

SESSION OF 2012

SUPPLEMENTAL NOTE ON SENATE BILL NO. 353

As Recommended by Senate Committee on
Ways and Means

Brief*

SB 353 would amend the law governing the license expiration restoration time frame of an applicant or instructor from three years to two years by the Board of Barbering. The bill also would codify into law two fees now in the agency's administrative rules and regulations, and currently charged by the Board for chair lease licenses and restoration of an expired chair lease license. Finally, the bill would amend various statutes to strengthen the Board's ability to censure, limit, condition, suspend, revoke, or refuse to issue or renew a license.

Background

SB 353 was introduced at the request of the Board of Barbering. The Administrator of the Board of Barbering testified in favor of the bill before the Senate Ways and Means Committee, stating the Board was concerned that three years was too long for an applicant or instructor licensee who left the profession to re-enter without taking the appropriate exam. Last year, according to the Administrator, seven restoration requests fell into this time frame.

Further, the Administrator noted the Attorney General had recommended the two fees contained in the agency's administrative rules and regulation should be codified into statute. The Administrator shared the Board needed an additional method to affect a licensee other than renewal,

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

revocation, or suspension of the license to practice. According to the Administrator, the addition of the ability to censure, limit, and condition after a notice and hearing, would be helpful according to the Administrator for special circumstances that come before the Board that do not rise to the level of license revocation.

The Chairman of the Board of Barbering testified and expressed his support for the bill and that of the Board's.

The fiscal note prepared by the Division of the Budget states the Board of Barbering indicated the bill has the potential to reduce fees collected. The Board of Barbering provided information that, in FY 2011, the seven restorations resulted in \$2,050 in fees to the Board. The reduction would be partially offset by the fee charged for re-examinations. Any fiscal effect associated with the bill is not reflected in *The FY 2013 Governor's Budget Report*.