

Proposed

Kansas Board of Barbering
Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. on Wednesday, March 30, 2016 in the Senate Room, located off the main lobby, Jayhawk Tower, 700 S.W. Jackson, Topeka, to consider adoption of proposed regulations K.A.R. 61-3-7, K.A.R. 61-7-1 and K.A.R. 61-7-2 as permanent regulations of the Kansas Board of Barbering.

This 60 day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed adoption of these regulations. All parties may submit written comments prior to the hearing to Larry Montgomery, Administrator, Kansas Board of Barbering, 700 S.W. Jackson, Suite 1002, Topeka, 66603, or to kbob@kbob.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

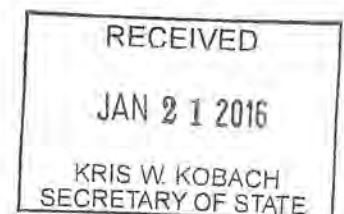
Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Sonia Sprouse, Administrative Assistant, Kansas Board of Barbering at Sonia.sprouse@kbob.ks.gov or 785-296-2211.

These regulations are proposed for permanent adoption. A summary of the proposed regulations and the estimated economic impact statement follows:

K.A.R. 61-3-7. Minimum requirements for opening a barber school or barber college. This regulation is amended to include definitions of the minimum requirements for opening a barber school or barber college housed in an existing establishment teaching or conducting other trades, professions, or businesses.

K.A.R. 61-7-1. Fees. This regulation is revoked. New fees are established in K.A.R. 61-7-2.

K.A.R. 61-7-2. Fees. This regulation establishes new license fees, in accordance with K.S.A. 65-1817.

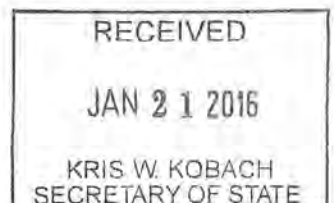


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Economic Impact. The adoption of these regulations will have a minimal but positive impact on the growth in local, county and state taxes as a result of income and asset growth based on an increase in schools, colleges, instructors, students and new barbers. It is anticipated there will be an economic impact to the Board as it will need to increase the number of yearly barber license examinations conducted, resulting from an increase in barber school graduates as the number of licensed barber schools and colleges increase. The increase in expenditure to the board to cover costs of conducting these examinations will be covered by the examination and licensing fees charged by the Board. There is no environmental impact.

Copies of the regulations and the economic impact statement may be obtained by contacting the Kansas Board of Barbering at Jayhawk Tower, 700 S.W. Jackson, Suite 1002, Topeka, 66603, at 785-296-2211 or kbob@kbob.ks.gov.

Larry Montgomery
Administrator



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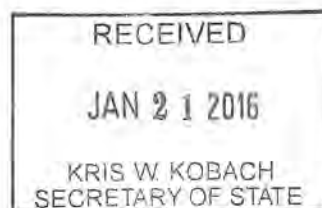
61-3-7. Minimum requirements for opening a barber school or barber college. (a) Each approved barber school or barber college shall have at least ~~40~~ three students enrolled and at least ~~2,500 square feet of floor space available~~ five feet between the centers of each adjoining barber chair in the clinical demonstration room before opening. If the barber school or barber college is located in a building in which another entity operates a business or school that conducts or teaches anything other than barbering as defined in K.S.A. 65-1809 and amendments thereto, the barber school or barber college shall have a separate entrance and shall be completely separate within that building, except as provided in subsection (b).

Each barber school or barber college shall have at least two rooms accessible to its students at all times. One room shall be used for class study, examinations, and lectures, and the other room shall be used for practical demonstrations. The barber school or barber college shall provide ~~two restrooms~~ at least one restroom with a toilet and washbasin, which shall be kept in a sanitary condition. Each room shall be equipped to meet the requirements of all applicable regulations of the ~~Kansas state board of barbering~~.

(b) Any barber school or barber college that shares a building in which another entity operates a business or school that conducts or teaches anything other than barbering may share the following facilities with that entity:

(1) Classrooms other than the clinic floor, if no classroom is used by both the entity and the barber school or barber college at the same time;

(2) restrooms; and



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(3) common areas, including reception areas, lounges, and hallways. (Authorized by and implementing K.S.A. 65-1825a, K.S.A. 2014 2015 Supp. 74-1806; implementing K.S.A. 65-1810; effective Jan. 1, 1966; amended May 1, 1988; amended March 20, 2015; amended, T- _____, _____; amended P- _____.)

