

A BILL FOR AN ACT

To regulate the occupation of barbering, to create a board of examiners for the licensing of persons to carry on such practice, to provide rules regulating the proper sanitation of barber shops, schools and colleges in which the occupation of barbering is taught, and to prevent the spreading of contagious and infectious diseases through such occupation

Be it Enacted by the General Assembly of the State of Iowa:

1 Section 1. It shall be unlawful for any person to follow the oc-
2 cupation of a barber in this state unless he or she shall have first
3 obtained a certificate of registration as provided in this act; provid-
4 ed, that nothing in this act contained shall apply to or affect any per-
5 son who is now actually engaged in such occupation except as herein-
6 after provided.

1 Sec. 2. The board of examiners, to consist of three persons,
2 is hereby created to carry out the purposes and enforce the provisions
3 of this act. Said board shall be appointed by the governor, the ap-
4 pointee to be chosen from practical journeymen barbers, who have at
5 least five years prior to their appointment followed the occupation
6 and have been residents of this state for a period of five years. Each
7 member of said board shall serve for a term of three years and until
8 his successor is appointed and qualified, except that the member of
9 the first board shall serve for one, two and three years, the term of
10 each member to be designated by the governor.

1 Sec. 3. Said board shall organize by electing a president and

2 secretary from its members, and shall have headquarters at the State
3 Capitol; shall have a common seal; shall have the power to administer
4 oaths. A majority of said board may, in meeting duly assembled, per-
5 form the duties and exercise the powers devolving upon said board
6 under the provisions of this act.

1 Sec. 4. Said board shall have power to appoint deputies to
2 assist in carrying out the provisions of this act.

1 Sec. 5. Deputies appointed by said board shall be journeymen
2 barbers of not less than five (5) years' experience and who shall have
3 been a resident of the state for five (5) years and shall perform such
4 duties as the board shall direct. Each deputy shall receive three
5 dollars (\$3.00) per day and actual expenses for actual services.

1 Sec. 6. Each member of said board shall give a bond in the
2 sum of two thousand dollars (\$2,000), with sureties, to be approved
3 by the Secretary of State, conditioned for the faithful performance
4 of his duties, and shall take the oath provided by law for public of-
5 ficers. Vacancies in said board shall be filled by the Governor for
6 the unexpired portion of the term.

1 Sec. 7. The said board shall report annually to the Governor
2 of this State a full statement of the receipts and disbursements of
3 said board by giving an itemized account and a copy furnished to the
4 Legislature and a full statement of its doings and proceedings and
5 such recommendations as it may seem proper, looking to the better
6 carrying out of the interests and purposes of this act.

1 Section 8. Each member of the board created by this act shall
2 receive a salary of twelve hundred dollars (\$1200.00) per annum,

3 payable monthly, with all actual expenses incurred by him in the dis-
4 charge of his duties, such salary and expenses to be paid out of the
5 funds created by the fees by applicants for examination and certificate
6 of renewals. All printing, posting and other contingent expense in-
7 under the provisions of this act shall be itemized and audited by the
8 executive council and warrants drawn on this fund for their payment.

1 Sec. 9. Said board shall hold public examinations at least
2 four times in each year at such times and places as it may deem advis-
3 able, notice of such meetings to be given by publication thereof at
4 least ten days prior to such meeting in at least two newspapers
5 published in this state in the locality of each proposed meeting.

1 Sec. 10. Every person now engaged in the occupation of a
2 barber in this state shall, within sixty days after said board
3 is appointed, file with the secretary of said board an affidavit
4 setting forth his name, age, residence and length of time during
5 which, and the place where he or she has practiced said occupation,
6 and shall pay to the secretary of said board two dollars (\$2.00)
7 and a certificate of registration entitling him or her to practice
8 said occupation thereupon will be issued to him or her.

