

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1500
99TH GENERAL ASSEMBLY

Reported from the Committee on Professional Registration, April 5, 2018, with recommendation that the Senate Committee Substitute do pass.

5205S.06C

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal sections 328.080, 328.100, 329.010, 329.040, 329.050, 329.060, 329.070, 329.080, 329.085, and 329.130, RSMo, and to enact in lieu thereof fourteen new sections relating to the board of cosmetology and barber examiners.

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

Section A. Sections 328.080, 328.100, 329.010, 329.040, 329.050, 329.060, 2 329.070, 329.080, 329.085, and 329.130, RSMo, are repealed and fourteen new 3 sections enacted in lieu thereof, to be known as sections 328.025, 328.080, 4 328.132, 329.010, 329.032, 329.033, 329.040, 329.050, 329.060, 329.070, 329.080, 5 329.085, 329.130, and 329.275, to read as follows:

328.025. If a license issued under this chapter has been 2 destroyed, lost, mutilated beyond practical usage, or was never 3 received, the licensee shall obtain a duplicate license from the board 4 by appearing in person at the board's office or mailing, by certified 5 mail, return receipt requested, a notarized affidavit stating that the 6 license has been destroyed, lost, mutilated beyond practical usage, or 7 was never received.

328.080. 1. Any person desiring to practice barbering in this state shall 2 make application for a license to the board and shall pay the required barber 3 examination fee.

4 2. The board shall examine each qualified applicant and, upon successful 5 completion of the examination and payment of the required license fee, shall issue 6 the applicant a license authorizing him or her to practice the occupation of barber 7 in this state. The board shall admit an applicant to the examination, if it finds

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

8 that he or she:

9 (1) Is seventeen years of age or older [and of good moral character];

10 (2) [Is free of contagious or infectious diseases;

11 (3)] Has studied for at least one thousand hours in a period of not less
12 than six months in a properly appointed and conducted barber school under the
13 direct supervision of a licensed instructor; or, if the applicant is an apprentice,
14 the applicant shall have served and completed no less than two thousand hours
15 under the direct supervision of a licensed barber apprentice supervisor;

16 [(4)] (3) Is possessed of requisite skill in the trade of barbering to
17 properly perform the duties thereof, including the preparation of tools, shaving,
18 haircutting and all the duties and services incident thereto; and

19 [(5)] (4) Has sufficient knowledge of the common diseases of the face and
20 skin to avoid the aggravation and spread thereof in the practice of barbering.

21 3. The board shall be the judge of whether the barber school, the barber
22 apprenticeship, or college is properly appointed and conducted under proper
23 instruction to give sufficient training in the trade.

24 4. The sufficiency of the qualifications of applicants shall be determined
25 by the board.

26 5. For the purposes of meeting the minimum requirements for
27 examination, the apprentice training shall be recognized by the board for a period
28 not to exceed five years.

**328.132. No city, town, village, county, or other political
2 subdivision shall require a barber licensed under chapter 328 or a
3 cosmetologist licensed under chapter 329, practicing within a licensed
4 barber shop or licensed cosmetology shop to obtain any additional
5 license or permit, including any business license or operating license
6 in order to practice unless the licensed barber or cosmetologist is the
7 owner of the licensed barber shop or licensed cosmetology shop.**

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

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

7 (2) "Apprentice" or "student", a person who is engaged in training within
8 a cosmetology establishment or school, and while so training performs any of the

9 practices of the classified occupations within this chapter under the immediate
10 direction and supervision of a licensed cosmetologist or instructor;

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

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

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

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

27 (b) "Class MO - manicurist" includes cutting, trimming, polishing,
28 coloring, tinting, cleaning or otherwise beautifying a person's fingernails,
29 applying artificial fingernails, massaging, cleaning a person's hands and arms;
30 pedicuring, which includes cutting, trimming, polishing, coloring, tinting, cleaning
31 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
34 cosmetology, as defined in paragraphs (a) and (b) of this subdivision;

