

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 70, Page 8, Section 195.100, Line 27, by inserting after all of said section and line
3 the following:
4

5 "324.520. 1. As used in sections 324.520 to 324.524, the following terms mean:

6 (1) "Body piercing", the perforation of human tissue other than an ear for a nonmedical
7 purpose;

8 (2) "Branding", a permanent mark made on human tissue by burning with a hot iron or other
9 instrument;

10 (3) "Controlled substance", any substance defined in section 195.010;

11 (4) "Minor", a person under the age of eighteen;

12 (5) "Tattoo", one or more of the following:

13 (a) ~~[An indelible]~~ A mark made on the body of another person by the insertion of a pigment,
14 ink, or both pigment and ink under the skin with the aid of needles or blades using hand-held or
15 machine-powered instruments; [or]

16 (b) A mark made on the face or body of another person for cosmetic purposes or to any part
17 of the body for scar coverage or other corrective purposes by the insertion of a pigment, ink, or both
18 pigment and ink under the skin with the aid of needles; or

19 (c) An indelible design made on the body of another person by production of scars other
20 than by branding.

21 2. No person shall knowingly tattoo, brand or perform body piercing on a minor unless such
22 person obtains the prior written informed consent of the minor's parent or legal guardian. The
23 minor's parent or legal guardian shall execute the written informed consent required pursuant to this
24 subsection in the presence of the person performing the tattooing, branding or body piercing on the
25 minor, or in the presence of an employee or agent of such person. Any person who fraudulently
26 misrepresents himself or herself as a parent is guilty of a class B misdemeanor.

27 3. A person shall not tattoo, brand or perform body piercing on another person if the other
28 person is under the influence of intoxicating liquor or a controlled substance.

29 4. A person who violates any provisions of sections 324.520 to 324.526 is guilty of a
30 misdemeanor and shall be fined not more than five hundred dollars. If there is a subsequent

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1 violation within one year of the initial violation, such person shall be fined not less than five
2 hundred dollars or more than one thousand dollars.

3 5. No person under the age of eighteen shall tattoo, brand or perform body piercing on
4 another person.

5 329.010. As used in this chapter, unless the context clearly indicates otherwise, the
6 following words and terms mean:

7 (1) "Accredited school of cosmetology or school of manicuring", an establishment operated
8 for the purpose of teaching cosmetology as defined in this section and meeting the criteria set forth
9 under 34 C.F.R. Part 600, Sections 600.1 and 600.2;

10 (2) "Apprentice" or "student", a person who is engaged in training within a cosmetology
11 establishment or school, and while so training performs any of the practices of the classified
12 occupations within this chapter under the immediate direction and supervision of a licensed
13 cosmetologist or instructor;

14 (3) "Board", the state board of cosmetology and barber examiners;

15 (4) "Cosmetologist", any person who, for compensation, engages in the practice of
16 cosmetology, as defined in subdivision (5) of this section;

17 (5) "Cosmetology" includes performing or offering to engage in any acts of the classified
18 occupations of cosmetology for compensation, which shall include:

19 (a) "Class CH - hairdresser" includes arranging, dressing, curling, singeing, waving,
20 permanent waving, cleansing, cutting, bleaching, tinting, coloring or similar work upon the hair of
21 any person by any means; or removing superfluous hair from the body of any person by means other
22 than electricity, or any other means of arching or tinting eyebrows or tinting eyelashes. Class CH -
23 hairdresser also includes any person who either with the person's hands or with mechanical or
24 electrical apparatuses or appliances, or by the use of cosmetic preparations, antiseptics, tonics,
25 lotions or creams engages for compensation in any one or any combination of the following:
26 massaging, cleaning, stimulating, manipulating, exercising, beautifying or similar work upon the
27 scalp, face, neck, arms or bust;

28 (b) "Class MO - manicurist" includes cutting, trimming, polishing, coloring, tinting,
29 cleaning or otherwise beautifying a person's fingernails, applying artificial fingernails, massaging,
30 cleaning a person's hands and arms; pedicuring, which includes cutting, trimming, polishing,
31 coloring, tinting, cleaning or otherwise beautifying a person's toenails, applying artificial toenails,
32 massaging and cleaning a person's legs and feet;

