

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1500

AN ACT

To repeal sections 328.080, 328.100, 329.010, 329.040, 329.050, 329.060, 329.070, 329.080, 329.085, and 329.130, RSMo, and to enact in lieu thereof fourteen new sections relating to the board of cosmetology and barber examiners.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1           Section A. Sections 328.080, 328.100, 329.010, 329.040,  
2           329.050, 329.060, 329.070, 329.080, 329.085, and 329.130, RSMo,  
3           are repealed and fourteen new sections enacted in lieu thereof,  
4           to be known as sections 328.025, 328.080, 328.132, 329.010,  
5           329.032, 329.033, 329.040, 329.050, 329.060, 329.070, 329.080,  
6           329.085, 329.130, and 329.275, to read as follows:

7           328.025. If a license issued under this chapter has been  
8           destroyed, lost, mutilated beyond practical usage, or was never  
9           received, the licensee shall obtain a duplicate license from the  
10           board by appearing in person at the board's office or mailing, by  
11           certified mail, return receipt requested, a notarized affidavit  
12           stating that the license has been destroyed, lost, mutilated  
13           beyond practical usage, or was never received.

1           328.080. 1. Any person desiring to practice barbering in  
2 this state shall make application for a license to the board and  
3 shall pay the required barber examination fee.

4           2. The board shall examine each qualified applicant and,  
5 upon successful completion of the examination and payment of the  
6 required license fee, shall issue the applicant a license  
7 authorizing him or her to practice the occupation of barber in  
8 this state. The board shall admit an applicant to the  
9 examination, if it finds that he or she:

10           (1) Is seventeen years of age or older [and of good moral  
11 character];

12           (2) [Is free of contagious or infectious diseases;

13           (3)] Has studied for at least one thousand hours in a  
14 period of not less than six months in a properly appointed and  
15 conducted barber school under the direct supervision of a  
16 licensed instructor; or, if the applicant is an apprentice, the  
17 applicant shall have served and completed no less than two  
18 thousand hours under the direct supervision of a licensed barber  
19 apprentice supervisor;

20           [(4)] (3) Is possessed of requisite skill in the trade of  
21 barbering to properly perform the duties thereof, including the  
22 preparation of tools, shaving, haircutting and all the duties and  
23 services incident thereto; and

24           [(5)] (4) Has sufficient knowledge of the common diseases  
25 of the face and skin to avoid the aggravation and spread thereof  
26 in the practice of barbering.

27           3. The board shall be the judge of whether the barber  
28 school, the barber apprenticeship, or college is properly

1 appointed and conducted under proper instruction to give  
2 sufficient training in the trade.

3 4. The sufficiency of the qualifications of applicants  
4 shall be determined by the board.

5 [5. For the purposes of meeting the minimum requirements  
6 for examination, the apprentice training shall be recognized by  
7 the board for a period not to exceed five years.]

8 328.132. No city, town, village, county, or other political  
9 subdivision shall require a barber licensed under chapter 328 or  
10 a cosmetologist licensed under chapter 329, practicing within a  
11 licensed barber shop or licensed cosmetology shop to obtain any  
12 additional license or permit, including any business license or  
13 operating license in order to practice unless the licensed barber  
14 or cosmetologist is the owner of the licensed barber shop or  
15 licensed cosmetology shop.

16 329.010. As used in this chapter, unless the context  
17 clearly indicates otherwise, the following words and terms mean:

18 (1) "Accredited school of cosmetology or school of  
19 manicuring", an establishment operated for the purpose of  
20 teaching cosmetology as defined in this section and meeting the  
21 criteria set forth under 34 C.F.R. Part 600, sections 600.1 and  
22 600.2;

23 (2) "Apprentice" or "student", a person who is engaged in  
24 training within a cosmetology establishment or school, and while  
25 so training performs any of the practices of the classified  
26 occupations within this chapter under the immediate direction and  
27 supervision of a licensed cosmetologist or instructor;

28 (3) "Board", the state board of cosmetology and barber

1 examiners;

2 (4) "Cosmetologist", any person who, for compensation,  
3 engages in the practice of cosmetology, as defined in subdivision  
4 (5) of this section;

5 (5) "Cosmetology" includes performing or offering to engage  
6 in any acts of the classified occupations of cosmetology for  
7 compensation, which shall include:

