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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 2126

03/10/2025 Authored by Hussein, Hemmingsen-Jaeger and Norris
The bill was read for the first time and referred to the Committee on State Government Finance and Policy

A bill for an act

relating to barbers; modifying provisions relating to the Board of Barber Examiners; amending Minnesota Statutes 2024, sections 154.001, subdivision 2; 154.003; 154.01; 154.02, subdivisions 1, 4, 5, by adding subdivisions; 154.05; 154.07, subdivision 1; 154.08; 154.09; 154.11, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 154.

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

Section 1. Minnesota Statutes 2024, section 154.001, subdivision 2, is amended to read:

Subd. 2. **Board of Barber Examiners.** (a) A Board of Barber Examiners is established to consist of four barber members and one public member, as defined in section 214.02, appointed by the governor.

(b) The barber members shall be persons who have practiced as registered barbers in this state for at least five years immediately prior to their appointment; shall be graduates from the 12th grade of a high school or have equivalent education, and shall have knowledge of the matters to be taught in registered barber schools, as set forth in section 154.07. ~~One of the barber members shall be a member of, or recommended by, a union of journeymen barbers that has existed at least two years, and one barber member shall be a member of, or recommended by, a professional organization of barbers.~~

Sec. 2. Minnesota Statutes 2024, section 154.003, is amended to read:

154.003 FEES.

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

(b) The board shall charge the following fees:

(1) practical examination ~~and certificate~~, registered barber, ~~$85~~ $40;

(2) initial barber registration, $45;

~~(2)~~ (3) retake of written examination, $10;

~~(3)~~ (4) examination and certificate, instructor, $180;

~~(4)~~ (5) certificate, instructor, $65;

~~(5)~~ (6) temporary teacher permit, $80;

~~(6)~~ (7) temporary registered barber, military, $85;

~~(7)~~ (8) temporary barber instructor, military, $180;

~~(8)~~ (9) renewal of registration, registered barber, $80;

~~(9)~~ (10) renewal of registration, instructor, $80;

~~(10)~~ (11) renewal of temporary teacher permit, $65;

~~(11)~~ (12) student permit, $45;

~~(12)~~ (13) renewal of student permit, $25;

~~(13)~~ (14) initial shop registration, $85;

(15) initial mobile barber shop registration, $150;

~~(14)~~ (16) initial school registration, $1,030;

~~(15)~~ (17) renewal shop registration, $85;

~~(16)~~ (18) renewal school registration, $280;

(19) renewal mobile barber shop registration, $100;

~~(17)~~ (20) restoration of registered barber registration, $95;

~~(18)~~ (21) restoration of shop registration, $105;

~~(19)~~ (22) change of ownership or location, $55;

(23) restoration of mobile barber shop registration, $120;

~~(20)~~ (24) duplicate registration, $40;

~~(21)~~ (25) home study course, $75;

~~(22)~~ (26) letter of registration verification, $25; and

~~(23)~~ (27) reinspection, $100.

(c) If the board uses a board-approved examination provider for the entire comprehensive examination or for a portion of the comprehensive examination, any fees required by that approved examination provider must be paid directly to the approved examination provider by the examinee and is not included and is separate from any required fees paid by the examinee to the board.

Sec. 3. Minnesota Statutes 2024, section 154.01, is amended to read:

154.01 REGISTRATION MANDATORY.

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

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

(c) A registered barber must only provide barbering services in a registered barber shop ~~or,~~ barber school, or mobile barber shop unless prior authorization is given by the board.

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

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

(f) No person shall operate a barber school unless the owner or operator possesses a current certificate of registration as a barber school, issued ~~under sections 154.001, 154.002,~~

~~154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ by the Board of Barber Examiners.

Sec. 4. Minnesota Statutes 2024, section 154.02, subdivision 1, is amended to read:

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

Sec. 5. Minnesota Statutes 2024, section 154.02, subdivision 4, is amended to read:

Subd. 4. **Certificate of registration.** A "certificate of registration" means the certificate issued to an individual, barber shop, ~~or~~ barber school, or mobile barber shop that is in compliance with ~~the requirements of sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter.

Sec. 6. Minnesota Statutes 2024, section 154.02, subdivision 5, is amended to read:

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

Sec. 7. Minnesota Statutes 2024, section 154.02, is amended by adding a subdivision to read:

Subd. 7. **Mobile barber shop.** A "mobile barber shop" means a barber shop that is operated in a mobile vehicle or a mobile structure for the exclusive use of practicing barbering services performed by a registered barber in compliance with this chapter.