35 (d) "Class E - estheticians" includes the use of mechanical, electrical
36 apparatuses or appliances, or by the use of cosmetic preparations, antiseptics,
37 tonics, lotions or creams, not to exceed ten percent phenol, engages for
38 compensation, either directly or indirectly, in any one, or any combination, of the
39 following practices: massaging, cleansing, stimulating, manipulating, exercising,
40 beautifying or similar work upon the scalp, face, neck, ears, arms, hands, bust,
41 torso, legs or feet and removing superfluous hair by means other than electric
42 needle or any other means of arching or tinting eyebrows or tinting eyelashes, of
43 any person;

44 (6) "Cosmetology establishment", that part of any building wherein or

45 whereupon any of the classified occupations are practiced including any space
46 rented within a licensed establishment by a person licensed under this chapter,
47 for the purpose of rendering cosmetology services;

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

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

52 (9) "**Hair braiding**", in accordance with the requirements of
53 section 329.275, the use of techniques that result in tension on hair
54 strands or roots by twisting, wrapping, waving, extending, locking, or
55 braiding of the hair by hand or mechanical device, but does not include
56 the application of dyes, reactive chemicals, or other preparations to
57 alter the color of the hair or to straighten, curl, or alter the structure
58 of the hair;

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

62 [(9)] (11) "Instructor", any person who is licensed to teach cosmetology
63 or any practices of cosmetology pursuant to this chapter;

64 [(10)] (12) "Manicurist", any person who, for compensation, engages in
65 any or all of the practices in paragraph (b) of subdivision (5) of this section;

66 [(11)] (13) "Parental consent", the written informed consent of a minor's
67 parent or legal guardian that must be obtained prior to providing body waxing on
68 or near the genitalia;

69 [(12)] (14) "School of cosmetology" or "school of manicuring", an
70 establishment operated for the purpose of teaching cosmetology as defined in
71 subdivision (5) of this section.

**329.032. 1. Nothing in this chapter shall apply to hairdressing,
2 manicuring, or facial treatments given in the home to members of a
3 person's family or friends for which no charge is made.**

**4 2. Nothing in this chapter or chapter 328, except for the
5 provisions of sections 329.010 and 329.275, shall apply to persons
6 engaged in the practice of hair braiding who have met the
7 requirements in section 329.275.**

**329.033. If a license issued under this chapter has been
2 destroyed, lost, mutilated beyond practical usage, or was never**

3 **received, the licensee shall obtain a duplicate license from the board**
4 **by appearing in person at the board's office or mailing, by certified**
5 **mail, return receipt requested, a notarized affidavit stating that the**
6 **license has been destroyed, lost, mutilated beyond practical usage, or**
7 **was never received.**

329.040. 1. Any person [of] **in good [moral character] standing with**
2 **the board** may make application to the board for a license to own a school of
3 cosmetology on a form provided upon request by the board. Every school of
4 cosmetology in which any of the classified occupations of cosmetology are taught
5 shall be required to obtain a license from the board prior to opening. The license
6 shall be issued upon approval of the application by the board, the payment of the
7 required fees, and the applicant meets other requirements provided in this
8 chapter. The license shall be kept posted in plain view within the school at all
9 times.

10 2. A school license renewal fee shall be due on or before the renewal date
11 of any school license issued pursuant to this section. If the school license renewal
12 fee is not paid on or before the renewal date, a late fee shall be added to the
13 regular school license fee.

