

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; amending
 7 ss. 476.184, 476.188, 476.194, and 476.204, F.S.;
 8 conforming provisions to changes made by the act;
 9 amending s. 476.214, F.S.; authorizing the Barbers'
 10 Board to discipline persons authorized to perform
 11 limited barbering; providing an effective date.

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

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

17 476.144 Licensure.—

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

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

25 2. Mustache and beard trimming.

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

28 (b) Notwithstanding any other provision of this chapter or
 29 board rule, a person without a license to practice barbering who
 30 has not completed the examination or training required under s.
 31 476.114 may perform limited barbering if the person:

32 1. Registers his or her name with the board.

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

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

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

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

42 1. May not charge a fee for such registration.

43 2. May deny such registration if the person has been
 44 disciplined relating to the practice of barbering in the
 45 previous 3 years in any jurisdiction or as provided under s.
 46 455.213(3).

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

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

51 476.184 Barbershop licensure; requirements; fee;
52 inspection; license display.—

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

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

59 476.188 Barber services to be performed in registered
60 barbershop; exception.—

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

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

68 476.194 Prohibited acts.—

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

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

74 (b) Hire or employ any person to engage in the practice of
75 barbering unless such person holds a valid license as a barber

76 | or is registered to perform limited barbering under s.
 77 | 476.144(8).

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

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

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

86 | Section 5. Paragraph (a) of subsection (1) of section
 87 | 476.204, Florida Statutes, is amended to read:

88 | 476.204 Penalties.—

89 | (1) It is unlawful for any person to:

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

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

95 | 476.214 Grounds for suspending, revoking, or refusing to
 96 | grant license or certificate.—

97 | (1) The board shall have the power to revoke or suspend
 98 | any license, registration card, or certificate of registration,
 99 | including a registration to perform limited barbering, issued
 100 | pursuant to this act, or to reprimand, censure, deny subsequent

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101 licensure of, or otherwise discipline any holder of a license,
102 registration card, or certificate of registration, including a
103 registration to perform limited barbering, issued pursuant to
104 this act, for any of the following causes:

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

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

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

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

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