8 (a) "Class CH - hairdresser" includes arranging, dressing,  
9 curling, singeing, waving, permanent waving, cleansing, cutting,  
10 bleaching, tinting, coloring or similar work upon the hair of any  
11 person by any means; or removing superfluous hair from the body  
12 of any person by means other than electricity, or any other means  
13 of arching or tinting eyebrows or tinting eyelashes. Class CH -  
14 hairdresser also includes any person who either with the person's  
15 hands or with mechanical or electrical apparatuses or appliances,  
16 or by the use of cosmetic preparations, antiseptics, tonics,  
17 lotions or creams engages for compensation in any one or any  
18 combination of the following: massaging, cleaning, stimulating,  
19 manipulating, exercising, beautifying or similar work upon the  
20 scalp, face, neck, arms or bust;

21 (b) "Class MO - manicurist" includes cutting, trimming,  
22 polishing, coloring, tinting, cleaning or otherwise beautifying a  
23 person's fingernails, applying artificial fingernails, massaging,  
24 cleaning a person's hands and arms; pedicuring, which includes  
25 cutting, trimming, polishing, coloring, tinting, cleaning or  
26 otherwise beautifying a person's toenails, applying artificial  
27 toenails, massaging and cleaning a person's legs and feet;

28 (c) "Class CA - hairdressing and manicuring" includes all

1 practices of cosmetology, as defined in paragraphs (a) and (b) of  
2 this subdivision;

3 (d) "Class E - estheticians" includes the use of  
4 mechanical, electrical apparatuses or appliances, or by the use  
5 of cosmetic preparations, antiseptics, tonics, lotions or creams,  
6 not to exceed ten percent phenol, engages for compensation,  
7 either directly or indirectly, in any one, or any combination, of  
8 the following practices: massaging, cleansing, stimulating,  
9 manipulating, exercising, beautifying or similar work upon the  
10 scalp, face, neck, ears, arms, hands, bust, torso, legs or feet  
11 and removing superfluous hair by means other than electric needle  
12 or any other means of arching or tinting eyebrows or tinting  
13 eyelashes, of any person;

14 (6) "Cosmetology establishment", that part of any building  
15 wherein or whereupon any of the classified occupations are  
16 practiced including any space rented within a licensed  
17 establishment by a person licensed under this chapter, for the  
18 purpose of rendering cosmetology services;

19 (7) "Cross-over license", a license that is issued to any  
20 person who has met the licensure and examination requirements for  
21 both barbering and cosmetology;

22 (8) "Hair braider", any person who, for compensation,  
23 engages in the practice of hair braiding;

24 (9) "Hair braiding", in accordance with the requirements of  
25 section 329.275, the use of techniques that result in tension on  
26 hair strands or roots by twisting, wrapping, waving, extending,  
27 locking, or braiding of the hair by hand or mechanical device,  
28 but does not include the application of dyes, reactive chemicals,

1 or other preparations to alter the color of the hair or to  
2 straighten, curl, or alter the structure of the hair;

3 (10) "Hairdresser", any person who, for compensation,  
4 engages in the practice of cosmetology as defined in paragraph  
5 (a) of subdivision (5) of this section;

6 ~~[(9)]~~ (11) "Instructor", any person who is licensed to  
7 teach cosmetology or any practices of cosmetology pursuant to  
8 this chapter;

9 ~~[(10)]~~ (12) "Manicurist", any person who, for compensation,  
10 engages in any or all of the practices in paragraph (b) of  
11 subdivision (5) of this section;

12 ~~[(11)]~~ (13) "Parental consent", the written informed  
13 consent of a minor's parent or legal guardian that must be  
14 obtained prior to providing body waxing on or near the genitalia;

15 ~~[(12)]~~ (14) "School of cosmetology" or "school of  
16 manicuring", an establishment operated for the purpose of  
17 teaching cosmetology as defined in subdivision (5) of this  
18 section.

19 329.032. 1. Nothing in this chapter shall apply to  
20 hairdressing, manicuring, or facial treatments given for which no  
21 charge is made.

22 2. Nothing in this chapter or chapter 328, except for the  
23 provisions of sections 329.010 and 329.275, shall apply to  
24 persons engaged in the practice of hair braiding who have met the  
25 requirements in section 329.275.

26 329.033. If a license issued under this chapter has been  
27 destroyed, lost, mutilated beyond practical usage, or was never  
28 received, the licensee shall obtain a duplicate license from the

1 board by appearing in person at the board's office or mailing, by  
2 certified mail, return receipt requested, a notarized affidavit  
3 stating that the license has been destroyed, lost, mutilated  
4 beyond practical usage, or was never received.

