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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

No. **219** Session of  
1961

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INTRODUCED BY MESSRS. FLEMING AND DISILVESTRO,  
FEBRUARY 14, 1961.

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REFERRED TO COMMITTEE ON EDUCATION,  
FEBRUARY 14, 1961.

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**AN ACT**

Amending the act of June 19 1931 (P L 589) entitled as amended

“An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underlining indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

penalties" altering the requirements for licensure regulating hours for barber schools permitting further regulation by health authorities providing for the health sanitation and management of barber shops changing fees prescribing penalties requiring reports and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

1 Section 1 Subsection (a) of section 3 act of June 19 1931 (P L 589)  
2 entitled as amended "An act to promote the public health and safety  
3 by providing for the examination and licensure of those who desire to  
4 engage in the occupation of barbering regulating barber shops and bar-  
5 ber schools and apprentices and students therein regulating compensa-  
6 tion for service rendered conferring certain powers and duties on the  
7 Department of Public Instruction and providing penalties" amended  
8 July 19 1951 (P L 1134) is amended to read

9 Section 3 (a) Any person not holding a certificate of registration  
10 under the provisions of the preceding section and desiring to obtain a  
11 license under this act shall make application under oath or affirmation  
12 in such form as the State Board of Barber Examiners hereinafter re-  
13 ferred to as the board shall prescribe Such application shall be accom-

1 panied by an affidavit which shall be made by a practicing physician  
2 and shall set forth that the applicant was examined that a test of his  
3 or her blood was made and that he or she is free from all contagious  
4 and infectious disease is a citizen of the United States or has filed a  
5 declaration of intention The applicant at the time of filing such appli-  
6 cation and affidavit shall pay to the department an examination fee of  
7 five dollars or such other fee as may be fixed by the board and shall  
8 present himself or herself at the next examination of applicants as  
9 hereinafter provided The board shall thereupon proceed to examine such  
10 person after being satisfied that he or she is above the age of [sixteen]  
11 eighteen years free from contagious and infectious disease has [a cer-  
12 tificate showing graduation from an eighth grade school] completed  
13 a tenth grade education or its equivalent and has [either (1) studied  
14 the occupation for a period of two years covering a period of at least  
15 two thousand five hundred (2500) hours as a registered apprentice un-  
16 der a qualified and practicing barber as hereinafter provided or (2)  
17 studied the occupation and trained as a registered student in a regis-  
18 tered and properly appointed and conducted barber school under the  
19 instruction of a registered teacher for a period of at least nine months  
20 and served at least fifteen months covering a period of at least one]

1 [thousand two hundred fifty (1250) hours as an apprentice with a reg-  
2 istered barber] studied the occupation and trained as a registered stu-  
3 dent under a qualified and practicing barber or in a registered and  
4 properly appointed and conducted barber school under the instruction  
5 of a registered teacher for a period of at least one thousand two hun-  
6 dred fifty (1250) hours and not less than nine months has qualified for  
7 and obtained an apprentice permit and has studied the occupation and  
8 served as an apprentice for fifteen additional months covering a period  
9 of not less than one thousand two hundred fifty (1250) hours with a  
10 qualified and registered barber in a registered barber shop Under no  
11 circumstances shall a student in a registered barber's school receive  
12 wages directly or indirectly for service rendered If the board is satis-  
13 fied as a result of the examination the applicant is possessed of requisite  
14 skill in said occupation to properly perform all the duties thereof in-  
15 cluding his or her knowledge and ability in the [antiseptic] sterile  
16 preparation of tools shaving hair cutting and all the duties and services  
17 incident thereto and is possessed of sufficient knowledge concerning the  
18 common diseases of the face and skin to avoid the aggravation and  
19 spreading thereof in the practice of said occupation and the knowledge

1 of the Barber's Licensing Laws and rules and regulations of the depart-  
2 ment adopted thereunder it shall enter his or her name in the register  
3 hereinafter provided for and shall issue a certificate of registration to  
4 him or her authorizing him or her to practice such occupation or to  
5 teach in registered barber schools as the case may be Any person holding  
6 a certificate as a teacher may practice as a barber in any registered  
7 barber shop

