

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 457
HOUSE BILL 280

AN ACT TO AMEND CHAPTER 86A OF THE GENERAL STATUTES PERTAINING TO
BARBERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 86A-3 is amended by rewriting subsection (3) to read as follows:

"(3) Has passed a clinical examination conducted by the Board; and"

G.S. 86A-3 is further amended by adding a new subsection (4) to read as follows:

"(4) Has submitted to the board the signatures of three barbers registered in North Carolina, one of whom has supervised the applicant, certifying that the applicant has served the apprenticeship required by subsection (2)."

Sec. 2. G.S. 86A-4 is rewritten to read as follows:

"§ 86A-4. State Board of Barber Examiners; appointment and qualifications; term of office; removal. — (a) The State Board of Barber Examiners is established to consist of four members appointed by the Governor. Three shall be licensed barbers; the other shall be a person who is not licensed under this Chapter and who shall represent the interest of the public at large.

(b) All members serving on the board on June 30, 1981, shall complete their respective terms. The Governor shall appoint the public member not later than July 1, 1981. No member appointed to the board on or after July 1, 1981, shall serve more than two complete consecutive three-year terms, except that each member shall serve until his successor is appointed and qualifies.

(c) The Governor may remove any member for good cause shown and may appoint members to fill unexpired terms."

Sec. 3. G.S. 86A-5 is amended by rewriting line 1 to read as follows:

"§ 86A-5. Powers and duties of the board. — (a) The board has the following".

G.S. 86A-5 is further amended by rewriting subsection (3) to read as follows:

"(3) To review the barber licensing laws of other states and to determine which are the substantive equivalent of the laws of North Carolina for purposes of G.S. 86A-12;".

Sec. 4. G.S. 86A-5 is further amended at the beginning of line 14 by deleting the number "5" and substituting therefor the letter "c" and by inserting between lines 13 and 14 the following language:

"(b) The board shall adopt regulations:

(1) Prohibiting the use of commercial chemicals of unknown content by persons registered under this Chapter. For purposes of this section, 'commercial chemicals' are those products sold only through beauty and barber supply houses and not available to the general public;

(2) Instructing persons registered under this Chapter in the proper use and application of commercial chemicals where no manufacturer's instructions are included. In the alternative, the board shall prohibit the use of such commercial chemicals by persons registered under this Chapter."

Sec. 5. G.S. 86A-10 is amended on line 2 by deleting the word "compiled" and substituting therefor the word "complied".

Sec. 6. G.S. 86A-11(a) is amended on lines 4 and 5 by deleting the words "barber license" and substituting therefor the words "apprenticeship registration".

Sec. 7. G.S. 86A-11(d) is rewritten to read as follows:

"(d) The board may grant a temporary permit to work to persons licensed in another state and seeking permanent licensure in North Carolina under G.S. 86A-12."

Sec. 8. G.S. 86A-12 is rewritten to read as follows:

"§ 86A-12. Applicants licensed in other states. — The board shall issue a license to applicants already licensed in another state provided the applicant presents evidence satisfactory to the board that:

- (1) He is currently an active, competent practitioner in good standing; and
- (2) He has practiced at least three out of the five years immediately preceding his application; and
- (3) He currently holds a valid license in another state; and
- (4) There is no disciplinary proceeding or unresolved complaint pending against him at the time a license is to be issued by this State; and
- (5) The licensure requirements in the other state are the substantive equivalent of those required by this State.

Any license granted pursuant to this section is subject to the same duties and obligations and entitled to the same rights and privileges as a license issued under G.S. 86A-3."

Sec. 9. G.S. 86A-18(1) is amended by rewriting line 1 to read as follows:

"(1) conviction of the applicant or certificate holder of a felony proved by certified copy".

G.S. 86A-18(5) is amended on line 2 by deleting the number "(7)" and substituting therefor the number "(6)".

G.S. 86A-18(7) is amended on line 1 by deleting the word "pretaining" and substituting therefor the word "pertaining".

Sec. 10. G.S. 86A-20(2) is amended on line 2 by inserting between the words "than" and "required" the word "the" and by deleting the comma following the word "fee" and before the word "or".

Sec. 11. G.S. 86A-17(b) is amended on line 5 by inserting the word "clinical" between the words "the" and "examination".

G.S. 86A-17(b) is further amended by adding a new sentence at the end to read as follows:

"No registered barber who is reissued a certificate under this subsection shall be required to serve an apprenticeship as a prerequisite to reissuance of his certificate."

Sec. 12. G.S. 86A-22(2) is amended on lines 1 and 2 by deleting the words "to properly instruct the number of students".

G.S. 86A-22(4) is amended by inserting a sentence at the end thereof to read as follows:

"The board shall specify the minimum number of hours of instruction for each subject required by this subsection."

Sec. 13. G.S. 86A-23(a) is amended on line 4 by deleting the citation "86A-22(3)" and the brackets preceding and following the citation "86A-22(4)".

Sec. 14. G.S. 86A-24 is rewritten to read as follows:

"§ 86A-24. Apprenticeship. — (a) Before being issued an apprentice license, an applicant must pass an examination conducted by the board to determine his competence, including his knowledge of barbering, sanitary rules and regulations, and knowledge of diseases of the face, skin and scalp.

(b) An apprentice license may be renewed annually on the payment of the prescribed fee. The certificate of registration of an apprentice is valid only so long as he works under supervision of a registered barber. No apprentice shall operate a barbershop.

(c) On completion of at least one year's apprenticeship, evidenced by affidavit of the supervising registered licensed barber or barbers, and upon meeting the other requirements of G.S. 86A-3, the apprentice shall be issued a license as a registered barber, pursuant to G.S. 86A-10. No registered apprentice may practice for a period exceeding three years without retaking and passing the required examination to receive a certificate as a registered apprentice."

Sec. 15. G.S. 143-34.12 is amended by deleting line 17, which reads as follows:
"Chapter 86, entitled 'Barbers'."

Sec. 16. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 27th day of May, 1981.