

1 **H. B. 2430**

2  
3 (By Delegates Andes and Cowles)  
4 [Introduced January 12, 2011; referred to the  
5 Committee on Government Organization then the Judiciary.]  
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10 A BILL to amend and reenact §30-27-4 of the Code of West Virginia,  
11 1931, as amended, relating to abolishing the Board of Barbers  
12 and Cosmetologists.

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

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

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

17 **§30-27-4. Board of Barbers and Cosmetologists.**

18 ~~(a) The West Virginia Board of Barbers and Cosmetologists is~~  
19 ~~continued. The members of the board in office on July 1, 2009,~~  
20 ~~shall, unless sooner removed, continue to serve until their~~  
21 ~~respective terms expire and until their successors have been~~  
22 ~~appointed and qualified.~~

23 ~~(b) To be effective on July 1, 2009, the Governor shall~~  
24 ~~appoint, by and with the advice and consent of the Senate:~~

1 ~~(1) One person who is a licensed cosmetologist for a term of~~  
2 ~~five years;~~

3 ~~(2) One person who is a licensed barber for a term of five~~  
4 ~~years;~~

5 ~~(3) One person who is a licensed barber crossover or a~~  
6 ~~licensed barber permanent wavist for a term of four years;~~

7 ~~(4) One person who is a licensed aesthetician for a term of~~  
8 ~~four years;~~

9 ~~(5) One person who is a licensed nail technician for a term of~~  
10 ~~four years;~~

11 ~~(6) One person who is a licensed cosmetologist for a term of~~  
12 ~~three years; and~~

13 ~~(7) One citizen member, who is not licensed under the~~  
14 ~~provisions of this article and who does not perform any services~~  
15 ~~related to the practice of the professions regulated under the~~  
16 ~~provisions of this article, for a term of three years.~~

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

20 ~~(d) Commencing July 1, 2009, the board shall consist of the~~  
21 ~~following seven members:~~

22 ~~(1) Two licensed cosmetologists;~~

23 ~~(2) One licensed barber;~~

24 ~~(3) One licensed barber crossover or licensed barber permanent~~  
25 ~~wavist;~~

1 ~~(4) One licensed aesthetician;~~

2 ~~(5) One licensed nail technician; and~~

3 ~~(6) One citizen member.~~

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

8 ~~(f) Each member of the board must be a resident of this state~~  
9 ~~during the appointment term.~~

10 ~~(g) A member may not serve more than two consecutive full~~  
11 ~~terms. A member may continue to serve until a successor has been~~  
12 ~~appointed and has qualified. A member serving on the board on June~~  
13 ~~30, 2009, may be reappointed in accordance with the provisions of~~  
14 ~~this section.~~

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

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

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

25 ~~(k) The board shall elect annually one of its members as~~

1 ~~chairperson who serves at the will of the board.~~

2 ~~(l) Each member of the board is entitled to compensation and~~  
3 ~~expense reimbursement in accordance with article one of this~~  
4 ~~chapter.~~

5 ~~(m) A majority of the members of the board constitutes a~~  
6 ~~quorum.~~

7 ~~(n) The board shall hold at least two annual meetings. Other~~  
8 ~~meetings may be held at the call of the chairperson or upon the~~  
9 ~~written request of two members, at the time and place as designated~~  
10 ~~in the call or request.~~

11 ~~(o) Prior to commencing his or her duties as a member of the~~  
12 ~~board, each member shall take and subscribe to the oath required by~~  
13 ~~section five, article four of the Constitution of this state.~~

14 Effective July 1, 2011, the Board of Barbers and  
15 Cosmetologists previously established by this section is abolished.  
16 The board shall wind up its affairs as provided in section twelve,  
17 article ten, chapter four of this code.

NOTE: The purpose of this bill is to abolish the Board of Barbers and Cosmetologists.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.