5 329.040. 1. Any person [of] in good [moral character]  
6 standing with the board may make application to the board for a  
7 license to own a school of cosmetology on a form provided upon  
8 request by the board. Every school of cosmetology in which any  
9 of the classified occupations of cosmetology are taught shall be  
10 required to obtain a license from the board prior to opening.  
11 The license shall be issued upon approval of the application by  
12 the board, the payment of the required fees, and the applicant  
13 meets other requirements provided in this chapter. The license  
14 shall be kept posted in plain view within the school at all  
15 times.

16 2. A school license renewal fee shall be due on or before  
17 the renewal date of any school license issued pursuant to this  
18 section. If the school license renewal fee is not paid on or  
19 before the renewal date, a late fee shall be added to the regular  
20 school license fee.

21 3. No school of cosmetology shall be granted a license  
22 pursuant to this chapter unless it:

23 (1) Employs and has present in the school a competent  
24 licensed instructor for every twenty-five students in attendance  
25 for a given class period and one to ten additional students may  
26 be in attendance with the assistance of an instructor trainee.  
27 One instructor is authorized to teach up to three instructor  
28 trainees immediately after being granted an instructor's license;

1           (2) Requires all students to be enrolled in a course of  
2 study of no less than three hours per day and no more than twelve  
3 hours per day with a weekly total that is no less than fifteen  
4 hours and no more than seventy-two hours;

5           (3) Requires for the classified occupation of  
6 cosmetologist, the course of study shall be no less than one  
7 thousand five hundred hours or, for a student in public  
8 vocational/technical school no less than one thousand two hundred  
9 twenty hours; provided that, a school may elect to base the  
10 course of study on credit hours by applying the credit hour  
11 formula in Subpart A of Part 668 of Section 668.8 of Title 34 of  
12 the Code of Federal Regulations, as amended. The student must  
13 earn a minimum of one hundred and sixty hours or equivalent  
14 credits of classroom training before the student may perform any  
15 of the acts of the classified occupation of cosmetology on any  
16 patron or customer of the school of cosmetology;

17           (4) Requires for the classified occupation of manicurist,  
18 the course of study shall be no less than four hundred hours or  
19 the credit hours determined by the formula in Subpart A of Part  
20 668 of Section 668.8 of Title 34 of the Code of Federal  
21 Regulations, as amended. The student must earn a minimum of  
22 fifty hours or equivalent credits of classroom training before  
23 the student may perform any of the acts of the classified  
24 occupation of manicurist on any patron or customer of the school  
25 of cosmetology;

26           (5) Requires for the classified occupation of esthetician,  
27 the course of study shall be no less than seven hundred fifty  
28 hours or the credit hours determined by the formula in Subpart A



1 of Part 668 of Section 668.8 of Title 34 of the Code of Federal  
2 Regulations, as amended. The student shall earn a minimum of  
3 seventy-five hours or equivalent credits of classroom training  
4 before the student may perform any of the acts of the classified  
5 occupation of esthetics on any patron or customer of the school  
6 of cosmetology or an esthetics school.

7 4. The subjects to be taught for the classified occupation  
8 of cosmetology shall be as follows and the hours required for  
9 each subject shall be not less than those contained in this  
10 subsection or the credit hours determined by the formula in  
11 Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of  
12 Federal Regulations, as amended:

- 13 (1) Shampooing of all kinds, forty hours;
- 14 (2) Hair coloring, bleaches and rinses, one hundred thirty  
15 hours;
- 16 (3) Hair cutting and shaping, one hundred thirty hours;
- 17 (4) Permanent waving and relaxing, one hundred twenty-five  
18 hours;
- 19 (5) Hairsetting, pin curls, fingerwaves, thermal curling,  
20 two hundred twenty-five hours;
- 21 (6) Combouts and hair styling techniques, one hundred five  
22 hours;
- 23 (7) Scalp treatments and scalp diseases, thirty hours;
- 24 (8) Facials, eyebrows and arches, forty hours;
- 25 (9) Manicuring, hand and arm massage and treatment of  
26 nails, one hundred ten hours;
- 27 (10) Cosmetic chemistry, twenty-five hours;
- 28 (11) Salesmanship and shop management, ten hours;

- 1 (12) Sanitation and sterilization, thirty hours;
- 2 (13) Anatomy, twenty hours;
- 3 (14) State law, ten hours;
- 4 (15) Curriculum to be defined by school, not less than four
- 5 hundred seventy hours.

