

March 20, 2019

REVISED

The Honorable J. R. Claeys, Chairperson
House Committee on General Government Budget
Statehouse, Room 274-W
Topeka, Kansas 66612

Dear Representative Claeys:

SUBJECT: Revised Fiscal Note for HB 2383 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following revised fiscal note concerning HB 2383 is respectfully submitted to your committee.

HB 2383 would amend existing law concerning licensure and regulation of barbers to add definitions of “barber pole,” “chair lease,” “infectious or contagious disease,” “senior status license,” “shaving,” “student permit,” “suite,” and “temporary permit.” The bill would establish additional requirements for Board of Barbering approval of an instructor’s license and a barber school or college. All Board licensees would be required to notify the Board in writing of any change in residential or business address within 14 days of the change.

The bill would establish the information that must be provided by persons applying to practice barbering and the requirement that the applicant must have completed 1,000 hours of instruction in order to be eligible to take the written test. A barber or barber instructor whose license is expired would be specifically prohibited from engaging in the practice of barbering, and no person could be employed to practice barbering and no barber shop could operate without a valid license.

To the list of reasons the Board could censure, limit, condition, suspend, revoke or refuse to issue, reinstate, restore or renew a license, the bill would add conviction of any offense under the laws of another jurisdiction that is substantially the same as a felony or class A misdemeanor offense; obtaining or attempting to obtain a license by fraud or deceit; and practicing barbering or employing an individual who has practiced barbering without a valid, current license or permit. Under the provisions of the bill, a person who files an application for a license to practice barbering and has been convicted of a felony offense or certain misdemeanor offenses would have the burden to establish sufficient rehabilitation to warrant public trust. The bill provides the factors the Board may consider in determining whether the applicant has met that burden.

The bill would increase the cap on existing fees with the cap on the fee for barbering examinations increasing from \$100 to \$200; for barbering licenses and renewals from \$80 to \$150; for inspection and licensing of new barber shops from \$80 to \$150; and for inspection and licensing of an existing barber shop from \$40 to \$100. The following new fees would be established:

1. For examination of an applicant to instruct barbering—not more than \$200;
2. For restoration of expired school or college license, if expiration period is under 90 days, the lapsed fees plus a restoration fee of not more than \$150;
3. For issuance of a chair lease license—not more than \$50;
4. For issuance of a temporary permit—not more than \$25;
5. For issuance of a senior status permit—not more than \$50; and
6. For a letter of certification for the purpose of proof of licensure—not more than \$25.

The bill would add to the list of misdemeanors punishable by fine and would remove the lower limit on the amount of the fine and make the upper limit for the fine not more than \$1,000. The bill would allow a person under subpoena to provide documents to petition the Board to revoke, limit or modify the subpoena. The bill would also make a number of technical changes to existing law.

According to the Board of Barbering, enactment of HB 2383 would result in increased revenue to the agency fee fund in FY 2020 of \$28,957 and to the State General Fund of \$3,218, from the changes in the following fees:

<u>Late License Renewal</u>	<u>Number</u>	<u>Current Fee</u>	<u>FY 2020 Fee</u>	<u>Amount of Change/Increase</u>	<u>Total</u>
Barbers	193	\$100	\$120	\$20	\$3,860
Barber shops	65	55	80	25	1,625
Existing license/permit fee					
New barber shops	75	80	100	20	1,500
Existing barber shops	467	40	75	35	16,345
New students	173	55	75	20	3,460
Instructor renewal	19	40	80	40	760
Senior/retired barber license	120	80	50	(30)	(3,600)
<u>New fees</u>					
Chair Lease Licenses	264	--	25	25	6,600
Certified letters	25	--	25	25	625
Temporary permits	100	--	10	10	<u>1,000</u>
Total change					\$32,175
Transfer to SGF					(\$3,218)
Total Fee Fund increase					\$28,957

Any fiscal effect associated with the enactment of HB 2383 is not reflected in *The FY 2020 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink that reads "L. L. Campbell". The signature is written in a cursive style with a large, stylized initial "L".

Larry L. Campbell
Director of the Budget

cc: Lori Ferguson, Board of Barbering