

WEST VIRGINIA LEGISLATURE
EIGHTY-FIRST LEGISLATURE
REGULAR SESSION, 2014



ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 507

(SENATORS SNYDER AND PLYMALE, *ORIGINAL SPONSORS*)

[PASSED MARCH 8, 2014; TO TAKE EFFECT JULY 1, 2014.]

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COMMITTEE SUBSTITUTE
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Senate Bill No. 507

(SENATORS SNYDER AND PLYMALE, *original sponsors*)

[Passed March 8, 2014; to take effect July 1, 2014.]

AN ACT to amend and reenact §30-27-4 and §30-27-6 of the Code of West Virginia, 1931, as amended, all relating to the Board of Barbers and Cosmetologists; changing board membership; requiring the board to offer examinations in other languages if available and upon request; and removing outdated language.

Be it enacted by the Legislature of West Virginia:

That §30-27-4 and §30-27-6 of the Code of West Virginia, 1931, as amended, be amended and reenacted, all to read as follows:

**ARTICLE 27. BOARD OF BARBERS AND
COSMETOLOGISTS.**

§30-27-4. Board of Barbers and Cosmetologists.

- 1 (a) The West Virginia Board of Barbers and
- 2 Cosmetologists is continued. The members of the board in
- 3 office on July 1, 2014, shall, unless sooner removed, continue

4 to serve until their respective terms expire and until their
5 successors have been appointed and qualified.

6 (b) The Governor, by and with the advice and consent of
7 the Senate, shall appoint:

8 (1) One licensed cosmetologist;

9 (2) One licensed barber;

10 (3) One licensed barber crossover or licensed barber
11 permanent wavist;

12 (4) One licensed aesthetician;

13 (5) One licensed nail technician;

14 (6) One representative from a privately owned beauty
15 school licensed by the West Virginia Council for Community
16 and Technical College Education; and

17 (7) One citizen member.

18 (c) After the initial appointment term, the term shall be
19 for five years. All appointments to the board shall be made
20 by the Governor by and with the advice and consent of the
21 Senate.

22 (d) Each licensed member of the board, at the time of his
23 or her appointment, must have held a professional license in
24 this state for a period of not less than three years immediately
25 preceding the appointment.

26 (e) Each member of the board must be a resident of this
27 state during the appointment term.

28 (f) A member may not serve more than two consecutive
29 full terms. A member may continue to serve until a successor
30 has been appointed and has qualified. A member serving on
31 the board on June 30, 2014, may be reappointed in
32 accordance with the provisions of this section.

33 (g) A vacancy on the board shall be filled by appointment
34 by the Governor for the unexpired term of the member whose
35 office is vacant and the appointment shall be made within
36 sixty days of the vacancy.

37 (h) The Governor may remove any member from the
38 board for neglect of duty, incompetency or official
39 misconduct.

40 (i) A member of the board immediately and automatically
41 forfeits membership to the board if his or her license to
42 practice is suspended or revoked, is convicted of a felony
43 under the laws of any jurisdiction or becomes a nonresident
44 of this state.

45 (j) The board shall elect annually one of its members as
46 chairperson who serves at the will of the board.

47 (k) Each member of the board is entitled to compensation
48 and expense reimbursement in accordance with article one of
49 this chapter.

50 (l) A majority of the members of the board constitutes a
51 quorum.

52 (m) The board shall hold at least two annual meetings.
53 Other meetings may be held at the call of the chairperson or
54 upon the written request of two members, at the time and
55 place as designated in the call or request.

56 (n) Prior to commencing his or her duties as a member of
57 the board, each member shall take and subscribe to the oath
58 required by section five, article four of the Constitution of
59 this state.

§30-27-6. Rulemaking.

1 The board shall propose rules for legislative approval, in
2 accordance with article three, chapter twenty-nine-a of this
3 code, to implement the provisions of this article, including:

4 (1) Standards and requirements for licenses, permits,
5 certificates and registrations;

6 (2) Procedures for examinations and reexaminations:
7 *Provided*, That the board shall offer examinations in all
8 languages other than English if available to the board and
9 requested by the applicant;

10 (3) Requirements for third parties to prepare and/or
11 administer examinations and reexaminations;

12 (4) Educational and experience requirements;

13 (5) The passing grade on the examinations;

14 (6) Standards for approval of courses and curriculum;

15 (7) Procedures for the issuance and renewal of licenses,
16 permits, certificates and registrations;

17 (8) A fee schedule;

18 (9) Continuing education requirements for professional
19 licensees and certificate holders;

- 20 (10) The procedures for denying, suspending, revoking,
21 reinstating or limiting the practice of licensees, permittees,
22 certificate holders and registrants;
- 23 (11) Designating the regions for investigators/inspectors;
- 24 (12) Criteria for the training of investigators/inspectors;
- 25 (13) Requirements for investigations and inspections;
- 26 (14) Requirements for inactive or revoked licenses,
27 permits, certificates and registrations;
- 28 (15) Establishing the training program and requirements
29 for instructors for schools licensed under this article;
- 30 (16) Establishing operating procedures for salons; and
- 31 (17) Any other rules necessary to effectuate the
32 provisions of this article.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman Senate Committee

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Chairman House Committee

Originated in the Senate.

To take effect July 1, 2014.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

The within this
the Day of, 2014.

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Governor