

By: Senator(s) Nunnelee

To: Public Health and Welfare

SENATE BILL NO. 2085

1 AN ACT TO REENACT SECTIONS 73-7-1 THROUGH 73-7-61,
 2 MISSISSIPPI CODE OF 1972, WHICH CREATE AND EMPOWER THE STATE BOARD
 3 OF COSMETOLOGY AND PROVIDE STANDARDS FOR THE PRACTICE OF
 4 COSMETOLOGY, ESTHETICS, MANICURING, PEDICURING AND WIGOLOGY; TO
 5 AMEND SECTION 73-7-15, MISSISSIPPI CODE OF 1972, TO PROVIDE
 6 STANDARDS FOR THE LICENSURE OF WIGOLOGY INSTRUCTORS; TO AMEND
 7 SECTION 73-7-16, MISSISSIPPI CODE OF 1972, TO CLARIFY BIENNIAL
 8 RENEWAL FEES FOR SCHOOLS OF COSMETOLOGY; TO AMEND SECTION 73-7-33,
 9 MISSISSIPPI CODE OF 1972, TO CLARIFY SANITATION RULES FOR
 10 MANICURISTS, ESTHETICIANS AND WIG SPECIALISTS; TO AMEND SECTION
 11 73-7-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC
 12 REPEALER ON THOSE STATUTES WHICH CREATE AND EMPOWER THE STATE
 13 BOARD OF COSMETOLOGY AND PROVIDE STANDARDS FOR THE PRACTICE OF
 14 COSMETOLOGY, ESTHETICS, MANICURING, PEDICURING AND WIGOLOGY; AND
 15 FOR RELATED PURPOSES.

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

17 **SECTION 1.** Section 73-7-1, Mississippi Code of 1972, is
 18 reenacted as follows:

19 73-7-1. There is hereby continued and reconstituted a State
 20 Board of Cosmetology, composed of five (5) members to be appointed
 21 by the Governor, with the advice and consent of the Senate, and
 22 whose term of office shall be four (4) years from the date of
 23 appointment except as otherwise provided herein. However, no more
 24 than two (2) members shall be appointed from each Supreme Court
 25 district.

26 There shall be a president of the board and such other
 27 officers as deemed necessary by the board elected by and from its
 28 membership, provided that the member elected as president shall
 29 have at least one (1) year of experience on the board. Any member
 30 appointed by the Governor and confirmed by the Senate for a term
 31 to begin on or after July 1, 1997, who was designated by the
 32 Governor to serve as president of the board, shall be fully
 33 qualified to serve on the board for a full term of office, but

34 shall not serve as president of the board unless elected by the
35 membership of the board as provided under this paragraph.

36 To be eligible for appointment as a member of the State Board
37 of Cosmetology, the person applying shall have been a citizen of
38 this state for a minimum of five (5) years immediately prior to
39 appointment. Such person shall be at least thirty (30) years of
40 age, possess a high school education or its equivalent, and shall
41 have been a licensed cosmetologist with not less than ten (10)
42 years' active practice in cosmetology. No member of the board
43 shall be connected in any way with any school wherein cosmetology
44 is taught, nor shall any two (2) members of the board be graduates
45 of the same school of cosmetology.

46 However, in the event of vacancy by death or resignation of
47 any member of the board, the Governor shall, within thirty (30)
48 days, appoint a person possessing all qualifications required to
49 serve the remainder of the term. Any member who shall not attend
50 two (2) consecutive meetings of the board for reasons other than
51 illness of such member shall be subject to removal by the
52 Governor. The president of the board shall notify the Governor in
53 writing when any such member has failed to attend two (2)
54 consecutive regular meetings.

55 The salaries of all paid employees of the board shall be paid
56 out of funds in the board's special fund in the State Treasury.
57 Each member of the board, excepting the inspectors provided for
58 herein, shall receive per diem as authorized by Section 25-3-69,
59 and shall be reimbursed for such other expenses at the same rate
60 and under the same conditions as other state employees as provided
61 for in Section 25-3-41.

62 The board shall give reasonable public notice of all board
63 meetings not less than ten (10) days prior to such meetings.

64 **SECTION 2.** Section 73-7-2, Mississippi Code of 1972, is
65 reenacted as follows:

66 73-7-2. As used in this chapter, the following terms shall
67 have the meanings ascribed herein unless the context otherwise
68 requires:

69 (a) "Board" means the State Board of Cosmetology.

70 (b) "Cosmetology" means any one (1) or a combination of
71 the following practices if they are performed on a person's head,
72 face, neck, shoulder, arms, hands, legs or feet for cosmetic
73 purposes:

74 (i) Cutting, clipping or trimming hair.

