

## PROPOSED BILL LANGUAGE

As Approved by:

MINNESOTA BOARD OF BARBER EXAMINERS

FEBRUARY 4, 2019

-THIS IS THE PROPOSAL -

The Bill has **NOT** been introduced

Next Step: Seek Sponsors (authors) in the House and Senate so that a bill can be introduced. Once introduced bill numbers will be assigned and tracking enabled through the Minnesota Legislature Website

1.1 A bill for an act

1.2 relating to barbers; modifying provisions relating to the Board of Barber Examiners;

1.3 increasing fees; providing notice and reconsideration procedures for penalties;

1.4 authorizing rulemaking; amending Minnesota Statutes 2018, sections 154.001,

1.5 subdivisions 2, 4; 154.003; 154.01; 154.02; 154.04; 154.05; 154.065, subdivisions

1.6 2, 4; 154.07, subdivisions 1, 3a, 5, 5b, 6, by adding a subdivision; 154.09; 154.11,

1.7 subdivision 1; 154.15, subdivision 2; 154.161, subdivisions 1, 3, 4, 5, 7; 154.162;

1.8 154.19; 154.21; 154.24; 154.25.

1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10 Section 1. Minnesota Statutes 2018, section 154.001, subdivision 2, is amended to read:

1.11 Subd. 2. **Board of Barber Examiners.** (a) A Board of Barber Examiners is established

1.12 to consist of four barber members and one public member, as defined in section 214.02,

1.13 appointed by the governor.

1.14 (b) The barber members shall be persons who have practiced as registered barbers in

1.15 this state for at least five years immediately prior to their appointment; shall be graduates

1.16 from the 12th grade of a high school or have equivalent education, and shall have knowledge

1.17 of the matters to be taught in registered barber schools, as set forth in section 154.07. ~~One~~

1.18 ~~of the barber members shall be a member of, or recommended by, a union of journeymen~~

1.19 ~~barbers that has existed at least two years, and one barber member shall be a member of,~~

1.20 ~~or recommended by, a professional organization of barbers.~~

1.21 **EFFECTIVE DATE.** This section is effective August 1, 2019.

2.1 Sec. 2. Minnesota Statutes 2018, section 154.001, subdivision 4, is amended to read:

2.2 Subd. 4. **Comprehensive examination.** "Comprehensive examination" means all parts  
 2.3 of a test to determine fitness to practice barbering that is administered by the board, including  
 2.4 but not limited to written, oral, and practical components or a board-approved provider.

2.5 **EFFECTIVE DATE.** This section is effective August 1, 2019.

2.6 Sec. 3. Minnesota Statutes 2018, section 154.003, is amended to read:

2.7 **154.003 FEES.**

2.8 (a) The fees collected, as required in this chapter, chapter 214, and the rules of the board,  
 2.9 shall be paid to the board. The board shall deposit the fees in the general fund in the state  
 2.10 treasury.

2.11 (b) The board shall charge the following nonrefundable fees:

2.12 (1) examination and certificate, registered barber, ~~\$85~~ \$100;

2.13 (2) retake of written examination, ~~\$10~~ \$25;

2.14 (3) examination and initial certificate, instructor, ~~\$180~~ \$200;

2.15 (4) ~~certificate, instructor, \$65~~; emergency instructor permit, \$80;

2.16 (5) temporary ~~teacher~~ instructor permit, ~~\$80~~ \$100;

2.17 (6) temporary registered barber, military, \$85;

2.18 (7) temporary barber instructor, military, \$180;

2.19 (8) renewal of registration, registered barber, ~~\$80~~ \$100;

2.20 (9) renewal of registration, instructor, ~~\$80~~ \$150;

2.21 (10) renewal of temporary ~~teacher~~ instructor permit, ~~\$65~~ \$100;

2.22 (11) student permit, ~~\$45~~ \$50;

2.23 (12) renewal of student permit, ~~\$25~~ \$30;

2.24 (13) initial barber shop registration, ~~\$85~~ \$100;

2.25 (14) initial mobile barber shop registration, \$100;

2.26 (15) initial barber school registration, ~~\$1,030~~ \$1,500;

2.27 ~~(15)~~ (16) renewal barber shop registration, ~~\$85~~ \$100;

2.28 (17) renewal mobile barber shop registration, \$100;

- 3.1 ~~(16)~~ (18) renewal barber school registration, ~~\$280~~ \$300;
- 3.2 ~~(17)~~ (19) restoration of registered barber registration, ~~\$95~~ \$125;
- 3.3 ~~(18)~~ (20) restoration of barber shop registration, ~~\$105~~ \$125;
- 3.4 ~~(19)~~ (21) barber shop change of ownership or location, ~~\$55~~ \$100;
- 3.5 ~~(20)~~ (22) duplicate registration, ~~\$40~~ \$50;
- 3.6 ~~(21)~~ ~~home study course~~ (23) new barber resource manual, \$75;
- 3.7 ~~(22)~~ (24) letter of registration verification, \$25; and
- 3.8 ~~(23)~~ (25) reinspection, ~~\$100.~~ \$150; and
- 3.9 (26) event permit, \$75.

3.10 **EFFECTIVE DATE.** This section is effective August 1, 2019, except the fees in clauses  
 3.11 (14), (17), and (26) must not be imposed until the board adopts rules under section 29.

3.12 Sec. 4. Minnesota Statutes 2018, section 154.01, is amended to read:

3.13 **154.01 REGISTRATION MANDATORY.**

3.14 (a) The registration of the practice of barbering serves the public health and safety of  
 3.15 the people of the state of Minnesota by ensuring that individuals seeking to practice the  
 3.16 profession of barbering are appropriately trained in the use of the chemicals, tools, and  
 3.17 implements of barbering and demonstrate the skills necessary to conduct barber services in  
 3.18 a safe, sanitary, and appropriate environment required for infection control.

3.19 (b) No person shall practice, offer to practice, or attempt to practice barbering without  
 3.20 a current certificate of registration as a registered barber, issued pursuant to provisions of  
 3.21 sections ~~154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to~~  
 3.22 ~~154.28~~ by the Board of Barber Examiners.

3.23 (c) A registered barber must only provide barbering services, as defined in this chapter,  
 3.24 in a registered barber shop or barber school, unless prior authorization is given by the board.

