

**CALIFORNIA  
BOARD OF BARBERING AND COSMETOLOGY**



**SEPTEMBER 11, 2023**

**LEGISLATION AND BUDGET COMMITTEE**

**Department of Consumer Affairs  
1625 North Market Boulevard  
HQ1 Hearing Room #102  
Sacramento, CA 95834**



**CALIFORNIA BOARD  
OF  
BARBERING AND COSMETOLOGY**



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**MEMBERS OF THE  
COMMITTEE**

Reese Isbell, Chair  
Megan Ellis  
Colette Kavanaugh  
Calimay Pham

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**LEGISLATIVE AND BUDGET  
COMMITTEE MEETING NOTICE  
AND AGENDA**

**September 11, 2023  
Department of Consumer Affairs  
1625 North Market Boulevard  
HQ1 Hearing Room #102  
Sacramento, CA 95834**

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*Action may be taken on  
any item listed on the  
agenda.*

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**12 P.M. or upon Adjournment of  
the Enforcement and Inspections  
Committee Meeting - Until  
Completion of Business**

**AGENDA**

1. Call to Order/Roll Call/Establishment of Quorum
2. Discussion and Possible Approval of the May 8, 2023, Committee Meeting Minutes
3. Discussion, Update, and Possible Recommendations Regarding Proposed Bills:
  - a. AB 1328 (Gipson) Cosmetology Licensure Compact
  - b. SB 247 (Wilk) Alcoholic beverages: licensing exemptions: barbering and cosmetology services
  - c. SB 384 (Bradford) Barbering and Cosmetology
  - d. SB 451 (Nguyen) Worker classification: employees and independent contractors: licensed manicurists
  - e. SB 544 (Laird) Bagley-Keene Open Meeting Act: teleconferencing
  - f. SB 817 (Roth) Barbering and cosmetology: application, examination, and licensing fees
4. Discussion and Possible Recommendations Regarding the Fee Study and California Code of Regulations section 998 Schedule of Fees
5. Public Comment on Items Not on the Agenda  
*Note: The Committee may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 1125.7(a))*
6. Suggestions for Future Agenda Items
7. Adjournment

The time and order of agenda items are subject to change at the discretion of the Committee Chair and may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Committee are open to the public.

*Note: This meeting will be Webcast, provided there are no unforeseen technical difficulties or limitations. To view the Webcast, please visit <https://thedcapage.wordpress.com/webcasts/>. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.*

\*Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Committee prior to the Committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).

The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting: Natalie Mitchell at (916) 244-6644, email: [natalie.mitchell@dca.ca.gov](mailto:natalie.mitchell@dca.ca.gov), or send a written request to the Board of Barbering and Cosmetology, PO Box 944226, Sacramento, CA 94244. Providing your request is a least five (5) business days before the meeting will help to ensure availability of the requested accommodations. TDD Line: (916) 322-1700.

*Agenda Item*  
*No. 1*  
*No Attachments*

**DRAFT**  
**CALIFORNIA STATE BOARD  
OF  
BARBERING AND COSMETOLOGY**

**LEGISLATIVE AND BUDGET COMMITTEE MEETING**

**MINUTES OF MAY 8, 2023**

**BOARD MEMBERS PRESENT**

Reese Isbell, Chair  
Megan Ellis  
Colette Kavanaugh  
Calimay Pham

**STAFF MEMBERS PRESENT**

Kristy Underwood, Executive Officer  
Carrie Harris, Deputy Executive Officer  
Alex Torkelson, Licensing and Admin Chief  
Sabina Knight, Board Attorney  
Allison Lee, Board Project Manager  
Shelby Edmiston, HR Liaison/Presenter

**1. AGENDA ITEM #1, CALL TO ORDER/ROLL CALL/ESTABLISHMENT OF QUORUM**

Reese Isbell, Committee Chair, called the meeting to order at approximately 9:00 a.m. and confirmed the presence of a quorum.

**2. AGENDA ITEM #2, DISCUSSION AND POSSIBLE APPROVAL OF APRIL 10, 2023, COMMITTEE MEETING MINUTES**

**Motion:** Ms. Pham moved to approve April 10, 2023, Committee Meeting Minutes. Ms. Kavanaugh seconded.

No comments were received from the public.

Motion to approve April 10, 2023, Committee Meeting Minutes carried; 4 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Committee Members voted "Yes": Reese Isbell, Megan Ellis, Colette Kavanaugh, Calimay Pham.

**3. AGENDA ITEM #3, DISCUSSION AND POSSIBLE RECOMMENDATIONS REGARDING PROPOSED BILLS:**

**a. AB 1328 (Gipson) Barbering and cosmetology: interstate cosmetology licensure compact**

Ms. Underwood mentioned that this bill was heard in the Assembly Business and Professions Committee and passed. No changes had been made to the language. The Legislative and Budget Committee had previously recommended a support position to the full board.

