

By: Representatives Rosebud, Anthony

To: Public Health and Human Services

HOUSE BILL NO. 868

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  
58 inspections and must be annually inspected before a permit may be  
59 renewed.

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

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

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

75 (9) The board must be notified within thirty (30) days of  
76 any change in the official business address or telephone number as



77 indicated on the permit application, or as otherwise provided to  
78 the board.

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

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

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

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

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



101           (14) A mobile barbershop permit is not transferable. If a  
102 mobile barbershop is sold, the new owner of the barbershop must  
103 apply to the board for a permit before providing barbering  
104 services through the mobile barbershop.

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

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

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

116           **SECTION 2.** This act shall take effect and be in force from  
117 and after July 1, 2023.