14 3. No school of cosmetology shall be granted a license pursuant to this
15 chapter unless it:

16 (1) Employs and has present in the school a competent licensed instructor
17 for every twenty-five students in attendance for a given class period and one to
18 ten additional students may be in attendance with the assistance of an instructor
19 trainee. One instructor is authorized to teach up to three instructor trainees
20 immediately after being granted an instructor's license;

21 (2) Requires all students to be enrolled in a course of study of no less than
22 three hours per day and no more than twelve hours per day with a weekly total
23 that is no less than fifteen hours and no more than seventy-two hours;

24 (3) Requires for the classified occupation of cosmetologist, the course of
25 study shall be no less than one thousand five hundred hours or, for a student in
26 public vocational/technical school no less than one thousand two hundred twenty
27 hours; provided that, a school may elect to base the course of study on credit
28 hours by applying the credit hour formula in Subpart A of Part 668 of Section
29 668.8 of Title 34 of the Code of Federal Regulations, as amended. The student
30 must earn a minimum of one hundred and sixty hours or equivalent credits of
31 classroom training before the student may perform any of the acts of the

32 classified occupation of cosmetology on any patron or customer of the school of
33 cosmetology;

34 (4) Requires for the classified occupation of manicurist, the course of
35 study shall be no less than four hundred hours or the credit hours determined by
36 the formula in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of
37 Federal Regulations, as amended. The student must earn a minimum of fifty
38 hours or equivalent credits of classroom training before the student may perform
39 any of the acts of the classified occupation of manicurist on any patron or
40 customer of the school of cosmetology;

41 (5) Requires for the classified occupation of esthetician, the course of
42 study shall be no less than seven hundred fifty hours or the credit hours
43 determined by the formula in Subpart A of Part 668 of Section 668.8 of Title 34
44 of the Code of Federal Regulations, as amended. The student shall earn a
45 minimum of seventy-five hours or equivalent credits of classroom training before
46 the student may perform any of the acts of the classified occupation of esthetics
47 on any patron or customer of the school of cosmetology or an esthetics school.

48 4. The subjects to be taught for the classified occupation of cosmetology
49 shall be as follows and the hours required for each subject shall be not less than
50 those contained in this subsection or the credit hours determined by the formula
51 in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal
52 Regulations, as amended:

53 (1) Shampooing of all kinds, forty hours;

54 (2) Hair coloring, bleaches and rinses, one hundred thirty hours;

55 (3) Hair cutting and shaping, one hundred thirty hours;

56 (4) Permanent waving and relaxing, one hundred twenty-five hours;

57 (5) Hairsetting, pin curls, fingerwaves, thermal curling, two hundred
58 twenty-five hours;

59 (6) Combouts and hair styling techniques, one hundred five hours;

60 (7) Scalp treatments and scalp diseases, thirty hours;

61 (8) Facials, eyebrows and arches, forty hours;

62 (9) Manicuring, hand and arm massage and treatment of nails, one
63 hundred ten hours;

64 (10) Cosmetic chemistry, twenty-five hours;

65 (11) Salesmanship and shop management, ten hours;

66 (12) Sanitation and sterilization, thirty hours;

67 (13) Anatomy, twenty hours;

68 (14) State law, ten hours;

69 (15) Curriculum to be defined by school, not less than four hundred
70 seventy hours.

71 5. The subjects to be taught for the classified occupation of manicurist
72 shall be as follows and the hours required for each subject shall be not less than
73 those contained in this subsection or the credit hours determined by the formula
74 in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal
75 Regulations, as amended:

76 (1) Manicuring, hand and arm massage and treatment of nails, two
77 hundred twenty hours;

78 (2) Salesmanship and shop management, twenty hours;

79 (3) Sanitation and sterilization, twenty hours;

80 (4) Anatomy, ten hours;

81 (5) State law, ten hours;

82 (6) Study of the use and application of certain chemicals, forty hours; and

83 (7) Curriculum to be defined by school, not less than eighty hours.

84 6. The subjects to be taught for the classified occupation of esthetician
85 shall be as follows, and the hours required for each subject shall not be less than
86 those contained in this subsection or the credit hours determined by the formula
87 in Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of Federal
88 Regulations, as amended:

89 (1) Facials, cleansing, toning, massaging, one hundred twenty hours;

90 (2) Makeup application, all phases, one hundred hours;

91 (3) Hair removal, thirty hours;

92 (4) Body treatments, aromatherapy, wraps, one hundred twenty hours;

93 (5) Reflexology, thirty-five hours;

94 (6) Cosmetic sciences, structure, condition, disorder, eighty-five hours;

95 (7) Cosmetic chemistry, products and ingredients, seventy-five hours;

96 (8) Salon management and salesmanship, fifty-five hours;

97 (9) Sanitation and sterilization, safety, forty-five hours;

98 (10) State law, ten hours; and

99 (11) Curriculum to be defined by school, not less than seventy-five hours.