**b. SB 247 (Wilk) Alcoholic beverages: licensing exemptions: barbering and cosmetology services**

This bill was referred to the Committee on Appropriations and might be heard soon. It is moving through the process. No changes had been made to the language.

**c. SB 384 (Bradford) Barbering and Cosmetology**

This is the bill that establishes the remedial education program. It was heard in the Senate Business and Professions Committee and passed.

**d. SB 451 (Nguyen) Worker Classification: employees and independent contractors: licensed manicurists**

This bill was set for a hearing, but the author canceled the hearing. Ms. Underwood believed it would be moving forward. The reason for cancellation was unknown.

**e. SB 544 (Laird) Bagley-Keene Open Meeting Act: teleconferencing**

Ms. Underwood stated that this bill would allow the continuation of teleconferencing meeting and is moving forward. Chair Isbell asked about the last date of teleconferencing if this bill still needs to pass. Ms. Sabina Knight stated that the trailer bill that is currently in effect ends on June 30. She, however, indicated that the board always has the option to hold teleconference meetings. The teleconferencing choices will stay until June 30; the board must follow different rules and take extra steps for the agenda. If the bill passes and it is not done in some trailer bill method, the board will return to the regular rules between July 1 and January 1, and then the new bill will take effect. The board will then return to how it has been doing its agendas for the last year. Ms. Underwood mentioned that if the bill does not pass, everybody will have to list the address of where they will be calling in from on the agenda. Ms. Knight agreed, adding that the Board members could call in from their homes if they were comfortable listing their addresses, or they could go to public locations like library rooms.

**f. SB 817 (Roth) Barbering and cosmetology: application, examination, and licensing fees**

Ms. Underwood stated this bill has been ordered to its third reading and is waiting to go through the committee process. Ms. Underwood believed that it would be moving forward.

No comments were received from the public regarding any of the abovementioned bills.

**4. AGENDA ITEM #4, PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Jaime Schrabeck from Precision Nails informed the Committee of SB 380. She noted that the bill will not impact the board but the entire beauty industry. The bill was sponsored by Assembly Member Dr. Arambula, establishing a labor trafficking unit. Ms. Schrabeck noted that the legislation would help industry members deal with the issue of trafficking and compete unfairly against salon owners who are not compensating their staff.

## **5. AGENDA ITEM #5, SUGGESTIONS FOR FUTURE AGENDA ITEMS**

There were no suggestions from the Committee members or the public.

Ms. Knight suggested that moving forward, rather than setting out standard meeting dates, staff should continue monitoring all bills that the board had taken a position on and then bring to the attention of the Committee anything that is amended or anything new that shows up. This way, staff could continue monitoring the bills in the background and only set up meetings when there has been an actual amendment since it is the middle of the legislative session, and everybody is busy.

Chair Isbell disagreed with Ms. Knight's assessment. Ms. Ellis agreed with Ms. Knight, adding that it is a busy time, especially for members working with the budget as they move toward the appropriations hearings. She indicated that it would be more prudent to hold off on meetings until there were major amendments or movements on bills. Ms. Pham and Ms. Kavanaugh also echoed Ms. Ellis' sentiments. Chair Isbell noted that it is helpful for the Committee to have updates, allowing for public commentary when bills are moving forward and new things are coming up. He agreed to move forward with Committee meetings as needed. He, however, decided to keep the monthly Committee meeting dates in the background in case the Committee would need to meet if something came up.

Ms. Knight reminded the Committee that if there are language changes after a possible committee meeting and before a full Board meeting, the bills will be brought to the full board's attention. Staff can raise the updates to the full board as well.

## **6. AGENDA ITEM #6, ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at approximately 9:18 a.m.



## MEMORANDUM

<b>DATE</b>	September 11, 2023
<b>TO</b>	Members, Legislative and Budget Committee
<b>FROM</b>	Kristy Underwood, Executive Officer
<b>SUBJECT</b>	<b>Agenda Item 3 – Legislative Update</b>

### Legislative Calendar and Deadlines

- September 1 – Last day for fiscal committees to meet and report bills.
- September 5-14 – Floor session only. No committees may meet for any purpose, except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees.
- September 8 – Last day to amend on the Floor.
- September 14 – Interim Recess begins upon adjournment.
- October 14 – Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 14 and in the Governor’s possession on or after Sept. 14

### 2023 Board-Sponsored Bills

- **AB 1328 (Gipson) Cosmetology Licensure Compact**

**Location:** Senate

**Status:** 06/06/2023 From Business, Professions, and Economic Development committee, with author’s amendments: Amend, and re-refer to committee. This bill is being held in committee; it is now a 2-year bill.

**Summary:** This bill would enact the Cosmetology Licensure Compact to facilitate the interstate practice and regulation of cosmetology. The compact would require the board to grant a multistate license to practice cosmetology to an applicant meeting specified requirements.

