

# **WEST VIRGINIA LEGISLATURE**

**2019 REGULAR SESSION**

**Committee Substitute**

**for**

**House Bill 2307**

BY DELEGATE HOWELL

[Originating in the Committee on Government

Organization, January 14, 2019.]



1 A BILL to amend and reenact §30-27-9 of the Code of West Virginia, 1931, as amended, relating  
2 to barbering and cosmetology; removing certain requirements to take an examination for  
3 a license; to establish a provisional license to practice in this state by an applicant with an  
4 expired license from another state; and directing the board to set the applicable fees for a  
5 provisional license.

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

**§30-27-9. Professional license from another state; license to practice in this state;  
provisional license to practice in this state.**

1 (a) The board ~~may~~ shall issue a professional license to practice to an applicant of good  
2 moral character who holds a valid license or other authorization to practice in that particular field  
3 from another state, if the applicant demonstrates that he or she:

4 (1) Holds a valid license or other authorization to practice in another state which was  
5 granted after completion of educational requirements required in another state; ~~substantially~~  
6 ~~equivalent to those required in this state and passed an examination that is substantially~~  
7 ~~equivalent to the examination required in this state~~

8 (2) Does not have charges pending against his or her valid license or other authorization  
9 to practice and has never had a valid license or other authorization to practice revoked;

10 ~~(3) Has not previously failed an examination for professional licensure in this state~~

11 ~~(4)~~ (3) Has paid the applicable fee;

12 ~~(5)~~ (4) Is at least 18 years of age;

13 ~~(6)~~ (5) Has a high school diploma, a GED, or has passed the “ability to benefit test”  
14 approved by the United States Department of Education;

15 ~~(7)~~ (6) Is a citizen of the United States or is eligible for employment in the United States;

16 ~~(8)~~ (7) Has presented a certificate of health issued by a licensed physician; and

17 ~~(9)~~ (8) Has fulfilled any other requirement specified by the board.

18           (b) The board shall award an applicant holding an expired license from another state a  
19 provisional license to practice in this state: *Provided*, That applicant does not have charges  
20 pending against his or her expired license or other authorization to practice and has never had a  
21 license revoked or other authorization to practice revoked. The provisional license will become a  
22 full license after the applicant:

23           (1) Has worked for one year under the supervision of someone with a valid license in this  
24 state;

25           (2) Does not have any complaints filed against him or her during the year the applicant  
26 holds a provisional license;

27           (3) Has paid all applicable fees for a provisional license and valid license;

28           (4) Is at least 18 years of age;

29           (5) Has a high school diploma, a GED, or has passed the “ability to benefit test” approved  
30 by the United States Department of Education;

31           (6) Is a citizen of the United States or is eligible for employment in the United States;

32           (7) Has presented a certificate of health issued by a licensed physician; and

33           (8) Has fulfilled any other requirement specified by the board.

34           The board may determine the applicable fees for a provisional license: *Provided*, That the  
35 cost shall not exceed one-half the cost of a full license.

36           ~~(b) In its discretion, the board may examine a person by a written, oral or skills test for~~  
37 ~~licensing under this section, and may enter into agreements for reciprocal licensing with other~~  
38 ~~jurisdictions having substantially similar requirements for licensure~~

NOTE: The purpose of this bill is to remove requirements to take an examination for a license to practice in this state, to create a provisional license to practice in this state by an applicant with an expired license from another state; and, direct the board to set the applicable fees for a provisional license.

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