WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1968

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.

No person, firm or corporation, whether public or private, and whether organized for profit or not, shall own or operate a school of barbering or beauty culture in this state without first obtaining a license so to do from the committee. The application for such license shall be made in writing on forms prescribed and furnished by the committee and shall be signed and verified by the applicant. The applicant shall, in addition to such other information as may be reasonably required by the committee, furnish evidence that (a) the applicant is professionally competent and financially responsible, (b) adequate physical facilities will be available for the school, and (c) persons teaching or instructing therein are registered by the committee as duly qualified instructors. If an applicant desires to own or operate more than one school of barbering or beauty culture, a separate application shall be made and a separate license shall be issued for each.

"All applicants for a license to own or operate a
school of barbering or beauty culture shall permit
an inspection of such proposed school by the com-
mittee or its designated representative to determine
whether it is properly fitted and equipped for in-
struction in barbering or beauty culture. The com-
mittee shall promulgate reasonable rules and regula-
tions to implement and make effective the powers,
duties and responsibilities vested in such commit-
tee in connection with the licensing and regulation of
schools of barbering and beauty culture. If the applicant
has met all of the standards and qualifications prescribed
herein and by the committee and has complied with the
rules and regulations pertaining to the issuance of the li-
cense applied for, the committee shall issue such license to
the applicant. Thereafter, the committee may suspend, re-
voke or refuse to renew the license of a school when-
ever it fails to meet the minimum standards and qualifica-
tions required for the issuance of an original license.

The license fee for each school of barbering and for each
school of beauty culture shall be twenty-five dollars an-
nually, to be paid in such manner as the committee may
prescribe, on or before January first of each year. The license shall be prominently displayed in the school, and a suitable sign shall be kept on the front of the school which shall plainly indicate that a school of barbering or beauty culture is operated therein.

The committee shall make reasonable rules and regulations prescribing the standards and requirements to be met by applicants for registration as duly qualified instructors in schools of barbering or beauty culture. Such rules and regulations may provide for the issuance of certificates for instructors, including temporary certificates, and shall prescribe minimum qualifications as to age, education and training for applicants for such certificates. Each registered instructor in barbering or beauty culture shall pay an initial registration fee of five dollars, and shall renew his certificate annually and pay a renewal fee of five dollars on or before the first day of January of each year. An expired certificate may be reinstated only upon the payment of all lapsed renewal fees, unless such instructor shall have notified the committee that he or she desires to be placed
on an inactive status during which time he or she shall not be liable for any renewal fees. The applicant for reinstatement shall also be required to meet the qualifications for registration in effect at the time application for reinstatement is made.

Recognizing that all of the provisions of chapter twenty-nine-a of this code are fully applicable to any and all administrative procedures, and the right of judicial review, in connection with the provisions of this article, but also recognizing that the question has been raised as to whether rules and regulations adopted under the provisions of this section must be promulgated in accordance with the provisions of said chapter twenty-nine-a, it is hereby expressly provided that all such rules and regulations shall be promulgated in compliance with the provisions 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.

James Frank Moses  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

Howard McConkey  
President of the Senate

Walcott White  
Speaker House of Delegates

The within approved this the 14th

day of February, 1968.

Hulet E. Smith  
Governor