February 19, 2014

ENGROSSED
HOUSE BILL No. 1276

DIGEST OF HB 1276 (Updated February 17, 2014 1:41 pm - DI 44)

Citations Affected: IC 20-20; IC 25-8.

Synopsis: Barber licensing. Requires the state board of education to adopt rules and develop policies and administrative procedures concerning secondary level career and technical education programs for cosmetology, electrology, esthetics, barbering, and manicuring courses and classes. Allows the Indiana professional licensing agency to authorize beauty culture schools to offer postsecondary educational programs, courses, or classes in the areas of cosmetology, electrology, esthetics, barbering, and manicuring. Provides that a license issued or renewed by the state board of cosmetology and barber examiners for a barber, barber shop, or barber school must state in prominent type on the license that it is a "barber license", "barber shop license", or "barber school license".

Effective: July 1, 2014.

Slager

(SENATE SPONSOR — CHARBONNEAU)

January 14, 2014, read first time and referred to Committee on Employment, Labor and Pensions.
January 28, 2014, amended, reported — Do Pass.
January 30, 2014, read second time, ordered engrossed. Engrossed.
February 3, 2014, read third time, passed. Yeas 94, nays 0.

SENATE ACTION

February 10, 2014, read first time and referred to Committee on Commerce, Economic Development & Technology.
February 18, 2014, reported favorably — Do Pass.

February 19, 2014

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

ENGROSSED
HOUSE BILL No. 1276

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-20-38-5, AS ADDED BY P.L.7-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. The state board shall do the following:

(1) Prepare biennially a plan for implementing career and technical education.

(2) Implement, to the best of its ability, the career and technical education plan prepared under subdivision (1).

(3) Investigate the funding of career and technical education on a cost basis.

(4) Establish and monitor the operation of secondary level career and technical education in Indiana in accordance with the comprehensive long range state plan developed under section 4 of this chapter.

(5) Establish a list of approved secondary level career and technical education courses in accordance with the workforce partnership plans under IC 22-4.1-14.

(6) In consultation with the Indiana professional licensing agency, adopt rules concerning secondary level career and technical education programs, courses, and classes in the areas of cosmetology, electrology, esthetics, barbering, and manicuring.

(7) To comply with this section and any federal law or regulation:

(A) adopt rules under IC 4-22-2; and

(B) develop policies and administrative procedures.

SECTION 2. IC 25-8-5-1, AS AMENDED BY P.L.170-2013, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. **(a)** The board may issue a license under this article to operate a beauty culture school.

(b) Beginning July 1, 2014, a license issued or renewed under this chapter for a barber school must state, in prominent type on the license, that the license is a "barber school license".

SECTION 3. IC 25-8-5-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 7. (a) A school of barbering, manicuring, esthetics, or cosmetology licensed under this chapter shall be authorized to offer postsecondary higher education classes, courses, or programs consistent with the rules and policies adopted by the board subject to the board's oversight.**

(b) The board shall:

(1) adopt rules under IC 4-22-2 to comply with this section and any federal law or regulation; and

(2) develop policies and administrative procedures to:

(A) appropriately act on complaints concerning a beauty culture school licensed under this chapter; and

(B) comply with this section and any federal law or regulation.

SECTION 4. IC 25-8-7-1, AS AMENDED BY P.L.170-2013, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. **(a)** The board may issue a license under this article to operate a beauty culture salon.

(b) Beginning July 1, 2014, a license issued or renewed under this chapter for a barber shop must state, in prominent type on the license, that the license is a "barber shop license".

SECTION 5. IC 25-8-12.1-1, AS ADDED BY P.L.84-2010, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. **(a)** The board may license a person to be a barber.

(b) Beginning July 1, 2014, a license issued or renewed under this chapter must state, in prominent type on the license, that the license is a "barber license".

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1276, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-20-38-5, AS ADDED BY P.L.7-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. The state board shall do the following:

(1) Prepare biennially a plan for implementing career and technical education.

(2) Implement, to the best of its ability, the career and technical education plan prepared under subdivision (1).

(3) Investigate the funding of career and technical education on a cost basis.

(4) Establish and monitor the operation of secondary level career and technical education in Indiana in accordance with the comprehensive long range state plan developed under section 4 of this chapter.

(5) Establish a list of approved secondary level career and technical education courses in accordance with the workforce partnership plans under IC 22-4.1-14.

(6) In consultation with the Indiana professional licensing agency, adopt rules concerning secondary level career and technical education programs, courses, and classes in the areas of cosmetology, electrology, esthetics, barbering, and manicuring.

(7) To comply with this section and any federal law or regulation:

(A) adopt rules under IC 4-22-2; and

(B) develop policies and administrative procedures.

SECTION 2. IC 25-8-5-1, AS AMENDED BY P.L.170-2013, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. **(a)** The board may issue a license under this article to operate a beauty culture school.

(b) Beginning July 1, 2014, a license issued or renewed under this chapter for a barber school must state, in prominent type on the license, that the license is a "barber school license".

SECTION 3. IC 25-8-5-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 7. (a) A school of barbering, manicuring, esthetics, or**

cosmetology licensed under this chapter shall be authorized to offer postsecondary higher education classes, courses, or programs consistent with the rules and policies adopted by the board subject to the board's oversight.

(b) The board shall:

(1) adopt rules under IC 4-22-2 to comply with this section and any federal law or regulation; and

(2) develop policies and administrative procedures to:

(A) appropriately act on complaints concerning a beauty culture school licensed under this chapter; and

(B) comply with this section and any federal law or regulation.

SECTION 4. IC 25-8-7-1, AS AMENDED BY P.L.170-2013, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. **(a)** The board may issue a license under this article to operate a beauty culture salon.

(b) Beginning July 1, 2014, a license issued or renewed under this chapter for a barber shop must state, in prominent type on the license, that the license is a "barber shop license".".

Page 1, line 7, delete "The board may adopt rules under".

Page 1, delete line 8.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1276 as introduced.)

GUTWEIN, Chair

Committee Vote: yeas 11, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Economic Development & Technology, to which was referred House Bill No. 1276, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1276 as printed, January 28 2014)

Committee Vote: Yeas 7, Nays 0

Senator Buck, Chairperson