Sec. 8. Minnesota Statutes 2024, section 154.02, is amended by adding a subdivision to read:

Subd. 8. **Straight razor.** A razor with a rigid steel cutting blade or a replaceable blade that is hinged to a case that forms a handle when the razor is open for use.

Sec. 9. Minnesota Statutes 2024, section 154.02, is amended by adding a subdivision to read:

Subd. 9. **Waxing.** The process of removing hair from a part of the body by applying wax and peeling off the wax.

Sec. 10. Minnesota Statutes 2024, section 154.05, is amended to read:

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

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

(1) ~~has successfully completed ten grades of education~~ is at least 17 years of age;

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

(3) has passed ~~an~~ a comprehensive examination ~~conducted by the board~~ in accordance with section 154.09 to determine the person's fitness to practice barbering.

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

Sec. 11. **[154.052] MOBILE BARBER SHOPS.**

Subdivision 1. **Registration.** (a) No person shall operate a mobile barber shop unless:

(1) at all times, the mobile barber shop is under the direct supervision and management of a registered barber; and

(2) the owner or operator of the mobile barber shop possesses a current mobile barber shop registration that was issued by the Board of Barber Examiners.

Subd. 2. **Services and location reporting requirements.** (a) A mobile barber shop is limited to providing only hair cutting and straight razor shave services.

(b) A mobile barber shop is subject to the barber shop requirements in this chapter and Minnesota Rules, except when this chapter or the rule conflicts with specific mobile barber shop requirements. Any reference to a barber shop in this chapter and in Minnesota Rules includes mobile barber shops, except when this chapter or the rule conflicts with specific mobile barber shop requirements.

(c) A mobile barber shop registration holder must:

(1) maintain a permanent address for receiving correspondence and service of process and provide an address where the mobile barber shop is kept when the mobile barber shop is not in service;

(2) visibly display the name of the mobile barber shop and the mobile barber shop's registration number as shown on the registration certificate on at least one exterior side of the mobile barber shop;

(3) supply to the board the make, model, and vehicle identification and license plate number of any vehicle or mobile structure used as a mobile barber shop. Each mobile barber shop registration is valid for only one specific mobile vehicle or mobile structure;

(4) have a functioning phone available at all times;

(5) submit to the board, on or before the first day of each month, the mobile barber shop's schedule of locations and times of operation during the month. The mobile barber shop registration holder must report any proposed changes to the schedule to the board via e-mail at the beginning of the week during which the changes will occur; and

(6) comply with the requirements of all federal, state, and local laws, rules, and ordinances.

Subd. 3. **Water and wastewater requirements.** (a) A mobile barber shop must have self-contained water holding tanks with gauges that indicate the levels in the tanks and reserve capabilities. The water supply tanks must be integrated and plumbed into the wastewater tanks or gray water tanks.

(b) A mobile barber shop must have a potable water capacity of not less than 20 gallons and a designated hose that the mobile barber shop only uses to fill the potable water tank.

(c) A mobile barber shop must have available hot water in a capacity of not less than five gallons or hot water on demand.

(d) A mobile barber shop must have a wastewater tank or gray water tank capacity that is 15 percent larger than the water supply holding tank.

(e) A mobile barber shop must not operate when:

(1) the available potable water supply is insufficient to comply with the infection control requirements in this chapter and Minnesota Rules; or

(2) a tank for wastewater, black water, or gray water is at 90 percent or greater capacity.

(f) A mobile barber shop must have a restroom in operating condition inside of the mobile barber shop that includes:

(1) an installed hand sink with potable water;

(2) soap;

(3) single-use towels; and

(4) a self-contained recirculating flush toilet with a holding tank or a properly maintained composting toilet.

(g) A mobile barber shop must discharge wastewater into a sanitary sewage system or a sanitary dumping station. When disposing of sewage and wastewater, a mobile barber shop must comply with all federal, state, and local environmental and sanitary regulations.

(h) In addition to the sink required in the restroom, the mobile barber shop must have at least one sink with hot and cold running water accessible to persons in the area where the mobile barber shop provides services. Sinks must be permanently installed and connected to the vehicle's or mobile structure's potable water supply and wastewater tanks.

