

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 652 (HSB 211)	House Committee:	PASSED March 2 (22-0)
Committee:	State Government	House Floor:	PASSED March 22 (84-11)
Floor Manager:	Rep. Wulf	Senate Floor:	PASSED May 1 (94-0)
Date:	May 12, 2023	Governor:	PASSED April 19 (49-1)
Staff:	Jason Covey (1-3626)		

Combining Cosmetology and Barbering Boards

- Combines the Board of Cosmetology Arts and Sciences and the Board of Barbering as the Board of Barbering and Cosmetology Arts and Sciences.
- Defines establishments to include readily movable location bringing parity for mobile practice for barbers and cosmetologists.
- Removes arranging, braiding, and dressing hair as a practice of cosmetology.
- Allows schools of cosmetology to use their space for uses outside of instruction.
- Permits individuals to practice blow-dry styling without a barbering and cosmetology license.
- Allows licensees to practice outside of licensed establishments.

Section by Section Analysis

Section 1 – Powers and duties of the director (Iowa Code 10A.104(14))

Conforming code change for the combined board.

Section 2 – Designation of boards (Iowa Code 147.13(11))

Changes the name of the board to “The Board of Barbering and Cosmetology Arts and Sciences” that oversees cosmetology.

Section 3 – Designation of boards (Iowa Code 147.13(12))

Strikes the paragraph for barbering and the board of barbering. The board of barbering is being dissolved.

Section 4 – Composition of boards – quorum (Iowa Code 147.14(1)(a,n))

Strikes both paragraphs regarding composition of barbering and cosmetology boards.

Section 5 – Composition of boards – quorum (Iowa Code 147.14(1)(x))

New paragraph – Adding the composition for barbering and cosmetology to be 3 licensed barbers or cosmetologists, 1 licensed instructor, 1 electrologist/esthetician/nail technologist, 1 school owner, 1 member of the public who are not licensed in a practice of cosmetology arts and sciences.

Section 6 – Rules (Iowa Code 147.76)

Strikes reference to the board of barbering.

Section 7 – Definitions (Iowa Code 157.1(01))

Adds definitions for “barbering and cosmetology”, “barbering and cosmetology arts and sciences” and “establishment”

Section 8 – Definitions (Iowa Code 157.1(1))

Amends the definition of board to mean the board of barbering and cosmetology.

Section 9 – Definitions (Iowa Code 157.1(5,6))

Strikes definitions of “cosmetology” and “cosmetology arts and sciences” which are replaced by definitions added in section 7 of this bill.

Section 10 – Definitions (Iowa Code 157.1(26))

Strikes “salon” from definitions.

Section 11 – Definitions (Iowa Code 157.1(27))

Updates code to include barbering in the name for schools.

Section 12 – Prohibitions – exceptions (Iowa Code 157.2(1))

Conforming code changes to reflect to merger of the boards.

Section 13 – Prohibitions – exceptions (Iowa Code 157.2(1)(b,h))

Strikes barbering from section of code that no longer applies.

Section 14 – Prohibitions – exceptions (Iowa Code 157.2(1)(c,e))

Conforming code changes to reflect to merger of the boards.

Section 15 – Prohibitions – exceptions (Iowa Code 157.2(2))

Conforming code changes to reflect to merger of the boards.

Section 16 – Prohibitions – exceptions (Iowa Code 157.2(3))

Strikes the prohibition on removing skin by means of razor-edged instrument.

Section 17 – License requirements (Iowa Code 157.3(1)(a))

Updates code to include barbering in the name for licensed schools.

Section 18 – License requirements (Iowa Code 157.3(1)(a,c))

Updates code to include barbering in the name for licensed schools.

Section 19 - License requirements (Iowa Code 157.3(2))

Conforming code changes to reflect to merger of the boards.

Section 20 - License requirements – additional training (Iowa Code 157.3A(2)(a,b))

Conforming code changes to reflect to merger of the boards.

Section 21 – License requirements – additional training (Iowa Code 157.3A(4))

Conforming code changes to reflect to merger of the boards.

Section 22 - License requirements – additional training (Iowa Code 157.3A(6))

New section – certification for straight edge razor shall not require more than 40 clock hours.

Section 23 – Temporary Permits (Iowa Code 157.4(1))

Conforming code changes to reflect to merger of the boards.

Section 24 – Temporary Permits (Iowa Code 157.4(3))

Conforming code changes to reflect to merger of the boards.

Section 25 – Temporary Permits (Iowa Code 157.4(a,b,g))

Conforming code changes to reflect to merger of the boards.

Section 26 – Announcements to the public (Iowa Code 157.4B(1)(a))

Conforming code changes to reflect to merger of the boards.

