

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **Senate Bill No. 507**

5 (SENATORS SNYDER AND PLYMALE, *original sponsors*)

6 _____
7 [Passed March 8, 2014; to take effect July 1, 2014.]
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10
11 AN ACT to amend and reenact §30-27-4 and §30-27-6 of the Code of
12 West Virginia, 1931, as amended, all relating to the Board of
13 Barbers and Cosmetologists; changing board membership;
14 requiring the board to offer examinations in other languages
15 if available and upon request; and removing outdated language.

16 *Be it enacted by the Legislature of West Virginia:*

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

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

20 **§30-27-4. Board of Barbers and Cosmetologists.**

21 (a) The West Virginia Board of Barbers and Cosmetologists is
22 continued. The members of the board in office on July 1, 2014,
23 shall, unless sooner removed, continue to serve until their
24 respective terms expire and until their successors have been

1 appointed and qualified.

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

4 (1) One licensed cosmetologist;

5 (2) One licensed barber;

6 (3) One licensed barber crossover or licensed barber permanent
7 waviest;

8 (4) One licensed aesthetician;

9 (5) One licensed nail technician;

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

13 (7) One citizen member.

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

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

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

23 (f) A member may not serve more than two consecutive full
24 terms. A member may continue to serve until a successor has been

1 appointed and has qualified. A member serving on the board on June
2 30, 2014, may be reappointed in accordance with the provisions of
3 this section.

4 (g) A vacancy on the board shall be filled by appointment by
5 the Governor for the unexpired term of the member whose office is
6 vacant and the appointment shall be made within sixty days of the
7 vacancy.

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

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

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

16 (k) Each member of the board is entitled to compensation and
17 expense reimbursement in accordance with article one of this
18 chapter.

19 (l) A majority of the members of the board constitutes a
20 quorum.

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

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

4 **§30-27-6. Rulemaking.**

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

8 (1) Standards and requirements for licenses, permits,
9 certificates and registrations;

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

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

15 (4) Educational and experience requirements;

16 (5) The passing grade on the examinations;

17 (6) Standards for approval of courses and curriculum; (7)
18 Procedures for the issuance and renewal of licenses, permits,
19 certificates and registrations;

20 (8) A fee schedule;

21 (9) Continuing education requirements for professional
22 licensees and certificate holders;

23 (10) The procedures for denying, suspending, revoking,
24 reinstating or limiting the practice of licensees, permittees,

1 certificate holders and registrants;

2 (11) Designating the regions for investigators/inspectors;

3 (12) Criteria for the training of investigators/inspectors;

4 (13) Requirements for investigations and inspections;

5 (14) Requirements for inactive or revoked licenses, permits,

6 certificates and registrations;

7 (15) Establishing the training program and requirements for

8 instructors for schools licensed under this article;

9 (16) Establishing operating procedures for salons; and

10 (17) Any other rules necessary to effectuate the provisions of

11 this article.