

## Senate Bill No. 149

### CHAPTER 410

An act to amend Section 7319 of the Business and Professions Code, relating to corrections.

[Approved by Governor August 28, 1998. Filed with  
Secretary of State August 31, 1998.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 149, Rainey. Corrections.

Existing law exempts various persons from licensure and other regulatory provisions of the Barbering and Cosmetology Act.

This bill would additionally exempt from those provisions persons rendering barbering or cosmetology services in an institutional program during the course of and incidental to the incarceration or confinement of specified persons. However, it would require those persons to complete a barbering training course, developed by the Department of Corrections and approved by the Department of Consumer Affairs, in the proper care of instruments and the prevention of infectious diseases, and to successfully pass an examination, developed and administered by the Department of Corrections, covering those subjects. It would also subject all barbering facilities located in correctional facilities to all appropriate health and safety sanitation standards, as determined by the Department of Corrections.

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

SECTION 1. Section 7319 of the Business and Professions Code is amended to read:

7319. The following persons are exempt from this chapter:

(a) All persons authorized by the laws of this state to practice medicine, surgery, dentistry, pharmacy, osteopathic medicine, chiropractic, naturopathy, podiatry, or nursing and acting within the scope of practice for which they are licensed.

(b) Commissioned officers of the United States Army, Navy, Air Force, Marine Corps, members of the United States Public Health Service, and attendants attached to those services when engaged in the actual performance of their official duties.

(c) Persons employed to render barbering, cosmetology, or electrolysis services in the course of and incidental to the business of employers engaged in the theatrical, radio, television or motion picture production industry.

(d) Persons engaged in any practice within its scope when done outside of a licensed establishment, without compensation.

(e) Persons engaged in the administration of hair, skin, or nail products for the exclusive purpose of recommending, demonstrating, or selling those products.

(f) Persons who render barbering or cosmetology services in an institutional program during the course of and incidental to the incarceration or confinement of inmates, prisoners, or persons charged with a crime. However, all of the following conditions shall apply:

(1) Those persons shall complete a barbering training course, developed by the Department of Corrections and approved by the Department of Consumer Affairs, in the proper care of instruments and the prevention of infectious diseases.

(2) Those persons shall successfully pass an examination, developed and administered by the Department of Corrections, on the proper care of instruments and the prevention of infectious diseases.

(3) All barbering facilities located in correctional institutions shall be subject to all appropriate health and safety sanitation standards, as determined by the Department of Corrections.

