

No. 1991-7

AN ACT

HB 52

Amending the act of May 3, 1933 (P.L.242, No.86), entitled, as amended, "An act to promote the public health and safety by providing for examination, licensing and granting of permits for those who desire to engage in the profession of cosmetology; defining cosmetology, and regulating cosmetology shops, schools, students, apprentices, teachers, managers, manicurists and cosmetologists; conferring powers and duties upon the Commissioner of Professional and Occupational Affairs in the Department of State; providing for appeals to certain courts by applicants and licensees; and providing penalties," further providing for shared shops.

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

Section 1. Section 9.2 of the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, added June 30, 1984 (P.L.479, No.100), is amended to read:

Section 9.2. Shared Shops.—(a) A licensed barber and a licensed cosmetologist shall be permitted to work in the same shop if the requirements of this section are met. Any licensed shop which employs a licensed barber and a licensed cosmetologist shall not be required to erect or install any physical barriers which separate the barber and the cosmetologist. All licensed shops shall conform with the provisions of section 4.4 of this act.

(b) A cosmetology shop licensee who shall employ a licensed barber shall also be a licensed cosmetologist manager [and a barber] or employ a cosmetologist manager. [who is licensed as a barber.

(c) All shops licensed one year prior to the effective date of this section shall not be required to comply with subsection (b), but shall comply with all other provisions of this act.

(d) All owners or managers of shops licensed within one year prior to or after the effective date of this section who shall employ licensed barbers shall themselves or their cosmetologist managers be eligible for the barber license examination if they have a current cosmetologist manager's license or own as an owner-operator a current licensed cosmetology shop. No additional curriculum hours shall be required. If the owner or the manager fails the examination, they shall be required to obtain an additional six hundred ninety-five curriculum hours as prescribed in section 3.2 of the act of June 19, 1931 (P.L.589, No.202), referred to as the Barbers' License Law.

(e) (c) For the purpose of this section only, when a licensee under this act and a licensee under the Barbers' License Law are subject to formal proceedings for violations of this act or the Barbers' License Law, the board and the State Board of Barber Examiners shall consolidate all formal actions against such licensees for the purpose of prosecution and hearing provided that the board shall retain to itself exclusively the power to revoke or suspend licenses after such prosecution and hearing.

Section 2. This act shall take effect immediately.

APPROVED—The 14th day of June, A. D. 1991.

ROBERT P. CASEY