ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 507

(SENATORS SNYDER AND PLYMALE, ORIGINAL SPONSORS)

[PASSED MARCH 8, 2014; TO TAKE EFFECT JULY 1, 2014.]
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membership; requiring the board to offer examinations in other languages if available and upon request; and removing outdated language.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
to serve until their respective terms expire and until their successors have been appointed and qualified.

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

(1) One licensed cosmetologist;

(2) One licensed barber;

(3) One licensed barber crossover or licensed barber permanent wavist;

(4) One licensed aesthetician;

(5) One licensed nail technician;

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

(7) One citizen member.

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

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

(e) Each member of the board must be a resident of this state during the appointment term.
(f) A member may not serve more than two consecutive full terms. A member may continue to serve until a successor has been appointed and has qualified. A member serving on the board on June 30, 2014, may be reappointed in accordance with the provisions of this section.

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

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

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

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

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

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

(m) The board shall hold at least two annual meetings. Other meetings may be held at the call of the chairperson or upon the written request of two members, at the time and place as designated in the call or request.
(n) Prior to commencing his or her duties as a member of the board, each member shall take and subscribe to the oath required by section five, article four of the Constitution of this state.


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

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

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

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

5 (4) Educational and experience requirements;

6 (5) The passing grade on the examinations;

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

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

9 (8) A fee schedule;

10 (9) Continuing education requirements for professional licensees and certificate holders;
(10) The procedures for denying, suspending, revoking, reinstating or limiting the practice of licensees, permittees, certificate holders and registrants;

(11) Designating the regions for investigators/inspectors;

(12) Criteria for the training of investigators/inspectors;

(13) Requirements for investigations and inspections;

(14) Requirements for inactive or revoked licenses, permits, certificates and registrations;

(15) Establishing the training program and requirements for instructors for schools licensed under this article;

(16) Establishing operating procedures for salons; and

(17) Any other rules necessary to effectuate the 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.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the Day of 2014.

Governor
PRESENTED TO THE GOVERNOR

MAR 27 2014

Time 3:00 pm