

No: 1816

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1985

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

1985 MAY -3 AM 10:44

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ENROLLED

HOUSE BILL No. 1816

(By ~~Mr.~~ Del. Britt)



Passed April 13, 1985

In Effect 90 Days From Passage



ENROLLED
H. B. 1816

(By DELEGATE PRITT)

[Passed April 13, 1985; in effect ninety days from passage.]

AN ACT to amend and reenact section two, article fourteen, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to barbers and beauticians; and sale and demonstration of cosmetics and related products not within the practice of beauty culture.

Be it enacted by the Legislature of West Virginia:

That section two, article fourteen, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 14. BARBERS AND BEAUTICIANS.

§16-14-2. Barbering, beauty culture and manicuring defined.

1 For the purpose of this article "barbering" shall mean any
2 one or combination of the following acts, when done on the
3 human body, and not for the treatment of disease, to wit:
4 Shaving, shaping and trimming the beard; cutting, singeing,
5 shampooing or dyeing the hair, or applying tonics thereto;
6 applications, treatment or massages of the face, neck or scalp
7 with oils, creams, lotions, antiseptics, cosmetics, powders, clays
8 or other preparations; and any such acts when done to
9 encourage the use or sale of articles of trade, or for pay,
10 rewards or other compensation, whether to be received directly
11 or indirectly.

12 "Beauty culture" shall mean any one or combination of the
13 following acts, when done on the human body, and not for

14 the treatment of disease, to wit: The care, preservation and
15 beautification of the hands and nails, commonly called
16 manicuring; the cleansing, curling, waving, permanent waving,
17 straightening, arranging, dressing, bleaching, tinting, coloring
18 and shaping the hair, including such cutting of the hair as is
19 necessary for the purposes mentioned in this paragraph; the
20 application to, or treatment and massage of, the scalp, face,
21 neck, arms, hands, or upper part of the body with oils, creams,
22 lotions, powders, clays, cosmetics, antiseptics or other
23 preparations; and any such acts when done to encourage the
24 use or sale of articles of trade, or for pay, reward or other
25 compensation, whether to be received directly or indirectly.
26 The retail sale or the trial demonstration by application to the
27 skin for the purpose of making retail sale of cosmetics,
28 preparations, tonics, antiseptics, creams or lotions shall not be
29 considered the practice of beauty culture.

30 "Manicuring," when done on the human body and not for
31 the treatment of disease, shall mean the care, preservation and
32 beautification of the hands and nails only.

33 The performance of any of the acts enumerated in this
34 section shall not be deemed barbering, beauty culture or
35 manicuring when done by duly licensed physicians, surgeons,
36 nurses or morticians, in the proper discharge of their
37 professional duties.

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

Harold Callahan
Chairman Senate Committee

Floyd Fuller
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Todd C. Miller
Clerk of the Senate

Donald L. Kepp
Clerk of the House of Delegates

Don Tankin
President of the Senate

Joseph P. Albright
Speaker of the House of Delegates

The within *approved* this the *2nd* day of *May*, 1985.

Richard B. France
Governor

PRESENTED TO THE

GOVERNOR

Date 4/19/85

Time 8:37 p.m.