

By: Representative Bowles

To: Public Health and  
Welfare

## HOUSE BILL NO. 1202

1 AN ACT TO AMEND SECTION 73-5-1, MISSISSIPPI CODE OF 1972, TO  
2 RECONSTITUTE THE MEMBERSHIP OF THE STATE BOARD OF BARBER  
3 EXAMINERS; TO REQUIRE THE APPOINTMENT OF MEMBERS OF THE BOARD FROM  
4 SUPREME COURT DISTRICTS AND FROM THE STATE AT LARGE; TO REQUIRE  
5 THAT AT LEAST ONE MEMBER OF THE BOARD BE A CONSUMER REPRESENTATIVE  
6 WITH FINANCIAL MANAGEMENT EXPERIENCE OR A CERTIFIED PUBLIC  
7 ACCOUNTANT; TO REQUIRE THAT THE BOARD HAVE NO MORE THAN ONE MEMBER  
8 WHO IS AFFILIATED WITH A BARBERING COLLEGE; TO AMEND SECTION  
9 73-5-17, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT BARBERING  
10 EXAMINATIONS BE BASED ON STANDARDS OF THE COUNCIL ON LICENSURE,  
11 ENFORCEMENT AND REGULATION, AFFILIATED WITH THE COUNCIL OF STATE  
12 GOVERNMENTS; TO REQUIRE THAT NO PERSON INTERESTED IN A BARBERING  
13 COLLEGE BE INVOLVED IN THE GRADING OF EXAMINATIONS; AND FOR  
14 RELATED PURPOSES.

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

16 SECTION 1. Section 73-5-1, Mississippi Code of 1972, is  
17 amended as follows:

18 73-5-1. The State Board of Barber Examiners is \* \* \*  
19 continued and reconstituted as follows: The board \* \* \* shall  
20 consist of five (5) members which shall include three (3) barber  
21 members, one (1) appointed from each of the three (3) Supreme  
22 Court Districts. None of the three (3) barber members shall be  
23 owners or in any way associated with a barbering school. One (1)  
24 member shall be a barber or a barber instructor appointed from the  
25 state-at-large, and (1) member shall be a consumer representative  
26 appointed from the state-at-large. All barber members must have  
27 been actively engaged in the practice of barbering for at least  
28 five (5) years before appointment to the board. A barber  
29 instructor must be currently active as a barbering instructor, and  
30 must have been actively engaged in the practice of barbering or  
31 instructing at a barbering school for at least five (5) years  
32 before appointment to the board. The consumer representative

33 shall be a person with financial management experience or a  
34 certified public accountant. A person with financial management  
35 experience shall be a person who has experience in overseeing the  
36 accounting or financial functions of a business, public agency, or  
37 not-for-profit entity. The consumer representative shall not have  
38 any interest in or involvement with any barbershop or barbering  
39 school. Not more than one (1) member may be an owner, employee,  
40 or otherwise involved in the operation, management, or ownership  
41 of a barbering school. All appointments shall be made by the  
42 Governor with the advice and consent of the Senate. All members  
43 shall be qualified electors of the state and of good moral  
44 character.

45 (2) The initial term of the member from the First Supreme  
46 Court District shall expire on June 30, 2000; the initial term of  
47 the member from the Second Supreme Court District shall expire on  
48 June 30, 2001; and the initial term of the member from the Third  
49 Supreme Court District shall expire on June 30, 2002. The initial  
50 terms for both state-at-large appointees shall expire on June 30,  
51 2003. After the expiration of the initial terms, the terms of all  
52 members shall be for four (4) years from the expiration date of  
53 the previous term. The Governor shall have the authority to  
54 appoint members to succeed board members who vacate their  
55 positions. Appointments made to fill a vacancy of a term shall be  
56 made by the Governor within sixty (60) days after the vacancy  
57 occurs. Vacancies shall be filled in accordance with Section  
58 7-1-35.

59 (3) Any member who fails to attend more than two (2)  
60 consecutive meetings of the board for reasons other than illness  
61 of the member shall be deemed to have vacated his office and be  
62 subject to replacement by the Governor. The president of the  
63 board shall report to the Governor all instances where a member  
64 has failed to attend two (2) consecutive meetings.

65 (4) All members serving as of June 30, 1999, shall be  
66 eligible for reappointment to the board if they meet the  
67 requirements of this section.

68 SECTION 2. Section 73-5-17, Mississippi Code of 1972, is  
69 amended as follows:

70           73-5-17. The Board of Barber Examiners shall conduct  
71 examinations of applicants for certificates of registration to  
72 practice as registered barbers not less than three (3) times a  
73 year, which examination shall be had in some town or city selected  
74 by the examining board. Examinations of applicants for  
75 certificates of registration as barber instructors shall be  
76 conducted at a time and place selected by the examining board.

77           The board shall administer a barbering examination or  
78 examinations for barber and barber instructor candidates that  
79 measure the professional competency of the candidates. These  
80 examinations shall be in compliance with the professional testing  
81 standards developed by the Council on Licensure, Enforcement and  
82 Regulation, affiliated with the Council of State Governments. No  
83 member of the board who is involved in the ownership, management  
84 or operation of a barbering school shall participate in the  
85 development or grading of barbering examinations.

86           SECTION 3. This act shall take effect and be in force from  
87 and after July 1, 1999.