

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1968

ENROLLED

SENATE BILL NO. 110

(By Mr. Montgomery)

PASSED February 6, 1968

In Effect for Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 2-16-68

110

ENROLLED

Senate Bill No. 110

(By MR. MONTGOMERY)

[Passed February 6, 1968; in effect from passage.]

AN ACT to amend and reenact section ten, article fourteen, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the licensing of schools of barbering and beauty culture.

Be it enacted by the Legislature of West Virginia:

That section ten, 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. BARBERING, BEAUTY CULTURE AND MANICURING.

§16-14-10. License to own or operate schools of barbering or beauty culture; inspection; qualifications; license fee; qualifications and registration of instructors;

**registration fee; administrative procedures; rules
and regulations.**

1 No person, firm or corporation, whether public or
2 private, and whether organized for profit or not, shall
3 own or operate a school of barbering or beauty culture
4 in this state without first obtaining a license so to do
5 from the committee. The application for such license shall
6 be made in writing on forms prescribed and furnished
7 by the committee and shall be signed and verified by the
8 applicant. The applicant shall, in addition to such other
9 information as may be reasonably required by the com-
10 mittee, furnish evidence that (a) the applicant is pro-
11 fessionally competent and financially responsible, (b)
12 adequate physical facilities will be available for the
13 school, and (c) persons teaching or instructing therein
14 are registered by the committee as duly qualified in-
15 structors. If an applicant desires to own or operate more
16 than one school of barbering or beauty culture, a separate
17 application shall be made and a separate license shall be
18 issued for each.

19 "All applicants for a license to own or operate a

20 school of barbering or beauty culture shall permit
21 an inspection of such proposed school by the com-
22 mittee or its designated representative to determine
23 whether it is properly fitted and equipped for in-
24 struction in barbering or beauty culture. The com-
25 mittee shall promulgate reasonable rules and regula-
26 tions to implement and make effective the powers,
27 duties and responsibilities vested in such commit-
28 tee in connection with the licensing and regulation of
29 schools of barbering and beauty culture. If the applicant
30 has met all of the standards and qualifications prescribed
31 herein and by the committee and has complied with the
32 rules and regulations pertaining to the issuance of the li-
33 cense applied for, the committee shall issue such license to
34 the applicant. Thereafter, the committee may suspend, re-
35 voke or refuse to renew the license of a school when-
36 ever it fails to meet the minimum standards and qualifica-
37 tions required for the issuance of an original license.

38 The license fee for each school of barbering and for each
39 school of beauty culture shall be twenty-five dollars an-
40 nually, to be paid in such manner as the committee may

41 prescribe, on or before January first of each year. The
42 license shall be prominently displayed in the school, and
43 a suitable sign shall be kept on the front of the school
44 which shall plainly indicate that a school of barbering or
45 beauty culture is operated therein.

46 The committee shall make reasonable rules and
47 regulations prescribing the standards and require-
48 ments to be met by applicants for registration as
49 duly qualified instructors in schools of barbering or
50 beauty culture. Such rules and regulations may provide
51 for the issuance of certificates for instructors, including
52 temporary certificates, and shall prescribe minimum
53 qualifications as to age, education and training for appli-
54 cants for such certificates. Each registered instructor in
55 barbering or beauty culture shall pay an initial registra-
56 tion fee of five dollars, and shall renew his certificate
57 annually and pay a renewal fee of five dollars on or before
58 the first day of January of each year. An expired certifi-
59 cate may be reinstated only upon the payment of all
60 lapsed renewal fees, unless such instructor shall have
61 notified the committee that he or she desires to be placed

62 on an inactive status during which time he or she shall
63 not be liable for any renewal fees. The applicant for re-
64 instatement shall also be required to meet the qualifica-
65 tions for registration in effect at the time application for
66 reinstatement is made.

67 Recognizing that all of the provisions of chapter twenty-
68 nine-a of this code are fully applicable to any and all
69 administrative procedures, and the right of judicial re-
70 view, in connection with the provisions of this article,
71 but also recognizing that the question has been raised as
72 to whether rules and regulations adopted under the pro-
73 visions of this section must be promulgated in accordance
74 with the provisions of said chapter twenty-nine-a, it is
75 hereby expressly provided that all such rules and regula-
76 tions shall be promulgated in compliance with the pro-
77 visions of said chapter twenty-nine-a.

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

William Tompkins
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Howard Thayer
Clerk of the Senate

W. A. Blankenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

H. Lehan White
Speaker House of Delegates

The within *approved* this the *14*
day of *February*, 1968.

Hullett C. Smith
Governor



PRESENTED TO THE
GOVERNOR

Date 2/12/68

Time 3:01 P.M.

RECEIVED

FEB 15 1 03 PM '68
OFFICE OF
STATE CLERK OF STATE
STATE OF WEST VIRGINIA