



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

May 2, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on May 2, 2018:

SB 1399 board of barbers; cosmetology; apprenticeships (Smith)

SB 1411 schools; annual achievement profiles (Allen, S.)

Sincerely,

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

House Engrossed Senate Bill

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
Senate
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 274

SENATE BILL 1399

AN ACT

AMENDING SECTIONS 32-301, 32-304, 32-321 AND 32-322, ARIZONA REVISED
STATUTES; RELATING TO THE BOARD OF BARBERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-301, Arizona Revised Statutes, is amended to
3 read:

4 32-301. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Barber" means a person WHO IS licensed to practice barbering
7 pursuant to this chapter.

8 2. "Barbering" means any one or a combination of the following
9 practices if they are performed on a person's head, face, neck or
10 shoulders for cosmetic purposes:

11 (a) Cutting, clipping or trimming hair.

12 (b) Massaging, cleansing, stimulating, manipulating, exercising,
13 beautifying or applying oils, creams, antiseptics, clays, lotions or other
14 preparations, either by hand or by mechanical or electrical appliances.

15 (c) Styling, arranging, dressing, curling, waving, permanent
16 waving, straightening, cleansing, singeing, bleaching, dyeing, tinting,
17 coloring or similarly treating hair.

18 (d) PROVIDING hair attachments, extensions, hairpieces and wigs
19 when performed by a barber.

20 (e) Shaving or trimming a beard.

21 (f) PROVIDING skin care.

22 3. "Board" means the board of barbers.

23 4. "Instructor" means a person WHO IS licensed to teach barbering
24 pursuant to this chapter.

25 5. "MENTOR" MEANS A BARBER WHO IS APPROVED BY THE BOARD TO TRAIN A
26 PERSON IN A DEPARTMENT OF ECONOMIC SECURITY-APPROVED APPRENTICESHIP
27 PROGRAM IN BARBERING IN AN ESTABLISHMENT THAT IS LICENSED BY THE BOARD.

28 ~~5.~~ 6. "School" means an establishment THAT IS operated for the
29 purpose of teaching barbering.

30 ~~6.~~ 7. "Shop" or "salon" means an establishment THAT IS operated
31 for the purpose of engaging in the practice of barbering.

32 Sec. 2. Section 32-304, Arizona Revised Statutes, is amended to
33 read:

34 32-304. Powers and duties

35 A. The board shall:

36 1. Make and adopt rules ~~which~~ THAT are necessary or proper for the
37 administration of this chapter, including sanitary and safety requirements
38 for schools and shops or salons, sanitary and safety standards for the
39 practice of barbering and mobile unit requirements.

40 2. Administer and enforce ~~the provisions of~~ this chapter and rules
41 adopted pursuant to this chapter.

42 3. Maintain a record of its acts and proceedings, including
43 issuance, refusal, renewal, suspension and revocation of licenses, and a
44 record of the name, address and license date of each licensee.

1 4. Keep the records of the board open to public inspection at all
2 reasonable times.

3 5. Furnish a copy of its rules to a barber or to the owner or
4 manager of each shop or salon on request.

5 6. Have a seal, the imprint of which shall be used to evidence its
6 official acts.

7 7. Prescribe minimum school curriculum requirements.

8 8. APPROVE A BARBER AS A MENTOR BASED ON THE BARBER'S RECORD OF
9 COMPLIANCE WITH THIS CHAPTER. THE BOARD MAY NOT CONDITION THE APPROVAL ON
10 THE BARBER'S PAYMENT OF AN ADDITIONAL FEE OR COMPLETION OF AN ADDITIONAL
11 REQUIREMENT.

12 B. The board may:

13 1. Subject to title 41, chapter 4, article 4, employ an executive
14 director who has been a licensed barber for at least five years preceding
15 employment and other personnel it deems necessary. The board shall
16 compensate its executive director and other personnel as determined
17 pursuant to section 38-611.

18 2. Inspect the premises of any school, shop or salon during
19 business hours.

20 Sec. 3. Section 32-321, Arizona Revised Statutes, is amended to
21 read:

22 32-321. Nonapplicability of chapter

23 This chapter does not apply to the following persons while in the
24 proper discharge of their professional duties:

25 1. ~~Practices done for the treatment of~~ MEDICAL PRACTITIONERS
26 LICENSED PURSUANT TO THIS TITLE WHO TREAT physical or mental ailments or
27 disease ~~by medical practitioners licensed pursuant to this title.~~

28 2. PERSONS WHO PERFORM services ~~performed~~ without compensation in
29 case of emergency or in domestic administration.

30 3. Commissioned physicians and surgeons serving in the armed forces
31 of the United States or other federal agencies.