1 Sec. 11. Any person not holding a license under the pro-
2 visions of the preceding section and desiring to obtain a license
3 under this act shall make application in such form as the board
4 shall prescribe, which shall be verified by the applicant, and
5 shall pay to the secretary of said board an examination fee of
6 five dollars (\$5.00), shall attend at the next regular meeting of
7 said board for the examination of applicants. Thereupon the board

8 shall proceed to examine such person and being satisfied that he or
9 she is above the age of eighteen (18) years, of good moral character
10 (free from contagious or infectious disease), has either (a) studied
11 the occupation for three years as apprentice under a qualified and
12 practicing barber, or (b) studied the occupation in a properly
13 appointed and conducted barber school under the instruction of a
14 competent barber for a period of at least three (3) years, or (c)
15 practiced the occupation in another state for at least three (3)
16 years, and is possessed of requisite skill in said occupation to
17 properly perform all the duties thereof, including knowledge, skill
18 and ability in the antiseptic preparation of the tools, shaving,
19 hair-cutting and all the duties and services incident thereto, and is
20 possessed of sufficient knowledge concerning the common diseases of
21 the face and skin to avoid the aggravation and spreading thereof
22 in the practice of said occupation, the name of such person shall be
23 entered by said board in the register hereinafter provided for and
24 a certificate of registration shall be issued authorizing him or her
25 to practice such occupation in this state.

1 Sec. 12. All persons making application for examination
2 under the provisions of this act shall be allowed to practice the
3 occupation of a barber until the next meeting of said board, and
4 said board shall issue a permit authorizing him or her to so
5 practice said occupation until the next meeting of said board. Such
6 permit shall be displayed in a conspicuous place in front of his or
7 her working chair.

1 Sec. 13. Any person who holds a certificate of registration

2 granted by any other state or provincial board of barber examiners by
3 examination and shows the proper credentials showing that he or she
4 is a qualified barber under the laws of that state or province, may be
5 granted a certificate by said board without practical examination upon
6 the payment of the registration fee of two dollars (\$2.00.)

1 Sec. 14. Nothing in this act shall prohibit any person from
2 serving as an apprentice in said occupation under a registered barber
3 of this state, or from serving as a student in any barber school for
4 the training of students in said occupation under the training of a duly
5 registered barber authorized to practice such occupation in this state;
6 provided, that such apprentice or student shall apply to said board to
7 have his or her name registered with said board in a book which shall
8 be kept by the board for the registering of apprentices or students
9 and secure a permit to practice as an apprentice or student under a duly
10 registered barber, such permit to be displayed in front of his or her
11 working chair. After having practiced the occupation for three years
12 a registered barber, such apprentice or student shall be eligible to
13 a registered barber and shall present him or herself at the next regular
14 meeting of the board held nearest to him or her for examination of
15 applicants and pay the fee as provided for in Section 11.

1 Sec. 15. Said board shall furnish to each person to whom a
2 certificate of registration is issued a card bearing the seal and sig-
3 nature of said board, certifying that the holder thereof is entitled to
4 practice the occupation of barber in this state until the 30th day of
5 June following the issuance of such card, and it shall be the duty of the
6 holder of such card to post the same in a conspicuous place in front of

7 his or her working chair where it may be readily seen by al persons
whom
8 she or he may serve. Said card may be renewed by the board upon
written
9 application of the certificate holder on or before June 30th in each year
10 and the holder of said certificate of registration shall pay to the
11 secretary of said board the sum of one dollar (\$1.00) for said renewal
card.

1 Sec. 16. Where any certificate holder fails to apply for a
2 renewal card on or before the 30th day of June of any year as provided
in
3 the recent section and such application is made after that date, he shall
4 pay a fee of five dollars (\$5.00) for such renewal, and in case of failure
5 of any certificate holder to make application for a renewal accompanied
6 by the fee before the first day of August of any year, his certificate
7 shall stand revoked.

