

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1009

Introduced by Walz, 15.

Read first time January 05, 2024

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the Barber Act; to amend sections 71-211,
- 2 71-212, 71-217, 71-220, 71-222.01, and 71-223, Reissue Revised
- 3 Statutes of Nebraska; to change a provision regarding examinations;
- 4 to eliminate obsolete language; to harmonize provisions; and to
- 5 repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-211, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 71-211 Whenever the provisions of the Barber Act ~~sections 71-201 to~~
4 ~~71-224~~ have been complied with, the Board of Barber Examiners shall issue
5 a certificate of registration as a registered barber instructor or
6 registered barber, or a certificate of approval of a barber school.

7 Sec. 2. Section 71-212, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 71-212 A person who (1) is of good moral character and temperate
10 habits, (2) has a diploma showing graduation from high school or its
11 equivalent as determined by successfully passing a general educational
12 development test, and (3) has a license and certificate of registration
13 as a practicing barber from another state or country which has
14 substantially the same requirements for licensing or registering barbers
15 as required by the Barber Act, shall upon payment of the required fee be
16 given an examination by the board at the next regular examination to
17 determine his or her fitness to receive a certificate of registration to
18 practice barbering. If any person fails to pass a required examination,
19 he or she shall be entitled to submit himself or herself for examination
20 by the board at the next examination given by the board. ~~If he or she~~
21 ~~fails at the third examination, no further examination shall be granted.~~
22 If an applicant fails to appear when requested for an examination, he or
23 she shall be notified by the board as to the time of the next regular
24 examination, at which he or she shall appear.

25 Sec. 3. Section 71-217, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 71-217 The board may either refuse to issue or renew or may suspend
28 or revoke any certificate of registration or approval for any one or a
29 combination of the following causes: (1) Conviction of a felony shown by
30 a certified copy of the record of the court of conviction; (2) gross
31 malpractice or gross incompetency; (3) continued practice by a person

1 knowingly having an infectious or contagious disease; (4) advertising by
2 means of knowingly false or deceptive statements or in violation of
3 section 71-223.02; (5) advertising, practicing, or attempting to practice
4 under a trade name or any name other than one's own; (6) habitual
5 drunkenness or habitual addiction to the use of morphine, cocaine, or
6 other habit-forming drugs; (7) immoral or unprofessional conduct; (8)
7 violation of any of the provisions of the Barber Act ~~sections 71-201 to~~
8 ~~71-237~~ or of any valid regulation promulgated by the board pertaining to
9 service charges, sanitation, and the elimination of unfair practices; and
10 (9) any check presented to the board as a fee for either an original
11 license or renewal license or for examination for license or any other
12 fee authorized in the Barber Act ~~sections 71-201 to 71-237~~ which is
13 returned to the State Treasurer unpaid.

14 Sec. 4. Section 71-220, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 71-220 Any person, firm, ~~or~~ corporation, or their agents that
17 violates ~~or servants, who shall violate~~ any provision ~~of the provisions~~
18 ~~of the Barber Act~~ sections 71-201 to 71-237 shall be deemed guilty of a
19 Class III misdemeanor.

20 Sec. 5. Section 71-222.01, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 71-222.01 The director, under the supervision of the Board of Barber
23 Examiners, shall administer the Barber Act ~~provisions of sections 71-201~~
24 ~~to 71-237~~, and shall serve at the pleasure of the board. His or her
25 salary shall be fixed by the board. The director shall devote full time
26 to the duties of his office. No person shall be eligible to the office of
27 director who has not been engaged in the active practice of barbering as
28 a registered barber in the state for at least five years immediately
29 preceding his appointment. No member of the Board of Barber Examiners
30 shall be eligible to the office of director during his or her term. The
31 director shall be bonded or insured as required by section 11-201. The

1 premium shall be paid as an expense of the board.

2 Sec. 6. Section 71-223, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 71-223 The board shall have authority to adopt and promulgate
5 reasonable rules and regulations for the administration of the Barber Act
6 ~~provisions of sections 71-201 to 71-224~~. Any member of the board, its
7 agents, or its assistants shall have authority to enter upon and to
8 inspect any barber shop or barber school at any time during business
9 hours. A copy of the rules and regulations adopted by the board shall be
10 furnished to the owner or manager of each barber shop and barber school,
11 and it shall be posted in a conspicuous place in such barber shop or
12 barber school. The board shall keep a record of proceedings relating to
13 the issuance, refusal, renewal, suspension, and revocation of
14 registrations and licenses and inspections. Such record shall also
15 contain the name, place of business, and residence of each registered
16 barber instructor and licensed barber and the date and number of his or
17 her registration or license.

18 Sec. 7. Original sections 71-211, 71-212, 71-217, 71-220,
19 71-222.01, and 71-223, Reissue Revised Statutes of Nebraska, are
20 repealed.