

By Senator Perry

9-00543-24

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1 A bill to be entitled
 2 An act relating to limited barbering; amending s.
 3 476.144, F.S.; defining the term "limited barbering";
 4 authorizing persons without a license to practice
 5 barbering to perform limited barbering in licensed
 6 barbershops if certain requirements are met; providing
 7 requirements for the Barbers' Board; amending ss.
 8 476.184, 476.188, 476.194, and 476.204, F.S.;
 9 conforming provisions to changes made by the act;
 10 amending s. 476.214, F.S.; authorizing the board to
 11 discipline persons authorized to perform limited
 12 barbering; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

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 16 Section 1. Subsection (8) is added to section 476.144,
 17 Florida Statutes, to read:

18 476.144 Licensure.—

19 (8) (a) As used in this chapter, the term "limited
 20 barbering" means the following practices when done for
 21 remuneration for the public, but not when done for the treatment
 22 of disease or physical or mental ailments:

23 1. Hair cutting and styling, including the application of
 24 hair tonics and hair spray, but not including the application of
 25 any other chemical preparations or solutions to the hair.

26 2. Mustache and beard trimming.

27 3. Shampooing hair, including the application of hair
 28 shampoos and hair conditioners, and blow drying hair.

29 (b) Notwithstanding any other provision of this chapter or

9-00543-24

2024704__

board rule, a person without a license to practice barbering who has not completed the examination or training required under s. 476.114 may perform limited barbering if the person:

1. Registers his or her name with the board.

2. Performs limited barbering in a licensed barbershop with a licensed barber present.

3. Has completed the continuing educational course approved by the board on human immunodeficiency virus and acquired immune deficiency syndrome required under s. 455.2228.

4. Complies with all safety and sanitation requirements for barbershop personnel while performing limited barbering in a licensed barbershop.

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

1. May not charge a fee for such registration.

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

3. Must list the person on the department's website as a limited barber upon granting a registration.

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

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

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

Section 3. Subsection (1) of section 476.188, Florida

9-00543-24

2024704__

59 Statutes, is amended to read:

60 476.188 Barber services to be performed in registered
61 barbershop; exception.—

62 (1) Barber services shall be performed only by licensed
63 barbers in registered barbershops, except as otherwise provided
64 in this section. However, a person registered to perform limited
65 barbering under s. 476.144(8) may perform limited barbering in a
66 licensed barbershop.

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

69 476.194 Prohibited acts.—

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

71 (a) Engage in the practice of barbering without an active
72 license as a barber issued pursuant to ~~the provisions of this~~
73 act by the department, unless the person is registered to
74 perform limited barbering under s. 476.144(8).

75 (b) Hire or employ any person to engage in the practice of
76 barbering unless such person holds a valid license as a barber
77 or is registered to perform limited barbering under s.
78 476.144(8).

79 (d) Own, operate, maintain, open, establish, conduct, or
80 have charge of, either alone or with another person or persons,
81 a barbershop:

82 1. Which is not licensed under ~~the provisions of this~~
83 chapter; or

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

87 Section 5. Paragraph (a) of subsection (1) of section

9-00543-24

2024704__

88 476.204, Florida Statutes, is amended to read:

89 476.204 Penalties.—

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

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

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

96 476.214 Grounds for suspending, revoking, or refusing to
97 grant license or certificate.—

98 (1) The board shall have the power to revoke or suspend any
99 license, registration card, or certificate of registration,
100 including a registration to perform limited barbering, issued
101 pursuant to this act, or to reprimand, censure, deny subsequent
102 licensure of, or otherwise discipline any holder of a license,
103 registration card, or certificate of registration, including a
104 registration to perform limited barbering, issued pursuant to
105 this act, for any of the following causes:

106 (a) Gross malpractice or gross incompetency in the practice
107 of barbering;

108 (b) Practice by a person knowingly having an infectious or
109 contagious disease; or

110 (c) Commission of any of the offenses described in s.
111 476.194.

112 (2) The board shall keep a record of its disciplinary
113 proceedings against holders of licenses or certificates of
114 registration, including a registration to perform limited
115 barbering, issued pursuant to this act.

116 Section 7. This act shall take effect July 1, 2024.