barbershop licensure; requirements; fee;
44 inspection; license display.—

45 (10) Each barbershop shall display, in a conspicuous
46 place, the barbershop license and each individual licensee's
47 certificate or each individual's proof of limited barber
48 registration.

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

51 476.188 Barber services to be performed in registered
52 barbershop; exception.—

53 (1) Barber services shall be performed only by licensed
54 barbers in registered barbershops, except as otherwise provided
55 in this section. However, a person registered to perform limited
56 barbering pursuant to s. 476.144(8) may perform limited
57 barbering in a licensed barbershop.

58 Section 4. Paragraphs (a), (b), and (d) of subsection (1)
59 of section 476.194, Florida Statutes, are amended to read:

60 476.194 Prohibited acts.—

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

62 (a) Engage in the practice of barbering without an active
63 license as a barber issued pursuant to the provisions of this
64 act by the department, unless the person is registered to
65 perform limited barbering under s. 476.144(8).

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66 (b) Hire or employ any person to engage in the practice of
67 barbering unless such person holds a valid license as a barber
68 or is registered to perform limited barbering under s.
69 476.144(8).

70 (d) Own, operate, maintain, open, establish, conduct, or
71 have charge of, either alone or with another person or persons,
72 a barbershop:

73 1. Which is not licensed under the provisions of this
74 chapter; or

75 2. In which a person not licensed as a barber is permitted
76 to perform services, unless the person is registered to perform
77 limited barbering under s. 476.144(8).

78 Section 5. Paragraph (a) of subsection (1) of section
79 476.204, Florida Statutes, is amended to read:

80 476.204 Penalties.—

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

82 (a) Hold himself or herself out as a barber unless duly
83 licensed as provided in this chapter or registered to perform
84 limited barbering under s. 476.144(8).

85 Section 6. Subsections (1) and (2) of section 476.214,
86 Florida Statutes, are amended to read:

87 476.214 Grounds for suspending, revoking, or refusing to
88 grant license or certificate.—

89 (1) The board shall have the power to revoke or suspend
90 any registration to practice limited barbering, license,

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91 registration card, or certificate of registration issued
92 pursuant to this act, or to reprimand, censure, deny subsequent
93 licensure of, or otherwise discipline any person registered to
94 practice limited barbering or any holder of a license,
95 registration card, or certificate of registration issued
96 pursuant to this act, for any of the following causes:

97 (a) Gross malpractice or gross incompetency in the
98 practice of barbering;

99 (b) Practice by a person knowingly having an infectious or
100 contagious disease; or

101 (c) Commission of any of the offenses described in s.
102 476.194.

103 (2) The board shall keep a record of its disciplinary
104 proceedings against persons registered to practice limited
105 barbering and holders of licenses or certificates of
106 registration issued pursuant to this act.

107 Section 7. This act shall take effect July 1, 2023.

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109
110 **T I T L E A M E N D M E N T**

111 Remove lines 2-6 and insert:

112 An act relating to limited barbering; amending s. 476.144, F.S.;
113 authorizing persons without a license to practice barbering to
114 perform restricted barbering at barbershops if certain

COMMITTEE/SUBCOMMITTEE AMENDMENT

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115 requirements are met; amending ss. 476.184, 476.188, 476.194,
116 and 476.204, F.S.;