100 7. Training for all classified occupations shall include practical
101 demonstrations, written and/or oral tests, and practical instruction in sanitation,
102 sterilization and the use of antiseptics, cosmetics and electrical appliances
103 consistent with the practical and theoretical requirements as applicable to the

104 classified occupations as provided in this chapter.

105 8. No school of cosmetology shall operate within this state unless a proper
106 license pursuant to this chapter has first been obtained.

107 9. Nothing contained in this chapter shall prohibit a licensee within a
108 cosmetology establishment from teaching any of the practices of the classified
109 occupations for which the licensee has been licensed for not less than two years
110 in the licensee's regular course of business, if the owner or manager of the
111 business does not hold himself or herself out as a school and does not hire or
112 employ or personally teach regularly at any one and the same time, more than
113 one apprentice to each licensee regularly employed within the owner's business,
114 not to exceed one apprentice per establishment, and the owner, manager, or
115 trainer does not accept any fee for instruction.

116 10. Each licensed school of cosmetology shall provide a minimum of two
117 thousand square feet of floor space, adequate rooms and equipment, including
118 lecture and demonstration rooms, lockers, an adequate library and two
119 restrooms. The minimum equipment requirements shall be: six shampoo bowls,
120 ten hair dryers, two master dustproof and sanitary cabinets, wet sterilizers, and
121 adequate working facilities for twenty students.

122 11. Each licensed school of cosmetology for manicuring only shall provide
123 a minimum of one thousand square feet of floor space, adequate room for theory
124 instruction, adequate equipment, lockers, an adequate library, two restrooms and
125 a clinical working area for ten students. Minimum floor space requirement
126 proportionately increases with student enrollment of over ten students.

127 12. Each licensed school of cosmetology for esthetics only shall provide a
128 minimum of one thousand square feet of floor space, adequate room for theory
129 instruction, adequate equipment, lockers, an adequate library, two restrooms and
130 a clinical working area for ten students. Minimum floor space requirement
131 increases fifty square feet per student with student enrollment of over ten.

132 13. No school of cosmetology may have a greater number of students
133 enrolled and scheduled to be in attendance for a given class period than the total
134 floor space of that school will accommodate. Floor space required per student
135 shall be no less than fifty square feet per additional student beyond twenty
136 students for a school of cosmetology, beyond ten students for a school of
137 manicuring and beyond ten students for a school of esthetics.

138 14. Each applicant for a new school shall file a written application with
139 the board upon a form approved and furnished upon request by the board. The

140 applicant shall include a list of equipment, the proposed curriculum, and the
141 name and qualifications of any and all of the instructors.

142 15. Each school shall display in a conspicuous place, visible upon entry
143 to the school, a sign stating that all cosmetology services in this school are
144 performed by students who are in training.

145 16. Any student who wishes to remain in school longer than the required
146 training period may make application for an additional training license and
147 remain in school. A fee is required for such additional training license.

148 17. All contractual fees that a student owes to any cosmetology school
149 shall be paid before such student may be allowed to apply for any examination
150 required to be taken by an applicant applying for a license pursuant to the
151 provisions of this chapter.