6 5. The subjects to be taught for the classified occupation  
7 of manicurist shall be as follows and the hours required for each  
8 subject shall be not less than those contained in this subsection  
9 or the credit hours determined by the formula in Subpart A of  
10 Part 668 of Section 668.8 of Title 34 of the Code of Federal  
11 Regulations, as amended:

- 12 (1) Manicuring, hand and arm massage and treatment of
- 13 nails, two hundred twenty hours;
- 14 (2) Salesmanship and shop management, twenty hours;
- 15 (3) Sanitation and sterilization, twenty hours;
- 16 (4) Anatomy, ten hours;
- 17 (5) State law, ten hours;
- 18 (6) Study of the use and application of certain chemicals,
- 19 forty hours; and
- 20 (7) Curriculum to be defined by school, not less than
- 21 eighty hours.

22 6. The subjects to be taught for the classified occupation  
23 of esthetician shall be as follows, and the hours required for  
24 each subject shall not be less than those contained in this  
25 subsection or the credit hours determined by the formula in  
26 Subpart A of Part 668 of Section 668.8 of Title 34 of the Code of  
27 Federal Regulations, as amended:

- 28 (1) Facials, cleansing, toning, massaging, one hundred

- 1 twenty hours;
- 2 (2) Makeup application, all phases, one hundred hours;
- 3 (3) Hair removal, thirty hours;
- 4 (4) Body treatments, aromatherapy, wraps, one hundred  
5 twenty hours;
- 6 (5) Reflexology, thirty-five hours;
- 7 (6) Cosmetic sciences, structure, condition, disorder,  
8 eighty-five hours;
- 9 (7) Cosmetic chemistry, products and ingredients,  
10 seventy-five hours;
- 11 (8) Salon management and salesmanship, fifty-five hours;
- 12 (9) Sanitation and sterilization, safety, forty-five hours;
- 13 (10) State law, ten hours; and
- 14 (11) Curriculum to be defined by school, not less than  
15 seventy-five hours.

16 7. Training for all classified occupations shall include  
17 practical demonstrations, written and/or oral tests, and  
18 practical instruction in sanitation, sterilization and the use of  
19 antiseptics, cosmetics and electrical appliances consistent with  
20 the practical and theoretical requirements as applicable to the  
21 classified occupations as provided in this chapter.

22 8. No school of cosmetology shall operate within this state  
23 unless a proper license pursuant to this chapter has first been  
24 obtained.

25 9. Nothing contained in this chapter shall prohibit a  
26 licensee within a cosmetology establishment from teaching any of  
27 the practices of the classified occupations for which the  
28 licensee has been licensed for not less than two years in the

1 licensee's regular course of business, if the owner or manager of  
2 the business does not hold himself or herself out as a school and  
3 does not hire or employ or personally teach regularly at any one  
4 and the same time, more than one apprentice to each licensee  
5 regularly employed within the owner's business, not to exceed one  
6 apprentice per establishment, and the owner, manager, or trainer  
7 does not accept any fee for instruction.

8 10. Each licensed school of cosmetology shall provide a  
9 minimum of two thousand square feet of floor space, adequate  
10 rooms and equipment, including lecture and demonstration rooms,  
11 lockers, an adequate library and two restrooms. The minimum  
12 equipment requirements shall be: six shampoo bowls, ten hair  
13 dryers, two master dustproof and sanitary cabinets, wet  
14 sterilizers, and adequate working facilities for twenty students.

15 11. Each licensed school of cosmetology for manicuring only  
16 shall provide a minimum of one thousand square feet of floor  
17 space, adequate room for theory instruction, adequate equipment,  
18 lockers, an adequate library, two restrooms and a clinical  
19 working area for ten students. Minimum floor space requirement  
20 proportionately increases with student enrollment of over ten  
21 students.

22 12. Each licensed school of cosmetology for esthetics only  
23 shall provide a minimum of one thousand square feet of floor  
24 space, adequate room for theory instruction, adequate equipment,  
25 lockers, an adequate library, two restrooms and a clinical  
26 working area for ten students. Minimum floor space requirement  
27 increases fifty square feet per student with student enrollment  
28 of over ten.

1           13. No school of cosmetology may have a greater number of  
2 students enrolled and scheduled to be in attendance for a given  
3 class period than the total floor space of that school will  
4 accommodate. Floor space required per student shall be no less  
5 than fifty square feet per additional student beyond twenty  
6 students for a school of cosmetology, beyond ten students for a  
7 school of manicuring and beyond ten students for a school of  
8 esthetics.

