

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1040 Session of
2023

INTRODUCED BY RIGBY, PROBST, CIRESI AND STRUZZI, APRIL 28, 2023

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, APRIL 28, 2023

AN ACT

1 Amending the act of June 19, 1931 (P.L.589, No.202), entitled
2 "An act to promote the public health and safety, by providing
3 for the examination and licensure of those who desire to
4 engage in the profession of barbering; regulating barber
5 shops and barber schools, and students therein; regulating
6 compensation for service rendered; conferring certain powers
7 and duties on the Department of State; and providing
8 penalties," further providing for definitions, for rules and
9 regulations and for records.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 2.1 of the act of June 19, 1931 (P.L.589,
13 No.202), referred to as the Barbers' License Law, is amended by
14 adding definitions to read:

15 Section 2.1. The following words and phrases when used in
16 this act shall have the meanings given to them in this section
17 unless the context clearly indicates otherwise:

18 * * *

19 "Barber shop." A place, including a mobile unit, where the
20 practice of barbering is performed by a barber licensed under
21 this act.

22 * * *

1 "Mobile unit." A self-contained, self-supporting, enclosed
2 mobile unit that meets all of the following requirements:

3 (1) Is at least twenty-four feet in length.

4 (2) Is licensed by the board as an establishment for the
5 practice of barbering under this act.

6 (3) Complies with all health and safety regulations
7 established by the board.

8 Section 2. Sections 10 and 11 of the act are amended to
9 read:

10 Section 10. The board shall adopt reasonable rules and
11 regulations prescribing the sanitary requirement of each barber
12 shop or barber school, in co-operation with the Department of
13 Health, and shall transmit a copy thereof to the proprietor or
14 person operating such barber shop or school, which shall at all
15 times be kept conspicuously displayed in such shop or school. It
16 shall be unlawful for any person to open either a new barber
17 shop or move his or her shop, except a mobile unit, to another
18 place, or take over as owner an existing barber shop, until he
19 or she has filed an application with the board for the
20 inspection, approval and registration of such shop. It is
21 further provided that no barber shop may open for business until
22 said inspection has been had and the shop approved. The
23 inspector shall, immediately upon his inspection and approval,
24 issue a temporary registration of such shop whereupon it shall
25 be lawful for the shop to be opened for business. The temporary
26 license shall be effective until the issuance of either a
27 permanent license or an official rejection of the application.
28 It shall be unlawful for any person to sleep in, or for any
29 owner or manager to permit any person to sleep in or use for
30 residential purposes, any room used as a barber shop or a school

1 of barbering. All rooms used for such purposes shall be used for
2 barbering purposes, manicuring, shoe shining and such allied
3 business, as may be approved by the board. No member of the
4 board may inspect or be physically present during the inspection
5 of a barber shop or a school of barbering. Any duly authorized
6 agent of the board may enter and make reasonable examination of
7 any barber shop or barber school during the business hours, for
8 the purpose of ascertaining the sanitary conditions thereof, and
9 ascertaining whether the shop or school, and all persons working
10 therein, are properly licensed and registered. Any barber shop,
11 barber school, or tools, appliances, and furnishings in use
12 therein, kept in an unclean and unsanitary condition as to be a
13 danger to health or to the creation and spreading of infectious
14 and contagious diseases, is hereby declared to be a public
15 nuisance, and the board may suspend or revoke the license of the
16 proprietor thereof or any person operating in such barber shop
17 or school, or the permit hereinafter required for such shop, or
18 school. Any duly authorized agent of the board shall, following
19 an examination and inspection of the premises under this
20 section, affix a seal or sticker, in a conspicuous place, of
21 such design and size as may be prescribed by the board attesting
22 to the fact that the premises have passed such examination and
23 inspection and, further, indicating the date thereof. Each shop
24 shall have displayed in a conspicuous place at the shop entrance
25 a notice to consumers listing the phone number at which a
26 consumer may report a complaint to the State Board of Barber
27 Examiners.

28 Section 11. The department shall keep a record of the names
29 and addresses of the barber shops, or the addresses of the
30 owners of barber shops that are mobile units, to which, and the

1 names of all persons to whom, licenses are issued under this
2 act. The department shall furnish copies of such records to the
3 public upon request and may establish a reasonable fee for such
4 copies which shall not exceed the cost of reproduction.

5 Section 3. This act shall take effect in 60 days.