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61-7-1. (Authorized by K.S.A. 65-1825; implementing K.S.A. 1982 Supp. 65-1817; effective
May 1, 1983; revoked, T-_____, _____; revoked P-_____.)

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61-7-2. Fees. The following fees shall be charged by the board:

(a) Barber license

- (1) Examination to practice barbering \$100
- (2) Issuance of license to practice barbering 80
- (3) Renewal of license to practice barbering 80
- (4) Restoration of expired license to practice barbering

(A) If the expiration period is not more than three years, the restoration and lapsed fees

shall be as follows:

- lapsed 1 through 30 days 100
- lapsed 31 through 365 days 160
- lapsed 366 through 730 days 240
- lapsed 731 through 1,095 days 320

(B) For each barbering license that has lapsed for more than three years, the applicant shall be reexamined upon payment of the barbering examination and issuance of license fees 180

(b) Instructor license

- (1) Examination to instruct barbering 40
- (2) Issuance of license to instruct barbering 40
- (3) Renewal of license to instruct barbering 40
- (4) Restoration of expired instructor's license

(A) If the expiration period is not more than three years, the restoration and lapsed fees

shall be as follows:

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lapsed 1 through 30 days	60
lapsed 31 through 365 days	80
lapsed 366 through 730 days	120
lapsed 731 through 1,095 days	160

(B) For each instructor's license that has lapsed for more than three years, the instructor shall be reexamined upon payment of the examination, instructor's license, and renewal fees 120

(c) License to operate a barber school or barber college (annual fee) 500

(d) License to operate a barber shop

(1) Shop inspection and annual license fee 40

(2) Restoration of expired shop license. If the expiration period is not more than three years, the restoration and lapsed fees shall be as follows:

lapsed 1 through 30 days	55
lapsed 31 through 365 days	120
lapsed 366 through 730 days	160
lapsed 731 through 1,095 days	200

(3) New shop, relocation, or change of ownership 80

(e) Seminar permit 80

(f) Student learning license 55

(Authorized by and implementing K.S.A. 2015 Supp. 65-1817; effective, T-_____, _____; effective P-_____.)

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KANSAS BOARD OF BARBERING
ECONOMIC IMPACT STATEMENT
K.A.R. 61-3-7

Proposed

I. Summary of Proposed Regulation, Including its purpose.

K.A.R. 61-3-7 provides requirements for opening a new school of barbering. Its purpose is to set minimum requirements.

II. Reason or Reasons the Proposed Regulation is Required, Including Whether or Not the Regulation is Mandated by Federal Law.

This amendment is needed to allow a barber who is also a licensed instructor to better respond to market conditions, particularly in western Kansas, and open a smaller barber school or barber college, particularly in response to areas where there are currently no barbers or minimal barbers available to provide barbering to citizens. This regulation is not mandated by federal law, and, therefore, the regulation does not exceed the requirements of federal law.

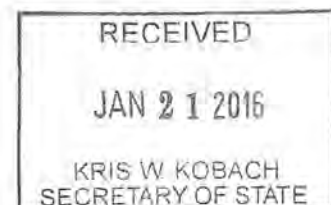
III. Anticipated Economic Impact upon the Kansas Board of Barbering.

The Board anticipates immediate response of potentially 2 schools or colleges of barbering within the first 120 days and 6 schools or colleges of barbering within the next 2 ½ years. The size of each school will be based on market demand for the area to be served, but the \$2,000 + in fee funds anticipated to be raised within FY-16 will greatly aid in ensuring KBOB's currently slim spread estimated at \$2,752 is expanded to approximately \$5,000; a safer spread.

IV. Anticipated Financial Impact upon Other Governmental Agencies and upon Private Business or Individuals.

Over the next 2 ½ years, the Board anticipates a growth in local, county and state taxes as a result of income and asset growth based on a significant increase in schools, instructors, students and new barbers.

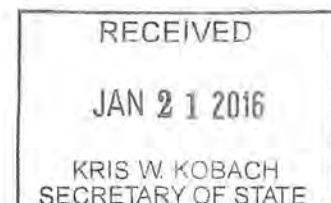
V. Anticipated Economic Impact upon Barbers, Shops, Schools, Students or Instructors.



