

DEPARTMENT OF CONSUMER AFFAIRS  
TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS  
DIVISION 9  
BOARD OF BARBERING AND COSMETOLOGY

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:  
**SB 1451 Hairstylist Licensing Fees**

**NOTICE IS HEREBY GIVEN** that the Department of Consumer Affairs (DCA) Board of Barbering and Cosmetology (hereafter Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

**PUBLIC HEARING**

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under “Contact Person” in this notice.

**WRITTEN COMMENT PERIOD**

Written comments relevant to the action proposed, including those sent by mail, facsimile, or e-mail to the addresses listed under “Contact Person” in this Notice, must be **received by the Board at its office no later than by Monday, June 9, 2025**, or must be received by the Board at the hearing, should one be scheduled.

**AUTHORITY AND REFERENCE**

Pursuant to the authority vested by sections 7312, 7337 and 7421 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 7402.5, 7415, 7417, 7418, 7419, 7420, 7423, 7424 and 7425, the Board is considering amending section 998 of title 16 of the California Code of Regulations (CCR).

**INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW**

The Board of Barbering and Cosmetology (Board) licenses, regulates, and investigates complaints against barbers, cosmetologists, manicurists, estheticians, hairstylists, electrologists, barber apprentices, cosmetology apprentices, electrology apprentices, and the establishments where they work in California, totaling over 59,000 establishments and over 588,000 individuals. It is the Board's duty to enforce and administer the Barbering and Cosmetology Act (Chapter 10 (commencing with section 7300) of Division 3 of the Business and Professions Code (BPC)) (Act). The Board is

authorized to establish necessary rules and regulations in aid or in furtherance of the Act in accordance with the Administrative Procedure Act. (BPC § 7312.)

Existing law authorizes the Board to prepare and administer examinations that evaluate an applicant's skill in, and knowledge of, the practice of the occupation for which a license is sought and shall include written tests as applicable to the practice for which the applicant has applied for licensure (BPC §§ 7338 and 7340). In addition, the Board is required to set fees in amounts necessary to cover the expenses of the Board in performing its duties, including the actual costs of developing, purchasing, grading, and administering examinations (BPC §§ 7421 and 7423). Each application for admission and licensure must contain the required fee set by the Board for examination and licensure (BPC § 7337).

Senate Bill 803 (Roth), Chapter 648, Statutes of 2021, established the requirements for hairstyling licensure, including a fee structure effective January 1, 2022. However, the statutorily \$50 dollar fee limit set by SB 803 for hairstylist applications and examinations do not reflect the actual costs for developing, purchasing, grading, and administering the examination and to cover the expenses of the Board in performing its duties. Effective January 1, 2025, BPC section 7423 was amended to address this issue per SB 1451 (Ashby), Chapter 481, Statutes of 2024, by authorizing the Board to charge the actual cost for developing, purchasing, grading, and administering the examination (see BPC § 7423(h)). SB 1451 also provides effective January 1, 2025, that a hairstylist's initial license fee shall be no more than fifty dollars (\$50) at BPC sections 7423(i), while BPC section 7423(g) caps all renewal fees at no more than fifty dollars (\$50) for all practitioners.

The Board is seeking to adopt hairstylist licensing fees regulations to establish an application and examination fee, set the initial license and renewal fees as well as provide notice of all fees for hairstylist licensees in one convenient location in the Board's regulations. Effective January 1, 2025, SB 1451, requires the Board to establish an application and examination fee based on the actual costs of developing, purchasing, grading, and administering the exam, while setting the initial license fee at no more than \$50 dollars. This updated language from SB 1451 aligns the hairstylist fee structure with those of other license types under the Board's authority. Existing regulations do not set the hairstylist application and examination and initial license and renewal fees pursuant to this new authority; this proposal would adopt those fees within this section. The Board's staff, with the assistance of the Department of Consumer Affairs (DCA) Budget Office, has provided a workload analysis to establish the fees for both the application and examination fee at \$75 and the initial license and renewal fees at \$50, respectively.

The license renewal delinquency fee is required to be calculated by statute at \$25, which is half the biennial renewal fee of \$50 as proposed by this rulemaking (see BPC § 7423(j) as amended by SB 1451); this fee is proposed to be added to the regulations for ease of reference. The Board is seeking to amend section 998 of Title 16 of the CCR to

implement the updated statute that became effective January 1, 2025, under SB 1451 and to specify the above-referenced fees.

### **Anticipated Benefits of Proposal**

The Board has determined that the regulatory proposal will provide greater notice and transparency in how the Board will administer the hairstylist licensing fees. Specifically, this proposal would list the application and examination fee, initial license fee, license renewal fee and license renewal delinquency fee in CCR section 998.

The Board has determined that this regulatory proposal will benefit California residents by ensuring that the hairstylist fees noted above will enable the Board to carry out its statutory mandate of public protection by accurately setting fees that fund the operations of the Board, including its licensing, regulatory and disciplinary functions. Setting these fees ensures the Board's regulated public is aware of the fees and creates a consistency among the Board's other licensing fee structures that allows the Board to fully fund regulation of its licensees for the protection of the public.

