



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-
MAKING REVIEW COMMITTEE**

AGENCY: Barbers And Cosmetologists TITLE-SERIES: 3-06
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: 3-06 Schedule of Fees

PRIMARY CONTACT

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CITE STATUTORY AUTHORITY: W. Va. Code § 30-27-6

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

THIS LEGISLATIVE RULE ESTABLISHES A SCHEDULE OF FEES FOR THE BOARD OF BARBERS AND COSMETOLOGISTS

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 6/28/2024

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 7/31/2024

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

(IF YES, PLEASE UPLOAD IN THE PUBLIC HEARING FIELD PERSONS WHO APPEARED AT THE HEARING(S) AND TRANSCRIPTS)

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

WHAT OTHER NOTICE, INCLUDING ADVERTISING, DID YOU GIVE OF THE HEARING?

SUMMARY OF THE CONTENT OF THE LEGISLATIVE RULE, AND A DETAILED DESCRIPTION OF THE RULE'S PURPOSE AND ALL PROPOSED CHANGES TO THE RULE:

THE RULE CONTAINS A SCHEDULE OF LICENSING FEES PAID TO THE BOARD OF BARBERS AND COSMETOLOGISTS, AND THE CHANGES INCLUDE A FEE INCREASE FOR THREE (3) OF THE CURRENT FEES AND ALSO THE REMOVAL OF CERTAIN FEES

STATEMENT OF CIRCUMSTANCES WHICH REQUIRE THE RULE:

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED LEGISLATIVE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

C. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2024 Increase/Decrease (use "-")	2025 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost			
Personal Services			
Current Expenses			
Repairs and Alterations			
Assets			
Other			
2. Estimated Total Revenues			

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Danielle J Cordle -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

TITLE 3
LEGISLATIVE RULE
BOARD OF BARBERS AND COSMETOLOGISTS

SERIES 6
SCHEDULE OF FEES

§ 3-6-1. General.

1.1. Scope. -- This legislative rule establishes the various fees that are to be submitted to the Board of Barbers and Cosmetologists by students, instructors and owners and operators of schools of barbering and/or ~~beauty culture~~ cosmetology and owners of barber, ~~beauty~~ cosmetology, ~~manicure~~ nail technology, and aesthetic ~~shops~~ salons.

1.2. Authority. -- W. Va. Code § 30-27-6.

1.3. Filing Date. ~~May 12, 2017.~~

1.4. Effective Date. ~~May 12, 2017.~~

1.5. Sunset Provision: This rule shall terminate and have no further force or effect on August 1, 2035.

§ 3-6-2. Schedule of Fees.

2.1	Examination and re-examination fee (to be paid to the National Interstate Council [NIC] sponsored third-party examiner) (Cost of exams are based on NIC rates not to exceed \$114.00) Current Rates [National Written, National Practical, & State Law = \$107.00] [National Written and National Practical or National Practical and State Law or National Practical - \$107.00] [National Written and State Law or National Written - \$80.00] [State Law - \$50.00]	
2.2	Issuance or License fee	\$35.00 <u>\$45.00</u>
2.3	Reciprocity, application without exam fee	\$100.00
2.4	Annual license renewal fee	\$35.00 <u>\$45.00</u>
2.5	Late renewal fee for license renewal: <i>Plus a \$10.00 late fee for each 30 days late not to exceed \$205.00</i>	\$35.00 <u>\$45.00</u>
2.6	Student permit	\$25.00
2.7	Initial licensed instructor <u>certification</u> fee	\$50.00
2.8	Annual renewal of licensed instructor <u>certification</u> fee	\$50.00
2.9	Late Renewal Fee for instructor license <u>certification</u> : <i>Plus a \$10.00 late fee for each 30 days late not to exceed \$205.00</i>	\$50.00
2.10	Registration fee for booth or chair rental	\$15.00 <u>\$20.00</u>
2.11	Annual renewal for booth or chair rental	\$15.00 <u>\$20.00</u>
2.2 <u>2.12</u>	Late renewal for booth or chair rental: <i>Plus \$10.00 late fee for each 30 days late not to exceed \$100.00</i>	\$15.00 <u>\$20.00</u>

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2.13	Shop Salon or school opening inspection fee	\$50.00
2.14	Duplicate license fee	\$10.00
2.15	Initial license fee for beauty cosmetology, barber, manicure nail technology, and aesthetician aesthetic shop salon	\$40.00 <u>\$55.00</u>
2.16	Annual renewal fee for beauty cosmetology, barber, manicure nail technology, and aesthetician aesthetic shop salon	\$40.00 <u>\$55.00</u>
2.17	Late Renewal Fee for shop salon license: <i>Plus a \$10.00 late for each 30 days late</i>	\$40.00 <u>\$55.00</u>
2.18	Fee for certification of licensure	\$35.00
2.19	Continuing Education Provide Annual Certificate <i>This is intended for approved providers of continuing education.</i>	\$100.00
2.20	Online Sanitation and Law Continuing Education <i>This is for individual licensees that take the Board's online continuing education classes for sanitation and law.</i>	\$25.00
2.21 <u>2.19</u>	Place individual license on inactive status	\$10.00
2.22 <u>2.20</u>	Work permit fee	\$15.00
2.23 <u>2.21</u>	Initial certification fee for waxing specialist	\$35.00 <u>\$45.00</u>
2.24 <u>2.22</u>	Annual renewal certification fee for waxing specialist	\$35.00 <u>\$45.00</u>
2.25 <u>2.23</u>	Late renewal fee for waxing specialist certification <i>Plus a \$10 late fee for each 30 days late not to exceed \$205.00</i>	\$35.00 <u>\$45.00</u>
2.26	Initial permit fee for shampoo assistant	\$35.00
2.27	Annual renewal permit fee for shampoo assistant	\$35.00
2.28	Late renewal fee for shampoo assistant: <i>Plus a \$10 late fee for each 30 days late not to exceed \$100.00</i>	\$35.00