Over the next 2 ½ years, the Board anticipates an increase in income for new schools of between \$400,000 in FY-16 to over \$2,000,000 in FY-18; with a corresponding increase in income for instructors and new barbers.

VI. Less Costly or Intrusive Methods That were Considered, but Rejected, and the Reason for Rejection.

The Board considered, but rejected, the option of only submitting a permanent regulation because the narrow spread for FY-16 requires an immediate course of action.



**KANSAS BOARD OF BARBERING
ECONOMIC IMPACT STATEMENT
K.A.R. 61-7-1**

I. Summary of Proposed Regulation, Including its Purpose.

K.A.R. 61-7-1 is out dated and needs to be repealed, a new regulation, K.A.R. 61-7-2, that requires barbers, shops, schools, instructors and students to pay original, renewal and restoration license fees is proposed to be adopted.

II. Reason or Reasons the Proposed Regulation is Required, Including Whether or Not the Regulation is Mandated by Federal Law.

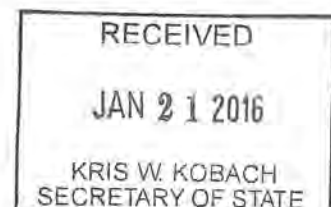
This regulation is needed to be repealed because it is an outdated regulation who's authorizing statute, K.S.A. 65-1825, was repealed on July 1, 1991. This regulation is not mandated by federal law, and, therefore, the repeal of this regulation does not exceed the requirements of federal law.

III. Anticipated Economic Impact upon the Kansas Board of Barbering.

The Board does not anticipate economic impact on the Board.

IV. Anticipated Financial Impact upon Other Governmental Agencies and upon Private Business or Individuals.

The Board does not anticipate economic impact on other governmental agencies or on private businesses.

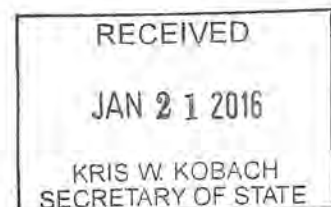


V. Anticipated Economic Impact upon Barbers, Shops, Schools, Students or Instructors.

The Board does not anticipate economic impact on barbers, shops, schools, students or instructors.

VI. Less Costly or Intrusive Methods That were Considered, but Rejected, and the Reason for Rejection.

The Board considered, but rejected, the option of only submitting a permanent regulation because of the critical nature of fees stated in this regulation being inaccurate as to fees being charged by the Board.



**KANSAS BOARD OF BARBERING
ECONOMIC IMPACT STATEMENT
K.A.R. 61-7-2**

I. Summary of Proposed Regulation, Including its Purpose.

K.A.R. 61-7-2 is a new regulation that requires barbers, shops, schools, instructors and students to pay original, renewal and restoration license fees.

II. Reason or Reasons the Proposed Regulation is Required, Including Whether or Not the Regulation is Mandated by Federal Law.

This regulation is needed to replace an outdated regulation who's authorizing statute, K.S.A. 65-1825, was repealed on July 1, 1991 and appropriately align current fees to statutory authorization. This regulation is not mandated by federal law, and, therefore, the regulation does not exceed the requirements of federal law.

III. Anticipated Economic Impact upon the Kansas Board of Barbering.

The Board does not anticipate economic impact on the Board.

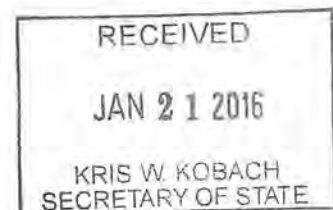
IV. Anticipated Financial Impact upon Other Governmental Agencies and upon Private Business or Individuals.

The Board does not anticipate economic impact on other governmental agencies or on private businesses.

V. Anticipated Economic Impact upon Barbers, Shops, Schools, Students or Instructors.

The Board does not anticipate economic impact on barbers, shops, schools, students or instructors.

VI. Less Costly or Intrusive Methods That were Considered, but Rejected, and the Reason for Rejection.



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The Board considered, but rejected, the option of only submitting a permanent regulation because of the critical nature of fees stated in regulation being inaccurate as to fees being charged by the Board.

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