8 \* \* \*

9 Section 2 Section 3 of the act is amended by adding after subco-  
10 tion (a) a new subsection to read

11 Section 3 \* \* \*

12 (a.1) Whenever a student has completed a course of nine months  
13 study in a registered school or under a registered barber he shall apply  
14 for examination at the next regular period for registration as a barber  
15 apprentice Such application shall be accompanied by a fee of five dollars  
16 and shall be certified to under oath or affirmation by the proper official  
17 of the barber school at which the applicant studied or by the registered  
18 barber under whom the applicant studied The board upon being satis-  
19 fied that the applicant is sixteen years of age or older is of good moral  
20 character and has sufficient knowledge of barbering in theory and prac-

1 tice and sufficient skill in the preparation handling and use of tools  
2 employed therein to qualify as an apprentice shall issue to such appli-  
3 cant an apprentice permit which shall entitle the holder to continue  
4 the study of barbering as an apprentice for a period of two years

5 \* \* \*

6 Section 3 Clause (d) of section 3 sections 4 5 5.1 8 9 12 and 13  
7 of the act amended July 19 1951 (P L. 1134) are amended to read

8 Section 3 \* \* \*

9 (d) For any person to be registered as a teacher in a barber school  
10 he must be at least twenty-three years of age a graduate from an ap-  
11 proved high school or its equivalent and have had at least five years'  
12 experience as a registered barber in a registered barber shop in the  
13 State of Pennsylvania The examination for a teacher's certificate shall  
14 differ from the examination for a barber's certificate in that it shall  
15 be of a more exacting nature and require higher standards of knowledge  
16 of the practice and theories of barbering including ability to teach  
17 properly the various practices and theories of barbering physiology  
18 hygiene elementary chemistry relating to sterilization and antiseptics  
19 massaging and manipulating the muscles of the face neck scalp hair

1 cutting bobbing shaving and trimming the beard dyeing the hair and  
2 the barber laws of this State and the rules and regulations adopted by  
3 the board The registration fee for teachers shall be [five] ten dollars  
4 and the [annual] biennial renewal fee shall be [five] ten dollars

5 Section 4 [(a)] Any person who is at least eighteen years of age  
6 and of good moral character and temperate habits and has [a certificate  
7 showing graduation from an eighth grade school] completed the tenth  
8 grade or an equivalent education as determined by an examination con-  
9 ducted by the department and either (1) [Has] has a license or cer-  
10 tificate of registration as a practicing barber from another state [or  
11 country] which has substantially the same requirements for licensing  
12 or registering barbers as required by this act or (2) has a license or  
13 certificate of registration as a practicing barber from another country  
14 which has substantially the same requirements for licensing or register-  
15 ing barbers as required by this act and has studied the occupation and  
16 trained as a registered student in a registered barber school for a period  
17 of at least twenty consecutive weeks or (3) can prove by sworn affidavits  
18 that he has practiced as a barber in the United States for at least five  
19 years prior to making application in this State shall upon the payment  
20 of the required fee be granted permission to take an examination

1 to determine his fitness to receive a certificate of registration to prac-  
2 tice barbering Should he fail to pass the examination upon payment of  
3 [the required] a fee of five dollars he may take one other examination  
4 if he so desires In no event shall he or she be permitted to practice  
5 barbering until he or she has received a certificate of registration as  
6 a registered barber

7 Section 5 Nothing in this act shall prohibit any person from  
8 serving [as an apprentice] in such occupation [under a registered bar-  
9 ber of] in this Commonwealth [or from serving] as a student in any  
10 registered barber school for the training of students in said occupation  
11 under the training of a duly registered teacher authorized to teach such  
12 occupation in this Commonwealth or under a qualified and registered  
13 barber Provided That such [apprentice or] student shall apply to the  
14 department to have his or her name registered with the department  
15 in a book which shall be kept by the board and secure a permit upon  
16 proof that he or she has reached the age of sixteen and upon the pay-  
17 ment of a fee of [one dollar] two dollars which permit shall be valid  
18 for two years to practice as [an apprentice] a student under a duly  
19 registered barber or as a student under a duly registered teacher such  
20 permit to be displayed in front of his or her working chair Students

