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April 8, 2024

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 3158

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

and

Rader of the Senate

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[ cosmetology and barbering - license - tax-exempt
school - correctional facility - application -
display - identification - items during instruction -
disruptions - rules - codification - effective date ]
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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.

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

4 a. whether the school intends to operate as a secondary
5 or postsecondary establishment,

6 b. the names, addresses, and contact information of the:

7 (1) Director of Corrections,

8 (2) Chief Administrator of Classification and
9 Programs of the Department of Corrections,

10 (3) Department of Corrections' administrator of
11 programs,

12 (4) warden of the correctional facility where the
13 school is to be located, and

14 (5) instructors for the proposed program,

15 c. a notarized affidavit stating the source of sufficient
16 bond coverage and that the building where the school
17 is proposed to be conducted is owned by the Department
18 of Corrections,

19 d. the contact information of the correctional facility,
20 and

21 e. a brief description of the proposed education areas
22 within the correctional facility location, other
23 training sections located within the correctional
24 facility, and parking areas.

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

6 3. Nonprofit 501(c)(3) tax-exempt schools within a correctional
7 facility shall not charge tuition. Education shall be provided free
8 of cost to all students enrolled in the programs. All supplies
9 shall either be purchased from funds obtained through grants or by
10 private donations made to the organization. The Board shall not
11 require a financial statement to be furnished by the school.

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

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

18 C. The Board shall permit an applicant's inmate identification
19 badge as his or her identification for purposes of enrollment. A
20 student enrolled to take classes from a nonprofit 501(c)(3) tax-
21 exempt school within a correctional facility shall automatically be
22 considered a low-income individual. Proof of incarceration, or a
23 consolidated record card, shall be sufficient for the applicant to
24

1 be qualified for a one-time, one-year waiver of all fees associated
2 with licensure, certification, or renewal.

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

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

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

- 13 a. individual student lockers, vending machines, or
14 cosmetic or wig displays,
- 15 b. a private facial and skin care room. All facial and
16 skin care education shall take place where everyone
17 may be seen,
- 18 c. a break area. Restrooms shall be gender-specific to
19 the institution housing the programs,
- 20 d. a drinking fountain or water cooler,
- 21 e. hand sanitizer; provided, that dry sanitizer may be
22 permitted provided it is located in a dispensary area.
23 Individual containers are not permitted per Department
24 of Corrections policy, or

1 f. individual containers for soiled items. The soiled
2 items shall be cleaned and disinfected immediately
3 after service is completed; and

4 2. Schools located within a correctional facility shall:

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

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

6 B. In the event of a lockdown at a correctional facility where
7 a school is housed, the school shall remain closed until the
8 lockdown is lifted. School may resume upon confirmation of the
9 ended lockdown. Students may only be exempt from the weekly time
10 requirements due to lockdown or outside medical appointments;
11 provided, that the Department of Corrections has found reasonable
12 cause to make such exception.

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

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

17 COMMITTEE REPORT BY: COMMITTEE ON FINANCE
18 April 8, 2024 - DO PASS AS AMENDED BY CS
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