9           14. Each applicant for a new school shall file a written  
10 application with the board upon a form approved and furnished  
11 upon request by the board. The applicant shall include a list of  
12 equipment, the proposed curriculum, and the name and  
13 qualifications of any and all of the instructors.

14           15. Each school shall display in a conspicuous place,  
15 visible upon entry to the school, a sign stating that all  
16 cosmetology services in this school are performed by students who  
17 are in training.

18           16. Any student who wishes to remain in school longer than  
19 the required training period may make application for an  
20 additional training license and remain in school. A fee is  
21 required for such additional training license.

22           17. All contractual fees that a student owes to any  
23 cosmetology school shall be paid before such student may be  
24 allowed to apply for any examination required to be taken by an  
25 applicant applying for a license pursuant to the provisions of  
26 this chapter.

27           329.050. 1. Applicants for examination or licensure  
28 pursuant to this chapter shall possess the following

1 qualifications:

2 (1) They [must be persons of good moral character,] shall  
3 provide documentation of successful completion of approved  
4 courses at an accredited school of cosmetology as defined in this  
5 chapter, have an education equivalent to the successful  
6 completion of the tenth grade, and be at least seventeen years of  
7 age;

8 (2) If the applicants are apprentices, they shall have  
9 served and completed, as an apprentice under the supervision of a  
10 licensed cosmetologist, the time and studies required by the  
11 board which shall be no less than three thousand hours for  
12 cosmetologists, and no less than eight hundred hours for  
13 manicurists and no less than fifteen hundred hours for esthetics.  
14 However, when the classified occupation of manicurist is  
15 apprenticed in conjunction with the classified occupation of  
16 cosmetologist, the apprentice shall be required to successfully  
17 complete an apprenticeship of no less than a total of three  
18 thousand hours;

19 (3) If the applicants are students, they shall have had the  
20 required time in a licensed school of no less than one thousand  
21 five hundred hours training or the credit hours determined by the  
22 formula in Subpart A of Part 668 of Section 668.8 of Title 34 of  
23 the Code of Federal Regulations, as amended, for the  
24 classification of cosmetologist, with the exception of public  
25 vocational technical schools in which a student shall complete no  
26 less than one thousand two hundred twenty hours training. All  
27 students shall complete no less than four hundred hours or the  
28 credit hours determined by the formula in Subpart A of Part 668

1 of Section 668.8 of Title 34 of the Code of Federal Regulations,  
2 as amended, for the classification of manicurist. All students  
3 shall complete no less than seven hundred fifty hours or the  
4 credit hours determined by the formula in Subpart A of Part 668  
5 of Section 668.8 of Title 34 of the Code of Federal Regulations,  
6 as amended, for the classification of esthetician. However, when  
7 the classified occupation of manicurist is taken in conjunction  
8 with the classified occupation of cosmetologist, the student  
9 shall not be required to serve the extra four hundred hours or  
10 the credit hours determined by the formula in Subpart A of Part  
11 668 of Section 668.8 of Title 34 of the Code of Federal  
12 Regulations, as amended, otherwise required to include manicuring  
13 of nails; and

14 (4) They shall have passed an examination to the  
15 satisfaction of the board.

16 2. A person may apply to take the examination required by  
17 subsection 1 of this section if the person is a graduate of a  
18 school of cosmetology or apprentice program in another state or  
19 territory of the United States which has substantially the same  
20 requirements as an educational establishment licensed pursuant to  
21 this chapter. A person may apply to take the examination  
22 required by subsection 1 of this section if the person is a  
23 graduate of an educational establishment in a foreign country  
24 that provides training for a classified occupation of  
25 cosmetology, as defined by section 329.010, and has educational  
26 requirements that are substantially the same requirements as an  
27 educational establishment licensed under this chapter. The board  
28 has sole discretion to determine the substantial equivalency of

1 such educational requirements. The board may require that  
2 transcripts from foreign schools be submitted for its review, and  
3 the board may require that the applicant provide an approved  
4 English translation of such transcripts.

5 3. Each application shall contain a statement that, subject  
6 to the penalties of making a false affidavit or declaration, the  
7 application is made under oath or affirmation and that its  
8 representations are true and correct to the best knowledge and  
9 belief of the person signing the application.

10 4. The sufficiency of the qualifications of applicants  
11 shall be determined by the board, but the board may delegate this  
12 authority to its executive director subject to such provisions as  
13 the board may adopt.