3.25 (d) No person shall operate a barber shop unless it is at all times under the ~~direct~~  
 3.26 ~~supervision and~~ management of a designated registered barber and the owner or operator  
 3.27 of the barber shop possesses a current shop registration card, issued to the barber shop  
 3.28 establishment address, ~~under sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19~~  
 3.29 ~~to 154.21, and 154.24 to 154.28~~ by the Board of Barber Examiners.

4.1 (e) No person shall serve, offer to serve, or attempt to serve as an instructor of barbering  
 4.2 without a current certificate of registration as a registered instructor of barbering ~~or~~ a  
 4.3 temporary permit as an instructor of barbering, ~~as provided for the board by rule, or an~~  
 4.4 emergency instructor permit issued under sections 154.001, 154.002, 154.003, 154.01 to  
 4.5 154.162, 154.19 to 154.21, and 154.24 to 154.28 by the Board of Barber Examiners. Barber  
 4.6 instruction must be provided in registered barber schools only.

4.7 (f) No person shall operate a barber school unless the owner or operator possesses a  
 4.8 current certificate of registration for the location as a barber school, ~~issued under sections~~  
 4.9 ~~154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ by  
 4.10 the Board of Barber Examiners.

4.11 **EFFECTIVE DATE.** This section is effective August 1, 2019.

4.12 Sec. 5. Minnesota Statutes 2018, section 154.02, is amended to read:

4.13 **154.02 DEFINITIONS.**

4.14 Subdivision 1. **What constitutes barbering.** Any one or any combination of the  
 4.15 following practices when done upon the head, face, and neck for cosmetic purposes and not  
 4.16 for the treatment of disease or physical or mental ailments ~~and~~ when done for payment  
 4.17 directly or indirectly or without payment for the public generally constitutes the practice of  
 4.18 barbering within the meaning of ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162,~~  
 4.19 ~~154.19 to 154.21, and 154.24 to 154.28~~ this chapter: to shave the head, face, or neck with  
 4.20 a straight razor or injector style straight razor, to trim the beard, ~~clean~~ shampoo, condition,  
 4.21 cut, color, shape, curl, or straighten the hair of any person of either sex for compensation  
 4.22 or other reward received by the person performing such service or any other person; to give  
 4.23 facial and scalp massage with oils, creams, lotions, or other preparations either by hand or  
 4.24 mechanical appliances; to ~~single~~, shampoo the hair; or apply hair tonics; or to apply cosmetic  
 4.25 preparations, antiseptics, powders, oils, clays, or lotions to hair, scalp, face, or neck.

4.26 Subd. 2. **Barber school.** A "barber school" is a place that holds a registration as a barber  
 4.27 school in which barbering, as defined in subdivision 1, is practiced by registered student  
 4.28 barbers under the direction of registered barber instructors for the purpose of learning and  
 4.29 teaching barber skills.

4.30 Subd. 3. **Barber shop.** A "barber shop" is a place other than a barber school that holds  
 4.31 a registration as a barber shop under this chapter in which barbering, as defined in subdivision  
 4.32 1, is practiced by registered barbers.

5.1 Subd. 4. **Certificate of registration.** A "certificate of registration" means the certificate,  
 5.2 card, or license issued by the board to an individual, barber shop, or barber school ~~that is~~  
 5.3 ~~in compliance with the requirements of sections 154.001, 154.002, 154.003, 154.01 to~~  
 5.4 ~~154.162, 154.19 to 154.21, and 154.24 to 154.28.~~

5.5 Subd. 5. **Designated registered barber.** The "designated registered barber" is a registered  
 5.6 barber designated as the manager of a barber shop.

5.7 Subd. 5a. **Event permit.** An "event permit" is a permit for barbering services to be  
 5.8 provided in a specific location that is not a registered barber shop or barber school issued  
 5.9 by the Board of Barber Examiners for a period of not more than 15 consecutive days.

5.10 Subd. 5b. **Mobile barber shop.** A "mobile barber shop" is a barber shop that is operated  
 5.11 in a mobile vehicle or mobile structure for the exclusive use of practicing barbering services  
 5.12 as defined in subdivision 1 by a registered barber.

5.13 Subd. 6. **Registered barber.** A "registered barber" is an individual who, for  
 5.14 compensation, performs the personal services as defined in subdivision 1, in compliance  
 5.15 with this chapter.

5.16 **EFFECTIVE DATE.** This section is effective August 1, 2019.

5.17 Sec. 6. Minnesota Statutes 2018, section 154.04, is amended to read:

5.18 **154.04 PERSONS EXEMPT FROM REGISTRATION.**

5.19 The following persons are exempt from the provisions of ~~sections 154.001, 154.002,~~  
 5.20 ~~154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter while in  
 5.21 the proper discharge of their professional duties:

5.22 (1) persons authorized by the law of this state to practice medicine, surgery, osteopathic  
 5.23 medicine, and chiropractic;

5.24 (2) commissioned medical or surgical officers of the United States armed services;

5.25 (3) registered nurses, licensed practical nurses, and nursing aides performing services  
 5.26 under the direction and supervision of a licensed physician or licensed registered nurse,  
 5.27 provided, however, that no additional compensation shall be paid for such service and  
 5.28 patients who are so attended shall not be charged for barbering;

5.29 (4) licensed cosmetologists, when providing cosmetology services as defined in section  
 5.30 155A.23, subdivision 3, provided, however, that cosmetologists shall not hold themselves  
 5.31 out as barbers or practice their occupation under a barber event permit or in a barber shop  
 5.32 unless the barber shop is also appropriately licensed as a cosmetology salon; and

6.1 (5) persons who perform barbering services for charitable purposes in nursing homes,  
 6.2 shelters, missions, individual homes, or other ~~similar facilities, provided, however, that~~  
 6.3 locations, when no direct or indirect compensation is received for the services, and that  
 6.4 persons who receive barbering services are not charged for the services. If direct or indirect  
 6.5 compensation is given or received for barber services the barber service must be performed  
 6.6 in a registered barber school or barber shop or where the board has issued an event permit.

6.7 **EFFECTIVE DATE.** This section is effective August 1, 2019.

