

SESSION OF 2024

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 363**

As Recommended by Senate Committee on  
Public Health and Welfare

**Brief\***

SB 363 would amend law regulating the practice of barbering. The bill would create a new senior status license; add a written examination on the applicant's knowledge of state laws and regulations pertaining to the practice of barbering to the requirements for licensure; establish the passing grade on the written licensure exams; and set fees for examination, reexamination, and licensure. The bill would also amend certain definitions, remove language relating to the issuance of seminar permits, and update terms.

***Definitions***

The following definitions would be amended:

- A suite or a chair lease area would be added to the definition of a "barber shop";
- "Barbering" would include the practices of shaving of the head, face or neck with a razor and coloring, bleaching, or tinting of the hair; and
- "Senior status license" would mean a license issued to a barber pursuant to KSA 65-1812(d).

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\*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>

### ***Senior Status License Requirements***

The bill would create a senior status license and allow the Kansas Board of Barbering (Board) to issue the license to a barber who no longer practices, but:

- Has been licensed as a barber for a total of at least 40 years;
- Is at least 65 years of age; and
- Has paid a one-time fee prescribed by the Board.

### ***Examinations for Licensure***

In addition to the current requirement that the examinations for licensure as a barber include a practical skills demonstration and a written examination of the applicant's knowledge of hygiene and the fundamentals of the vocation, the bill would require a written examination of the applicant's knowledge of state laws and rules and regulations pertaining to the practice of barbering. The bill would require all examinations to be approved by the Board.

The bill would require the Board to issue a license to each applicant who passes all three examinations, with a grade of not less than 80 percent on the practical skills demonstration and not less than 75 percent on both written examinations. Instead of requiring the Board to allow an applicant who fails a part of the examination to be reexamined only on the failed part, the bill would grant the Board discretion in allowing the reexamination only on the examination the applicant failed to pass.

### ***Fees***

The bill would allow the Board to charge and collect new fees of no more than the stated statutory fee cap for each of the following:

- For practical skills demonstrations—no more than \$150;
- For reexamination of practical skills demonstration—no more than \$150;
- For reexamination of written examination of applicant to practice barbering—no more than \$150;
- For issuance of a senior status license—no more than \$80; and
- For restoration of license from senior status license---no more than \$80.

The bill would increase the statutory fee cap for written examinations from \$100 to \$150.

### ***Additional Changes***

The bill would update references of “barber college” to “college” throughout the bill. The bill would also remove language relating to information required to be included in the application to practice barbering and references to the issuance of seminar permits to teach and demonstrate the art of advanced barbering.

### **Background**

The bill was introduced by the Senate Committee on Local Government at the request of Senator Bowers and the bill referred to the Senate Committee on Public Health and Welfare.

### **Senate Committee on Public Health and Welfare**

In the Senate Committee hearing, **proponent** testimony was provided by the Administrative Officer of the Board. The proponent stated lowering the written examination passing score from 80 percent to 75 percent would be more in line with the national average for a barber theory written examination, as Kansas is the only state that requires a passing score higher than 75 percent. The Administrative Officer noted the fee change would enable the agency to recover the majority of what it currently spends on testing for both the computer-based testing for the written examination and administering the practical examination. The Administrative Officer also noted the Senior Status license would enable individuals 65 and older who have been practicing for at least 40 years to maintain a professional license while no longer practicing and would allow such licensees to return to active practice without paying late fees or having to reexamine.

No other testimony was provided.

### **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, the Board estimates enactment of the bill would result in additional revenue of \$13,000 in FY 2025 and FY 2026 from the practical skills demonstration fees for the Board of Barbering Fee Fund. Based on current law, 10.0 percent of the revenue would be transferred to the State General Fund, and the balance would go to the Board of Barbering Fee Fund. The Board indicates that five practical demonstration sessions are held each fiscal year and each session costs \$2,300.

In addition, the Board estimates it would cost \$200 to have the Department of Administration print the senior status licenses. The Board would absorb the printing cost within existing resources. The Board estimates it would only issue

15 such licenses based on number of inquiries about senior status licenses it has received in previous years. The agency estimates 15 senior licensees would generate \$1,200 (15 x \$80) in revenues. The Board further provides that issuing the senior status license could be a loss in revenues after FY 2025 because the bill would not require the license to be renewed. Any fiscal effect associated with the bill is not reflected in *The FY 2025 Governor's Budget Report*.

Kansas Board of Barbering; senior status license; license examinations; fees