

By: Representatives Rosebud, Anthony

To: Public Health and Human Services

HOUSE BILL NO. 1355

1 AN ACT TO AUTHORIZE LICENSED BARBERS TO OPERATE A MOBILE
 2 BARBERSHOP; TO DEFINE CERTAIN TERMS RELATING TO MOBILE
 3 BARBERSHOPS; TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO
 4 ISSUE PERMITS FOR THE OPERATION OF MOBILE BARBERSHOPS; TO REQUIRE
 5 THAT A REPRESENTATIVE OF THE BOARD CONDUCT AN INSPECTION OF THE
 6 MOBILE BARBERSHOP BEFORE A PERMIT IS ISSUED; TO REQUIRE THAT A
 7 PERMIT TO OPERATE A MOBILE BARBERSHOP BE ANNUALLY RENEWED; TO
 8 REQUIRE THAT A MOBILE BARBERSHOP PERMITEE MAINTAIN A WRITTEN OR
 9 ELECTRONIC RECORD OF EACH STREET ADDRESS WHERE BARBERING SERVICES
 10 WILL BE PROVIDED AT THE MOBILE BARBERSHOP DURING ANY TWO-WEEK
 11 PERIOD; TO REQUIRE THAT A LICENSED BARBER BE IN CHARGE AND PRESENT
 12 AT ALL TIMES DURING THE OPERATION OF A MOBILE BARBERSHOP, AND IS
 13 RESPONSIBLE FOR ALL BARBERING SERVICES PROVIDED AT THE MOBILE
 14 BARBERSHOP; TO REQUIRE A MOBILE BARBERSHOP PERMITEE TO NOTIFY THE
 15 BOARD IN WRITING WITHIN THIRTY DAYS OF THE LAST DAY OF OPERATIONS
 16 WHEN A MOBILE BARBERSHOP CEASES TO OPERATE; TO PROVIDE THAT A
 17 MOBILE BARBERSHOP PERMIT IS NOT TRANSFERABLE; TO PROVIDE THAT A
 18 BARBER WHO VIOLATES ANY PROVISION OF THIS SECTION OR ANY
 19 REGULATION PROMULGATED BY THE BOARD UNDER THIS SECTION IS SUBJECT
 20 TO DISCIPLINARY ACTION AS MAY BE DETERMINED BY THE BOARD; AND FOR
 21 RELATED PURPOSES.

22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

23 **SECTION 1.** (1) As used in this section, the following words
 24 and phrases shall have the meanings as defined in this section
 25 unless the context clearly indicates otherwise:

26 (a) "Mobile barbershop" means a self-contained unit in
 27 which the practice of barbering is conducted, which may be moved,



28 towed or transported from one location to another. A "mobile
29 barbershop" includes a portable barber operation.

30 (b) "Portable barber operation" means equipment used in
31 the practice of barbering that is in a mobile barbershop or
32 transported from a barbershop and used on a temporary basis at a
33 location including, but not limited to:

34 (i) A client's home; or

35 (ii) Another location as may be authorized by the
36 State Board of Barber Examiners.

37 (2) An individual may operate a mobile barbershop if the
38 individual:

39 (a) Is licensed to engage in the practice of barbering
40 under Section 73-5-33; and

41 (b) Does not have a physically stationary office at the
42 location where the mobile barbering services are provided.

43 (3) In order to operate a mobile barbershop, a licensed
44 barber shall apply to the board for a mobile barbershop permit.
45 The licensed barber shall submit a permit application and fee in a
46 manner as prescribed by the board.

47 (4) Before a mobile barbershop permit may be issued, an
48 inspection of the mobile barbershop must be conducted by a
49 representative of the board. Upon a satisfactory inspection, the
50 board shall issue the applicant a mobile barbershop permit to be
51 affixed within the mobile barbershop as prescribed by the board.
52 The board shall also issue a permit card to be carried by the



53 licensed barber when practicing barbering through a mobile
54 barbershop operation.

55 (5) A mobile barbershop permit must be renewed annually, and
56 a renewal fee paid, as prescribed by the board.

57 (6) A mobile barbershop is subject to unannounced inspections
58 and must be annually inspected before a permit may be renewed.

59 (7) A mobile barbershop permittee shall maintain an official
60 business address. The permittee's official business address shall
61 be indicated on the permit application and must not be a post
62 office box. If an address different from the official business
63 address is used for official barbershop business, then that
64 address must also be provided.

65 Permit applications must also include the home address of the
66 applicant. The inclusion of the applicant's home address on the
67 application does authorize the applicant to conduct official
68 barbershop business at his home address if the applicant is issued
69 a permit.

70 (8) A mobile barbershop permittee shall maintain an official
71 telephone number, which must be indicated on the application. If
72 other telephone numbers are used for official barbershop business,
73 then those telephone numbers must also be provided.

74 (9) The board must be notified within thirty (30) days of any
75 change in the official business address or telephone number as
76 indicated on the permit application, or as otherwise provided to
77 the board.



78 (10) A mobile barbershop permittee shall maintain a written or
79 electronic record of each street address where barbering services
80 will be provided at the mobile barbershop during any two-week
81 period.

82 (11) A licensed barber must be in charge and present at all
83 times during the operation of a mobile barbershop, and is
84 responsible for all barbering services provided at the mobile
85 barbershop.

86 (12) A mobile barbershop permittee shall comply with all
87 applicable federal, state and local laws, regulations, and
88 ordinances pertaining to the practice of barbering and with all
89 applicable flammability, construction, sanitation, zoning, or
90 infectious waste management guidelines, Occupational Safety and
91 Health Administration guidelines, and federal Centers for Disease
92 Control and Prevention guidelines.

93 The permittee shall maintain any applicable county and city
94 licenses or permits, including business licenses, to operate the
95 mobile barbershop at the location where barbering services will be
96 provided.

97 (13) A mobile barbershop permittee shall notify the board in
98 writing within thirty (30) days of the last day of operations when
99 a mobile barbershop ceases to operate.

100 (14) A mobile barbershop permit is not transferable. If a
101 mobile barbershop is sold, the new owner of the barbershop must



102 apply to the board for a permit before providing barbering
103 services through the mobile barbershop.

104 (15) The board shall promulgate rules and regulations to
105 carry out the provisions of this section, including, but not
106 limited to, establishing a permit application and fees.

107 (16) A barber who violates any provision of this section or
108 any regulation promulgated by the board under this section is
109 subject to disciplinary action as may be determined by the board.

110 (17) The provisions of this section do not apply to a
111 licensed barber while providing barbering services in a nursing
112 home or community residential care facility setting, equipped and
113 maintained in compliance with regulations and other requirements
114 concerning the equipping and maintenance of barbershops.

115 **SECTION 2.** This act shall take effect and be in force from
116 and after July 1, 2022.