6.8 Sec. 7. Minnesota Statutes 2018, section 154.05, is amended to read:

6.9 **154.05 WHO MAY RECEIVE CERTIFICATES OF REGISTRATION AS A**  
 6.10 **REGISTERED BARBER.**

6.11 (a) A person is qualified to receive a certificate of registration as a registered barber if  
 6.12 the person:

6.13 (1) has successfully completed ten grades of education;

6.14 (2) has successfully completed a minimum of 1,500 hours of study barber training in a  
 6.15 board-approved barber school; and

6.16 (3) has passed an examination conducted by the board or board-approved provider to  
 6.17 determine fitness to practice barbering.

6.18 (b) A first-time applicant for a certificate of registration to practice as a registered barber  
 6.19 who fails to pass the comprehensive examination conducted by the board and who fails to  
 6.20 pass a onetime retake of the written examination, if applicable, shall complete an additional  
 6.21 500 hours of barber education before being eligible to retake the comprehensive examination  
 6.22 as many times as necessary to pass.

6.23 **EFFECTIVE DATE.** This section is effective August 1, 2019.

6.24 Sec. 8. Minnesota Statutes 2018, section 154.065, subdivision 2, is amended to read:

6.25 Subd. 2. **Qualifications.** A person is qualified to receive a certificate of registration as  
 6.26 an instructor of barbering who:

6.27 (1) is a graduate of an approved high school, or its equivalent, as determined by  
 6.28 examination by the Department of Education;

6.29 (2) has successfully completed vocational ~~instructor~~ instruction training from a  
 6.30 ~~board-approved program or an~~ accredited college or university program that includes two  
 6.31 credit hours of each of the following courses or their equivalents as determined by the board:

- 7.1 ~~(i) introduction to career and technical education training;~~
- 7.2 ~~(ii) philosophy and practice of career and technical education;~~
- 7.3 (i) assessment and evaluation of student learning for career and technical education;
- 7.4 ~~(iii)~~ (ii) course development for career and technical education;
- 7.5 ~~(iv)~~ (iii) instructional methods for career and technical education; and
- 7.6 ~~(v)~~ (iv) human relations;
- 7.7 (3) is currently a registered barber and has practiced for at least three years ~~experience~~
- 7.8 immediately prior to application as a registered barber in this state, or its equivalent in
- 7.9 another state or jurisdiction as determined by the board; and
- 7.10 (4) has passed an examination conducted by the board or board-approved provider to
- 7.11 determine fitness to instruct in barbering.

7.12 **EFFECTIVE DATE.** This section is effective August 1, 2019.

7.13 Sec. 9. Minnesota Statutes 2018, section 154.065, subdivision 4, is amended to read:

7.14 Subd. 4. **Examinations.** Examinations under this section shall be held ~~not to exceed~~

7.15 ~~twice a year~~ at times and ~~at a place or~~ places to be determined by the board. In case of an

7.16 emergency, there being no registered instructor of barbering available, a temporary certificate

7.17 as an instructor of barbering may be issued upon such terms and conditions as the board

7.18 may prescribe.

7.19 **EFFECTIVE DATE.** This section is effective August 1, 2019.

7.20 Sec. 10. Minnesota Statutes 2018, section 154.07, subdivision 1, is amended to read:

7.21 Subdivision 1. **Admission requirements; course of instruction.** (a) No barber school

7.22 shall be approved by the board unless it requires, as a prerequisite to admission, ten grades

7.23 of an approved school or its equivalent, as determined by educational transcript, high school

7.24 diploma, high school equivalency certificate, or an examination ~~conducted~~ approved by the

7.25 commissioner of education, ~~which shall issue a certificate that the student has passed the~~

7.26 ~~required examination, and unless it requires, as a prerequisite to graduation,~~

7.27 (b) No barber school shall issue a certificate of completion to a student unless the student

7.28 has completed a course of instruction of at least 1,500 hours. Barber schools shall provide

7.29 instruction of not more than ten hours ~~of schooling~~ in any one working day. ~~The course of~~

7.30 ~~instruction must~~

8.1 (c) The course of instruction provided in the barber school must include the following  
 8.2 subjects: scientific fundamentals for barbering; hygiene; practical study of the hair, skin,  
 8.3 muscles, and nerves; structure of the head, face, and neck; elementary chemistry relating  
 8.4 to sanitation; disinfection; sterilization and antiseptics; diseases of the skin, hair, and glands;  
 8.5 infection control; blood spill precautions and proper handling and disposal of contaminated  
 8.6 items; massaging and manipulating the muscles of the face and neck; haircutting; straight  
 8.7 razor shaving; trimming the beard; shampooing, styling, bleaching, tinting, and dyeing  
 8.8 coloring the hair; and the chemical process of and chemicals used in coloring, waving,  
 8.9 curling, and straightening of hair; barber shop management; and human relations.

8.10 **EFFECTIVE DATE.** This section is effective August 1, 2019.

8.11 Sec. 11. Minnesota Statutes 2018, section 154.07, subdivision 3a, is amended to read:

8.12 Subd. 3a. **Number of instructors.** There must be one registered instructor of barbering  
 8.13 for every 20 students in attendance at the same time. Instruction must ~~not~~ be performed by  
 8.14 persons ~~not~~ possessing a certificate of registration as an instructor of barbering ~~or~~ a  
 8.15 temporary instructor permit as an instructor of barbering, or an emergency instructor permit.

8.16 **EFFECTIVE DATE.** This section is effective August 1, 2019.

8.17 Sec. 12. Minnesota Statutes 2018, section 154.07, subdivision 5, is amended to read:

8.18 Subd. 5. **Owner's requirements.** Any person may own a barber school provided the  
 8.19 person first secures from the board an annual certificate of registration as a barber school,  
 8.20 and keeps it prominently displayed, has employed a qualified instructor holding a current  
 8.21 certificate of registration as a barber instructor, and before commencing business:

8.22 (1) files with the ~~secretary of state~~ board a surety bond ~~to the state approved by the~~  
 8.23 ~~attorney general~~ in the sum of \$25,000, conditioned upon the faithful compliance of the  
 8.24 barber school with ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21,~~  
 8.25 ~~and 154.24 to 154.28, this chapter~~ and to pay all judgments that may be obtained against  
 8.26 the school, or the owners thereof, on account of fraud, misrepresentation, or deceit practiced  
 8.27 by them or their agents; ~~and~~

8.28 (2) keeps prominently displayed on the exterior a substantial sign indicating that the  
 8.29 establishment is a barber school;

8.30 (3) submits proof of professional liability insurance of at least \$100,000 for each  
 8.31 occurrence for the school, employees, and students; and



9.1 (4) submits a current certificate of workers' compensation insurance or an affidavit under  
 9.2 oath that the school has no employees.