329.050. 1. Applicants for examination or licensure pursuant to this
2 chapter shall possess the following qualifications:

3 (1) They [must be persons of good moral character,] **shall provide**
4 **documentation of successful completion of approved courses at an**
5 **accredited school of cosmetology as defined in this chapter**, have an
6 education equivalent to the successful completion of the tenth grade, and be at
7 least seventeen years of age;

8 (2) If the applicants are apprentices, they shall have served and
9 completed, as an apprentice under the supervision of a licensed cosmetologist, the
10 time and studies required by the board which shall be no less than three
11 thousand hours for cosmetologists, and no less than eight hundred hours for
12 manicurists and no less than fifteen hundred hours for esthetics. However, when
13 the classified occupation of manicurist is apprenticed in conjunction with the
14 classified occupation of cosmetologist, the apprentice shall be required to
15 successfully complete an apprenticeship of no less than a total of three thousand
16 hours;

17 (3) If the applicants are students, they shall have had the required time
18 in a licensed school of no less than one thousand five hundred hours training or
19 the credit hours determined by the formula in Subpart A of Part 668 of Section
20 668.8 of Title 34 of the Code of Federal Regulations, as amended, for the
21 classification of cosmetologist, with the exception of public vocational technical
22 schools in which a student shall complete no less than one thousand two hundred
23 twenty hours training. All students shall complete no less than four hundred
24 hours or the credit hours determined by the formula in Subpart A of Part 668 of

25 Section 668.8 of Title 34 of the Code of Federal Regulations, as amended, for the
26 classification of manicurist. All students shall complete no less than seven
27 hundred fifty hours or the credit hours determined by the formula in Subpart A
28 of Part 668 of Section 668.8 of Title 34 of the Code of Federal Regulations, as
29 amended, for the classification of esthetician. However, when the classified
30 occupation of manicurist is taken in conjunction with the classified occupation of
31 cosmetologist, the student shall not be required to serve the extra four hundred
32 hours or the credit hours determined by the formula in Subpart A of Part 668 of
33 Section 668.8 of Title 34 of the Code of Federal Regulations, as amended,
34 otherwise required to include manicuring of nails; and

35 (4) They shall have passed an examination to the satisfaction of the board.

36 2. A person may apply to take the examination required by subsection 1
37 of this section if the person is a graduate of a school of cosmetology or apprentice
38 program in another state or territory of the United States which has substantially
39 the same requirements as an educational establishment licensed pursuant to this
40 chapter. A person may apply to take the examination required by subsection 1
41 of this section if the person is a graduate of an educational establishment in a
42 foreign country that provides training for a classified occupation of cosmetology,
43 as defined by section 329.010, and has educational requirements that are
44 substantially the same requirements as an educational establishment licensed
45 under this chapter. The board has sole discretion to determine the substantial
46 equivalency of such educational requirements. The board may require that
47 transcripts from foreign schools be submitted for its review, and the board may
48 require that the applicant provide an approved English translation of such
49 transcripts.

50 3. Each application shall contain a statement that, subject to the penalties
51 of making a false affidavit or declaration, the application is made under oath or
52 affirmation and that its representations are true and correct to the best
53 knowledge and belief of the person signing the application.

54 4. The sufficiency of the qualifications of applicants shall be determined
55 by the board, but the board may delegate this authority to its executive director
56 subject to such provisions as the board may adopt.

57 5. For the purpose of meeting the minimum requirements for examination,
58 training completed by a student or apprentice shall be recognized by the board
59 for a period of no more than five years from the date it is received.

60 **6. Applications for examination or licensure shall be denied if**

61 the applicant has pleaded guilty to, entered a plea of nolo contendere
62 to, or been found guilty of any of the following offenses or offenses of
63 a similar nature established under the laws of this state, any other
64 state, the United States, or any other country, notwithstanding whether
65 sentence is imposed:

66 (1) Any dangerous felony as defined under section 556.061 or
67 murder in the first degree;

68 (2) Any of the following sexual offenses: rape in the first degree,
69 forcible rape, rape, statutory rape in the first degree, statutory rape in
70 the second degree, rape in the second degree, sexual assault, sodomy
71 in the first degree, forcible sodomy, statutory sodomy in the first
72 degree, statutory sodomy in the second degree, child molestation in the
73 first degree, child molestation in the second degree, sodomy in the
74 second degree, deviate sexual assault, sexual misconduct involving a
75 child, sexual misconduct in the first degree under section 566.090 as it
76 existed prior to August 28, 2013, sexual abuse under section 566.100 as
77 it existed prior to August 28, 2013, sexual abuse in the first or second
78 degree, enticement of a child, or attempting to entice a child;

