

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1049 Session of
2005

INTRODUCED BY YEWCIC, CALTAGIRONE, FORCIER, HALUSKA, KOTIK,
NAILOR, PHILLIPS, ROBERTS, ROHRER, SHANER, SOLOBAY, STERN,
WASHINGTON, WATERS, WHEATLEY, NICKOL, JAMES, GEIST, SCAVELLO,
CREIGHTON, CLYMER, MACKERETH AND O'NEILL, MARCH 21, 2005

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MARCH 21, 2005

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 licensing
9 requirements.

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

12 Section 1. Section 12 of the act of June 19, 1931 (P.L.589,
13 No.202), referred to as the Barbers' License Law, amended June
14 30, 1984 (P.L.494, No.101), and June 28, 1996 (P.L.426, No.63),
15 is amended to read:

16 Section 12. (a) (1) Except for shops licensed under
17 section 13(b) and for one-barber shops, which shall be operated
18 by a licensed barber, all other barber shops shall at all times
19 be under the immediate supervision of a manager-barber[.] or an
20 individual designated in charge of the shop in the shop owner's

1 absence. A shop owner shall designate an individual in charge of
2 the shop in the shop owner's absence. The name of the shop owner
3 and the designated individual shall be posted in a conspicuous
4 place in the barber shop. The shop owner or the designated
5 individual shall be readily available to board inspectors during
6 regular business hours. In barber shops where students are
7 supervised by a manager-barber there shall be no more than one
8 student per barber shop. In barber shops where students are
9 supervised by a barber-teacher there shall be no more than one
10 student per barber-teacher. In no case shall there be more than
11 two students per barber shop. All barber schools shall keep
12 prominently displayed at every entrance to said school a sign
13 reading "Barber School." Any copartnership, corporation, or
14 person desiring to operate or conduct a barber shop or barber
15 school, shall first secure from the board a license to do so,
16 and shall keep the same prominently displayed. Both the fee for
17 registration of each barber school and the annual renewal fee
18 shall be determined by regulation. The board may pass upon the
19 qualifications, appointments, and course of study in said
20 school, which shall be not less than one thousand two hundred
21 fifty (1250) hours and not less than nine months. All barber
22 schools shall have not less than one licensed teacher for every
23 twenty students, and in no case less than one full-time teacher,
24 who shall be in attendance at all times during the hours the
25 school is open for instruction. This section does not prohibit
26 an owner who is a cosmetologist from employing a barber without
27 the requirement that a manager-barber also be employed.

28 (2) Any person who holds a license to operate or conduct a
29 barber shop or barber school, who shall fail to apply for a
30 renewal of his or her license and who continues to operate or

1 conduct a barber shop or barber school, shall, on summary
2 conviction thereof, be sentenced to pay a fine not to exceed
3 three hundred dollars, or to undergo an imprisonment for a
4 period not exceeding ninety days, or both.

5 (b) No school of barbering shall be granted a license or
6 renewal unless it requires as a prerequisite to admission
7 thereto, graduation from the eighth grade in a secondary school
8 or its equivalent, and it shall attach to its staff, as a part-
9 time teacher, a person licensed by the Commonwealth to practice
10 medicine, and employ and maintain a sufficient number of
11 licensed teachers and shall possess apparatus and equipment
12 sufficient for the proper and full teaching of all subjects of
13 its curriculum; shall keep a daily record of the attendance of
14 each student; shall maintain regular class and instruction
15 hours, which shall not be less than seven nor more than eight
16 hours per day when the school is open for instruction; shall
17 establish grades and hold examination before issuance of
18 diplomas; and shall be required to maintain a course of study
19 requiring not less than one thousand two hundred fifty hours for
20 completion in not less than nine months; and shall comprise all
21 of the subjects pertaining to barbering, the barber laws of this
22 State, and the rules and regulations adopted by the board; and
23 shall include practical demonstrations and theoretical studies
24 and studies in sanitation, sterilization and the use of
25 antiseptics, cosmetics, and electrical appliances, consistent
26 with the practical and theoretical requirements as applicable to
27 barbering or any practice thereof.

28 (b.1) Upon renewal of the license, the school owner shall
29 supply an affidavit stating at the time of renewal that the
30 school is in compliance with this act and the rules and

1 regulations promulgated under this act.

2 (c) No school of barbering shall permit its students to
3 practice barbering on the public under any circumstances, except
4 by way of clinical work upon persons willing to submit
5 themselves to such practice, after first being properly informed
6 that the operator is a student. No school of barbering shall
7 directly or indirectly charge any money whatsoever for treatment
8 by its students and shall only charge the reasonable costs of
9 materials used in such treatment.

10 Section 2. This act shall take effect in 60 days.