1 upon graduation from a registered barber school or upon completion  
2 of training under a qualified and registered barber having qualified  
3 as apprentices and having served fifteen months' apprenticeship [in a  
4 barber shop and apprentices upon completion of two years' apprentice-  
5 ship in a barber shop] as hereinbefore specified shall make application  
6 for examination at the next regular period specified in this act In case  
7 the applicant fails to pass such examination he or she shall secure a  
8 new apprentice permit upon the payment of a fee of [one dollar] two  
9 dollars which shall be valid until the next succeeding examination The  
10 fee for each examination shall be five dollars

11       Apprentice or student permits not exceeding four [to practice as  
12 an apprentice barber] may be issued at the discretion of the board

13       [Section 5.1 Any person who practiced barbering during any period  
14 of service with the armed services of the United States shall receive  
15 credit for such period of practice toward the two-year registered ap-  
16 prentice or registered student-apprentice period required by this act  
17 upon furnishing affidavits from his or her former immediate command-  
18 ing officer or officers or such other official documents as may be proof  
19 to the board that he or she did practice barbering for such period wheth-]

1 [er or not such person was registered with the board prior to his entry  
2 into the armed forces of the United States]

3 Section 8 The certificate shall be renewed on or before the thirtieth  
4 day of April [in each year] 1962 for a period of two years and bien-  
5 nially thereafter and the holders of said certificates of registration shall  
6 pay to the department the sum of [two] five dollars or such other sum  
7 as may be fixed by the department for a renewal card Any holder of  
8 a certificate of registration who shall fail to apply for a renewal of  
9 his or her certificate [on or before the thirtieth day of April in each  
10 year] and who continues the practice of barbering or any of its branches  
11 shall on conviction thereof before any magistrate alderman or justice  
12 of the peace be subject to a fine of not [more than ten dollars] less  
13 than ten dollars and not more than ninety dollars to be collected by  
14 summary conviction as like fines are collected by law or in case of  
15 non-payment of the fine to undergo an imprisonment for a period [not  
16 exceeding ten days] not less than ten days and not more than ninety  
17 days Any such person shall have the right of appeal as in other cases of  
18 summary conviction Any barber or teacher failing to renew his license  
19 for four consecutive years shall be required to take an examination  
20 One dollar of each renewal certificate fee or as much thereof as may

1 be necessary is hereby appropriated to the Department of Public In-  
2 struction for use of the State Board of Barber Examiners.

3 Section 9 The board may suspend or revoke any permit or certificate  
4 of registration granted by the department under this act to any person  
5 who (a) habitually indulges in the use of ardent spirits narcotics or  
6 other stimulants to such an extent as in the opinion of the board in-  
7 capacitates such person from the duties of a barber (b) has or imparts  
8 any contagious or infectious disease to any recipient of such person's  
9 services as a barber (c) performs work in an unsanitary or filthy manner  
10 or place of business (d) who is grossly incompetent (e) who conducts  
11 his business of barbering on Sundays (f) who [displays any price list  
12 for barber services in or upon any part of premises of a barber shop  
13 in such manner that such list shall be visible from the outside of the  
14 barber shop] gives notice of prices for services whether on or off the  
15 premises by signs cards circulars or by or through any other medium  
16 provided however that it shall be permissible for one sign to be displayed  
17 within the shop listing prices that is not visible from outside of said  
18 shop (g) engages in unethical or dishonest practice or conduct (h) [em-  
19 ploying] enrolls or employs an unlicensed person or (i) who violates  
20 any rule or regulation promulgated by the board Before any such per-

1 mit or certificate shall be suspended or revoked for any of the reasons  
2 contained in this section the holder thereof shall have notice in writing  
3 of the charge or charges against him or her and shall at a day specified  
4 in said notice which shall be at least five days after the service thereof  
5 be given a public hearing before a duly authorized representative of  
6 the board with a full opportunity to produce testimony in his or her  
7 behalf and to confront the witnesses against him or her Any person  
8 whose permit or certificate of registration has been so suspended or  
9 revoked may on application have the same reissued to him or her upon  
10 satisfactory showing that the disqualification has ceased except where  
11 such certificate was suspended or revoked for having or imparting any  
12 contagious or infectious disease in which case a new certificate shall not  
13 be issued for a period of at least one year and then only after the  
14 provisions of this act have been fully complied with by such person  
15 in the same manner as if he or she had never been registered

16 Section 12 (a) All barber shops shall at all times be under the im-  
17 mediate supervision of a registered barber who shall have had two  
18 years' experience as a registered barber actively engaged in a duly  
19 licensed shop in Pennsylvania In no barber shop shall there be more

