

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1949



ENROLLED

HOUSE BILL No. 205

(By Mr. Hedgcock & Mr. Overton)



PASSED February 21 1949

In Effect Ninety days from Passage



**ENROLLED**  
**House Bill No. 25**

(By MR. HUDGINS and MR. OVERTON)

[Passed February 21, 1949; in effect ninety days from passage.]

AN ACT to amend and reenact section nine, article eight, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, enumerating certain offenses under the law governing the practice of optometry, prescribing penalties therefor and conferring concurrent jurisdiction in such cases upon justices of the peace.

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

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

**Article 8. Optometrists.**

Section 9. *Offenses; Penalties; Jurisdiction of Justices.*

2 —Each of the following shall constitute a misdemeanor  
3 punishable, upon conviction, for the first offense, by a  
4 fine of not less than one hundred nor more than two  
5 hundred dollars, and, upon conviction for a second or

6 subsequent offense, by a fine of not less than two hun-  
7 dred nor more than five hundred dollars, or by imprison-  
8 ment for not less than thirty nor more than ninety days,  
9 or by both such fine and imprisonment, at the discre-  
10 tion of the court: The practice of, or an attempt to prac-  
11 tice, optometry, without a certificate of registration  
12 as a registered optometrist, except as hereinbefore pro-  
13 vided; permitting any person in one's employ, super-  
14 vision or control, to practice optometry, unless such per-  
15 son has a certificate of registration as a registered op-  
16 tometrist when such certificate is required by this arti-  
17 cle; the obtaining of, or an attempt to obtain, a certifi-  
18 cate of registration, or practice in the profession, or  
19 money, or any other thing of value, by fraudulent mis-  
20 representation; the making of any willfully false oath  
21 or affirmation, whenever an oath or affirmation is re-  
22 quired by this article; the violation of the provisions of  
23 section six of this article.

24 Justices of the peace shall have concurrent jurisdiction  
25 with circuit and criminal courts for the enforcement of  
26 this article.

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

*Joseph L. Mizer*

Chairman Senate Committee

*Ronachens*

Chairman House Committee

Originated in the House of Delegates

Takes effect *Ninety days from* passage.

*Howard Hughes*  
Clerk of the Senate

*Joseph*  
Clerk of the House of Delegates

*Samuel H. Hunsaker*  
President of the Senate

*W. E. Johnson*  
Speaker House of Delegates

The within *approved* this the *23rd*  
day of *February*, 1949.

*Chas. L. Patton*  
Governor.



Filed in the Office of the Secretary of State  
of West Virginia **FEB 25 1949**  
D. PITT O'BRIEN,  
SECRETARY OF STATE