

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE RULEMAKING AUTHORITY OF THE
5 DEPARTMENT OF LABOR RELATING TO THE BOARD OF BARBERS AND COSMETOLOGISTS;
6 CLARIFYING THAT THE DEPARTMENT DOES NOT HAVE RULEMAKING AUTHORITY RELATING TO
7 ANIMALS ON THE PREMISES OF ALL SALONS, SHOPS, AND SCHOOLS; AND AMENDING SECTION 37-
8 31-203, MCA."

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10 WHEREAS, ARM 24.121.407, promulgated by the Department of Labor and Industry, generally
11 prohibits animals on the premises of any salon, shop, or school under the supervision of the Board of Barbers
12 and Cosmetologists; and

13 WHEREAS, the rule requires a certificate of liability insurance for every dog on the premises; and

14 WHEREAS, the purpose of this act is to clarify that the department does not have authority to issue the
15 rule.

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17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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19 **Section 1.** Section 37-31-203, MCA, is amended to read:

20 **"37-31-203. Rulemaking powers.** The board shall prescribe rules for:

- 21 (1) the conduct of board business;
- 22 (2) the qualification and licensure of applicants to practice barbering, barbering nonchemical,
23 cosmetology, electrology, esthetics, or manicuring or to teach barbering, barbering nonchemical, cosmetology,
24 electrology, esthetics, or manicuring;
- 25 (3) the regulation and instruction of apprentices and students;
- 26 (4) the conduct of schools of barbering, barbering nonchemical, cosmetology, electrology, esthetics,
27 and manicuring for apprentices and students;
- 28 (5) the qualification and licensure of applicants for booth rental licenses; and

1 (6) generally, the conduct of the persons, firms, or corporations affected by this chapter.

2 (7) Nothing in this section authorizes the department to make rules relating to animals on the

3 premises of all salons, shops, and schools as provided in this chapter."

4 - END -