

HOUSE BILL NO. 354  
INTRODUCED BY NEWMAN

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING AND REVISING EXEMPTIONS TO THE PRACTICE OF BARBERING, COSMETOLOGY, AND APPLICATION OF MAKEUP AND OTHER SERVICES INVOLVING ESTHETICS IN CASES OF EMERGENCY AND FOR CERTAIN VISUAL ARTS PRODUCTIONS; AMENDING SECTION 37-31-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Exemptions.** (1) Nothing in this chapter prohibits barbering, including the application of masks, makeup, or other theatrical devices, in the course of or incidental to a theatrical or other visual arts production by persons employed or under contract to provide these services.

(2) Notwithstanding the provisions of 37-30-501, a person exempt under this section may not be charged a penalty for violating this chapter or be required to register or to obtain a license under this chapter unless the person engages in the practice of barbering, as defined in 37-30-101, outside of the course of or without connection to a theatrical or other visual arts production.

**Section 2.** Section 37-31-102, MCA, is amended to read:

**"37-31-102. Exemptions.** Nothing in this chapter prohibits:

(1) ~~service in case of emergency or~~ SERVICE IN CASE OF EMERGENCY OR domestic administration without compensation;

(2) services by persons authorized under the laws of this state to practice dentistry, the healing arts, or mortuary science; ~~or~~

(3) services by barbers lawfully engaged in the performance of the usual and ordinary duties of their vocation or in cutting women's hair; or

(4) barbering, cosmetology, or esthetics services, including the application of masks, makeup, or other theatrical devices, in the course of or incidental to a theatrical or other visual arts production, including television or motion pictures, by persons employed or under contract to provide these services."

NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an

integral part of Title 37, chapter 30, and the provisions of Title 37, chapter 30, apply to [section 1].

NEW SECTION. SECTION 4. COORDINATION INSTRUCTION. IF HOUSE BILL NO. 196 AND [THIS ACT] ARE BOTH PASSED AND APPROVED, THEN [SECTION 1 OF THIS ACT] IS VOID.

NEW SECTION. Section 5. Effective date. [This act] is effective on passage and approval.

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