

By: Herbert of the Senate
and
Fields of the House

An Act relating to barbering; amending 59 O.S. 1991, Section 61.1, as last amended by Section 4, Chapter 318, O.S.L. 1996 (59 O.S. Supp. 1998, Section 61.1), which relates to powers of State Board of Health; authorizing establishment and levying of administrative fines; setting maximum fine for licensed and unlicensed individuals; deleting obsolete language; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 1991, Section 61.1, as last amended by Section 4, Chapter 318, O.S.L. 1996 (59 O.S. Supp. 1998, Section 61.1), is amended to read as follows:

Section 61.1 A. Except as provided in subsection B of Section 61.4 of this title, the State Board of Health is hereby authorized to ~~adopt, amend, and repeal~~ promulgate rules ~~and regulations~~ which govern the examining and licensing of barbers, barber apprentices, barber instructors, and barber colleges; the defining of categories and limitations for such licenses; ~~and~~ the sanitary operation and sanitation of barber shops and barber colleges; and the establishment and levying of administrative fines not to exceed Fifty Dollars (\$50.00) for those licensed and not to exceed Five Hundred Dollars (\$500.00) for those not licensed. Each day a violation continues shall be a separate offense.

B. Except as provided in subsection B of Section 61.4 of this title, the State Department of Health shall have the power and duty to implement the rules ~~and regulations~~ of the State Board of Health, to issue and renew annual barber, barber apprentice, barber instructor, and barber college licenses, to inspect barber licenses,

and to inspect the sanitary operating practices of barbers and the sanitary condition of barber shops and barber colleges.

C. The State Department of Health may suspend or revoke or may refuse to issue or renew any barber, barber instructor, barber apprentice, or barber college license for:

1. Unsanitary operating practices or unsanitary conditions of barber shops or barber colleges;
2. Unsanitary practices of barbers, apprentice barbers, or barber instructors;
3. Making a material misstatement in the application for a license, in the renewal of a license, or in the records which are maintained by barber instructors or colleges to comply with Sections 61.1 through 61.6 of this title or the ~~regulations~~ rules promulgated pursuant thereto; or
4. ~~Any~~ Employment by a person or entity licensed pursuant to this section ~~who employs~~ of an unlicensed person as a barber, barber apprentice, or barber instructor.

SECTION 2. It being immediately necessary for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 1st day of March, 1999.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1999.

Speaker of the House of Representatives