

1 SB179
2 156600-4
3 By Senator Marsh
4 RFD: Business and Labor
5 First Read: 15-JAN-14

1 SB179

2
3
4 ENROLLED, An Act,

5 To amend Section 34-7B-13, Code of Alabama 1975, as
6 created by Act 2013-371, 2013 Regular Session, to exempt any
7 person who has been practicing as a barber for at least 10
8 years on or prior to August 1, 2013.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Section 34-7B-13 of the Code of Alabama
11 1975, as created by Act 2013-371, 2013 Regular Session, is
12 amended to read as follows:

13 "§34-7B-13.

14 "This chapter does not apply to any of the following
15 persons, activities, or services:

16 "(1) Service in the case of emergency or domestic
17 upheaval, without compensation.

18 "(2) Licensed medical professionals operating within
19 the scope of their normal practice.

20 "(3) Personnel of the United States armed services
21 performing their ordinary duties.

22 "(4) Any public trade school or other public school
23 or school program under the purview of the State Board of
24 Education or a local board of education.

1 "(5) Any person who only occasionally dresses hair
2 and receives no compensation therefor, or does any other act
3 or thing mentioned in this chapter, without holding himself or
4 herself out to the public as a provider of any practices
5 defined in this chapter for compensation.

6 "(6) Departments in retail establishments where
7 cosmetics are demonstrated and offered for sale but where no
8 other acts of cosmetology or barbering are performed.

9 "(7) The licensees of any county or municipal barber
10 board or commission in existence on August 1, 2013, unless
11 such board or commission elects, by resolution adopted by the
12 governing body of the county or municipality, to come under
13 the provisions of this chapter.

14 "(8) Any person who has been practicing as a barber,
15 as that term is defined in this subdivision, for at least 10
16 years on or before August 1, 2013. For purposes of this
17 subdivision, the definitions of the terms "barber" and
18 "barbering" in Section 34-7B-1 shall not apply.

19 "For purposes of this subdivision, the term
20 "practicing as a barber" shall be defined as any one or a
21 combination of the following practices, when done upon the
22 human body above the seventh cervical vertebra for cosmetic
23 purposes and not for the treatment of disease or physical or
24 mental ailments, and when done for payment, directly or
25 indirectly or without payment for the public generally:

1 Shaving or trimming the beard or trimming the hair. Any person
2 who claims an exemption under this subdivision and performs
3 services on the public that are not permitted under the
4 definition of practicing as a barber as provided in this
5 subdivision, shall be subject to an administrative fine
6 pursuant to subsection (c) of Section 34-7B-10."

7 Section 2. This act shall become effective on the
8 first day of the third month following its passage and
9 approval by the Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB179

Senate 12-FEB-14

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Amended and passed 05-MAR-14

Senate concurred in House amendment 06-MAR-14

By: Senator Marsh