

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 934**  
**93RD GENERAL ASSEMBLY**

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Reported from the Committee on Financial and Governmental Organizations and Elections, February 16, 2006, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

4590S.03C

TERRY L. SPIELER, Secretary.

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**AN ACT**

To repeal sections 328.115 and 329.045, RSMo, and to enact in lieu thereof two new sections relating to barber and cosmetology establishments.

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

Section A. Sections 328.115 and 329.045, RSMo, are repealed and two new  
2 sections enacted in lieu thereof, to be known as sections 328.115 and 329.045, to  
3 read as follows:

328.115. 1. The owner of every shop or establishment in which the  
2 occupation of barbering is practiced shall obtain a license for such shop or  
3 establishment issued by the board before barbering is practiced therein. A new  
4 license shall be obtained for a barber [shop or] establishment [before barbering  
5 is practiced therein when the shop or] **within forty-five days when the**  
6 establishment changes ownership or location. **The state inspector shall**  
7 **inspect the sanitary conditions required for licensure, established**  
8 **under subsection 2 of this section, for an establishment that has**  
9 **changed ownership or location without requiring the owner to close**  
10 **business or deviate in any way from the establishment's regular hours**  
11 **of operation.**

12 2. The board shall issue a license for a shop or establishment upon receipt  
13 of the license fee from the applicant if the board finds that the shop or  
14 establishment complies with the sanitary regulations adopted pursuant to section  
15 328.060. All [shops or] **barber** establishments shall continue to comply with the  
16 sanitary regulations. Failure of a [shop or] **barber** establishment to comply with  
17 the sanitary regulations shall be grounds for the board to file a complaint with

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

18 the administrative hearing commission to revoke [or], suspend, **or censure** the  
19 **establishment's** license [for the shop or censure] or place **the establishment's**  
20 **license** on probation [the holder thereof].

21 3. The license for a [shop or] **barber** establishment shall be  
22 renewable. The applicant for renewal of the license shall on or before the renewal  
23 date submit the completed renewal application accompanied by the required  
24 renewal fee. If the renewal application and fee are not submitted within thirty  
25 days following the renewal date, a penalty fee plus the renewal fee shall be paid  
26 to renew the license. If a new [shop] **establishment** opens any time during the  
27 licensing period and does not register a license before opening, there shall be a  
28 delinquent fee in addition to the regular fee. The license shall be kept posted in  
29 plain view within the [shop or] **barber** establishment at all times.

329.045. 1. Every establishment in which the occupation of cosmetology  
2 is practiced shall be required to obtain a license from the board. Every  
3 establishment required to be licensed shall pay to the board an establishment fee  
4 for the first three licensed cosmetologists esthetician and/or manicurists, and/or  
5 apprentices and an additional fee for each additional licensee. The fee shall be  
6 due and payable on the renewal date and, if the fee remains unpaid thereafter,  
7 there shall be a late fee in addition to the regular establishment fee or, if a new  
8 establishment opens any time during the licensing period and does not register  
9 before opening, there shall be a delinquent fee in addition to the regular  
10 establishment fee. The license shall be kept posted in plain view within the  
11 establishment at all times.

12 2. A new license shall be obtained for a cosmetology  
13 establishment within forty-five days when the establishment changes  
14 ownership or location. The state inspector shall inspect the sanitary  
15 conditions required for licensure for an establishment that has changed  
16 ownership or location without requiring the owner to close business or  
17 deviate in any way from the establishment's regular hours of operation.

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