79 (3) Any of the following offenses against the family and related
80 offenses: incest, abandonment of a child in the first degree,
81 abandonment of a child in the second degree, endangering the welfare
82 of a child in the first degree, abuse of a child, using a child in a sexual
83 performance, promoting sexual performance by a child, or trafficking
84 in children; and

85 (4) Any of the following offenses involving child pornography
86 and related offenses: promoting obscenity in the first degree,
87 promoting obscenity in the second degree when the penalty is enhanced
88 to a class E felony, promoting child pornography in the first degree,
89 promoting child pornography in the second degree, possession of child
90 pornography in the first degree, possession of child pornography in the
91 second degree, furnishing child pornography to a minor, furnishing
92 pornographic materials to minors, or coercing acceptance of obscene
93 material.

329.060. 1. Every person desiring to sit for the examination for any of the
2 occupations provided for in this chapter shall file with the board a written
3 application on a form supplied to the applicant, and shall submit proof of the
4 required age[,] and educational qualifications, [and of good moral character]

5 together with the required cosmetology examination fee. Each application shall
6 contain a statement that it is made under oath or affirmation and that its
7 representations are true and correct to the best knowledge and belief of the
8 person signing same, subject to the penalties of making a false affidavit or
9 declaration.

10 2. Upon the filing of the application and the payment of the fee, the board
11 shall, upon request, issue to the applicant, if the applicant is qualified to sit for
12 the examination, a temporary license for the practicing of the occupations as
13 provided in this chapter. Any person receiving a temporary license shall be
14 entitled to practice the occupations designated on the temporary license, under
15 the supervision of a person licensed in [cosmetology] **the occupation**, until the
16 expiration of the temporary license. Any person continuing to practice the
17 occupation beyond the expiration of the temporary license without being licensed
18 in [cosmetology] **that** as provided in this chapter is guilty of an infraction.

329.070. 1. Apprentices or students shall be [licensed] **registered** with
2 the board and shall pay a student fee or an apprentice fee prior to beginning their
3 course, and shall [be of good moral character and] have an education equivalent
4 to the successful completion of the tenth grade.

5 2. An apprentice or student shall not be enrolled in a course of study that
6 shall exceed twelve hours per day or that is less than three hours per day. The
7 course of study shall be no more than seventy-two hours per week and no less
8 than fifteen hours per week.

9 3. Every person desiring to act as an apprentice in any of the classified
10 occupations within this chapter shall file with the board a written application on
11 a form supplied to the applicant, together with the required apprentice fee.

329.080. 1. An instructor trainee shall be a licensed cosmetologist,
2 esthetician or manicurist and shall hold a license as an instructor trainee in
3 cosmetology, esthetics or manicuring. An applicant for a license to practice as an
4 instructor trainee shall submit to the board the required fee and a written
5 application on a form supplied by the board upon request that the applicant [is
6 of good moral character, in good physical and mental health,] has successfully
7 completed at least a four-year high school course of study or the equivalent, and
8 holds a Missouri license to practice as a cosmetologist, esthetician or
9 manicurist. Each application shall contain a statement that it is made under
10 oath or affirmation and that its representations are true and correct to the best
11 knowledge and belief of the person signing the application, subject to the

12 penalties of making a false affidavit or declaration.

13 2. An applicant approved by the board shall be issued an instructor
14 trainee license. The license shall be issued for a definite period needed to
15 complete training requirements to become eligible for taking the examinations.
16 An applicant shall be approved for an instructor trainee license only for those
17 classified occupations [of cosmetology] for which the applicant is licensed at the
18 time the instructor trainee application is submitted to the board.

