
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **219** Session of
1961

MESSRS. FLEMING AND DISILVESTRO, IN PLACE,
FEBRUARY 14, 1961.

MR. RIPP, RE-REPORTED FROM EDUCATION, AS AMENDED,
JUNE 7, 1961.

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 penalties” altering the requirements for licensure regulating

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

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-
14 panied by an affidavit which shall be made by a practicing physician

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

1 certificate shall be suspended or revoked for any of the reasons con-
2 tained 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 In no barber shop shall there
18 be more than one apprentice who must be at all times under the supervi-
19 sion of a barber authorized under this act to practice such occupation All

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

17 Any person who holds a permit or registration certificate to oper-
18 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 clini-
10 cal 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 what-
13 soever 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.

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 Chief Clerk, Senate

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 President pro tempore, Senate

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 Speaker, House of Representatives

Approved The day of A. D. 1901.

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 Governor