14 5. [For the purpose of meeting the minimum requirements for  
15 examination, training completed by a student or apprentice shall  
16 be recognized by the board for a period of no more than five  
17 years from the date it is received.] Applications for  
18 examination or licensure shall be denied if the applicant has  
19 pleaded guilty to, entered a plea of nolo contendere to, or been  
20 found guilty of any of the following offenses or offenses of a  
21 similar nature established under the laws of this state, any  
22 other state, the United States, or any other country,  
23 notwithstanding whether sentence is imposed:

24 (1) Any dangerous felony as defined under section 556.061  
25 or murder in the first degree;

26 (2) Any of the following sexual offenses: rape in the  
27 first degree, forcible rape, rape, statutory rape in the first  
28 degree, statutory rape in the second degree, rape in the second



1 degree, sexual assault, sodomy in the first degree, forcible  
2 sodomy, statutory sodomy in the first degree, statutory sodomy in  
3 the second degree, child molestation in the first degree, child  
4 molestation in the second degree, sodomy in the second degree,  
5 deviate sexual assault, sexual misconduct involving a child,  
6 sexual misconduct in the first degree under section 566.090 as it  
7 existed prior to August 28, 2013, sexual abuse under section  
8 566.100 as it existed prior to August 28, 2013, sexual abuse in  
9 the first or second degree, enticement of a child, or attempting  
10 to entice a child;

11 (3) Any of the following offenses against the family and  
12 related offenses: incest, abandonment of a child in the first  
13 degree, abandonment of a child in the second degree, endangering  
14 the welfare of a child in the first degree, abuse of a child,  
15 using a child in a sexual performance, promoting sexual  
16 performance by a child, or trafficking in children; and

17 (4) Any of the following offenses involving child  
18 pornography and related offenses: promoting obscenity in the  
19 first degree, promoting obscenity in the second degree when the  
20 penalty is enhanced to a class E felony, promoting child  
21 pornography in the first degree, promoting child pornography in  
22 the second degree, possession of child pornography in the first  
23 degree, possession of child pornography in the second degree,  
24 furnishing child pornography to a minor, furnishing pornographic  
25 materials to minors, or coercing acceptance of obscene material.

26 329.060. 1. Every person desiring to sit for the  
27 examination for any of the occupations provided for in this  
28 chapter shall file with the board a written application on a form

1 supplied to the applicant, and shall submit proof of the required  
2 age[, ] and educational qualifications, [and of good moral  
3 character] together with the required cosmetology examination  
4 fee. Each application shall contain a statement that it is made  
5 under oath or affirmation and that its representations are true  
6 and correct to the best knowledge and belief of the person  
7 signing same, subject to the penalties of making a false  
8 affidavit or declaration.

9 2. Upon the filing of the application and the payment of  
10 the fee, the board shall, upon request, issue to the applicant,  
11 if the applicant is qualified to sit for the examination, a  
12 temporary license for the practicing of the occupations as  
13 provided in this chapter. Any person receiving a temporary  
14 license shall be entitled to practice the occupations designated  
15 on the temporary license, under the supervision of a person  
16 licensed in [cosmetology] the occupation, until the expiration of  
17 the temporary license. Any person continuing to practice the  
18 occupation beyond the expiration of the temporary license without  
19 being licensed in [cosmetology] that as provided in this chapter  
20 is guilty of an infraction.

21 329.070. 1. Apprentices or students shall be [licensed]  
22 registered with the board and shall pay a student fee or an  
23 apprentice fee prior to beginning their course, and shall [be of  
24 good moral character and] have an education equivalent to the  
25 successful completion of the tenth grade.

26 2. An apprentice or student shall not be enrolled in a  
27 course of study that shall exceed twelve hours per day or that is  
28 less than three hours per day. The course of study shall be no

1 more than seventy-two hours per week and no less than fifteen  
2 hours per week.

3 3. Every person desiring to act as an apprentice in any of  
4 the classified occupations within this chapter shall file with  
5 the board a written application on a form supplied to the  
6 applicant, together with the required apprentice fee.

7 329.080. 1. An instructor trainee shall be a licensed  
8 cosmetologist, esthetician or manicurist and shall hold a license  
9 as an instructor trainee in cosmetology, esthetics or manicuring.  
10 An applicant for a license to practice as an instructor trainee  
11 shall submit to the board the required fee and a written  
12 application on a form supplied by the board upon request that the  
13 applicant [is of good moral character, in good physical and  
14 mental health,] has successfully completed at least a four-year  
15 high school course of study or the equivalent, and holds a  
16 Missouri license to practice as a cosmetologist, esthetician or  
17 manicurist. Each application shall contain a statement that it  
18 is made under oath or affirmation and that its representations  
19 are true and correct to the best knowledge and belief of the  
20 person signing the application, subject to the penalties of  
21 making a false affidavit or declaration.

