WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1985

ENROLLED

HOUSE BILL No. 1816

(By Mr. D. L. Mitchell)

Passed April 13, 1985
In Effect 90 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.

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

“Beauty culture” shall mean any one or combination of the following acts, when done on the human body, and not for
the treatment of disease, to wit: The care, preservation and beautification of the hands and nails, commonly called manicuring; the cleansing, curling, waving, permanent waving, straightening, arranging, dressing, bleaching, typing, coloring and shaping the hair, including such cutting of the hair as is necessary for the purposes mentioned in this paragraph; the application to, or treatment and massage of, the scalp, face, neck, arms, hands, or upper part of the body with oils, creams, lotions, powders, clays, cosmetics, antiseptics or other preparations; and any such acts when done to encourage the use or sale of articles of trade, or for pay, reward or other compensation, whether to be received directly or indirectly. The retail sale or the trial demonstration by application to the skin for the purpose of making retail sale of cosmetics, preparations, tonics, antiseptics, creams or lotions shall not be considered the practice of beauty culture.

“Manicuring,” when done on the human body and not for the treatment of disease, shall mean the care, preservation and beautification of the hands and nails only.

The performance of any of the acts enumerated in this section shall not be deemed barbering, beauty culture or manicuring when done by duly licensed physicians, surgeons, nurses or morticians, in the proper discharge of their professional duties.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within ......................................................... this the ........................................

day of .......................................................... 1985.

Governor
PRESENTED TO THE
GOVERNOR

Date 4/19/35
Time 8:37 p.m.