Subd. 4. **Electrical and power requirements.** (a) If power for heating, air conditioning, and other equipment is supplied by a generator, the generator must be properly vented outside and all doors and windows must be closed when the generator is operating to avoid exhaust entering the mobile barber shop. The generator must comply with all applicable municipal noise ordinances.

(b) Liquefied petroleum gas systems installed in the mobile barber shop must comply with the current edition of the National Fire Protection Association Standard No. 58 LP-Gas Code as adopted under the State Fire Code. Use of portable heating units is prohibited.

(c) All heating and cooling systems must be factory installed and meet all state and federal regulations for mobile vehicle or mobile structure heating and cooling.

(d) The mobile barber shop must have working alarms for carbon monoxide, smoke, and combustible gas, either as single alarms or a combined alarm.

(e) All electrical wiring must comply with the State Electrical Code. Electrical equipment plugged into outlets must be UL-listed and must comply with state and local fire codes.

Subd. 5. **Safety, inspection, and infection control requirements.** (a) In addition to the safety and infection control requirements for barber shops in this chapter and Minnesota Rules, mobile barber shops must comply with the following requirements:

(1) the mobile barber shop must not provide services unless the mobile barber shop is parked with the engine off, stable, and leveled. The mobile barber shop must use stabilizing jacks when it is recommended by the manufacturer's instructions for the vehicle or mobile structure. The mobile barber shop must use at least two wheel chocks when the mobile barber shop is operating;

(2) the mobile barber shop must provide all services inside of the vehicle or mobile structure;

(3) all hazardous substances in the mobile barber shop must be stored upright in secured cabinets when the mobile barber shop is moving;

(4) the mobile barber shop must have a ventilation system that is sufficient to provide fresh air in the mobile barber shop; and

(5) all moving parts, including slide outs, disability ramps, and steps must be in good working order.

(b) Any duly authorized employee of the Board of Barber Examiners shall have authority to enter and inspect a mobile barber shop during normal business hours.

Subd. 6. **Compliance with local government law.** The mobile barber shop must comply with all city, township, and county ordinances regarding wastewater disposal, commercial motor vehicles, vehicle insurance, noise, signage, parking, commerce, business, and other local government requirements. The mobile barber shop owner must be informed about the requirements that apply to the mobile barber shop in each jurisdiction where the mobile barber shop operates, and must ensure that the mobile barber shop complies with those requirements.

Sec. 12. Minnesota Statutes 2024, section 154.07, subdivision 1, is amended to read:

Subdivision 1. **Admission requirements; course of instruction.** No barber school shall be approved by the board unless ~~it~~ the barber school requires, ~~as a prerequisite to admission,~~

~~ten grades of an approved school or its equivalent, as determined by educational transcript, high school diploma, high school equivalency certificate, or an examination conducted by the commissioner of education, which shall issue a certificate that the student has passed the required examination, and unless it requires,~~ as a prerequisite to graduation, a course of instruction of at least 1,500 hours of not more than ten hours of schooling in any one working day. The course of instruction must include the following subjects: scientific fundamentals for barbering; hygiene; practical study of the hair, skin, muscles, and nerves; structure of the head, face, and neck; elementary chemistry relating to sanitation; disinfection; sterilization and antiseptics; diseases of the skin, hair, and glands; massaging and manipulating the muscles of the face and neck; haircutting; shaving; trimming the beard; bleaching, tinting and dyeing the hair; and the chemical waving and straightening of hair.

Sec. 13. Minnesota Statutes 2024, section 154.08, is amended to read:

154.08 APPLICATION; FEE.

Subdivision 1. **Application and fee requirements.** Each applicant for an examination shall:

(1) make an application to the Board of Barber Examiners or a board-approved examination provider on blank forms prepared and furnished by ~~it, the application to~~ the board or the provider. The application must contain proof under the applicant's oath of the particular qualifications and identity of the applicant;

(2) provide all documentation required in support of the application;

(3) pay to the board the required fee; ~~and~~

(4) upon acceptance of the notarized application, present a corresponding government-issued photo identification when the applicant appears for the examination~~.~~; and

(5) file an application with the board no later than the twentieth day of the month preceding the month when the practical portion of the exam is administered.