22 2. An applicant approved by the board shall be issued an  
23 instructor trainee license. The license shall be issued for a  
24 definite period needed to complete training requirements to  
25 become eligible for taking the examinations. An applicant shall  
26 be approved for an instructor trainee license only for those  
27 classified occupations [of cosmetology] for which the applicant  
28 is licensed at the time the instructor trainee application is

1 submitted to the board.

2 3. The instructor trainee shall be required to complete six  
3 hundred hours of instructor training within a Missouri licensed  
4 school of cosmetology consisting of a curriculum including both  
5 theory and practical training to include the following:

6 (1) Two hundred hours to be devoted to basic principles of  
7 student teaching to include teaching principles, lesson planning,  
8 curriculum planning and class outlines, teaching methods,  
9 teaching aids, testing and evaluation;

10 (2) Fifty hours of psychology as applied to cosmetology,  
11 personality and teaching, teacher evaluation, counseling,  
12 theories of learning, and speech;

13 (3) Fifty hours of business experience or management  
14 including classroom management, record keeping, buying and  
15 inventorying supplies, and state law; and

16 (4) Three hundred hours of practice teaching in both theory  
17 and practical application.

18 4. [For the purpose of meeting the minimum requirements for  
19 examination, training completed within a school of cosmetology by  
20 an instructor trainee shall be recognized by the board for a  
21 period of no more than five years from the date it is received.

22 5.] The six hundred hours required pursuant to subsection 3  
23 of this section may be reduced as follows:

24 (1) Three years of experience as a [practicing] licensed  
25 cosmetologist, esthetician, or manicurist may be substituted for  
26 three hundred hours of training. The three hundred hours will be  
27 partially reduced in proportion to experience as a licensee  
28 greater than six months but less than three; or

1           (2) Four and one-half college credit hours in teaching  
2 methodology, as defined by rule, may be substituted for three  
3 hundred hours of training. Applicants requesting credit shall  
4 submit to the board a certified transcript together with a course  
5 description certified by the administering education institution  
6 as being primarily directed to teaching methodology. The three  
7 hundred hours will be partially reduced in proportion to college  
8 credit hours in teaching methodology of less than four and  
9 one-half hours; or

10           (3) Applicants who apply from states where the requirements  
11 are not substantially equal to those in force in Missouri at the  
12 time of application, may be eligible for the examination if they  
13 provide[:

14           (a)] an affidavit verifying a current, valid instructor  
15 license in another state, territory of the United States,  
16 District of Columbia, or foreign country, state or province[; and

17           (b) Proof of full-time work experience of not less than one  
18 year as a cosmetology instructor within the three-year period  
19 immediately preceding the application for examination].

20           329.085. 1. Any person desiring an instructor license  
21 shall submit to the board a written application on a form  
22 supplied by the board showing that the applicant has met the  
23 requirements set forth in section 329.080. An applicant who has  
24 met all requirements as determined by the board shall be allowed  
25 to take the instructor examination, including any person who has  
26 been licensed three or more years as a cosmetologist, manicurist  
27 or esthetician. If the applicant passes the examination to the  
28 satisfaction of the board, the board shall issue to the applicant

1 an instructor license.

2 2. The instructor examination fee and the instructor  
3 license fee for an instructor license shall be nonrefundable.

4 3. The instructor license renewal fee shall be in addition  
5 to the regular cosmetologist, esthetician or manicurist license  
6 renewal fee. For each renewal the instructor shall submit proof  
7 of having attended a teacher training seminar or workshop at  
8 least once every two years, sponsored by any [university, or]  
9 Missouri vocational association, or bona fide state cosmetology  
10 association specifically approved by the board to satisfy the  
11 requirement for continued training of this subsection. Renewal  
12 fees shall be due and payable on or before the renewal date and,  
13 if the fee remains unpaid thereafter in such license period,  
14 there shall be a late fee in addition to the regular fee.

15 4. Instructors duly licensed as physicians or attorneys or  
16 lecturers on subjects not directly pertaining to the practice  
17 pursuant to this chapter need not be holders of licenses provided  
18 for in this chapter.