Section 27 – Consent and reporting requirements (Iowa Code 157.5(1))

Conforming code changes to reflect to merger of the boards.

Section 28 – Consent and reporting requirements (Iowa Code 157.5(2))

Conforming code changes to reflect to merger of the boards.

Section 29 – Sanitary rules – practice in the home (Iowa Code 157.6)

Amends code to conform to the new terms enacted by this bill.

Section 30 - Inspectors and clerical assistants (Iowa Code 157.7(1))

Strikes reference to the chapter on Barbering.

Section 31 – Licensing of schools of cosmetology arts and sciences and instructors (Iowa Code 157.8(1))

Conforming code changes to reflect to merger of the boards.

Section 32 - Licensing of schools of cosmetology arts and sciences and instructors (Iowa Code 157.8(2)(c))

Strikes language regarding separation of cosmetology and barbering schools being in the same space.

Section 33 – Licensing of schools of cosmetology arts and sciences and instructors (Iowa Code 157.8(2)(d))

Conforming code changes to reflect to merger of the boards.

Section 34 – Licensing of schools of cosmetology arts and sciences and instructors (Iowa Code 157.8(3)(c))

Conforming code changes to reflect to merger of the boards.

Section 35 – Use of schools of barbering and cosmetology (Iowa Code 157.8A)

New Section – Allows schools to be used for other purposes than instruction as long as it doesn't disrupt classes. The board will adopt rules for this section.

Section 36 – License suspension and revocation (Iowa Code 157.9)

Strikes reference to chapter on barbering.

Section 37 – Course of study (Iowa Code 157.10(1))

Strikes manicuring and pedicuring from the course of study for licensure. Reduces the minimum hours required for licensure for the practice of barbering and cosmetology to 1,550 (from 2,000). Course of study for licenses limited to esthetics is 600 hours and course of study for licenses limited to nail technology 325 hours.

Section 38 – Establishment Licenses (Iowa Code 157.11)

Conforming code changes to reflect the change from “salons” and “barbershops” to “establishments”.

Section 39 – Supervisors (Iowa Code 157.12)

Conforming code changes to reflect to merger of the boards.

Section 40 – Blow-dry styling (Iowa Code 157.12)

New section – allows a person to engage exclusively in the practice of blow-dry styling outside of a licensed barbering and cosmetology establishment without requiring a license if they have completed 2 hours of education on sanitation rules as determined by the board.

Section 41 – Violations (Iowa Code 157.13(1))

Conforming code changes to reflect to merger of the boards.

Section 42 – Violations (Iowa Code 157.13(1)(a,b))

Allows licensees to practice outside of an establishment pursuant to rules adopted by the board.

Section 43 – Violations (Iowa Code 157.13(2,3))

Conforming code changes to reflect to merger of the boards.

Section 44 - Definitions (Iowa Code 261.9(3)(b))

Strikes reference to chapter on barbering.

Section 45 – Exceptions (Iowa Code 261B.11(1)(i))

Strikes reference to chapter on barbering.

Section 46 – Definitions (Iowa Code 272C.1(6)(a))

Amends code to conform to the new terms enacted by this bill.

Section 47 – Definitions (Iowa Code 272C.1(6)(i))

Strikes reference to chapter on barbering.

Section 48 – REPEAL (Iowa Code 158)

Repeals the chapter on barbering.

Section 49 – Emergency Rules

Allows for emergency rules to be adopted to implement the bill.

Section 50 – Transition Provisions

The merging of the boards shall not affect the appointment or term of office of a member prior to the effective date of this act. The initial membership of the Board of Barbering and Cosmetology Arts and Sciences shall consist of all members of each board serving on the effective date of this act. Previous membership on the cosmetology or barbering board counts towards the term limits for the newly created Board of Barbering and Cosmetology Arts and Sciences.

A rule adopted by either board before the effective date of this act shall continue in full force until the earlier of: amendment, rescinding, or supplemented by the Board of Barbering and Cosmetology Arts and Sciences or the rule expires by its own terms.

Any license issued by either board shall continue in full force and effect until expiration or renewal.

Any remaining funds in any account of either board shall be transferred to the control of the Board of Barbering and Cosmetology Arts and Sciences.

Any cause of action, statute of limitation, or administrative action initiated by either board shall not be affected.

All client and organizational files in the possession of the boards shall not be affective and shall apply to the Board of Barbering and Cosmetology Arts and Sciences.

Any personnel in the state merit system of employment who are mandatorily transferred due to the effect of this act shall not lose salary, benefits, or accrued years of service.

A person licensed as a barber on July 1, 2023 shall be considered to be licensed to practice barbering and shall be issued a license.

A person currently enrolled in a barbering school must complete the course by August 1, 2024.