

AMENDED IN SENATE MARCH 17, 2016

SENATE BILL

No. 896

Introduced by Senator ~~Bates~~ Nguyen

January 21, 2016

An act to ~~amend Section 921 of~~ *add Section 7353.5 to* the Business and Professions Code, relating to ~~healing arts~~; *professions and vocations*.

LEGISLATIVE COUNSEL'S DIGEST

SB 896, as amended, ~~Bates~~ *Nguyen*. ~~Health care professionals. Barbering and cosmetology: nail care establishments: credit and debit cards.~~

Existing law, the Barbering and Cosmetology Act, provides for the licensure and regulation of barbers, cosmetologists, estheticians, manicurists, electrologists, and apprentices by the State Board of Barbering and Cosmetology. The act requires the licensure of any person, firm, or corporation operating an establishment engaged in a practice regulated by the board, as specified, and requires a licensed establishment to comply with various requirements. A violation of the Barbering and Cosmetology Act is generally a misdemeanor.

This bill would require an establishment offering nail care services, if it accepts a debit or credit as payment for nail care services, to also accept a debit or credit card for payment of a tip.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Existing law, the Health Care Professional Disaster Response Act, states findings of the Legislature regarding the shortage of qualified health care practitioners during times of national or state disasters, and authorizes a physician and surgeon, whose license has been expired for less than 5 years and who meets specified criteria, to obtain a license without paying fees.

This bill would make a nonsubstantive change to those findings.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~yes. State-mandated local program: ~~no~~yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7353.5 is added to the Business and
2 Professions Code, to read:

3 7353.5. If an establishment offering nail care services accepts
4 a debit or credit card as payment for nail care services, the
5 establishment shall also accept a debit or credit card for payment
6 of a tip.

7 SEC. 2. No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 the only costs that may be incurred by a local agency or school
10 district will be incurred because this act creates a new crime or
11 infraction, eliminates a crime or infraction, or changes the penalty
12 for a crime or infraction, within the meaning of Section 17556 of
13 the Government Code, or changes the definition of a crime within
14 the meaning of Section 6 of Article XIII B of the California
15 Constitution.

16 SECTION 1. Section 921 of the Business and Professions Code
17 is amended to read:

18 921. (a) The Legislature finds and declares both of the
19 following:

20 (1) In times of national or state disasters, a shortage of qualified
21 health care practitioners may exist in areas throughout the state
22 where they are desperately required to respond to public health
23 emergencies.

24 (2) Health care practitioners with lapsed or inactive licenses
25 could potentially serve in those areas where a shortage of qualified
26 health care practitioners exists, if licensing requirements were
27 streamlined and fees curtailed.

1 ~~(b) Therefore, it is the intent of the Legislature to address these~~
2 ~~matters through the Health Care Professional Disaster Response~~
3 ~~Act.~~

O