

**CALIFORNIA STATE BOARD  
OF  
BARBERING AND COSMETOLOGY**

**LEGISLATION AND BUDGET COMMITTEE MEETING**

**MINUTES OF SEPTEMBER 11, 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  
Sabina Knight, Board Legal Counsel  
Allison Lee, Board Project Manager  
Natalie Mitchell, Board Analyst

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

Reese Isbell, Committee Chair, called the meeting to order at approximately 10:52 a.m. and confirmed the presence of a quorum.

**2. AGENDA ITEM #2, DISCUSSION AND POSSIBLE APPROVAL OF THE MARCH 13, 2023, COMMITTEE MEETING MINUTES**

**Motion:** Ms. Kavanaugh moved to approve the March 13, 2023, Committee Meeting Minutes. Ms. Ellis seconded.

No comments were received from the public.

Motion to approve March 13, 2023, Committee Meeting Minutes carried; 4 yes, 0 no, and 0 abstain, per roll call vote as follows:

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

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

Executive Officer, Kristy Underwood, stated that the legislative calendar and deadlines have been listed on the packet information.

**a. AB 1328 (Gipson) Cosmetology Licensure Compact**

AB 1328 Cosmetology Compact Licensure is a two-year bill. No action taken.

No comments were received from the public.

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

Ms. Underwood stated that this Bill does not impact the Board or licensees but changes wording to make it an establishment instead of just a beauty salon or barber shop. This Bill has been enrolled to the Governor's Office.

No comments were received from the public.

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

Ms. Underwood noted that Senator Bradford authored this bill. It is the remedial education bill that the Board started. The Bill is expected to be heard on the Floor at today's meeting. It is anticipated for the Bill to move right out and go to the Governor's Office. The team has begun preparing for implementation.

No comments were received from the public.

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

SB 451 is a two-year Bill. No activity.

No comments were received from the public.

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

SB 544 was amended on September 8<sup>th</sup> to allow a certain level of teleconference meetings. Committees will be able to attend virtually while open meetings are held at the office to provide a location for the public to attend. This is allowed for Committee meetings and is allowed for Board meetings if a majority of people are in a public location. This Bill is expected to go to the Governor's Office and similar language was also used in a trailer bill. As soon as the bill is signed, it will go into effect and the other bill will go into effect January 1<sup>st</sup>. The Bill is in the Assembly and was amended on the Assembly Floor. The Bill will have to return to the Senate for a third reading due to the changes made and then hopefully to the Governor.

No comments were received from the public.

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

SB 817 is a two-year bill and the team is waiting for more information. Ms. Underwood explained that they have reached out to the author's office and she has not heard back yet. The bill clarifies the fee for the hairstyling license and will continue to be watched.

No comments were received from the public.

**4. AGENDA ITEM #4, DISCUSSION AND POSSIBLE RECOMMENDATION REGARDING THE FEE STUDY AND CALIFORNIA CODE OF REGULATIONS SECTION 998 SCHEDULE OF FEES**

Kristy Underwood explained that the Board has been working on a fee study for quite some time and it has been delayed due to staffing issues. As a result of SB 803 which

eliminated the practical exam, two sites with lots of staff that were there to administer the exam were also eliminated. The Board has been working on timing all of the processes and every step such as downloading the application online or the cashiering process time. Staff salaries were also considered. The Board is not ready to make a formal recommendation to the Committee yet and has not fully reviewed this study with the Budget Office at Consumer Affairs. The Budget Office knows a lot more information than the Board and the extensive data will need to be gone through to ensure fees are set appropriately to not negatively impact the budget.

In looking at the initial examination application, there is a department-wide contract for the administration of the examination for individuals to complete the test on a computer. The next line is the examination which is the actual cost paid for the development, the continued occupational analysis, and all of the work that goes into developing and creating the exam. There are also staff costs and then the total. What was found is that an initial examination fee should be \$103 based on costs. Only \$75 is being charged right now and the fee would increase \$28. It is not desired or necessary to increase fees and there will need to be further discussion with the Budget Office. Funds from other locations can help to maintain a healthy budget and prevent increased fees.

The Board needs to sit down with their expert to figure out the increases and decreases and potentially predict where the budget will fall in the future. The Board has gotten very close to coming up with this much data, will hopefully have met with the Budget Office by the next meeting, and will be able to provide a recommendation with regulatory language. Changing any fees is a regulation change.

Ms. Pham asked if the exam development is an ongoing monthly cost being paid to a service and what kind of work is being done towards exam development versus what was done initially. Ms. Underwood explained that the Board pays two fees - one for the exam administration and then a charge for every applicant to take the exam. All of the money goes to the continual review of the exam. For instance, members just met with the examination company last week and the barber exam is currently being updated. It is a continual process by the exam developers and that is why fees are paid per licensee. Ms. Pham asked if these are the only fees that are being looked at to change or study. The Board is required to look at the reexam fees, but it is for all five of the license types. The fines are being looked at, but not as part of a fee study.

#### **5. AGENDA ITEM #5, PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

No comments were received from the public.

#### **6. AGENDA ITEM #6, SUGGESTIONS ON FUTURE AGENDA ITEMS**

No suggestions were received from Committee members.

#### **7. AGENDA ITEM #7, ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at approximately 11:06 a.m.