**Board Position:** Support



- **SB 384 (Bradford) Barbering and Cosmetology**

**Location:** Assembly

**Status:** 09/01/2023 From Committee on Appropriations Suspense Calendar. Do pass and ordered to Assembly Floor 1<sup>st</sup> reading.

**Summary:** This bill would require the Board to establish by regulation a board-offered remedial education program, in lieu of a first offense of a health and safety violation.

**Board Position:** Support

### **2023 Bills with Support Position**

- **SB 247 (Wilk) Alcoholic beverages: licensing exemptions: barbering and cosmetology services**

**Location:** Senate

**Status:** 08/31/2023 From Assembly Floor: In Senate. Ordered to engrossing and enrolling.

**Summary:** This bill would clarify for Alcohol Beverage Control (ABC) that a license or permit is not required for serving wine-5oz or beer-12oz as part of any service provided by an establishment licensed by the Board of Barbering and Cosmetology (not just a beauty salon or barber shop).

**Board Position:** Support

- **SB 451 (Nguyen) Worker classification: employees and independent contractors: licensed manicurists**

**Location:** Senate

**Status:** 04/20/2023 April 26 set for first hearing canceled at the request of author. This is now a 2-year bill.

**Summary:** This bill would extend the inoperative date of the Borello exemptions to January 1, 2030.

**Board Position:** Support

- **SB 544 (Laird) Bagley-Keene Open Meeting Act: teleconferencing**

**Location:** Assembly

**Status:** 09/01/2023 From Committee on Appropriations. Do pass and ordered to Assembly Floor 1<sup>st</sup> reading.

**Summary:** This bill would allow a state body to hold public meetings through teleconferencing till January 1, 2026. The bill would require a majority of the member of the state body to be physically present at the same location for a least ½ of the meetings. The bill requires access for the public to remotely hear audio and visually observe the meeting or attend the meeting in-person. It requires the agenda to provide an opportunity for the public to address the state body directly. Currently, the bill requires at least one member of the state body to be physically present at the meeting location. It removes the requirement that all teleconference locations of the state body members remote access be posted and accessible to the public.

**Board Position:** Support

- **SB 817 (Roth) Barbering and cosmetology: application, examination, and licensing fees**

**Location:** Assembly

**Status:** 07/11/2023 From Business & Professions Committee. Do pass and re-refer to Appropriations. This bill is being held in committee; it is now a 2-year bill.

**Summary:** This bill would require that the hairstylist application and examination fee be the actual cost to the board for developing, purchasing, grading, and administering the examination, and limit a hairstylist's initial license fee to \$50.

**Board Position:** Support

**Bill Text**

The text version of Assembly Bill 1328 is available online at  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240AB1328&firstNav=tracking](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1328&firstNav=tracking)

The text version of Senate Bill 247 is available online at  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB247&firstNav=tracking](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB247&firstNav=tracking)

The text version of Senate Bill 384 is available online at  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB384&firstNav=tracking](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB384&firstNav=tracking)

The text version of Senate Bill 451 is available online at  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB451&firstNav=tracking](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB451&firstNav=tracking)

The text version of Senate Bill 544 is available online at  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB544&firstNav=tracking](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB544&firstNav=tracking)

The text version of Senate Bill 817 is available online at  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB817&firstNav=tracking](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB817&firstNav=tracking)



## MEMORANDUM

<b>DATE</b>	September 11, 2023
<b>TO</b>	Members, Legislative and Budget Committee
<b>FROM</b>	Kristy Underwood, Executive Officer
<b>SUBJECT</b>	<b>Agenda Item 4 - Discussion and Possible Recommendation on the Board's Fee Study</b>

### Background:

Due to the elimination of the practical examination, Board staff have been conducting a fee study to determine the actual cost to the Board for processing initial examination fees and re-examination fees. To determine the what the actual processing costs are, the following was reviewed:

- Processing time for each application type
- Volume of workload
- Salaries of staff performing functions
- Costs of Examination Development
- Costs of Examination Administration

For an initial examination application, the cost breakdown is as follows:

<b>Initial Examination Application</b>	<b>Costs Per Unit</b>
Administration	\$33.00
Examination	\$20.00
Staff Costs	\$50.00
<b>Total</b>	<b>\$103</b>
Current Fee	\$75.00
<b>Increase</b>	<b>\$28.00</b>

For a re-examination application, the cost breakdown is as follows:

<b>Re-Examination Application</b>	<b>Costs Per Unit</b>
Administration	\$33.00
Examination	\$20.00
Staff Costs	\$7.00
<b>Total</b>	<b>\$60.00</b>
Current Fee	\$75.00
<b>Reduction</b>	<b>\$15.00</b>

**Action:**

Board staff are not prepared to make a final recommendation to the committee at this time. Staff must meet with the Department of Consumer Affairs to review these findings and determine any changes that are needed. Staff will then bring this information back to the committee with a final recommendation. Please note, that changing of the fees will require a regulation change.

*Agenda Items*

*No. 5-7*

*No Attachments*