WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED
Committee Substitute for
HOUSE BILL No. 299

(By Mr. Common Education)

PASSED March 14 1959

In Effect 90 days from Passage

Filed in Office of the Secretary of State of West Virginia MAR 20 1959
JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend article two, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding to said article, a new section, designated section ten, relating to regulation of privately-owned correspondence, business and trade schools, and providing penalties for violations.

Be it enacted by the Legislature of West Virginia:

That article two, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section ten, to read as follows:

Section 10. Requiring Permits for Soliciting or Selling Correspondence Courses and Resident Courses in Business and Trade Schools.—It shall be unlawful for any person
representing a correspondence school (excepting accredited members of the national home study council) located within this state or outside thereof, to solicit, sell, or offer to sell within this state any correspondence course for a consideration or remuneration and for any person representing a privately-owned business school (excepting those resident business schools or commercial colleges who are members of the West Virginia association of business schools and who are also members of the national association and council of business schools) or trade schools to solicit, sell, or offer to sell any resident for a consideration or remuneration courses of instruction unless such person first obtains a permit from the West Virginia board of education in the manner and on the terms herein prescribed.

The application for a permit shall be made on forms to be furnished by the said board. The application shall be accompanied by a fee of five dollars and by a surety bond in the penal sum of one thousand dollars. Such bond may be continuous and shall be conditioned to provide indemnification to any student suffering loss as a result of any
fraud or misrepresentation used in procuring his enrollment. The bond may be given by the representative of a school or by the school itself as a blanket bond covering all of its representatives in the amount of one thousand dollars each. The surety on any such bond may cancel the same upon giving thirty days' notice in writing to the principal on said bond and to the state board of education, and thereafter shall be relieved of liability for any breach of condition occurring after the effective date of said cancellation.

A permit shall be valid for the calendar year in which it is issued, and, upon application, accompanied by a fee of five dollars and the surety bond as herein required, may be renewed if a continuous bond has not been furnished.

All fees collected for the issuance or renewal of such permits shall be deposited in the state treasury to the credit of the general school fund.

No person shall be granted a permit under this section unless he is an individual of good moral character.

A permit issued hereunder may upon ten days' notice
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and after a hearing be revoked by the said board of edu-

tion for fraud or misrepresentation in soliciting or enroll-
ing students, or for other cause.

the said board of education is hereby authorized to
adopt rules and regulations for the administration and
enforcement of the provisions of this section, and to es-
tablish an advisory committee of not more than five
owners or other representatives of privately owned cor-
respondence, business and trade schools.

any person violating any provision of this section, shall
be guilty of a misdemeanor, and upon conviction thereof,
shall be fined not more than two hundred dollars or be
imprisoned not more than sixty days, or both fined and
imprisoned, in the discretion of the court.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates.

Takes effect 90 days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 20th day of March, 1959.

Governor