

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**Introduced**

### **House Bill 4024**

BY DELEGATES ESPINOSA, STEELE, FOSTER, CLARK,

MAYNOR, ELLINGTON, AND YOUNG

[Introduced January 12, 2022; referred

to the Committee on Workforce Development then Government Organization]



1 A BILL to amend §30-27-8a and §30-27-8b of the Code of West Virginia, 1931, as amended, all  
2 relating to creating a cosmetology apprenticeship program that allows companies to train  
3 an apprentice, in whole or in part, for practical real-world experience; and providing that  
4 such apprenticeships shall count towards certification as if the apprentice had completed  
5 beauty school and satisfied other necessary requirements.

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

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

**§30-27-8a. Barber and cosmetologist apprentice.**

1 (a) The board may establish an apprenticeship program to become a barber or  
2 cosmetologist. A barber or cosmetologist apprentice shall work at all times under the direct  
3 supervision of a licensed barber or cosmetologist and any permit issued by the board to work as  
4 a barber or cosmetologist apprentice does not allow a person to practice individually as a barber  
5 or cosmetologist.

6 (b) An applicant for a barber or cosmetologist apprenticeship shall present satisfactory  
7 evidence that he or she:

8 (1) Is at least sixteen years of age;

9 (2) Is of good moral character;

10 (3) Is in high school or has a high school diploma, a GED, or has passed the “ability to  
11 benefit test” approved by the United States Department of Education;

12 (4) Has paid the applicable fee;

13 (5) Has a certificate of health from a licensed physician;

14 (6) Is a citizen of the United States or is eligible for employment in the United States; and

15 (7) Has fulfilled any other requirement specified by the board.

16 (c) An applicant for a sponsor of a barber or cosmetologist apprentice shall present  
17 satisfactory evidence that he or she:

18 (1) Is licensed as a barber or cosmetologist under the provisions of this article;

19 (2) Has paid the applicable fee; and

20 (3) Has fulfilled any other requirement specified by the board.

21 (d) A sponsor of a barber or cosmetologist apprentice shall be a current licensed barber  
22 or cosmetologist with at least five years' experience and has worked in a shop for the last five  
23 years.

24 (e) The board may propose emergency rules and rules for legislative approval, in  
25 accordance with the provisions of ~~article three, chapter twenty-nine-a of this code~~ §29A-3-1 et  
26 seq., to implement the provisions of this section, including:

27 (1) The requirements for:

28 (A) The barber or cosmetologist apprenticeship program;

29 (B) The barber or cosmetologist apprentice permit; and

30 (C) A licensed barber or cosmetologist to sponsor a barber or cosmetologist apprentice;

31 (2) Procedures for an examination;

32 (3) A fee schedule; and

33 (4) Any other rules necessary to effectuate the provisions of this section.

**§30-27-8b. Certifications.**

1 (a) The board shall issue a certification to an applicant who obtains training at a licensed  
2 school or continuing education provider, in West Virginia, in the following area:

3 *Waxing Specialist.—*

4 An applicant for a waxing specialist shall present satisfactory evidence that he or she:

5 (A) Is at least eighteen years of age;

6 (B) Is of good moral character;

7 (C) Has a high school diploma, a GED, or has passed the "ability to benefit test" approved  
8 by the United States Department of Education;

9 (D) Has paid the applicable fee;

10 (E) Has a certificate of health from a licensed physician;

11 (F) Is a citizen of the United States or is eligible for employment in the United States;

12 (G) Has completed a one hundred-hour class that consists of: Professional requirements,  
13 safety and health, skin structure, disorders and diseases, removal of superfluous hair and twenty-  
14 five hours on the clinic floor, supervised, for a total of one hundred twenty-five hours;

15 (H) If not currently licensed, must take the West Virginia state law test; and

16 (I) Has fulfilled any other requirement specified by the board.

17 (b) The board shall issue to any barber the fifteen hundred clock-hour level licensure who  
18 has previously completed a twelve hundred clock-hour training program, and who subsequently  
19 completes a three hundred clock-hour certification program in chemical services.

20 (c) A cosmetologist who obtains the necessary hours of training in an apprenticeship  
21 program outlined in §30-27-8a of this code shall be issued the necessary certification as if the  
22 apprentice had completed beauty school, so long as the apprentice has completed the necessary  
23 requirements outlined in that section. The apprenticeship program established by the board may  
24 allow individuals to participate in beauty school to the extent necessary to obtain any other  
25 classroom instruction or technical training that is not otherwise provided in the apprenticeship.

NOTE: The purpose of this bill is to provide cosmetologists the same opportunities as barbers to receive on the job training in an apprenticeship program. The bill outlines requirements to become an apprentice. Finally, the bill provides for certification upon completion of an apprenticeship at a shop.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.