9.3 **EFFECTIVE DATE.** This section is effective August 1, 2019.

9.4 Sec. 13. Minnesota Statutes 2018, section 154.07, subdivision 5b, is amended to read:

9.5 Subd. 5b. **Designated operator.** All barber schools shall ~~be operated by a barber with~~  
 9.6 ~~no less than six years of continuous experience as a registered barber in this state or another~~  
 9.7 ~~state or jurisdiction as determined by the board. When a person who owns a barber school~~  
 9.8 ~~does not meet the requirements of this section to operate a barber school,~~ designate an  
 9.9 individual responsible for the barber school operations and communication with the board.  
 9.10 The barber school owner shall notify the board in writing and under oath of the identity of  
 9.11 the person designated to operate the barber school ~~and~~ The owner shall notify the board of  
 9.12 any change of operator by telephone within 24 hours of such change, exclusive of Saturdays,  
 9.13 Sundays, and legal holidays, and shall notify the board in writing and under oath within 72  
 9.14 hours of such change.

9.15 **EFFECTIVE DATE.** This section is effective August 1, 2019.

9.16 Sec. 14. Minnesota Statutes 2018, section 154.07, subdivision 6, is amended to read:

9.17 Subd. 6. **Operation by technical college or state institution.** A public technical college  
 9.18 or a state institution may operate a barber school provided it has in its employment a qualified  
 9.19 instructor holding a current certificate of registration as a barber instructor and provided  
 9.20 that it secures from the board an annual certificate of registration ~~and does so~~ in accordance  
 9.21 with ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24~~  
 9.22 ~~to 154.28~~ this chapter and the rules of the board for barber schools but without the  
 9.23 requirement to file a performance surety bond ~~with the secretary of state~~ and insurance  
 9.24 certificates.

9.25 **EFFECTIVE DATE.** This section is effective August 1, 2019.

9.26 Sec. 15. Minnesota Statutes 2018, section 154.07, is amended by adding a subdivision to  
 9.27 read:

9.28 Subd. 7. **Separation of school from barber shop.** A registered barber shop cannot be  
 9.29 colocated with a barber school. A floor to ceiling separation between a barber school and  
 9.30 barber shop with separate entrances for each business are required.

9.31 **EFFECTIVE DATE.** This section is effective August 1, 2019.

10.1 Sec. 16. Minnesota Statutes 2018, section 154.09, is amended to read:

10.2 **154.09 EXAMINATIONS, CONDUCT AND SCOPE.**

10.3 The board or a board-approved provider shall conduct examinations of applicants for  
 10.4 certificates of registration to practice as registered barbers not ~~more~~ less than six ~~four~~ times  
 10.5 each year, at such time and place as the board may determine. Additional written  
 10.6 examinations may be scheduled by the board and conducted by board staff as designated  
 10.7 by the board. The proprietor of a barber school must file an affidavit with the board of hours  
 10.8 completed by students applying to take the registered barber examination. Students must  
 10.9 complete the full 1,500-hour curriculum in a barber school approved by the board within  
 10.10 the past four years to be eligible for examination. Barber students who have completed  
 10.11 barber school more than four years prior to application, that have not obtained a barber  
 10.12 registration, license, or certificate in any jurisdiction must complete an additional 500 hours  
 10.13 of barber school education to be eligible for the registered barber examination. Registered  
 10.14 barbers that fail to renew their registration for four or more years are required to take the  
 10.15 registered barber examination to reinstate the registration.

10.16 The examination of applicants for certificates of registration as barbers shall include a  
 10.17 practical demonstration and a written test. The examination must cover the subjects taught  
 10.18 in barber schools registered with the board, including applicable state statute and rule.

10.19 **EFFECTIVE DATE.** This section is effective August 1, 2019.

10.20 Sec. 17. Minnesota Statutes 2018, section 154.11, subdivision 1, is amended to read:

10.21 Subdivision 1. **Examination of nonresidents.** (a) A person who meets all of the  
 10.22 requirements for barber or barber instructor registration in ~~sections 154.001, 154.002,~~  
 10.23 ~~154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter and either  
 10.24 has a currently active license, certificate of registration, or equivalent as a practicing barber  
 10.25 or instructor of barbering for at least two years immediately prior to application, as verified  
 10.26 from another state or, if presenting foreign country credentials as verified by a  
 10.27 board-approved professional credential evaluation provider, which in the discretion of the  
 10.28 board has substantially the same requirements for registering barbers and instructors of  
 10.29 barbering as required by ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to~~  
 10.30 ~~154.21, and 154.24 to 154.28~~ this chapter shall, upon payment of the required fee, be issued  
 10.31 a certificate of registration without examination.

10.32 (b) Individuals without a current documented license, certificate of registration, or  
 10.33 equivalent, as verified in paragraph (a), must have a minimum of 1,500 hours of barber

11.1 education as verified by the barber school attended or regulating body in the other state or  
 11.2 if presenting foreign country education as verified by a board-approved professional  
 11.3 credential evaluation provider, completed within the previous four years, which, in the  
 11.4 discretion of the board, has substantially the same requirements as required in ~~sections~~  
 11.5 ~~154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this  
 11.6 chapter will be eligible for examination.

11.7 (c) Individuals unable to meet the requirements in paragraph (a) or (b) shall be subject  
 11.8 to all the requirements of section 154.05.

11.9 **EFFECTIVE DATE.** This section is effective August 1, 2019.

11.10 Sec. 18. Minnesota Statutes 2018, section 154.15, subdivision 2, is amended to read:

11.11 Subd. 2. **Effect of failure to renew.** A registered barber who has not renewed a certificate  
 11.12 of registration may be reinstated within four years of such failure to renew without  
 11.13 examination upon the payment of the required restoration fee for each year the certificate  
 11.14 is lapsed. A registered instructor of barbering who has not renewed a certificate of registration  
 11.15 may be reinstated within four years of such failure to renew without examination upon  
 11.16 payment of the required restoration fee for each year the certificate is lapsed. All registered  
 11.17 barbers who allow their certificates of registration to lapse for more than four years shall  
 11.18 be required to reexamine before being issued a certificate of registration. All registered  
 11.19 instructors of barbering who allow their certificates of registration to lapse for more than  
 11.20 four years shall be required to reexamine before being issued a certificate of registration.  
 11.21 A barber shop owner who has not renewed the barber shop certificate for more than one  
 11.22 year may reinstate the barber shop registration upon payment of the restoration fee for each  
 11.23 year the shop card was lapsed. Failure to renew may result in enforcement actions under  
 11.24 section 154.161. If lapsed or unregistered status is discovered by the barber inspector during  
 11.25 inspection, penalties under section 154.162 ~~shall~~ may also apply.

