



North Dakota STATE BOARD OF COSMETOLOGY

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Proposed Barber Board Merger - Draft Law Revision

Date: August 25, 2026

To: Members of the North Dakota Board of Barber Examiners

Re: Request for review and feedback by September 8, 2026

Dear Board Members:

The North Dakota State Board of Cosmetology is providing the enclosed proposed revisions to North Dakota Century Code chapter 43-11 for your review. The draft presents the Board's substantially complete framework for merging the regulation of barbering into the State Board of Cosmetology while retaining barbering as a distinct profession and license category.

The Boards and Commissions Task Force is expected to recommend to the Governor that the Board of Barber Examiners be merged into the State Board of Cosmetology. If the Governor moves the recommendation forward, which is the projected outcome, Legislative Council would be assigned to draft merger language for introduction as a bill. The enclosed draft is the Cosmetology Board's effort to provide Legislative Council with a cohesive, workable structure so the two regulatory programs operate effectively together, rather than leaving the full framework to be developed without the benefit of the boards' and professions' practical experience. Although it is not yet an official Legislative Council bill, the Board considers the proposed framework substantially complete. Any recommended change should address a substantive issue and include the reason for the change and its anticipated practical effect.

Major provisions affecting barbering

- **Consolidated governing chapter.** Chapter 43-04 would be repealed, and barber licensing and regulation would be incorporated into chapter 43-11.
- **Barber representation.** The combined board would include a licensed barber, with additional opportunities for barber representation among the remaining qualified members. The draft also addresses temporary barber representation during the transition.
- **Distinct professional scope.** Barbering would remain a separate license category with its own statutory definition and scope of practice; it would not be absorbed into the cosmetology license.
- **Licensing and education.** Barber, master barber, barber instructor, student, examination, endorsement, school, renewal, inspection, and disciplinary provisions would be administered under the same chapter as the other professions regulated by the combined board.
- **Automatic transition of existing credentials.** Current barber licenses, instructor licenses, barbershop licenses, mobile barbershop registrations, and barber school permits would convert to corresponding licenses under chapter 43-11. The draft does not require a new application, examination, or additional education solely because of the merger.
- **Continuity of operations.** Records, funds, contracts, complaints, investigations, disciplinary matters, orders, and other pending obligations would transfer to the combined board without ending or restarting existing proceedings.

- **Unified establishments and enforcement.** Barbershops would be licensed as establishments, and barbers working independently under a lease or similar arrangement within another establishment would be licensed as independent licensees. Common inspection, complaint, discipline, and enforcement provisions would apply across the regulated professions.
- **Mobile establishments.** The draft creates a comprehensive mobile-establishment framework for barbers and other license types. A mobile establishment would be a self-contained motor vehicle or trailer licensed to a specific unit. The proposal addresses registration and insurance, preoperational inspection, water and wastewater capacity, electrical service, ventilation, sanitation and handwashing, restroom access, stationary and secured operation, service limitations, compliance with state and local law, and availability for inspection. Existing mobile barbershop registrations would convert to mobile establishment licenses without a new preoperational inspection solely because of the conversion.

Administrative rules and next steps

The enclosed document addresses statutes only. If merger legislation is enacted, the combined board would then amend its administrative rules through the formal rulemaking process. Existing Barber Board rules would remain in effect during the transition to the extent they do not conflict with the enacted statutes, until they are amended, superseded, or repealed. Operational details that are more appropriately addressed in rule are therefore not intended to be fully resolved in this statutory draft.

Please provide the Board of Barber Examiners' substantive comments, concerns, or proposed additions by September 8, 2026. For each recommended change, please identify the provision at issue and explain the reason for the change and its anticipated practical effect. Feedback may be submitted to the Cosmetology Board office at bocinfo@nd.gov.

Barber Town Hall: Monday, September 14, 2026, from 6:00-7:30 p.m. at the North Dakota State Board of Cosmetology office. All barbers are invited to attend, ask questions, and provide input on the proposed merger and draft legislation.

We appreciate your review and welcome your assistance in developing a fair, practical, and cohesive proposal for both professions and the public.

Sincerely,



Executive Director

North Dakota State Board of Cosmetology