STATE OF NEW YORK

6777--A

2023-2024 Regular Sessions

IN SENATE

May 9, 2023

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- recommitted to the Committee on Consumer Protection in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to authorizing owners of mobile barber shops to obtain barber shop owner's licenses

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 430 of the general business law, as added by chapter 801 of the laws of 1946, is amended to read as follows:

§ 430. Purpose of article. The need for technical skill, training and experience, good health, good moral character and other fundamental qualities and qualifications in persons engaged in the practice of barbering, as herein defined, having been unquestionably established and demonstrated and in order to safeguard the health of the persons who patronize the barber shops of our state [~~and because of the evils connected with itinerant barbers and barber shops and because of the inadequacy of local regulation, it~~]. It is the purpose of the legislature, in enacting this article, to safeguard and protect the barbers of this state [~~from the evils of itinerant barbers and barber shops~~] and to safeguard and protect the lives, health and well being of those persons who patronize the barber shops of our state by making adequate provision for the examination, licensing and regulation of the barber shops and the barbers and apprentices to whom such persons submit themselves for barber work.

§ 2. Subdivision 2 of section 438 of the general business law, as added by chapter 801 of the laws of 1946, is amended to read as follows:

2. [~~The establishment of itinerant shops is hereby prohibited and the maintenance of a bona fide establishment with a permanent and definite location shall be a prerequisite for the issuance of a barber shop~~

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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~~owner's license~~] An applicant may obtain a barber shop owner's license to operate a mobile barber shop provided that such applicant can demonstrate:

(a) proof of proper layout as determined by the department;

(b) proof that any equipment or tools used by any mobile barber shop are appropriately maintained and meet all health, safety and sanitary requirements of applicable local and state laws, rules and regulations;

(c) proof that such mobile barber shop vehicle is in compliance with appropriate local and state laws, rules and regulations; and

(d) satisfactory evidence of good moral character pursuant to subdivision three of this section.

§ 3. This act shall take effect immediately.