

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 1551

## 93RD GENERAL ASSEMBLY

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Reported from the Committee on Professional Registration and Licensing March 9, 2006 with recommendation that House Committee Substitute for House Bill No. 1551 Do Pass by Consent. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

Reported from the Committee on Rules March 14, 2006 with recommendation that House Committee Substitute for House Bill No. 1551 Do Pass by Consent.

Perfected by Consent March 29, 2006.

STEPHEN S. DAVIS, Chief Clerk

4681L.02P

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### AN ACT

To repeal sections 328.115 and 329.045, RSMo, and to enact in lieu thereof two new sections relating to barber and cosmetology establishments.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 328.115 and 329.045, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 328.115 and 329.045, to read as follows:

328.115. 1. The owner of every shop or establishment in which the occupation of  
2 barbering is practiced shall obtain a license for such shop or establishment issued by the board  
3 before barbering is practiced therein. A new license shall be obtained for a barber [shop or]  
4 establishment [before barbering is practiced therein when the shop or] **within forty-five days**  
5 **when the establishment changes ownership or location. The state inspector shall inspect the**  
6 **sanitary conditions required for licensure, established under subsection 2 of this section,**  
7 **for an establishment that has changed ownership or location without requiring the owner**  
8 **to close business or deviate in any way from the establishment's regular hours of operation.**  
9 2. The board shall issue a license for a shop or establishment upon receipt of the license  
10 fee from the applicant if the board finds that the shop or establishment complies with the sanitary  
11 regulations adopted pursuant to section 328.060. All [shops or] **barber** establishments shall

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 continue to comply with the sanitary regulations. Failure of a [shop or] **barber** establishment  
13 to comply with the sanitary regulations shall be grounds for the board to file a complaint with  
14 the administrative hearing commission to revoke [or], suspend, **or censure the establishment's**  
15 license [for the shop or censure] or place **the establishment's license** on probation [the holder  
16 thereof].

17 3. The license for a [shop or] **barber** establishment shall be renewable. The applicant  
18 for renewal of the license shall on or before the renewal date submit the completed renewal  
19 application accompanied by the required renewal fee. If the renewal application and fee are not  
20 submitted within thirty days following the renewal date, a penalty fee plus the renewal fee shall  
21 be paid to renew the license. If a new [shop] **establishment** opens any time during the licensing  
22 period and does not register a license before opening, there shall be a delinquent fee in addition  
23 to the regular fee. The license shall be kept posted in plain view within the [shop or] **barber**  
24 establishment at all times.

329.045. 1. Every establishment in which the occupation of cosmetology is practiced  
2 shall be required to obtain a license from the board. Every establishment required to be licensed  
3 shall pay to the board an establishment fee for the first three licensed cosmetologists esthetician  
4 and/or manicurists, and/or apprentices and an additional fee for each additional licensee. The  
5 fee shall be due and payable on the renewal date and, if the fee remains unpaid thereafter, there  
6 shall be a late fee in addition to the regular establishment fee or, if a new establishment opens  
7 any time during the licensing period and does not register before opening, there shall be a  
8 delinquent fee in addition to the regular establishment fee. The license shall be kept posted in  
9 plain view within the establishment at all times.

10 2. **A new license shall be obtained for a cosmetology establishment within forty-five**  
11 **days when the establishment changes ownership or location. The state inspector shall**  
12 **inspect the sanitary conditions required for licensure for an establishment that has**  
13 **changed ownership or location without requiring the owner to close business or deviate in**  
14 **any way from the establishment's regular hours of operation.**

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