

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1047

By: Banz

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5
6 AS INTRODUCED

7 An Act relating to professions and occupations;
8 declaring legislative findings; prohibiting the use
9 of barber poles for certain persons; defining term;
10 providing for penalties; providing for reporting of
11 violations; directing the State Department of Health
12 to issue citations and fines; providing for
13 codification; providing for noncodification; and
14 providing an effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law not to be
17 codified in the Oklahoma Statutes reads as follows:

18 The Legislature hereby finds the following:

19 The barber pole has a wonderful and interesting story to tell,
20 and its presence keeps this story alive. It is the oldest
21 distinguished mark of any profession or craft, dating back before
22 the birth of Christ. The art of hair and beard trimming, medicine,
23 dentistry and surgery were all performed by the same operators in
24 the early history; they were called barber-surgeons. Due to the
services that they rendered and especially to the royalty, the

1 barber-surgeons were the most respected and protected men living.
2 They held this respect for thousands of years.

3 During their practice of surgery, which consisted only of blood-
4 letting or bleeding the disease, a white cloth was used. They would
5 rinse this out leaving blood stains, hang it in the door-way of
6 their business to dry: thus, the origin of our present day barber
7 pole. As the years passed by the hundreds, this original badge has
8 been changed to the present, attractive glass red and white emblem
9 which represents professional grooming service. The doctors, the
10 dentists and the surgeons have all branched from this original
11 profession long since; however, the barber pole still remains the
12 property of the artistic barbering profession.

13 SECTION 2. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 61.7 of Title 59, unless there
15 is created a duplication in numbering, reads as follows:

16 A. It shall be unlawful for any person to use a barber pole
17 with the intent to mislead the public or make the public believe
18 that barbering is being practiced or that a licensed barber is
19 employed in an establishment that does not employ barbers.

20 B. For purposes of this section, a "barber pole" shall mean a
21 vertical cylinder or pole with a ball on top, with alternating
22 stripes of any combination including red and white, and blue, which
23 run diagonally along the length of the cylinder or pole, or any
24 likeness thereto.

1 C. Any person in violation of this section shall be given a
2 warning for the first offense. For each subsequent violation, the
3 person shall be fined not less than Five Hundred Dollars (\$500.00),
4 and no more than One Thousand Dollars (\$1,000.00).

5 D. Violations of subsection A of this section shall be reported
6 to the State Department of Health or the State Barber Advisory
7 Board. The State Barber Advisory Board shall investigate alleged
8 violations and issue citations and fines upon the finding of a
9 violation.

10 SECTION 3. This act shall become effective November 1, 2009.

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12 52-1-5137 LRB 12/22/08

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