1 than one apprentice who must be at all times under the supervision of  
2 a barber authorized under this act to practice such occupation All  
3 barber schools shall keep prominently displayed at every entrance to  
4 said school a sign reading "Barber School" Any copartnership corpor-  
5 ation or person desiring to operate or conduct a barber shop or barber  
6 school shall first secure from the board a permit or registration certifi-  
7 cate to do so and shall keep the same prominently displayed The fee  
8 for registration of each barber shop shall be [two] five dollars for  
9 each permit and the [annual] biennial renewal fee shall be [one dollar  
10 and the] five dollars The fee for registration of each barber school  
11 shall be [fifty] one hundred dollars and the annual renewal fee therefor  
12 shall be [twenty-five] fifty dollars. The board may pass upon the quali-  
13 fications appointments and course of study in said school which shall  
14 be not less than one thousand two hundred fifty (1250) hours and not  
15 less than nine months All barber schools shall have not less than one  
16 registered teacher for every twenty students and in no case less than  
17 one full-time teacher who shall be in attendance at all times during the  
18 hours the school is open for instruction

19 Any person who holds a permit or registration certificate to oper-  
20 ate or conduct a barber shop or barber school who shall fail to apply

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

7 (b) No school of barbering shall be granted a certificate of regis-  
8 tration unless it requires as a prerequisite to admission thereto [gradu-  
9 ation from an eighth grade school] completion of the tenth grade or  
10 its equivalent as determined by an examination conducted by the de-  
11 partment and it shall attach to its staff as a part-time teacher a person  
12 licensed by the Commonwealth to practice medicine and employ and  
13 maintain a sufficient number of competent teachers registered as such  
14 and shall possess apparatus and equipment sufficient for the proper and  
15 full teaching of all subjects of its curriculum shall keep a daily record  
16 of the attendance of each student shall maintain regular class and in-  
17 struction hours which shall not be less than seven nor more than eight  
18 hours per day the school is open for instruction shall establish grades  
19 and hold examination before issuance of diplomas and shall be required  
20 to maintain a course of study requiring not less than one thousand two

1 hundred fifty hours for completion in not less than nine months and  
2 shall comprise all of the subjects pertaining to barbering the barber  
3 laws of this State and the rules and regulations adopted by the board  
4 and shall include practical demonstrations and theoretical studies and  
5 studies in sanitation sterilization and the use of antiseptics cosmetics  
6 and electrical appliances consistent with the practical and theoretical  
7 requirements as applicable to barbering or any practice thereof

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

15 (d) Every qualified and registered barber under whom a student  
16 or apprentice is studying or practicing and every school of barbering  
17 in which a student is studying shall file with the board on the tenth of  
18 each and every month a report on forms furnished by the board Each  
19 such report shall show for the preceding month the name address of  
20 each and every student and apprentice the number of days served by

1 him during said preceding month and such other information as the  
2 board may require

3 Section 13 To shave or trim the beard to cut hair to shape the  
4 eyebrows to give facial and scalp massaging facial and scalp treatment  
5 with any preparations made for this purpose either by hand or by me-  
6 chanical or electrical appliances to singe and shampoo the hair or apply  
7 any makes of hair lotions or hair tonics and to dye hair of any person  
8 for compensation direct or indirect the person performing such service  
9 shall be construed as practicing the occupation of barbering within the  
10 meaning of this act No person shall practice or attempt to practice  
11 barbering [for compensation directly or indirectly] in any place other  
12 than a registered barber shop except that any registered barber in a  
13 registered barber shop may furnish barber services to persons at their  
14 place of residence or in institutions in cases of sickness incapacitation  
15 confinement and other emergencies Provided however That nothing  
16 contained in this section shall be construed to include hospitals or col-  
17 leges and private schools for children so-called beauty shops or hair-  
18 dressing parlors or schools of beauty culture except that it shall be un-  
19 lawful and a violation of this act for any person to employ or to accept.

- 1 employment in any such shops parlors or schools who has been refused
- 2 a certificate by the board

We certify that this bill has passed the Senate and the House of Representatives.

.....  
 Chief Clerk, Senate

.....  
 President pro tempore, Senate

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 Speaker, House of Representatives

Approved The ..... day of ..... A. D. 1961.

.....  
 Governor