

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 319

Short Title: Barber Straight Razors.

(Public)

Sponsors: Representative Beall.

Referred to: Business and Labor.

March 1, 1995

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE BARBERING LAW WITH RESPECT TO THE USE OF
3 STRAIGHT RAZORS.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 86A-3 reads as rewritten:

6 "**§ 86A-3. Qualifications for certificate as a registered barber.** barber; qualification
7 for use of straight razor.

8 (a) A certificate of registration as a registered barber shall be issued by the Board
9 to any person who meets the following qualifications:

- 10 (1) Has attended an approved barber school for at least 1528 hours;
11 (2) Has completed a 12-month apprenticeship under the supervision of a
12 licensed barber, as provided in G.S. 86A-24; ~~and~~
13 (3) Has passed a clinical examination conducted by the Board; and
14 (4) Has submitted to the Board the signatures of three barbers registered in
15 North Carolina, one of whom has supervised the applicant, certifying
16 that the applicant has served the apprenticeship required by subsection
17 (2).

18 (b) Notwithstanding subsection (a) of this section, a person may elect not to be
19 examined on the use of a straight razor in barbering. The Board shall identify those
20 portions of the barber school curriculum devoted solely to the use of a straight razor.

1 This curriculum shall be optional for persons who elect not to be examined on the use of
2 a straight razor, and the number of hours of barber school required under subsection (a)
3 of this section shall be revised accordingly for persons who make this election."

4 Sec. 2. G.S. 86A-2 reads as rewritten:

5 **"§ 86A-2. What constitutes practice of barbering.**

6 Any one or combination of the following practices constitutes the practice of
7 barbering in the purview of this Chapter:

- 8 (1) Shaving or trimming the beard, or cutting the hair;
- 9 (2) Dyeing the hair or applying hair tonics, permanent waving or marcelling
10 the hair;
- 11 (3) Giving facial or scalp massages, or treatments with oils, creams, lotions
12 or other preparations either by hand or mechanical appliances.

13 A registered barber or barber apprentice who has not been examined on the use of a
14 straight razor is prohibited from engaging in the practice of barbering with a straight
15 razor."

16 Sec. 3. G.S. 86A-22 reads as rewritten:

17 **"§ 86A-22. Licensing and regulating barber schools and colleges.**

18 The North Carolina State Board of Barber Examiners may approve barber schools or
19 colleges in the State, and may prescribe rules and regulations for their operation. No
20 barber school or college shall be approved by the Board unless the school or college
21 meets all of the following requirements:

- 22 (1) Each school shall provide a course of instruction of at least 1528 ~~hours~~
23 hours, except as provided in G.S. 86A-3.
- 24 (2) Each school shall have at least two instructors. Each instructor must
25 hold a valid instructor's certificate issued by the Board.
- 26 (3) An application for a student's permit and a doctor's certificate, on forms
27 prescribed by the Board, must be filed with the Board before the student
28 enters school. No student may enroll without having obtained a student's
29 permit.
- 30 (4) Each student enrolled shall be given a complete course of instruction on
31 the following subjects: hair cutting; shaving; shampooing, and the
32 application of creams and lotions; care and preparation of tools and
33 implements; scientific massaging and manipulating the muscles of the
34 scalp, face, and neck; sanitation and hygiene; shedding and regrowth of
35 hair; elementary chemistry relating to sterilization and antiseptics;
36 instruction on common skin and scalp diseases to the extent that they
37 may be recognized; pharmacology as it relates to preparations
38 commonly used in barbershops; instruction in the use of electrical
39 appliances and the effects of the use of these on the human skin;
40 structure of the skin and hair; nerve points of the face; the application of
41 hair dyes and bleaches; permanent waving; marcelling or hair pressing;
42 frosting and streaking; and the statutes and regulations relating to the
43 practice of barbering in North Carolina. The Board shall specify the

1 minimum number of hours of instruction for each subject required by
2 this ~~subsection~~-subsection, and shall revise the shaving curriculum in
3 accordance with G.S. 86A-3.

