

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2447 Session of  
2014

INTRODUCED BY DUNBAR, CALTAGIRONE, COHEN, D. COSTA, FARINA,  
GINGRICH, McCARTER, MURT, NEUMAN AND THOMAS, AUGUST 28, 2014

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, AUGUST 28, 2014

AN ACT

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

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

12 Section 1. Section 3(c) and (d) of the act of June 19, 1931  
13 (P.L.589, No.202), referred to as the Barbers' License Law,  
14 amended June 30, 1984 (P.L.494, No.101) and December 22, 2005  
15 (P.L.446, No.84), are amended to read:

16 Section 3. \* \* \*

17 (c) (1) Each applicant for a manager-barber's license  
18 shall, as a condition precedent to obtaining a license, take the  
19 manager-barber's license examination and score a passing grade.  
20 Prior to taking the examination, the applicant shall have  
21 completed the eighth grade or its equivalent and actively

1 engaged in the practice of barbering, as a licensed barber, for  
2 one or more years. The board shall properly notify every  
3 licensed barber that if he or she has been actively engaged in  
4 the practice of barbering he or she shall, upon filing an  
5 application therefor prior to January 1, 1981, be licensed as a  
6 manager-barber without examination. A notarized application for  
7 a license as a manager-barber shall be made in such form as the  
8 board shall prescribe. The application shall be accompanied by a  
9 notarized statement, from either the owner or manager of the  
10 licensed barber shop or shared shop as set forth in section 15-  
11 A.3 in which the applicant has been employed, that the applicant  
12 has been actively engaged in the practice of barbering, as a  
13 licensed barber, for one or more years. The board shall not have  
14 the power to require a photograph as part of an application for  
15 a manager-barber's license. At the time of filing the  
16 application and accompanying notarized statement, the applicant  
17 shall pay to the department an examination fee to be determined  
18 by regulation and shall present himself or herself at the next  
19 examination of applicants as provided in section 6.

20 (2) A barber licensee who possesses a minimum of three  
21 years' experience or a manager-barber licensee who possesses a  
22 minimum of one year's experience as a manager-barber as of  
23 January 1, 2015, and has no record of disciplinary action, at  
24 the expiration of the biennial licensure period next following  
25 the effective date of this paragraph, may opt to become licensed  
26 as a barber-teacher without examination, upon application and  
27 payment of the required fee.

28 (d) The applicant for a barber-teacher's license shall, as a  
29 condition precedent to obtaining a license, take the barber-  
30 teacher's license examination and score a passing grade. Prior

1 to taking the examination, the applicant shall be at least  
2 [twenty-three] eighteen years of age, be a high school graduate  
3 or its equivalent, and either have had five years' experience as  
4 a licensed barber in a licensed barber shop or shared shop as  
5 set forth in section 15-A.3 in Pennsylvania, or [be a manager-  
6 barber] who has trained for [one thousand two hundred fifty  
7 (1250)] five hundred (500) hours under a licensed teacher in a  
8 licensed barber or cosmetology school as a teacher-trainee[.],  
9 which hours shall be in addition to the hours necessary to  
10 qualify for a license to practice barbering. The training shall  
11 be limited to teaching methods and need not be specifically  
12 related to barbering. A notarized application for a license as a  
13 barber-teacher shall be made in such form as the board shall  
14 prescribe. The application shall be accompanied by a notarized  
15 statement, by either the owner or manager of the shop in which  
16 the applicant has been employed that the applicant has had five  
17 years experience as a licensed barber in a licensed barber shop  
18 or shared shop as set forth in section 15-A.3 in this  
19 Commonwealth or by the licensed barber school the teacher-  
20 trainee attended, that the applicant has [been licensed as a  
21 manager-barber and] trained for [one thousand two hundred fifty  
22 (1250)] five hundred (500) hours under a licensed teacher in a  
23 licensed barber or cosmetology school as a teacher-trainee. The  
24 board shall not have the power to require a photograph as part  
25 of an application for a barber-teacher's license. At the time of  
26 filing the application and accompanying notarized statements,  
27 the applicant shall pay to the department an examination fee to  
28 be determined by regulation and shall present himself or herself  
29 at the next examination of applicants as provided in section 6.  
30 Section 2. Section 3.2 of the act, amended June 30, 1984

1 (P.L.494, No.101), is amended to read:

2 Section 3.2. (a) If a licensed cosmetologist wishes to  
3 become a licensed barber, he or she shall have successfully  
4 completed the one thousand two hundred fifty (1,250)-hour  
5 cosmetology training course or shall possess a current license  
6 as a cosmetologist. Upon application to the board he or she  
7 shall be given five hundred fifty-five (555) hours of credit for  
8 subjects previously covered in the cosmetology training course,  
9 which subjects shall be enumerated by joint regulation of the  
10 State Board of Cosmetology and the board. Before such person is  
11 permitted to take the barber practical and theory State Board  
12 examination, he or she shall have successfully passed both the  
13 theory and practical portions of the State Board of Cosmetology  
14 examination.

15 (b) An individual currently holding both a cosmetology  
16 license and a barber's license may obtain a barber-teacher  
17 license if the individual completes the training and examination  
18 required for licensure as either a barber-teacher or a  
19 cosmetology teacher.

20 Section 3. Section 13(a) of the act, amended December 7,  
21 1994 (P.L.855, No.123), is amended to read:

22 Section 13. (a) No person shall practice barbering who is  
23 not a licensed barber, with the exception that nonlicensed  
24 persons may shampoo hair under the supervision of a barber-  
25 manager [or], barber-owner or barber-teacher. No licensed barber  
26 shall practice, or attempt to practice, barbering in any place  
27 other than a licensed barber shop or licensed cosmetology shop,  
28 except that any licensed barber in a licensed barber shop or  
29 licensed cosmetology shop may furnish barber services to persons  
30 at their place of residence or in institutions in cases of

1 sickness, incapacitation, confinement, and other emergencies:  
2 Provided, however, That nothing contained in this section shall  
3 be construed to include family members of the same household,  
4 hospitals or colleges, and private schools for children,  
5 cosmetology shops or schools of cosmetology, except that it  
6 shall be unlawful and a violation of this act for any person to  
7 employ or to accept employment, in any such shops, parlors or  
8 schools, who has been refused a license by the board.

9 \* \* \*

10 Section 4. Section 13.1 of the act, added May 3, 1991  
11 (P.L.7, No.4), is amended to read:

12 Section 13.1. Upon payment of a required fee, a temporary  
13 license may be issued to any applicant who is eligible for  
14 admission to the barber's examination. An applicant who is thus  
15 licensed shall practice only under the supervision of a licensed  
16 manager-barber or barber-teacher until results are available  
17 from the next scheduled examination. Temporary licenses are  
18 granted for a nine-month period.

19 Section 5. Section 15-A.3(b) of the act, amended June 14,  
20 1991 (P.L.66, No.8), is amended to read:

21 Section 15-A.3. \* \* \*

22 [(b) A barber shop licensee who shall employ a licensed  
23 cosmetologist shall also be a licensed barber-manager or employ  
24 a barber-manager.]

25 \* \* \*

26 Section 6. This act shall take effect in 60 days.