11.26 **EFFECTIVE DATE.** This section is effective August 1, 2019.

11.27 Sec. 19. Minnesota Statutes 2018, section 154.161, subdivision 1, is amended to read:

11.28 Subdivision 1. **Proceedings.** If the board, or a complaint committee if authorized by the  
 11.29 board, has a reasonable basis for believing that a person has engaged in or is about to engage  
 11.30 in a violation of a statute, rule, or order that the board has adopted or issued or is empowered  
 11.31 to enforce, the board or complaint committee may proceed as provided in ~~subdivision 2 or~~  
 11.32 ~~3~~ this section. Except as otherwise provided in this section, all hearings must be conducted  
 11.33 in accordance with ~~the Administrative Procedure Act~~ chapter 14.

12.1 **EFFECTIVE DATE.** This section is effective August 1, 2019.

12.2 Sec. 20. Minnesota Statutes 2018, section 154.161, subdivision 3, is amended to read:

12.3 Subd. 3. **Cease and desist orders.** (a) The board, or complaint committee if authorized  
 12.4 by the board, may issue and have served upon an unregistered person, or a holder of a  
 12.5 certificate of registration or a shop registration card, an order requiring the person to cease  
 12.6 and desist from an act or practice that constitutes a violation of a statute, rule, or order that  
 12.7 the board has adopted or issued or is empowered to enforce. The order must (1) give  
 12.8 reasonable notice of the rights of the person named in the order to request a hearing, and  
 12.9 (2) state the reasons for the entry of the order. No order may be issued under this subdivision  
 12.10 until an investigation of the facts has been conducted under section 214.10.

12.11 (b) Service of the order under this subdivision is effective when the order is served  
 12.12 personally ~~served~~ on or by first-class mail to the person or counsel of record, ~~or served by~~  
 12.13 ~~certified mail~~ to the most recent address provided to the board for the person or counsel of  
 12.14 record.

12.15 (c) The board must hold a hearing under this subdivision not later than 30 days after the  
 12.16 board receives the request for the hearing, unless otherwise agreed between the board, or  
 12.17 complaint committee if authorized by the board, and the person requesting the hearing.

12.18 (d) Notwithstanding any rule to the contrary, the administrative law judge must issue a  
 12.19 report within 30 days of the close of the contested case hearing. Within 30 days after  
 12.20 receiving the report and subsequent exceptions and argument, the board shall issue a further  
 12.21 order vacating, modifying, or making permanent the cease and desist order. If no hearing  
 12.22 is requested within 30 days of service of the order, the order becomes final and remains in  
 12.23 effect until modified or vacated by the board.

12.24 Sec. 21. Minnesota Statutes 2018, section 154.161, subdivision 4, is amended to read:

12.25 Subd. 4. **Registration actions.** (a) With respect to a person who is a holder of or applicant  
 12.26 for registration or a shop registration card under ~~sections 154.001, 154.002, 154.003, 154.01~~  
 12.27 ~~to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter, the board may by order  
 12.28 deny, refuse to renew, suspend, temporarily suspend, or revoke the application, certificate  
 12.29 of registration, or shop registration card, censure or reprimand the person, refuse to permit  
 12.30 the person to sit for examination, or refuse to release the person's examination grades, if the  
 12.31 board finds that such an order is in the public interest and that, based on a preponderance  
 12.32 of the evidence presented, the person has:

13.1 (1) violated a statute, rule, or order that the board has adopted or issued or is empowered  
13.2 to enforce;

13.3 (2) engaged in conduct or acts that are fraudulent, deceptive, or dishonest, whether or  
13.4 not the conduct or acts relate to the practice of barbering, if the fraudulent, deceptive, or  
13.5 dishonest conduct or acts reflect adversely on the person's ability or fitness to engage in the  
13.6 practice of barbering;

13.7 (3) engaged in conduct or acts that constitute malpractice, are negligent, demonstrate  
13.8 incompetence, or are otherwise in violation of the standards in the rules of the board, where  
13.9 the conduct or acts relate to the practice of barbering;

13.10 (4) employed fraud or deception in obtaining a certificate of registration, shop registration  
13.11 card, renewal, or reinstatement, or in passing all or a portion of the examination;

13.12 (5) had a certificate of registration or shop registration card, right to examine, or other  
13.13 similar authority revoked in another jurisdiction;

13.14 (6) failed to meet any requirement for issuance or renewal of the person's certificate of  
13.15 registration or shop registration card;

13.16 (7) practiced as a barber while having an infectious or contagious disease;

13.17 (8) advertised by means of false or deceptive statements;

13.18 (9) demonstrated intoxication or indulgence in the use of drugs, including but not limited  
13.19 to narcotics as defined in section 152.01 or in United States Code, title 26, section 4731,  
13.20 barbiturates, amphetamines, benzedrine, dexedrine, or other sedatives, depressants,  
13.21 stimulants, or tranquilizers;

13.22 (10) demonstrated unprofessional conduct or practice;

13.23 (11) permitted an employee or other person under the person's supervision or control to  
13.24 practice as a barber student, registered barber, or registered instructor of barbering unless  
13.25 that person has ~~(i) a current certificate of registration as a registered barber or registered~~  
13.26 ~~instructor of barbering, (ii) a temporary apprentice permit, or (iii) a temporary permit as an~~  
13.27 ~~instructor of barbering;~~ issued by the Board of Barber Examiners;

13.28 (12) practices, offered to practice, or attempted to practice by misrepresentation;

13.29 (13) failed to display a certificate of registration as required by section 154.14;

13.30 (14) used any room or place of barbering that is also used for any other purpose, or used  
13.31 any room or place of barbering that violates the board's rules governing sanitation;