### **Evaluation of Consistency and Compatibility with Existing State Regulations**

During the process of developing this regulatory proposal, the Board has conducted a search of any similar regulations on these topics and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

## **DISCLOSURES REGARDING THIS PROPOSED ACTION**

### **FISCAL IMPACT ESTIMATES**

#### **Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:**

The Board estimates approximately 136 individuals will apply and take the exam with costs of \$75 per applicant and 114 will apply for initial licensure with costs of \$59 per applicant with biennial renewal workload costs of \$53 per application, which results in annual workload costs ranging from approximately \$16,900 to \$53,600 and up to \$340,700 over a ten-year period.

The Board will also incur one-time information technology workload costs of \$3,500 to update application and cashiering systems.

The Board projects revenues ranging from approximately \$15,900 to \$38,700 per year and up to \$273,000 over a ten-year period.

The regulations do not result in costs or savings in federal funding to the state. More detailed information may be found in the Board's Initial Statement of Reasons.

**Nondiscretionary Costs/Savings to Local Agencies:** None.

**Cost to any Local Agency or School District for which Government Code Sections 17500 - 17630 Require Reimbursement:** None.

**Mandate Imposed on Local Agencies or School Districts:** None.

**Significant Effect on Housing Costs:** None.

## **BUSINESS IMPACT ESTIMATES**

The Board has made the initial determination that the proposed regulation will not have any significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states.

This initial determination is based on the following facts:

This proposal will establish an application and exam fee of \$75, a renewal fee of \$50 and an initial license fee of \$50 per individual, which are considered minor compared to the income of most applicants and licensees in this profession. Fees collected for the proposed functions are collected from individual applicants for the examination and initial license. The license renewal and license renewal delinquency fees are collected from individual licensees according to current law. This proposal does not require any significant new expense or reporting, recordkeeping, or compliance measures on the part of businesses or licensees. For additional information, please see the Board's Initial Statement of Reasons.

## **Cost Impact on Representative Private Person or Business**

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

The regulation only concerns Hairstylist licensure fees and ensures the Board is able to set fees based on the actual costs to the Board. This proposal will establish an application and exam fee of \$75, as well as an initial license and renewal license fees of \$50 per individual.

The Board estimates approximately 136 individuals will apply and take the exam and 114 will be approved for initial licensure per year, which results in costs ranging from approximately \$15,900 to \$38,700 per year and up to \$273,000 over a ten-year period. For additional information, please see the Board's Initial Statement of Reasons.

## **RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS**

### **Impact on Jobs/Businesses:**

The Board has determined that this regulatory proposal will not have any impact on the following:

- 1) the creation or elimination of jobs within the state.
- 2) the creation of new businesses or the elimination of existing businesses within the state.
- 3) the expansion of businesses currently doing business within the state.

This proposal would not have any of the above-referenced impacts as explained in the “Business Impact Estimates” and “Cost Impact on Representative Private Person or Business” sections of this notice.

### **Benefits of Regulation:**

The Board has determined that this regulatory proposal will have the following benefits to the health and welfare of California residents. The Board has determined that the regulatory proposal will provide greater notice and transparency in how the Board will administer the hairstylist licensing fees. Specifically, this proposal would list the application and examination fee, initial license fee, license renewal fee and license renewal delinquency fee in CCR section 998.

This proposal also ensures the Board is able to set fees in amounts necessary to cover the expenses of the Board including the actual costs of developing, purchasing, grading, and administering the exam and processing initial and renewals of licenses. Setting these fees ensures the Board’s regulated public is aware of the fees and creates a consistency among the Board’s other licensing fee structures that allows the Board to fully fund regulation of its licensees for the protection of the public.

This regulatory proposal does not affect worker safety or the state’s environment as this proposal is not related to either of those issues.

### **Business Reporting Requirements**

The regulatory action does not require businesses to file a report with the Board.

### **Effect on Small Business**

The Board has determined that the proposed regulations may affect small businesses. Although small businesses owned by licensees of the Board may be impacted the

Board does not maintain data relating to the number or percentage of licensees who own a small business; however, any possible impact would be insignificant as noted above in the Business Impact Estimates section of this notice.

## **CONSIDERATION OF ALTERNATIVES**

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed; would be as effective and less burdensome to affected private persons than the proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Board in writing relevant to the above determinations at 1625 N. Market Blvd., Suite 202, Sacramento, California 95834 during the written comment period, or at the hearing if one is scheduled or requested.

## **AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE**

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

## **TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board, at 1625 N. Market Blvd., Suite 202, Sacramento, California 95834.

## **AVAILABILITY OF CHANGED OR MODIFIED TEXT**

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the persons designated in this Notice as the Contact Persons and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

## **AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Persons named below or by accessing the website listed below.

### **CONTACT PERSONS**

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Jennifer Huetter  
Address: 1625 N. Market Blvd., Ste 202  
Sacramento, CA 95834  
Telephone No.: (279) 278-5098  
Fax No.: (916) 928-6810  
E-Mail Address: [Jennifer.Huetter@dca.ca.gov](mailto:Jennifer.Huetter@dca.ca.gov)

The backup contact person is:

Name: Noel Cassens  
Address: 1625 N. Market Blvd., Ste 202  
Sacramento, CA 95834  
Telephone No.: (279) 236-2834  
Fax No.: (916) 928-6810  
E-Mail Address: [noel.cassens@dca.ca.gov](mailto:noel.cassens@dca.ca.gov)

## **AVAILABILITY OF DOCUMENTS ON THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text ,if any, can be accessed through the Board's website at [http://www.barbercosmo.ca.gov/laws\\_regs/prop\\_regs.shtml](http://www.barbercosmo.ca.gov/laws_regs/prop_regs.shtml).