4 (5) Each school shall file an up-to-date list of its students with the Board at
5 least once a month. If a student withdraws or transfers, the school shall
6 file a report with the Board stating the courses and hours completed by
7 the withdrawing or transferring student. The school shall also file with
8 the Board a list of students who have completed the amount of work
9 necessary to meet the licensing requirements.

10 (6) Each school shall comply with the sanitary requirements of G.S. 86A-
11 15.

12 (7) a. Each school shall provide a guaranty bond unless the school has
13 already provided a bond or an alternative to a bond under G.S. 115D-95.

14 The North Carolina State Board of Barber Examiners may
15 revoke the approval of a school that fails to maintain a bond or an
16 alternative to a bond pursuant to this subdivision or G.S. 115D-
17 95.

18 b. When application is made for approval or renewal of approval,
19 the applicant shall file a guaranty bond with the clerk of the
20 superior court of the county in which the school will be located.
21 The bond shall be in favor of the students. The bond shall be
22 executed by the applicant as principal and by a bonding company
23 authorized to do business in this State. The bond shall be
24 conditioned to provide indemnification to any student, or his
25 parent or guardian, who has suffered a loss of tuition or any fees
26 by reason of the failure of the school to offer or complete student
27 instruction, academic services, or other goods and services
28 related to course enrollment for any reason, including the
29 suspension, revocation, or nonrenewal of a school's approval,
30 bankruptcy, foreclosure, or the school ceasing to operate.

31 The bond shall be in an amount determined by the Board to
32 be adequate to provide indemnification to any student, or his
33 parent or guardian, under the terms of the bond. The bond
34 amount for a school shall be at least equal to the maximum
35 amount of prepaid tuition held at any time during the last fiscal
36 year by the school. The bond amount shall also be at least ten
37 thousand dollars (\$10,000).

38 Each application for approval shall include a letter signed by
39 an authorized representative of the school showing in detail the
40 calculations made and the method of computing the amount of
41 the bond pursuant to this subpart and the rules of the Board. If
42 the Board finds that the calculations made and the method of
43 computing the amount of the bond are inaccurate or that the

1 amount of the bond is otherwise inadequate to provide
2 indemnification under the terms of the bond, the Board may
3 require the applicant to provide an additional bond.

4 The bond shall remain in force and effect until cancelled by
5 the guarantor. The guarantor may cancel the bond upon 30 days
6 notice to the Board. Cancellation of the bond shall not affect any
7 liability incurred or accrued prior to the termination of the notice
8 period.

9 c. An applicant that is unable to secure a bond may seek a waiver of
10 the guaranty bond from the Board and approval of one of the
11 guaranty bond alternatives set forth in this subpart. With the
12 approval of the Board, an applicant may file with the clerk of the
13 superior court of the county in which the school will be located,
14 in lieu of a bond:

15 1. An assignment of a savings account in an amount equal to
16 the bond required (i) which is in a form acceptable to the
17 Board; (ii) which is executed by the applicant; and (iii)
18 which is executed by a state or federal savings and loan
19 association, state bank, or national bank, that is doing
20 business in North Carolina and whose accounts are
21 insured by a federal depositors corporation; and (iv) for
22 which access to the account in favor of the State of North
23 Carolina is subject to the same conditions as for a bond in
24 subpart b. above.

25 2. A certificate of deposit (i) which is executed by a state or
26 federal savings and loan association, state bank, or
27 national bank, which is doing business in North Carolina
28 and whose accounts are insured by a federal depositors
29 corporation; and (ii) which is either payable to the State of
30 North Carolina, unrestrictively endorsed to the Board; in
31 the case of a negotiable certificate of deposit, is
32 unrestrictively endorsed to the Board; or in the case of a
33 nonnegotiable certificate of deposit, is assigned to the
34 Board in a form satisfactory to the Board; and (iii) for
35 which access to the certificate of deposit in favor of the
36 State of North Carolina is subject to the same conditions
37 as for a bond in subpart b. above."

38 Sec. 4. This act is effective upon ratification and applies to candidates sitting
39 for examination on or after October 1, 1995.