

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1063 Session of
1979

INTRODUCED BY HESS, ROMANELLI, HANKINS, MCKINNEY, HOPPER AND
MOORE, OCTOBER 29, 1979

REFERRED TO PROFESSIONAL LICENSURE, OCTOBER 29, 1979

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 occupation 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," providing for licensing of barbers from
9 other states and other countries, limiting the powers of the
10 board and reducing the required months of study in barbers'
11 school to obtain a registration certificate.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Sections 4 and 9 and subsections (a) and (b) of
15 section 12, act of June 19, 1931 (P.L.589, No.202), referred to
16 as the Barbers' License Law, amended December 2, 1976 (P.L.1267,
17 No.282), are amended to read:

18 [Section 4. Any person who is at least seventeen years of
19 age and of good moral character and temperate habits and has a
20 certificate showing completion of the eighth grade in an
21 approved secondary school or an equivalent education, as
22 determined by an examination conducted by the department, and

1 either (1) has a license or certificate of registration as a
2 practicing barber from another state which has substantially the
3 same requirements for licensing or registering barbers as
4 required by this act, or (2) can prove by current licenses or
5 satisfactory evidence that he has practiced as a barber in the
6 United States for at least five years prior to making
7 application in this State, shall upon the payment of the
8 required fee, be granted permission to take an examination to
9 determine his fitness to receive a certificate of registration
10 to practice barbering. Should he fail to pass the examination,
11 upon payment of the required fee, he may take another
12 examination if he so desires. In no event shall he or she be
13 permitted to practice barbering until he or she has received a
14 certificate of registration as a registered barber.]

15 Section 4. (a) A barber currently licensed in another state
16 with substantially the same licensure requirements as
17 Pennsylvania shall be granted a Pennsylvania barber license
18 without an examination upon payment of the fee. The aforesaid
19 provision shall only be effective when a mutual reciprocal
20 agreement has been executed between the respective state
21 licensing boards.

22 (b) A barber applicant currently licensed in another state
23 not recognized by a reciprocal agreement shall be eligible for
24 the barber examination upon approval of the board. The
25 examination shall consist of barber law, rules and regulations.
26 Should the examinee fail to pass the examination, upon payment
27 of the required fee, the examinee may take another examination
28 if the examinee so desires. In no event shall the examinee be
29 permitted to practice barbering until the examinee has received
30 a certificate of registration as a registered barber.

1 (c) A barber licensed in another country shall be eligible
2 for the barber examination. Should the examinee fail to pass the
3 examination, upon payment of the required fee, the examinee may
4 take another examination if the examinee so desires. In no event
5 shall the examinee be permitted to practice barbering until the
6 examinee has received a certificate of registration as a
7 registered barber.

8 Section 9. The board may suspend or revoke any permit or
9 certificate of registration granted by the department under this
10 act to any person who (a) habitually indulges in the use of
11 ardent spirits, narcotics, or other stimulants to such an extent
12 as, in the opinion of the board, incapacitates such person from
13 the duties of a barber; (b) has or imparts any contagious or
14 infectious disease to any recipient of such person's services as
15 a barber; (c) performs work in an unsanitary or filthy manner or
16 place of business; (d) who is grossly incompetent; [(e) who
17 conducts his business of barbering on Sundays; (f) who displays
18 any price list for barber services in or upon any part of
19 premises of a barber shop in such manner that such list shall be
20 visible from the outside of the barber shop;] (g) engages in
21 unethical or dishonest practice or conduct; (h) employs an
22 unlicensed person; or (i) charges tuition to a student in a
23 registered barber shop. Before any such permit or certificate
24 shall be suspended or revoked for any of the reasons contained
25 in this section, the holder thereof shall have notice in writing
26 of the charge or charges against him or her, and shall at a day
27 specified in said notice, which shall be at least five days
28 after the service thereof, be given a public hearing before a
29 duly authorized representative of the board with a full
30 opportunity to produce testimony in his or her behalf and to

1 confront the witnesses against him or her. Any person whose
2 permit or certificate of registration has been so suspended or
3 revoked may, on application, have the same reissued to him or
4 her upon satisfactory showing that the disqualification has
5 ceased, except where such certificate was suspended or revoked
6 for having or imparting any contagious or infectious disease in
7 which case a new certificate shall not be issued for a period of
8 at least one year, and then only after the provisions of this
9 act have been fully complied with by such person in the same
10 manner as if he or she had never been registered.

11 Section 12. (a) All barber shops shall at all times be
12 under the immediate supervision of a manager-barber. In no
13 barber shop shall there be more than one student. All barber
14 schools shall keep prominently displayed at every entrance to
15 said school a sign reading "Barber School." Any copartnership,
16 corporation, or person desiring to operate or conduct a barber
17 shop or barber school, shall first secure from the board a
18 permit or registration certificate to do so, and shall keep the
19 same prominently displayed. [The fee for registration of each
20 barber shop shall be five dollars for each permit, and the
21 biennial renewal fee shall be five dollars.] The fee for
22 registration of each barber school shall be one hundred dollars,
23 and the annual renewal fee therefor shall be fifty dollars. The
24 board may pass upon the qualifications, appointments, and course
25 of study in said school, which shall be not less than one
26 thousand two hundred fifty (1250) hours and not less than
27 [twelve] nine months. All barber schools shall have not less
28 than one registered teacher for every twenty students, and in no
29 case less than one full-time teacher, who shall be in attendance
30 at all times during the hours the school is open for

1 instruction.

2 Any person who holds a permit or registration certificate to
3 operate or conduct a barber shop or barber school, who shall
4 fail to apply for a renewal of his or her permit or registration
5 certificate and who continues to operate or conduct a barber
6 shop or barber school, shall, on summary conviction thereof, be
7 sentenced to pay a fine of not less than ten dollars nor more
8 than ninety dollars, and in case of non-payment of the fine and
9 costs of prosecution to undergo an imprisonment for a period not
10 exceeding ten days.

11 Any licensed manager-barber may become a teacher-trainee in a
12 licensed barber school provided that he or she has all the
13 qualifications to become a barber-teacher. After he has trained
14 for one thousand two hundred fifty (1,250) hours under a
15 licensed teacher in a licensed barber school, the trainee may
16 make application to the board for a teacher's certificate.

17 (b) No school of barbering shall be granted a certificate of
18 registration unless it requires as a prerequisite to admission
19 thereto, graduation from the eighth grade in a secondary school
20 or its equivalent, as determined by an examination conducted by
21 the department, and it shall attach to its staff, as a part-time
22 teacher, a person licensed by the Commonwealth to practice
23 medicine, and employ and maintain a sufficient number of
24 competent teachers, registered as such, and shall possess
25 apparatus and equipment sufficient for the proper and full
26 teaching of all subjects of its curriculum; shall keep a daily
27 record of the attendance of each student; shall maintain regular
28 class and instruction hours, which shall not be less than seven
29 nor more than eight hours per day, the school is open for
30 instruction; shall establish grades and hold examination before

1 issuance of diplomas; and shall be required to maintain a course
2 of study requiring not less than one thousand two hundred fifty
3 hours for completion in not less than [twelve] nine months; and
4 shall comprise all of the subjects pertaining to barbering, the
5 barber laws of this State, and the rules and regulations adopted
6 by the board; and shall include practical demonstrations and
7 theoretical studies and studies in sanitation, sterilization and
8 the use of antiseptics, cosmetics, and electrical appliances,
9 consistent with the practical and theoretical requirements as
10 applicable to barbering or any practice thereof.

11 * * *

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