Sec. 14. Minnesota Statutes 2024, section 154.09, is amended to read:

154.09 EXAMINATIONS, CONDUCT AND SCOPE.

Subdivision 1. **Examination dates.** The board or a board-approved examination provider shall conduct practical examinations of applicants for certificates of registration to practice as registered barbers not ~~more than six~~ less than four times each year, at such time and place

as the board may determine. ~~Additional~~ Written examinations may be scheduled ~~by the board~~ and conducted by board staff or a board-approved provider as designated by the board.

Subd. 2. **Documentation required.** The ~~proprietor~~ owner or operator of a barber school must file an affidavit with the board of hours completed by students applying to take the ~~registered barber~~ comprehensive examination. Students must complete the full 1,500-hour curriculum in a barber school approved by the board ~~within the past four years~~ to be eligible for examination. ~~Barber students who have completed barber school more than four years prior to application, that have not obtained a barber registration, license, or certificate in any jurisdiction must complete an additional 500 hours of barber school education to be eligible for the registered barber examination.~~

Subd. 3. **Examinations for registration restoration.** ~~Registered barbers that fail~~ An individual who fails to renew ~~their~~ the individual's barber registration for four or more years ~~are~~ is required to purchase and complete the "Home Study Course for Barbers" program that was prepared and approved by the board before the individual is eligible to take the ~~registered barber~~ comprehensive examination to reinstate the individual's registration.

Subd. 4. **Examinations for individuals seeking reciprocity.** An individual who must pass the comprehensive examination under section 154.11 must purchase and complete the "Home Study Course for Barbers" program that was prepared and approved by the board before the individual is eligible to take the comprehensive examination.

Subd. 5. **Contents of examination.** The comprehensive examination ~~of applicants for certificates of registration as barbers~~ shall include:

(1) a practical ~~demonstration~~ portion that consists of: a haircut, and three of the following practical services that the board shall determine: shave, beard trim, shampoo, perm wrap, facial, or color application; and

(2) a written ~~test. The examination must cover~~ portion that covers the subjects taught in barber schools ~~registered with the board, including~~ as required by this chapter, applicable state ~~statute~~ statutes, and ~~rule~~ rules.

Subd. 6. **Examination grading.** The comprehensive examination must be graded as follows:

(1) the grading for the practical portion of the examination must be on a scale of one to 100, with 100 representing a perfect score. A score of 75 must be the minimum passing grade for the haircut portion and 75 must be the minimum passing score for the average of the remaining parts of the practical examination; and

(2) the grading criteria for the written portion of the examination and the passing grade must be established by the board or a board-approved examination provider for each written examination at the time of the examination's preparation. The lowest passing grade established must not be less than 55.

Subd. 7. **Failure of examination.** (a) An individual who does not pass one portion of the comprehensive examination within a year of passing the other portion of the comprehensive examination must retake the entire comprehensive examination.

(b) An individual who has failed a portion of the comprehensive examination may retake that portion of the examination within a year of passing the other portion after meeting the requirements of this chapter, paying any required fees and making an application to the board as required by section 154.08.

Sec. 15. Minnesota Statutes 2024, section 154.11, subdivision 1, is amended to read:

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

(b) Individuals without a current documented license, certificate of registration, or equivalent, as verified in paragraph (a), must have a minimum of 1,500 hours of barber education as verified by the barber school attended in the other state or if presenting foreign country education as verified by a board-approved professional credential evaluation provider, completed within the previous four years, which, in the discretion of the board, has substantially the same requirements as required in ~~sections 154.001, 154.002, 154.003, 154.01 to 154.162, 154.19 to 154.21, and 154.24 to 154.28~~ this chapter will be eligible for examination.

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

Sec. 16. Minnesota Statutes 2024, section 154.11, is amended by adding a subdivision to read:

Subd. 4. **Examination of cosmetologists.** (a) A person may be credited with up to 1,000 hours of study, which in the discretion of the board has curriculum requirements that are equivalent to the requirements in section 154.07 toward the 1,500 hours of study required under section 154.05 if the person:

(1) has a currently active license as a practicing cosmetologist and the license is verified by the issuing state;

(2) has a certificate of registration or equivalent as a practicing cosmetologist and the certificate is verified by the issuing state; or

(3) has credentials as a practicing cosmetologist from a foreign country that are verified by a board-approved professional credential evaluation provider and the board has determined that the foreign country's curriculum requirements are substantially similar to the requirements in section 154.07.

(b) After a person with credited hours under paragraph (a) completes the remaining required hours in a board-approved barber school and meets the requirement of section 154.05, paragraph (a), clause (1), the person is eligible for examination.