19 5. The board shall grant instructor licensure upon  
20 application and payment of a fee equivalent to the sum of the  
21 instructor examination fee and the instructor license fee,  
22 provided the applicant establishes compliance with the  
23 [cosmetology] instructor requirements of another state, territory  
24 of the United States, or District of Columbia [wherein the  
25 requirements are substantially equal or superior to those in  
26 force in Missouri at the time the application for licensure is  
27 filed] and the applicant holds a current instructor license in  
28 the other jurisdiction at the time of making application.

1           6. Any person licensed as a cosmetology instructor prior to  
2 the training requirements which became effective January 1, 1979,  
3 may continue to be licensed as such, provided such license is  
4 maintained and the licensee complies with the continued training  
5 requirements as provided in subsection 3 of this section. Any  
6 person with an expired instructor license that is not restored to  
7 current status within two years of the date of expiration shall  
8 be required to meet the training and examination requirements as  
9 provided in this section and section 329.080.

10           329.130. [1.] The board shall grant without examination a  
11 license to practice cosmetology to any applicant who holds a  
12 current license that is issued by another state, territory of the  
13 United States, or the District of Columbia [whose requirements  
14 for licensure are substantially equal to the licensing  
15 requirements in Missouri at the time the application is filed or  
16 who has practiced cosmetology for at least two consecutive years  
17 in another state, territory of the United States, or the District  
18 of Columbia]. The applicant under this [subsection] section  
19 shall pay the appropriate application and licensure fees at the  
20 time of making application. A licensee who is currently under  
21 disciplinary action with another board of cosmetology shall not  
22 be licensed by reciprocity under the provisions of this chapter.

23           [2. Any person who lawfully practiced or received training  
24 in another state who does not qualify for licensure without  
25 examination may apply to the board for licensure by examination.  
26 Upon application to the board, the board shall evaluate the  
27 applicant's experience and training to determine the extent to  
28 which the applicant's training and experience satisfies current

1 Missouri licensing requirements and shall notify the applicant  
2 regarding his or her deficiencies and inform the applicant of the  
3 action that he or she must take to qualify to take the  
4 examination. The applicant for licensure under this subsection  
5 shall pay the appropriate examination and licensure fees.]

6 329.275. 1. The practices of cosmetology and barbering  
7 shall not include hair braiding, except that, nothing in this  
8 section shall be construed as prohibiting a licensed  
9 cosmetologist or barber from performing the service of hair  
10 braiding.

11 2. No person shall engage in hair braiding for compensation  
12 in the state of Missouri without first registering with the  
13 board. Applicants for a certificate of registration to engage in  
14 hair braiding shall submit to the board an application and a  
15 required fee, as set by the board. Such fee shall not exceed  
16 twenty dollars. Prior to receiving a certificate, each applicant  
17 may also watch an instructional video prepared by the board in  
18 accordance with subsection 4 of this section. An applicant for a  
19 certificate of registration shall be denied such certificate if  
20 the applicant has pleaded guilty to, entered a plea of nolo  
21 contendere to, or been found guilty of any of the offenses set  
22 forth in subsection 6 of section 329.050.

23 3. Registered hair braiders shall keep their information  
24 that the board requires for initial registration current and up  
25 to date with the board.

26 4. The board shall develop and prepare an instructional  
27 video, no more than two hours in length, that contains  
28 information about infection control techniques and diseases of



1 the scalp that are appropriate for hair braiding in or outside of  
2 a salon setting and any other information to be determined by the  
3 board. The instructional video shall be made available to  
4 applicants through the division of professional registration's  
5 website. The board shall also develop and prepare a brochure  
6 that contains a summary of the information contained in the  
7 instructional video. The brochure shall be made available  
8 through the division of professional registration's website, or  
9 by mail, upon request, for a fee to cover the board's mailing  
10 costs.

11 5. Any person who registers as a hair braider under this  
12 section shall post a copy of his or her certificate of  
13 registration in a conspicuous place at his or her place of  
14 business. If the person is operating outside his or her place of  
15 business he or she shall provide to the client or customer a copy  
16 of his or her certificate of registration upon the client's or  
17 customer's request.

18 6. Nothing in this section shall apply to any  
19 cosmetologists licensed to practice in this state in their  
20 respective classifications.

21 [328.100. The board may at any time require any  
22 barber to whom a certificate of registration is issued  
23 to be examined at the licensee's expense by a licensed  
24 physician to ascertain if such barber is free of  
25 infectious or contagious diseases and is not afflicted  
26 with any physical or mental ailment which would render  
27 him unfit to practice the occupation of barbering.]