

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.

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

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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  
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  
 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  
 73 any 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

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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  
81 | practice 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  
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.