14.1 (15) in the case of a barber or other person working in or in charge of any barber shop,  
 14.2 or any person in a barber school engaging in the practice of barbering, failed to use separate  
 14.3 and clean towels for each customer or patron, or to discard and launder each towel after  
 14.4 being used once;

14.5 (16) in the case of a barber or other person in charge of any barber shop or barber school,  
 14.6 (i) failed to supply in a sanitary manner clean hot and cold water in quantities necessary to  
 14.7 conduct the shop or barbering service for the school, or (ii) failed to have water and sewer  
 14.8 connections from the shop or barber school with municipal water and sewer systems where  
 14.9 they are available for use, ~~or (iii) failed or refused to maintain a receptacle for hot water of~~  
 14.10 ~~a capacity of at least five gallons;~~

14.11 (17) refused to permit the board to make an inspection permitted or required by ~~sections~~  
 14.12 ~~154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this  
 14.13 chapter, or failed to provide the board or the attorney general on behalf of the board with  
 14.14 any documents or records they request;

14.15 (18) failed promptly to renew a certificate of registration or shop registration card when  
 14.16 remaining in practice, pay the required fee, or issue a worthless check;

14.17 (19) permitted the practice of barbering by a person not registered with the board or not  
 14.18 holding a temporary military permit;

14.19 (20) refused to serve a customer because of race, color, creed, religion, disability, national  
 14.20 origin, or sex;

14.21 (21) failed to comply with a provision of sections 136A.82 to 136A.834, ~~or a provision~~  
 14.22 ~~of another chapter that relates to barber schools~~ this chapter, or Minnesota Rules, chapter  
 14.23 2100; or

14.24 (22) with respect to temporary suspension orders, has committed an act, engaged in  
 14.25 conduct, or committed practices that the board, or complaint committee if authorized by  
 14.26 the board, has determined may result or may have resulted in an immediate threat to the  
 14.27 public.

14.28 (b) In lieu of or in addition to any remedy under paragraph (a), the board may as a  
 14.29 condition of continued registration, termination of suspension, reinstatement of registration,  
 14.30 examination, or release of examination results, require that the person:

14.31 (1) submit to a quality review of the person's ability, skills, or quality of work, conducted  
 14.32 in a manner and by a person or entity that the board determines; or

14.33 (2) complete to the board's satisfaction continuing education as the board requires.

15.1 ~~(c) Service of an order under this subdivision is effective if the order is served personally~~  
 15.2 ~~on, or is served by certified mail to the most recent address provided to the board by the~~  
 15.3 ~~certificate holder, applicant, or counsel of record. The order must state the reason for the~~  
 15.4 ~~entry of the order. The board may issue an order to any person found to have committed a~~  
 15.5 ~~violation under this subdivision. The order shall include a summary of the facts that constitute~~  
 15.6 ~~each violation, the applicable law that has been violated, the civil penalty assessed, the~~  
 15.7 ~~registration action taken, and a notice to the individual that unless the individual requests~~  
 15.8 ~~a hearing within 30 days of issuance of the order, the order becomes a final order of the~~  
 15.9 ~~board.~~

15.10 (d) Persons to whom an order of the board is issued under this section may request a  
 15.11 hearing within 30 days of the date the order is issued. If the person's written request for a  
 15.12 hearing is not received within 30 days of the date of the order, the order becomes a final  
 15.13 order of the board and is not subject to review by any court or agency. The hearing request  
 15.14 must:

15.15 (1) be in writing signed by the person to whom the order was issued;

15.16 (2) specify why the person is requesting a hearing; and

15.17 (3) be mailed, faxed, or delivered to the board within 30 days of the order.

15.18 (e) Service of an order under this subdivision is effective if the order is served personally  
 15.19 or by first-class mail to the most recent address provided by the certificate holder, applicant,  
 15.20 or counsel of record.

15.21 (f) Except as provided in subdivision 5, paragraph (c), all hearings under this subdivision  
 15.22 must be conducted in accordance with the Administrative Procedure Act chapter 14.

15.23 (g) Nothing in this section prevents the board from resolving any violation through  
 15.24 informal disposition under chapter 14.

15.25 **EFFECTIVE DATE.** This section is effective August 1, 2019.

15.26 Sec. 22. Minnesota Statutes 2018, section 154.161, subdivision 5, is amended to read:

15.27 Subd. 5. **Temporary suspension.** (a) When the board, or complaint committee if  
 15.28 authorized by the board, issues a temporary suspension order, the suspension provided for  
 15.29 in the order is effective on service of a written copy of the order on the certificate holder or  
 15.30 counsel of record. The order must specify the statute, rule, or order violated by the certificate  
 15.31 holder. The order remains in effect until the board issues a final order in the matter after a  
 15.32 hearing, or on agreement between the board and the certificate holder.

16.1 (b) An order under this subdivision may (1) prohibit the certificate holder from engaging  
16.2 in the practice of barbering in whole or in part, as the facts require, and (2) condition the  
16.3 termination of the suspension on compliance with a statute, rule, or order that the board has  
16.4 adopted or issued or is empowered to enforce. The order must state the reasons for entering  
16.5 the order and must set forth the right to a hearing as provided in this subdivision.

16.6 (c) Within ten days after service of an order under this subdivision, the certificate holder  
16.7 may request a hearing in writing. The request for hearing must be in writing, signed by the  
16.8 person to whom the order was issued, and mailed, faxed, or delivered to the board within  
16.9 ten days of service of the order. The board must hold a hearing before its own members  
16.10 within ~~five~~ 15 working days of the request for a hearing; unless another later date is mutually  
16.11 agreed upon between the board and the certificate holder. The sole issue at such a hearing  
16.12 must be whether there is a reasonable basis to continue, modify, or terminate the temporary  
16.13 suspension. The hearing is not subject to ~~the Administrative Procedure Act~~ chapter 14.  
16.14 Evidence presented to the board or the certificate holder may be in affidavit form only. The  
16.15 certificate holder or counsel of record may appear for oral argument.

16.16 (d) Within ~~five~~ ten working days after the hearing, the board shall issue its order and, if  
16.17 the order continues the suspension, shall schedule a contested case hearing to be held pursuant  
16.18 to chapter 14. The certificate holder shall be provided with at least ten working days' notice  
16.19 of any contested case hearing held pursuant to this section. The contested case hearing shall  
16.20 be scheduled to begin within 30 days of the issuance of the order. Notwithstanding any rule  
16.21 to the contrary, the administrative law judge shall issue a report within 30 days after the  
16.22 closing of the contested case hearing record. The board shall issue a final order within 30  
16.23 days of receiving the report.