33 (c) "Class CA - hairdressing and manicuring" includes all practices of cosmetology, as
34 defined in paragraphs (a) and (b) of this subdivision;

35 (d) "Class E - estheticians" includes the use of mechanical, electrical apparatuses or
36 appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams, not to
37 exceed ten percent phenol, engages for compensation, either directly or indirectly, in any one, or any
38 combination, of the following practices: massaging, cleansing, stimulating, manipulating,
39 exercising, beautifying or similar work upon the scalp, face, neck, ears, arms, hands, bust, torso, legs

1 or feet and removing superfluous hair by means other than electric needle or any other means of
2 arching or tinting eyebrows or tinting eyelashes, of any person; and

3 (e) "Personal service registration", a registration obtained from the board to provide services
4 to placebound clients outside of a cosmetology establishment;

5 (6) "Cosmetology establishment", that part of any building wherein or whereupon any of the
6 classified occupations are practiced including any space rented within a licensed establishment by a
7 person licensed under this chapter, for the purpose of rendering cosmetology services;

8 (7) "Cross-over license", a license that is issued to any person who has met the licensure and
9 examination requirements for both barbering and cosmetology;

10 (8) "Hair braider", any person who, for compensation, engages in the practice of hair
11 braiding;

12 (9) "Hair braiding", in accordance with the requirements of section 329.275, the use of
13 techniques that result in tension on hair strands or roots by twisting, wrapping, waving, extending,
14 locking, or braiding of the hair by hand or mechanical device, but does not include the application of
15 dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl, or
16 alter the structure of the hair;

17 (10) "Hairdresser", any person who, for compensation, engages in the practice of
18 cosmetology as defined in paragraph (a) of subdivision (5) of this section;

19 (11) "Instructor", any person who is licensed to teach cosmetology or any practices of
20 cosmetology pursuant to this chapter;

21 (12) "Manicurist", any person who, for compensation, engages in any or all of the practices
22 in paragraph (b) of subdivision (5) of this section;

23 (13) "Parental consent", the written informed consent of a minor's parent or legal guardian
24 that must be obtained prior to providing body waxing on or near the genitalia;

25 (14) "Placebound client", a client who is ill, disabled, or otherwise unable to travel to a
26 cosmetology establishment;

27 (15) "School of cosmetology" or "school of manicuring", an establishment operated for the
28 purpose of teaching cosmetology as defined in subdivision (5) of this section.

29 329.280. 1. Any cosmetologist holding a current and active license to practice the
30 categories of cosmetology described in paragraphs (a) to (d) of subdivision (5) of section 329.010
31 may register with the board for a personal service registration. An applicant for a personal service
32 registration shall submit to the board an application, a fee as set by the board, and a copy of the
33 applicant's current and active license. An applicant for a personal service registration may be denied
34 such registration if the applicant has pled guilty to, entered a plea of nolo contendere to, or been
35 found guilty of any of the offenses set forth in subsection 5 of section 329.050.

36 2. A personal service registrant shall keep his or her information that the board requires in
37 the initial registration current and up to date with the board.

38 3. A personal service registrant shall provide to the client or customer a copy of the personal
39 service registration and license upon request.

1 4. The board may:

2 (1) Inspect the tools, equipment, and implements of any personal service registrant one time
3 each year to ensure that the registrant is following all sanitation standards set by the board by rule;

4 (2) Inspect the tools, equipment, and implements of any personal service registrant if a
5 customer or client submits a complaint to the board about the registrant; and

6 (3) Following all requirements set forth in section 329.140, revoke the personal service
7 registration of a registrant, discipline a registrant's license, or revoke the registration and discipline
8 the license of a registrant for any violation set forth in section 329.140 or for failure to follow the
9 requirements of this section.

10 5. The board may promulgate regulations necessary for the administration of this section.

11 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
12 authority delegated in this section shall become effective only if it complies with and is subject to all
13 of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536
14 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536
15 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held
16 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
17 August 28, 2023, shall be invalid and void."; and

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19 Further amend said bill by amending the title, enacting clause, and intersectional references
20 accordingly.