

An Act

ENROLLED HOUSE
BILL NO. 3158

By: Roberts, West (Tammy),
Wolfley, Pittman, and Stark
of the House

and

Rader of the Senate

An Act relating to professions and occupations; authorizing the State Board of Cosmetology and Barbering to issue certain license; allowing certain schools to operate within a correctional facility; specifying contents of applications; requiring schools to adhere to certain policies put in place by Department of Corrections; allowing an inspector to require additional equipment; establishing certain procedure for interrupted attendance; forbidding schools to operate inconsistent with Department rules; providing for codification; and providing an effective date.

SUBJECT: Professions and occupations

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 199.19 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. The State Board of Cosmetology and Barbering shall issue a license to any nonprofit 501(c)(3) tax-exempt school located within a correctional facility in this state that proposes to provide cosmetology or barbering training courses designed to qualify persons for licensure to practice cosmetology or barbering.

B. 1. Any nonprofit 501(c)(3) tax-exempt school seeking to operate within a correctional facility shall submit an application to the Board with the following:

- a. whether the school intends to operate as a secondary or postsecondary establishment,
- b. the names, addresses, and contact information of the:
 - (1) Director of Corrections,
 - (2) Chief Administrator of Classification and Programs of the Department of Corrections,
 - (3) Department of Corrections' administrator of programs,
 - (4) warden of the correctional facility where the school is to be located, and
 - (5) instructors for the proposed program,
- c. a notarized affidavit stating the source of sufficient bond coverage and that the building where the school is proposed to be conducted is owned by the Department of Corrections,
- d. the contact information of the correctional facility, and
- e. a brief description of the proposed education areas within the correctional facility location, other training sections located within the correctional facility, and parking areas.

2. An applicant shall obtain a memorandum of understanding from the Department stating that the Department shall allow the applicant use of the designated area for one (1) year, or a sum of twelve-month increments, that shall be used for the proposed school to operate.

3. Nonprofit 501(c)(3) tax-exempt schools within a correctional facility shall not charge tuition. Education shall be provided free of cost to all students enrolled in the programs. All supplies shall either be purchased from funds obtained through grants or by

private donations made to the organization. The Board shall not require a financial statement to be furnished by the school.

4. All licenses, work permits, registration receipts, student permits, and all other information required by the Board shall be posted conspicuously.

5. Licensed instructors shall adhere to all Department requirements necessary for visitation within the correctional facility.

C. The Board shall permit an applicant's inmate identification badge as his or her identification for purposes of enrollment. A student enrolled to take classes from a nonprofit 501(c)(3) tax-exempt school within a correctional facility shall automatically be considered a low-income individual. Proof of incarceration, or a consolidated record card, shall be sufficient for the applicant to be qualified for a one-time, one-year waiver of all fees associated with licensure, certification, or renewal.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 199.20 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. Any nonprofit 501(c)(3) tax-exempt school located within a correctional facility licensed by the State Board of Cosmetology and Barbering to provide cosmetology or barbering training courses designed to qualify persons for licensure to practice cosmetology or barbering shall adhere to the following:

1. Schools located within a correctional facility shall not provide:

- a. individual student lockers, vending machines, or cosmetic or wig displays,
- b. a private facial and skin care room. All facial and skin care education shall take place where everyone may be seen,
- c. a break area. Restrooms shall be gender-specific to the institution housing the programs,
- d. a drinking fountain or water cooler,

- e. hand sanitizer; provided, that dry sanitizer may be permitted provided it is located in a dispensary area. Individual containers are not permitted per Department of Corrections policy, or
- f. individual containers for soiled items. The soiled items shall be cleaned and disinfected immediately after service is completed; and

2. Schools located within a correctional facility shall:

- a. hold all supplies required by the school. Supplies shall be checked out and checked in by students and master instructors, except for metal implements, which shall be held in a secured area and checked out and checked in by a designated clerk,
- b. only be required to have one facial chair,
- c. provide the facial supply cabinet located inside the dispensary area,
- d. provide a container to store hair pins and clips that shall be located in the dispensary area. Students shall check out and check in these items as needed,
- e. provide a secure location for all metal implements, which shall include, but not be limited to, shears, thinning shears, razors, nail clippers, nail and cuticle trimmers, and metal cuticle pushers. A log shall be available to document the administration of all tools and implements by a designated clerk, and
- f. store all supplies, other than instructional books, in the dispensary area or, as required by this section, in a secure area.

If an inspector by the Board provides evidence of the need for additional equipment not specified in this section for the appropriate and safe instruction of the enrolled students, the school located within a correctional facility shall provide the additional equipment.

B. In the event of a lockdown at a correctional facility where a school is housed, the school shall remain closed until the

lockdown is lifted. School may resume upon confirmation of the ended lockdown. Students may only be exempt from the weekly time requirements due to lockdown or outside medical appointments; provided, that the Department of Corrections has found reasonable cause to make such exception.

C. Nothing in this section shall allow schools providing instruction within the correctional facilities to operate inconsistently with Department rules.

SECTION 3. This act shall become effective November 1, 2024.

Passed the House of Representatives the 30th day of April, 2024.

Presiding Officer of the House
of Representatives

Passed the Senate the 22nd day of April, 2024.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____