

BOARD OF BARBERING AND COSMETOLOGY

FINAL STATEMENT OF REASONS

Hearing Date: October 14, 2015

Subject Matter of Proposed Regulations: Demonstration of Products

Sections Affected: Section 965.1, California Code of Regulations

Updated Information

During the course of this rulemaking, the Board made revisions to the original language. These were posted on the Board's Web site for public review from May 10, 2016 to May 25, 2016. The changes are as follows:

- The title of Section 965.1 was modified in order to more properly align it with the subject of Article 2 of Chapter 10, Division 3 of the Business and Professions Code: the application of the chapter.
- Added language concerning the purchase price of the product because an unusually high price is a hallmark of products being applied or demonstrated outside the bounds of Section 7319(e).
- Revised the reference citation to include Section 7316, which defines the practice of barbering and cosmetology.
- Some minor, non-substantive deletions to simplify the language.

Local Mandate

A mandate is not imposed on local agencies or school districts.

Small Business Impact

There is no significant impact to small business. This regulation merely clarifies a longstanding statute regarding the demonstration of products in order to help ensure that unlicensed persons do not perform services for which a license is required under California law.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the board would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy on other provision of law.

Summary of, and Responses to, Comments Received During the 45-day Comment Period on the Original Language

No comments were received.

Summary of, and Responses to, Comments Received During the 15-day Comment Period on the Modified Text.

No comments were received.