

- SUBJECT:** Revising requirements to obtain a barbershop permit
- COMMITTEE:** Government Reform — favorable, without amendment
- VOTE:** 7 ayes — Uresti, Otto, Y. Davis, Frost, Gonzales, Hunter, Veasey
0 nays
- WITNESSES:** For — Linda Connor, Texas Association of Tonsorial Artists
Against — None
On — Jerry Daniels, Texas State Board of Barber Examiners
- BACKGROUND:** Under Texas law, a person may not own, operate, or manage a barbershop without the appropriate permit. Occupations Code, sec. 1601.303 allows the State Board of Barber Examiners to issue a barbershop permit to an applicant who:
- holds a class A barber certificate;
 - has practiced barbering for at least 12 months; and
 - operates a shop that meets minimum health standards and follows all other board rules.
- In order to receive a class A barber certificate, an applicant must, among other requirements, be at least 16 years old, pass a board examination, and pay a fee of \$100 or less.
- DIGEST:** HB 2627 would allow the board to issue a barbershop permit to an applicant who owned a barbershop that met minimum health standards and complied with all other board rules. It would repeal the requirements that the applicant hold a class A barber certificate and have practiced barbering for at least 12 months.
- The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2005, and would apply to a permit application filed on or after that date.

**SUPPORTERS
SAY:**

HB 2627 would help prospective barbershop owners, particularly in rural areas. A number of people would like to open barbershops but live in towns so small that there is no place to gain the required one-year experience through an apprenticeship. Even though some of these people have the maturity and funding to open a barbershop, many choose not to move to unfamiliar towns just to gain the experience necessary to meet the permitting requirements. While certification and experience are necessary for someone who wishes to perform the work of a barber — i.e., cutting hair — these requirements should not stand in the way of a person who merely wishes to own a barbershop. HB 2627 would ensure that such people were not hindered by unnecessary certification requirements, which would follow a recommendation made by the State Board of Barber Examiners in the interim Sunset Advisory Commission report.

Many shops, especially chain hairstylists, already work around this requirement through a co-sign agreement. Prospective shop owners who do not have the required certificate often co-sign with a certified and experienced, though absent, barber in order to obtain the shop permit. This bill not only would conform the statutes to current practice, it also would help prevent exploitation by experienced co-signers who often extract large signing fees from prospective barbershop owners.

The bill would allow barbers to keep their shops in the family by allowing owners to transfer ownership of barbershops to family members who were not certified barbers. Currently, a son who did not have the required certificate and experience, for example, could not own his father's shop.

**OPPONENTS
SAY:**

While strictly speaking it is not necessary for the owner of a barbershop to be a skilled barber, some experience in this area would help a new owner run a successful business and hire the appropriate staff. The 12-month apprenticeship requirement in current law serves to lift the standards of the profession.

In addition, an apprenticeship gives valuable business experience to prospective owners, placing them for 12 months in an environment where they can see firsthand what it takes to successfully own and run a barbershop. Some of the younger barber school graduates, for example, do not have the basic bookkeeping and customer service skills necessary to

run a successful business. These schools teach practical lessons in cutting hair but do not focus enough on business knowledge, which is best learned as a junior employee in a working barbershop.