16.24 (e) If the board has not issued a final order under paragraph (d) within 30 days of receipt  
16.25 of the administrative law judge's report and recommendations, the temporary suspension  
16.26 shall be lifted.

16.27 (f) An order under this section is issued when served personally or by first-class mail to  
16.28 the last known address of the person served.

16.29 **EFFECTIVE DATE.** This section is effective August 1, 2019.

16.30 Sec. 23. Minnesota Statutes 2018, section 154.161, subdivision 7, is amended to read:

16.31 Subd. 7. **Reinstatement.** The board may reinstate a suspended, revoked, or surrendered  
16.32 certificate of registration or shop registration card, on petition of the former or suspended  
16.33 registrant. The board may in its sole discretion place any conditions on reinstatement of a



17.1 suspended, revoked, or surrendered certificate of registration or shop registration card that  
 17.2 it finds appropriate and necessary to ensure that the purposes of sections 154.001, 154.002,  
 17.3 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28 this chapter are met.  
 17.4 No certificate of registration or shop registration card may be reinstated until the former  
 17.5 registrant has completed at least one-half of the suspension period.

17.6 **EFFECTIVE DATE.** This section is effective August 1, 2019.

17.7 Sec. 24. Minnesota Statutes 2018, section 154.162, is amended to read:

17.8 **154.162 ADMINISTRATIVE PENALTIES.**

17.9 Subdivision 1. Penalties. When discovered upon inspection, the board ~~shall~~ may impose  
 17.10 and collect the following penalties:

17.11 (1) missing or lapsed shop registration ~~discovered upon inspection~~; penalty imposed on  
 17.12 shop owner: up to \$500;

17.13 (2) unregistered barber, first occurrence ~~discovered upon inspection~~; penalty imposed  
 17.14 on shop owner and unlicensed or unregistered individual: up to \$500 each; and

17.15 (3) unregistered barber, second occurrence ~~discovered upon inspection~~; penalty imposed  
 17.16 on shop owner and unlicensed or unregistered individual: up to \$1,000 each.

17.17 Subd. 2. Notice of penalty. (a) The board may issue a notice of penalty to any person  
 17.18 found upon inspection to have committed a violation under this section. The notice of penalty  
 17.19 shall include the nature of the violation, the statute or rule alleged to be violated, the amount  
 17.20 of the penalty, and a notice to inform the individual that unless the individual requests a  
 17.21 hearing within 30 days of issuance of the notice of penalty, the notice of penalty becomes  
 17.22 a final order of the board.

17.23 (b) Subsequent renewal or registration does not relieve the individual from the penalty.

17.24 (c) Persons to whom a notice of penalty is issued under this section may request a hearing  
 17.25 within 30 days of the date the notice of penalty is issued. If the person's written request for  
 17.26 a hearing is not received within 30 days of the date the notice of penalty was issued, the  
 17.27 penalty becomes a final order of the board and is not subject to review by any court or  
 17.28 agency. The hearing request must:

17.29 (1) be in writing signed by the person to whom the notice of penalty was issued;

17.30 (2) specify why the person is requesting a hearing; and

17.31 (3) be mailed, faxed, or delivered to the board within 30 days of the notice of penalty.

18.1 (d) Notice of penalty under this section is issued when served personally or by first-class  
 18.2 mail to the last known address of the person served.

18.3 (e) All hearings under this section must be conducted in accordance with chapter 14.

18.4 (f) Nothing in this section prevents the board from resolving any penalty through informal  
 18.5 disposition under chapter 14.

18.6 **EFFECTIVE DATE.** This section is effective August 1, 2019.

18.7 Sec. 25. Minnesota Statutes 2018, section 154.19, is amended to read:

18.8 **154.19 VIOLATIONS.**

18.9 (a) Each of the following constitutes a misdemeanor:

18.10 (1) the violation of any of the provisions of section 154.01;

18.11 (2) permitting any person in one's employ, supervision, or control to practice as a  
 18.12 registered barber unless that person has a certificate of registration as a registered barber;

18.13 (3) permitting any person in one's barber school supervision or control to practice  
 18.14 barbering upon a customer without a valid registration or permit issued under this chapter  
 18.15 by the board;

18.16 ~~(3)~~ (4) obtaining or attempting to obtain a certificate of registration for money other than  
 18.17 the required fee, or any other thing of value, or by fraudulent misrepresentation;

18.18 ~~(4)~~ (5) practicing or attempting to practice by fraudulent misrepresentation;

18.19 (6) the failure or refusal of any barber or other person in charge of any barber shop, or  
 18.20 any person in barber schools or colleges doing barber service work, to use separate and  
 18.21 clean towels for each customer or patron, or to discard and launder each towel after once  
 18.22 being used;

18.23 (7) the failure or refusal by any barber or other person in charge of any barber shop or  
 18.24 barber school or barber college to supply clean hot and cold water in such quantities as may  
 18.25 be necessary to conduct such shop, or the barbering service of such school or college, in a  
 18.26 sanitary manner, or the failure or refusal of any such person to have water and sewer  
 18.27 connections from such shop, or barber school or college, with municipal water and sewer  
 18.28 systems where the latter are available for use;

18.29 ~~(5)~~ (8) the willful failure to display a certificate of registration as required by section  
 18.30 154.14; and

19.1 ~~(6)~~ (9) the use of any room or place for barbering which is also used for residential or  
 19.2 business purposes, except the sale of hair tonics, lotions, creams, cutlery, toilet articles,  
 19.3 cigars, tobacco, candies in their original package, and such commodities as are used and  
 19.4 sold in barber shops, and except that items related to personal care and barbering services.