19 3. The instructor trainee shall be required to complete six hundred hours
20 of instructor training within a Missouri licensed school of cosmetology consisting
21 of a curriculum including both theory and practical training to include the
22 following:

23 (1) Two hundred hours to be devoted to basic principles of student
24 teaching to include teaching principles, lesson planning, curriculum planning and
25 class outlines, teaching methods, teaching aids, testing and evaluation;

26 (2) Fifty hours of psychology as applied to cosmetology, personality and
27 teaching, teacher evaluation, counseling, theories of learning, and speech;

28 (3) Fifty hours of business experience or management including classroom
29 management, record keeping, buying and inventorying supplies, and state law;
30 and

31 (4) Three hundred hours of practice teaching in both theory and practical
32 application.

33 4. For the purpose of meeting the minimum requirements for examination,
34 training completed within a school of cosmetology by an instructor trainee shall
35 be recognized by the board for a period of no more than five years from the date
36 it is received.

37 5. The six hundred hours required pursuant to subsection 3 of this section
38 may be reduced as follows:

39 (1) Three years of experience as a [practicing] **licensed** cosmetologist,
40 **esthetician, or manicurist** may be substituted for three hundred hours of
41 training. The three hundred hours will be partially reduced in proportion to
42 experience **as a licensee** greater than six months but less than three; or

43 (2) Four and one-half college credit hours in teaching methodology, as
44 defined by rule, may be substituted for three hundred hours of
45 training. Applicants requesting credit shall submit to the board a certified
46 transcript together with a course description certified by the administrating
47 education institution as being primarily directed to teaching methodology. The

48 three hundred hours will be partially reduced in proportion to college credit hours
49 in teaching methodology of less than four and one-half hours; or

50 (3) Applicants who apply from states where the requirements are not
51 substantially equal to those in force in Missouri at the time of application, may
52 be eligible for the examination if they provide[:

53 (a)] an affidavit verifying a current, valid instructor license in another
54 state, territory of the United States, District of Columbia, or foreign country,
55 state or province[; and

56 (b) Proof of full-time work experience of not less than one year as a
57 cosmetology instructor within the three-year period immediately preceding the
58 application for examination].

329.085. 1. Any person desiring an instructor license shall submit to the
2 board a written application on a form supplied by the board showing that the
3 applicant has met the requirements set forth in section 329.080. An applicant
4 who has met all requirements as determined by the board shall be allowed to take
5 the instructor examination, including any person who has been licensed three or
6 more years as a cosmetologist, manicurist or esthetician. If the applicant passes
7 the examination to the satisfaction of the board, the board shall issue to the
8 applicant an instructor license.

9 2. The instructor examination fee and the instructor license fee for an
10 instructor license shall be nonrefundable.

11 3. The instructor license renewal fee shall be in addition to the regular
12 cosmetologist, esthetician or manicurist license renewal fee. For each renewal the
13 instructor shall submit proof of having attended a teacher training seminar or
14 workshop at least once every two years, sponsored by any [university, or]
15 Missouri vocational association, or bona fide state cosmetology association
16 specifically approved by the board to satisfy the requirement for continued
17 training of this subsection. Renewal fees shall be due and payable on or before
18 the renewal date and, if the fee remains unpaid thereafter in such license period,
19 there shall be a late fee in addition to the regular fee.

20 4. Instructors duly licensed as physicians or attorneys or lecturers on
21 subjects not directly pertaining to the practice pursuant to this chapter need not
22 be holders of licenses provided for in this chapter.

23 5. The board shall grant instructor licensure upon application and
24 payment of a fee equivalent to the sum of the instructor examination fee and the
25 instructor license fee, provided the applicant establishes compliance with the

26 [cosmetology] instructor requirements of another state, territory of the United
27 States, or District of Columbia [wherein the requirements are substantially equal
28 or superior to those in force in Missouri at the time the application for licensure
29 is filed] and the applicant holds a current instructor license in the other
30 jurisdiction at the time of making application.

