

**WEST VIRGINIA LEGISLATURE**

**EIGHTY-FIRST LEGISLATURE**

**REGULAR SESSION, 2014**



**ENROLLED**

**COMMITTEE SUBSTITUTE**

**FOR**

**Senate Bill No. 507**

**(SENATORS SNYDER AND PLYMALE, ORIGINAL SPONSORS)**

**[PASSED MARCH 8, 2014; TO TAKE EFFECT JULY 1, 2014.]**

SB 507

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

2014 APR - 1 P 7:49

FILED

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**[Passed March 8, 2014; to take effect July 1, 2014.]**

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**AN ACT to amend and reenact §30-27-4 and §30-27-6 of the Code of West Virginia, 1931, as amended, all relating to the Board of Barbers and Cosmetologists; changing board membership; requiring the board to offer examinations in other languages if available and upon request; and removing outdated language.**

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

**That §30-27-4 and §30-27-6 of the Code of West Virginia, 1931, as amended, be amended and reenacted, all to read as follows:**

**ARTICLE 27. BOARD OF BARBERS AND  
COSMETOLOGISTS.**

**§30-27-4. Board of Barbers and Cosmetologists.**

- 1 (a) The West Virginia Board of Barbers and
- 2 Cosmetologists is continued. The members of the board in
- 3 office on July 1, 2014, shall, unless sooner removed, continue

4 to serve until their respective terms expire and until their  
5 successors have been appointed and qualified.

6 (b) The Governor, by and with the advice and consent of  
7 the Senate, shall appoint:

8 (1) One licensed cosmetologist;

9 (2) One licensed barber;

10 (3) One licensed barber crossover or licensed barber  
11 permanent waviest;

12 (4) One licensed aesthetician;

13 (5) One licensed nail technician;

14 (6) One representative from a privately owned beauty  
15 school licensed by the West Virginia Council for Community  
16 and Technical College Education; and

17 (7) One citizen member.

18 (c) After the initial appointment term, the term shall be  
19 for five years. All appointments to the board shall be made  
20 by the Governor by and with the advice and consent of the  
21 Senate.

22 (d) Each licensed member of the board, at the time of his  
23 or her appointment, must have held a professional license in  
24 this state for a period of not less than three years immediately  
25 preceding the appointment.

26 (e) Each member of the board must be a resident of this  
27 state during the appointment term.

28 (f) A member may not serve more than two consecutive  
29 full terms. A member may continue to serve until a successor  
30 has been appointed and has qualified. A member serving on  
31 the board on June 30, 2014, may be reappointed in  
32 accordance with the provisions of this section.

33 (g) A vacancy on the board shall be filled by appointment  
34 by the Governor for the unexpired term of the member whose  
35 office is vacant and the appointment shall be made within  
36 sixty days of the vacancy.

37 (h) The Governor may remove any member from the  
38 board for neglect of duty, incompetency or official  
39 misconduct.

40 (i) A member of the board immediately and automatically  
41 forfeits membership to the board if his or her license to  
42 practice is suspended or revoked, is convicted of a felony  
43 under the laws of any jurisdiction or becomes a nonresident  
44 of this state.

45 (j) The board shall elect annually one of its members as  
46 chairperson who serves at the will of the board.

47 (k) Each member of the board is entitled to compensation  
48 and expense reimbursement in accordance with article one of  
49 this chapter.

50 (l) A majority of the members of the board constitutes a  
51 quorum.

52 (m) The board shall hold at least two annual meetings.  
53 Other meetings may be held at the call of the chairperson or  
54 upon the written request of two members, at the time and  
55 place as designated in the call or request.

56 (n) Prior to commencing his or her duties as a member of  
57 the board, each member shall take and subscribe to the oath  
58 required by section five, article four of the Constitution of  
59 this state.

**§30-27-6. Rulemaking.**

1 The board shall propose rules for legislative approval, in  
2 accordance with article three, chapter twenty-nine-a of this  
3 code, to implement the provisions of this article, including:

4 (1) Standards and requirements for licenses, permits,  
5 certificates and registrations;

6 (2) Procedures for examinations and reexaminations:  
7 *Provided*, That the board shall offer examinations in all  
8 languages other than English if available to the board and  
9 requested by the applicant;

10 (3) Requirements for third parties to prepare and/or  
11 administer examinations and reexaminations;

12 (4) Educational and experience requirements;

13 (5) The passing grade on the examinations;

14 (6) Standards for approval of courses and curriculum;

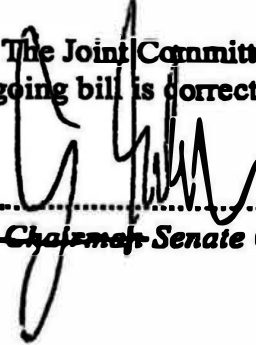
15 (7) Procedures for the issuance and renewal of licenses,  
16 permits, certificates and registrations;

17 (8) A fee schedule;

18 (9) Continuing education requirements for professional  
19 licensees and certificate holders;

- 20       **(10) The procedures for denying, suspending, revoking,**  
21 **reinstating or limiting the practice of licensees, permittees,**  
22 **certificate holders and registrants;**
- 23       **(11) Designating the regions for investigators/inspectors;**
- 24       **(12) Criteria for the training of investigators/inspectors;**
- 25       **(13) Requirements for investigations and inspections;**
- 26       **(14) Requirements for inactive or revoked licenses,**  
27 **permits, certificates and registrations;**
- 28       **(15) Establishing the training program and requirements**  
29 **for instructors for schools licensed under this article;**
- 30       **(16) Establishing operating procedures for salons; and**
- 31       **(17) Any other rules necessary to effectuate the**  
32 **provisions of this article.**

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

  
.....  
~~Member~~ ~~Chairman~~ Senate Committee

  
.....  
Chairman House Committee

Originated in the Senate.

To take effect July 1, 2014.

  
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Clerk of the Senate

  
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Clerk of the House of Delegates

  
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President of the Senate

  
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Speaker of the House of Delegates

The within *is approved* ..... this  
the *15<sup>th</sup>* Day of *April* ....., 2014.

  
.....  
Governor

PRESENTED TO THE GOVERNOR

MAR 27 2014

Time 3:00 pm