

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1123 Session of  
2017

INTRODUCED BY MAKO, DUNBAR, MACKENZIE, JAMES, GILLEN AND  
WHEELAND, APRIL 10, 2017

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, APRIL 10, 2017

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. Sections 3(d), 3.2, 4(a) and (b), 13(a), 13.1 and  
13 15-A.3(b) of the act of June 19, 1931 (P.L.589, No.202),  
14 referred to as the Barbers' License Law, are amended to read:

15 Section 3. \* \* \*

16 (d) [The] (1) Except as provided in paragraph (2), an  
17 applicant for a barber-teacher's license shall, as a condition  
18 precedent to obtaining a license, take the barber-teacher's  
19 license examination and score a passing grade. Prior to taking  
20 the examination, the applicant shall be at least [twenty-three]  
21 eighteen years of age, be a high school graduate or its

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

28 (2) At the expiration of the biennial renewal period next  
29 following the effective date of this paragraph, a manager-barber  
30 licensee who possesses a minimum of three years' experience as a

1 manager-barber as of January 1, 2017, and has no record of  
2 disciplinary action may opt to become licensed as a barber-  
3 teacher without meeting the training and examination  
4 requirements in paragraph (1), upon application and payment of  
5 the required fee.

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

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

24 Section 4. (a) A barber or a barber-teacher currently  
25 licensed in another state with substantially the same licensure  
26 requirements as Pennsylvania shall be granted a Pennsylvania  
27 barber or barber-teacher license without an examination upon  
28 payment of the fee. The aforesaid provision shall only be  
29 effective when a mutual reciprocal agreement has been executed  
30 between the respective state licensing boards.

1 (b) A barber or barber-teacher applicant currently licensed  
2 in another state not recognized by a reciprocal agreement shall  
3 be eligible for the barber or barber-teacher examination upon  
4 approval of the board which approval shall not be arbitrarily  
5 withheld. The examination shall consist of barber law, rules and  
6 regulations. Should the examinee fail to pass the examination,  
7 upon payment of the required fee, the examinee may take another  
8 examination if the examinee so desires. In no event shall the  
9 examinee be permitted to practice barbering until the examinee  
10 has received a barber's license.

11 \* \* \*

12 Section 13. (a) No person shall practice barbering who is  
13 not a licensed barber, with the exception that nonlicensed  
14 persons may shampoo hair under the supervision of a barber-  
15 manager [or], barber-owner or barber-teacher. No licensed barber  
16 shall practice, or attempt to practice, barbering in any place  
17 other than a licensed barber shop or licensed cosmetology shop,  
18 except that any licensed barber in a licensed barber shop or  
19 licensed cosmetology shop may furnish barber services to persons  
20 at their place of residence or in institutions in cases of  
21 sickness, incapacitation, confinement, and other emergencies:  
22 Provided, however, That nothing contained in this section shall  
23 be construed to include family members of the same household,  
24 hospitals or colleges, and private schools for children,  
25 cosmetology shops or schools of cosmetology, except that it  
26 shall be unlawful and a violation of this act for any person to  
27 employ or to accept employment, in any such shops, parlors or  
28 schools, who has been refused a license by the board.

29 \* \* \*

30 Section 13.1. Upon payment of a required fee, a temporary

1 license may be issued to any applicant who is eligible for  
2 admission to the barber's examination. An applicant who is thus  
3 licensed shall practice only under the supervision of a licensed  
4 manager-barber or barber-teacher until results are available  
5 from the next scheduled examination. Temporary licenses are  
6 granted for a nine-month period.

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

8 [(b) A barber shop licensee who shall employ a licensed  
9 cosmetologist shall also be a licensed barber-manager or employ  
10 a barber-manager.]

11 \* \* \*

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