1 Sec. 17. Said board shall have the power to revoke any certifi-
2 cate of registration granted by it under this act of (a) conviction of
crime;
3 (b) habitual drunkenness; (c) having or imparting any contagious
or infectious
4 disease when engaged in the practice of his occupation; (d) for doing
work in
5 an unsanitary or filthy manner or for gross incompetency. Provided,
however,
6 that before any certificate shall be revoked the holder thereof shall have
7 notice in writing of the charge or charges against him or her and
shall at a
8 day specified in said notice, at least five days after the service there-
of, be
9 given a public hearing and full opportunity to produce testimony in
his or
10 her behalf, and to confront the witness against him or her. Any per-
son whose
11 certificate has been revoked, may after the expiration of ninety (90)
12 days, on application, have the same re-issued to him or her upon satis-
13 factory showing that this qualification has ceased.

1 Sec. 18. Said board shall have the power to adopt reasonable
2 rules and regulations prescribing the sanitary requirements of a barber
3 shop, barber school or college, subject to the approval of the state
4 board of health, and to cause the rules and regulations so approved
5 printed in a suitable form and to transmit a copy thereof to the pro-
6 of or a person operating each barber shop, which shall at all times be
7 kept conspicuously displayed in each barber shop, barber school or
8 of this state. Any member of said board or duly authorized deputy shall
9 have power to enter and make reasonable examination of any barber
10 barber school or college in this state during the business hours for the
11 purpose of ascertaining the sanitary conditions thereof. Any barber
12 barber school or college in which tools, appliances and furnishings in
13 use therein are kept in a unclean and unsanitary condition so as to
14 health, is hereby declared to be a public nuisance, and the proprietor
15 of or person operating such barber shop, barber school or college shall
16 be subject to prosecution and punishment therefor.

1 Sec. 19. Said board shall keep a register in which shall be en-
2 tered the names of all persons to whom certificates are issued and to
3 permits for serving as apprentices or as students are granted under this
4 act, and said register shall at all times be open to public inspection.

1 Sec. 20. No person practicing the occupation of a barber in any
2 barber shop, barber school or college in this state shall serve a person
3 afflicted with erysipelas, eczema, impetigo, syrosis, tuberculosis, or any
4 other contagious or infectious disease. Any person so afflicted is hereby
5 prohibited from being served in any barber shop, barber school or
college

6 in this state. Any violation of this section will be considered a mis-
7 demeanor as provided for in this act.

1 Sec. 21. All barber schools or colleges shall have not less
2 than one teacher or instructor for every ten students and all barber
3 schools or colleges shall keep prominently displayed a sign, "Barber
4 School" or "Barber College." Any firm, corporation or person desir-
5 ing to operate or conduct a barber school or college in this state
6 shall first secure from said board a permit to do so and shall keep
7 the same prominently displayed, provided that said board shall have
8 the right to pass upon the qualifications, appointments and course of
9 study in said college and the said board shall have the right to re-
10 voke the certificate, permit or license of any such barber college
11 instructor or teacher therein for any violation of the provisions of
12 this section.

1 Sec. 22. To shave or trim the beard or cut the hair of any
2 person for hire or reward, received by the person performing such
3 service, or any other person, shall be construed as practicing the
4 occupation of a barber within the meaning of this act.

1 Sec. 23. Any person practicing the occupation of a barber or
2 barber's apprentice or students in this state without having obtained
3 a certificate or registration permit as provided by this act, or em-
4 ploying a barber or apprentice who has not such certificate or permit,
5 or falsely pretending to be qualified to practice said occupation under
6 this act or for failure to display his or her card or insignia or per-
7 mit as provided by this act, or who shall violate any of the sanitary
8 rules adopted by the board, or any of the provisions of this act, is

9 guilty of a misdemeanor, and upon conviction thereof shall be punished
10 by a fine of not less than ten dollars (\$10.00), or more than one
11 dollars (\$100.00) or by imprisonment in the county jail not less than
12 ten (10) days nor more than thirty (30) days, or both.

1 Sec. 24. All unappropriated funds in excess of one thousand
2 dollars (\$1000.00) arising under this act, not necessary to pay the
3 expenses of the department for the next fiscal year, shall be turned
4 into the state treasury on June 30th of each year.