19.5 ~~Shoeshining and an agency for the reception and delivery of laundry, or either, may be~~  
 19.6 ~~conducted in a barber shop without the same being construed as a violation of this section,~~  
 19.7 ~~unless a substantial partition of ceiling height separates the portion used for residential or~~  
 19.8 ~~business purposes, and~~

19.9 (b) Where a barber shop is situated in a residence, ~~poolroom, confectionery, store,~~  
 19.10 ~~restaurant, garage, clothing store, liquor store, hardware store, or soft drink parlor~~ or with  
 19.11 another business, there must be:

19.12 (1) an ~~outside~~ entrance leading into the barber shop independent of any entrance leading  
 19.13 into such the business establishment, ~~except that this provision as to an outside entrance~~  
 19.14 ~~shall not apply to barber shops in operation at the time of the passage of this section and~~  
 19.15 ~~except that~~ or residence; and

19.16 (2) a substantial partition of ceiling height that separates the portion used for residential  
 19.17 or business purposes.

19.18 A barber shop and either a cosmetology salon, shoeshining service, or laundry business  
 19.19 may be operated in conjunction, without the same being separated by partition of ceiling  
 19.20 height;

19.21 ~~(7)~~ ~~The failure or refusal of any barber or other person in charge of any barber shop, or~~  
 19.22 ~~any person in barber schools or colleges doing barber service work, to use separate and~~  
 19.23 ~~clean towels for each customer or patron, or to discard and launder each towel after once~~  
 19.24 ~~being used;~~

19.25 ~~(8)~~ ~~The failure or refusal by any barber or other person in charge of any barber shop or~~  
 19.26 ~~barber school or barber college to supply clean hot and cold water in such quantities as may~~  
 19.27 ~~be necessary to conduct such shop, or the barbering service of such school or college, in a~~  
 19.28 ~~sanitary manner, or the failure or refusal of any such person to have water and sewer~~  
 19.29 ~~connections from such shop, or barber school or college, with municipal water and sewer~~  
 19.30 ~~systems where the latter are available for use, or the failure or refusal of any such person~~  
 19.31 ~~to maintain a receptacle for hot water of a capacity of not less than five gallons;~~

19.32 ~~(9)~~ (d) For the purposes of this section, barbers, students, or the proprietor or manager  
 19.33 of a barber shop, or barber school or barber college, ~~shall be~~ are responsible for all violations

20.1 of the sanitation and disinfection provisions of this section. If any barber workstation in any  
 20.2 barber shop, or barber school or barber college, upon inspection, ~~shall be~~ is found to be in  
 20.3 an unsanitary condition, the person making ~~such~~ the inspection shall immediately issue an  
 20.4 order to place the barber shop, or barber school, or barber college, in a sanitary condition,  
 20.5 in a manner and within a time satisfactory to the Board of Barber Examiners, ~~and for the~~  
 20.6 ~~failure to comply with such order the board shall immediately.~~ An inspector may file a  
 20.7 complaint for the arrest of ~~the persons~~ a person upon whom the order was issued, and any  
 20.8 registered barber who ~~shall fail~~ fails to comply with the rules adopted by the Board of Barber  
 20.9 Examiners, ~~with the approval of the state commissioner of health,~~ or ~~the violation~~ violates  
 20.10 or ~~commission of~~ commits any of the offenses described in this section and section 154.161,  
 20.11 subdivision 4, paragraph (a), clauses (1), (3), and (4) to (12), shall be fined not less than  
 20.12 ~~\$10~~ \$100 per violation or ~~imprisoned for ten days~~ and not more than ~~\$100~~ \$1,000 per  
 20.13 violation or imprisoned for not more than 90 days.

20.14 **EFFECTIVE DATE.** This section is effective August 1, 2019.

20.15 Sec. 26. Minnesota Statutes 2018, section 154.21, is amended to read:

20.16 **154.21 PERJURY.**

20.17 The willful making of any false statement as to a material matter in any oath or affidavit  
 20.18 which is required by the provisions of ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162,~~  
 20.19 ~~154.19 to 154.21, and 154.24 to 154.28~~ this chapter is perjury and punishable as such.

20.20 **EFFECTIVE DATE.** This section is effective August 1, 2019.

20.21 Sec. 27. Minnesota Statutes 2018, section 154.24, is amended to read:

20.22 **154.24 RULES.**

20.23 The Board of Barber Examiners shall have authority to make reasonable rules for the  
 20.24 administration of the provisions of ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162,~~  
 20.25 ~~154.19 to 154.21, and 154.24 to 154.28~~ this chapter and prescribe sanitation ~~and~~ disinfection,  
 20.26 and infection control requirements for barber shops and barber schools, subject to the  
 20.27 approval of the state commissioner of health. Any member of the board, or its agents or  
 20.28 assistants, shall have authority to enter upon and to inspect any barber shop or barber school  
 20.29 at any time during business hours. A copy of the sanitation, disinfection, and infection  
 20.30 control rules adopted by the board shall be furnished by it to the owner or manager of each  
 20.31 barber shop or barber school and such copy shall be posted in a conspicuous place in such  
 20.32 barber shop or barber school.

21.1 The board shall keep a record of its proceedings relating to the issuance, refusal, renewal,  
 21.2 suspension, and revocation of certificates of registration. This record shall contain the name,  
 21.3 place of business, and residence of each registered barber, and the date and number of the  
 21.4 certificate of registration. This record shall be open to public inspection at all reasonable  
 21.5 times.

21.6 **EFFECTIVE DATE.** This section is effective August 1, 2019.

21.7 Sec. 28. Minnesota Statutes 2018, section 154.25, is amended to read:

21.8 **154.25 NOT TO SERVE CERTAIN PERSONS.**

21.9 No person practicing the occupation of a barber in any barber shop, barber school, or  
 21.10 college in this state shall knowingly serve a person afflicted, in a dangerous or infectious  
 21.11 state of disease, with any contagious or infectious disease. Any person so afflicted is hereby  
 21.12 prohibited from being served in any barber shop, barber school, or college in this state. Any  
 21.13 violation of this section shall be considered a misdemeanor as provided for in ~~sections~~  
 21.14 ~~154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this  
 21.15 chapter.

21.16 **EFFECTIVE DATE.** This section is effective August 1, 2019.

21.17 Sec. 29. **RULEMAKING AUTHORITY; APPLICATION.**

21.18 The Board of Barber Examiners must adopt rules to establish an event permit under  
 21.19 Minnesota Statutes, section 154.02, subdivision 5a, and license application procedures for  
 21.20 a mobile barber shop under Minnesota Statutes, section 154.02, subdivision 5b. The board  
 21.21 shall not implement event permits and licensing for mobile barber shops until rules are  
 21.22 implemented under this section.

21.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.