32 4. Students attending schools licensed pursuant to this chapter
33 while they are on school premises during school hours.

34 5. Persons licensed pursuant to chapter 5 or 12 of this title.

35 6. Shampoo assistants who shampoo hair under the direction of a
36 barber licensed pursuant to this chapter.

37 7. PERSONS WHO ARE IN THE CUSTODY OF THE STATE DEPARTMENT OF
38 CORRECTIONS AND WHO PERFORM services ~~performed by and~~ for persons in the
39 custody of the state department of corrections.

40 8. PERSONS WHO ARE PARTICIPATING IN A DEPARTMENT OF ECONOMIC
41 SECURITY-APPROVED APPRENTICESHIP PROGRAM IN BARBERING AS DESCRIBED IN
42 SECTION 32-322 WHILE WORKING WITH A MENTOR IN AN ESTABLISHMENT THAT IS
43 LICENSED BY THE BOARD.

1 Sec. 4. Section 32-322, Arizona Revised Statutes, is amended to
2 read:

3 32-322. Barber license; application; qualifications;
4 reciprocity

5 A. An applicant for a barber license shall file the following with
6 the board:

- 7 1. A written application on a form prescribed by the board.
8 2. Evidence satisfactory to the board that the applicant possesses
9 the necessary qualifications.
10 3. One signed photograph.

11 B. Each applicant shall:

- 12 1. Be at least sixteen years of age.
13 2. Complete and receive appropriate credits for at least two years
14 of high school education or its equivalent as prescribed by the board in
15 its rules and submit satisfactory evidence that the person is at least
16 sixteen years of age.
17 3. Pass an examination given under the direction of the board.
18 4. Pay the prescribed fees.
19 5. EITHER:

20 (a) Be a graduate of a school that is licensed pursuant to this
21 chapter or a graduate of a school or program in another state that at the
22 time of the applicant's graduation met the barber licensing requirements
23 of that state.

24 (b) COMPLETE A UNITED STATES DEPARTMENT OF LABOR-APPROVED OR A
25 DEPARTMENT OF ECONOMIC SECURITY-APPROVED APPRENTICESHIP PROGRAM IN
26 BARBERING THAT INCLUDES AT LEAST TWO HUNDRED FIFTY HOURS OF INSTRUCTION AS
27 DESCRIBED IN SECTION 32-325, SUBSECTION B, PARAGRAPH 1. THE INSTRUCTION
28 PRESCRIBED BY THIS SUBDIVISION SHALL BE COMPLETED THROUGH EITHER:

29 (i) A SCHOOL THAT IS LICENSED PURSUANT TO THIS CHAPTER OR A SCHOOL
30 OR PROGRAM IN ANOTHER STATE THAT HAS, IN THE BOARD'S OPINION, LICENSURE
31 REQUIREMENTS THAT ARE SUBSTANTIALLY EQUIVALENT TO THE REQUIREMENTS OF THIS
32 STATE.

33 (ii) A DEPARTMENT OF ECONOMIC SECURITY-APPROVED APPRENTICESHIP
34 PROGRAM.

35 C. An applicant who holds a valid license to practice barbering
36 issued by another state that has, in the opinion of the board, licensure
37 requirements that are substantially equivalent to the requirements of this
38 state and that grants similar reciprocal privileges to barbers licensed by
39 this state and who has at least one year's experience as a licensed barber
40 is exempt from subsection B, paragraph 3 of this section.

1 D. Notwithstanding subsection B, paragraph 5 of this section, an
2 applicant for a barber license who holds a cosmetologist license or a
3 hairstylist license issued pursuant to chapter 5 of this title shall
4 complete a seven hundred fifty-hour course of study consisting of
5 barbering techniques in a barbering school licensed pursuant to this
6 chapter.

7 Sec. 5. Exemption from rulemaking

8 For the purposes of this act, the board of barbers is exempt from
9 the rulemaking requirements of title 41, chapter 6, Arizona Revised
10 Statutes, for one year after the effective date of this act.

APPROVED BY THE GOVERNOR MAY 2, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 2, 2018

Passed the House April 19, 2018,

Passed the Senate February 15, 2018,

by the following vote: 57 Ayes,

by the following vote: 21 Ayes,

1 Nays, 2 Not Voting

8 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR~~

~~This Bill was received by the Governor this~~

~~_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

S.B. 1399

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State~~

~~this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 26, 20 18

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

26th day of April, 20 18

at 12:29 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 2nd day of

May 2018

at 3:02 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 2 day of May, 20 18

at 4:39 o'clock P. M.

[Signature]
Secretary of State