

## 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, O'NEILL, SAYLOR, PALLONE,  
CIVERA, CRAHALLA, PAYNE AND GINGRICH, MARCH 21, 2005

AS REPORTED FROM COMMITTEE ON PROFESSIONAL LICENSURE, HOUSE OF  
REPRESENTATIVES, AS AMENDED, MAY 11, 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~~ <—

~~individual designated in charge of the shop in the shop owner's  
absence. A shop owner shall designate an individual in charge of  
the shop in the shop owner's absence. The name of the shop owner  
and the designated individual shall be posted in a conspicuous  
place in the barber shop. The shop owner or the designated  
individual shall be readily available to board inspectors during  
regular business hours.~~ OR A LICENSEE DESIGNATED IN CHARGE OF  
THE SHOP. A SHOP OWNER SHALL DESIGNATE A MANAGER-BARBER OR OTHER  
LICENSEE IN CHARGE OF THE SHOP. THE NAME OF THE SHOP OWNER AND  
THE MANAGER-BARBER OR THE DESIGNATED LICENSEE SHALL BE POSTED IN  
A CONSPICUOUS PLACE IN THE BARBER SHOP. THE SHOP OWNER, MANAGER-  
BARBER OR DESIGNATED LICENSEE SHALL BE READILY AVAILABLE TO  
BOARD INSPECTORS DURING REGULAR BUSINESS HOURS. In barber shops  
where students are supervised by a manager-barber there shall be  
no more than one student per barber shop. In barber shops where  
students are supervised by a barber-teacher there shall be no  
more than one student per barber-teacher. In no case shall there  
be more than two students per barber shop. All barber schools  
shall keep prominently displayed at every entrance to said  
school a sign reading "Barber School." Any copartnership,  
corporation, or person desiring to operate or conduct a barber  
shop or barber school, shall first secure from the board a  
license to do so, and shall keep the same prominently displayed.  
Both the fee for registration of each barber school and the  
annual renewal fee shall be determined by regulation. The board  
may pass upon the qualifications, appointments, and course of  
study in said school, which shall be not less than one thousand  
two hundred fifty (1250) hours and not less than nine months.  
All barber schools shall have not less than one licensed teacher  
for every twenty students, and in no case less than one full-

1 time teacher, who shall be in attendance at all times during the  
2 hours the school is open for instruction. This section does not  
3 prohibit an owner who is a cosmetologist from employing a barber  
4 without the requirement that a manager-barber also be employed.

5 (2) Any person who holds a license to operate or conduct a  
6 barber shop or barber school, who shall fail to apply for a  
7 renewal of his or her license and who continues to operate or  
8 conduct a barber shop or barber school, shall, on summary  
9 conviction thereof, be sentenced to pay a fine not to exceed  
10 three hundred dollars, or to undergo an imprisonment for a  
11 period not exceeding ninety days, or both.

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

1 and studies in sanitation, sterilization and the use of  
2 antiseptics, cosmetics, and electrical appliances, consistent  
3 with the practical and theoretical requirements as applicable to  
4 barbering or any practice thereof.

5 (b.1) Upon renewal of the license, the school owner shall  
6 supply an affidavit stating at the time of renewal that the  
7 school is in compliance with this act and the rules and  
8 regulations promulgated under this act.

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

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