31 6. Any person licensed as a cosmetology instructor prior to the training
32 requirements which became effective January 1, 1979, may continue to be
33 licensed as such, provided such license is maintained and the licensee complies
34 with the continued training requirements as provided in subsection 3 of this
35 section. Any person with an expired instructor license that is not restored to
36 current status within two years of the date of expiration shall be required to meet
37 the training and examination requirements as provided in this section and section
38 329.080.

329.130. [1.] The board shall grant without examination a license to
2 practice cosmetology to any applicant who holds a current license that is issued
3 by another state, territory of the United States, or the District of Columbia
4 [whose requirements for licensure are substantially equal to the licensing
5 requirements in Missouri at the time the application is filed or who has practiced
6 cosmetology for at least two consecutive years in another state, territory of the
7 United States, or the District of Columbia]. The applicant under this
8 [subsection] **section** shall pay the appropriate application and licensure fees at
9 the time of making application. A licensee who is currently under disciplinary
10 action with another board of cosmetology shall not be licensed by reciprocity
11 under the provisions of this chapter.

12 [2. Any person who lawfully practiced or received training in another
13 state who does not qualify for licensure without examination may apply to the
14 board for licensure by examination. Upon application to the board, the board
15 shall evaluate the applicant's experience and training to determine the extent to
16 which the applicant's training and experience satisfies current Missouri licensing
17 requirements and shall notify the applicant regarding his or her deficiencies and
18 inform the applicant of the action that he or she must take to qualify to take the
19 examination. The applicant for licensure under this subsection shall pay the
20 appropriate examination and licensure fees.]

**329.275. 1. The practices of cosmetology and barbering shall not
2 include hair braiding, except that, nothing in this section shall be
3 construed as prohibiting a licensed cosmetologist or barber from**

4 performing the service of hair braiding.

5 2. No person shall engage in hair braiding for compensation in
6 the state of Missouri without first registering with the
7 board. Applicants for a certificate of registration to engage in hair
8 braiding shall submit to the board an application and a required fee,
9 as set by the board. Such fee shall not exceed twenty dollars. Prior to
10 receiving a certificate, each applicant shall also watch an instructional
11 video prepared by the board in accordance with subsection 4 of this
12 section.

13 3. Registered hair braiders shall keep their information that the
14 board requires for initial registration current and up to date with the
15 board.

16 4. The board shall develop and prepare an instructional video,
17 no more than two hours in length, that contains information about
18 infection control techniques and diseases of the scalp that are
19 appropriate for hair braiding in or outside of a salon setting and any
20 other information to be determined by the board. The instructional
21 video shall be made available to applicants through the division of
22 professional registration's website. The board shall also develop and
23 prepare a brochure that contains a summary of the information
24 contained in the instructional video. The brochure shall be made
25 available through the division of professional registration's website, or
26 by mail, upon request, for a fee to cover the board's mailing costs.

27 5. Any person who registers as a hair braider under this section
28 shall post a copy of his or her certificate of registration in a
29 conspicuous place at his or her place of business. If the person is
30 operating outside his or her place of business he or she shall provide
31 to the client or customer a copy of his or her certificate of registration.

32 6. (1) The board may inspect hair braiding establishments or
33 facilities where hair braiding occurs during business hours to ensure:

34 (a) Persons registered as hair braiders are not operating outside
35 the scope of practice of hair braiding; and

36 (b) Compliance with this section and rules promulgated
37 thereunder;

38 (2) In addition to the causes listed in section 329.140, the board
39 may also suspend or revoke a certificate of registration if a person
40 registered as a hair braider is found to be operating outside the scope

41 **of practice of hair braiding.**

42 **7. Nothing in this section shall apply to any cosmetologists**
43 **licensed to practice in this state in their respective classifications.**

2 [328.100. The board may at any time require any barber to
3 whom a certificate of registration is issued to be examined at the
4 licensee's expense by a licensed physician to ascertain if such
5 barber is free of infectious or contagious diseases and is not
6 afflicted with any physical or mental ailment which would render
him unfit to practice the occupation of barbering.]

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