75 (ii) Styling, arranging, dressing, curling,
76 waving, permanent waving, straightening, cleansing, bleaching,
77 tinting, coloring or similarly treating hair.

78 (iii) Cleansing, stimulating, manipulating,
79 beautifying or applying oils, antiseptics, clays, lotions or other
80 preparations, either by hand or by mechanical or electrical
81 apparatus.

82 (iv) Arching eyebrows or tinting eyebrows and
83 eyelashes.

84 (v) Removing superfluous hair by the use of
85 depilatories.

86 (vi) Manicuring and pedicuring.

87 (c) "Cosmetologist" means a person who for
88 compensation, whether direct or indirect, engages in the practice
89 of cosmetology.

90 (d) "Esthetics" means any one (1) or a combination of
91 the following practices:

92 (i) Massaging the face or neck of a person.

93 (ii) Trimming eyebrows.

94 (iii) Tinting eyelashes or eyebrows.

95 (iv) Waxing, stimulating, cleaning or beautifying
96 the face, neck, arms or legs of a person by any method with the
97 aid of the hands or any mechanical or electrical apparatus, or by
98 the use of a cosmetic preparation.

99 The term "esthetics" shall not include the diagnosis,
100 treatment or therapy of any dermatological condition.

101 (e) "Esthetician" means any person who, for
102 compensation, either direct or indirect, engages in the practice
103 of esthetics.

104 (f) "Instructor" means a person licensed to teach
105 cosmetology, or manicuring and pedicuring, or esthetics, or
106 wigology, or all of those, pursuant to this chapter, and shall
107 include those persons engaged in the instruction of student
108 instructors.

109 (g) "Manicuring and pedicuring" means any one (1) or a
110 combination of the following practices:

111 (i) Cutting, trimming, polishing, coloring,
112 tinting, cleansing or otherwise treating a person's nails.

113 (ii) Applying artificial nails.

114 (iii) Massaging or cleaning a person's hands,
115 arms, legs or feet.

116 (h) "Manicurist" means a person who for compensation,
117 either direct or indirect, engages in the practice of manicuring
118 and pedicuring.

119 (i) "Master cosmetologist" means a person holding a
120 cosmetology license who has completed the minimum course of
121 continuing education prescribed by Section 73-7-14.

122 (j) "Salon" means an establishment operated for the
123 purpose of engaging in the practice of cosmetology, or manicuring
124 and pedicuring, or esthetics, or wigology, or all of those.

125 (k) "School" means an establishment, public or private,
126 operated for the purpose of teaching cosmetology, or manicuring
127 and pedicuring, or esthetics, or wigology, or all of those.

128 (l) "Wigology" means a service to a wig or hairpiece in
129 any one (1) or combination of the following:

130 (i) Arranging, dressing, waving or curling.

131 (ii) Cleaning.

132 (iii) Bleaching or coloring.

133 (iv) Cutting and shaping.

134 (m) "Wig specialist" means a person who, for
135 compensation, either direct or indirect, engages in the practice
136 of wigology.

137 **SECTION 3.** Section 73-7-3, Mississippi Code of 1972, is
138 reenacted as follows:

139 73-7-3. The board shall be authorized to employ such
140 clerical and stenographic assistance, bookkeepers, investigators
141 and other agents as they may deem necessary to carry out the
142 provisions of this chapter, and to fix their tenure of employment
143 and compensation therefor. The members of the board shall file a
144 bond with the Secretary of State in the sum of not less than Five
145 Thousand Dollars (\$5,000.00) payable to the State of Mississippi
146 for the faithful performance of their duties. The bond shall be
147 made by a surety company authorized to do business in this state,
148 the premium of the bond to be paid out of any money in the board's
149 special fund in the State Treasury.

150 The office of the board shall be located in the greater
151 metropolitan area of the City of Jackson, Mississippi, and in the
152 event office space cannot be obtained in any state-owned building,
153 the board is authorized to rent suitable office space and to pay
154 therefor out of funds in the board's special fund. The board
155 shall employ inspectors as needed, not to exceed seven (7), who
156 shall be full-time employees and whose salaries and duties shall
157 be fixed by the board.

158 The salaries of all paid employees of the board shall be paid
159 out of the funds in the board's special fund. The inspectors
160 shall, in addition to their salaries, be reimbursed for such
161 expenses as are allowed other state employees under the provisions
162 of Section 25-3-41. In addition to the paying of office rent, the
163 board is authorized to purchase necessary office furniture and

164 equipment, stationery, books, certificates and any other equipment
165 necessary for the proper administration of this chapter.

166 **SECTION 4.** Section 73-7-5, Mississippi Code of 1972, is
167 reenacted as follows:

168 73-7-5. (1) All fees and any other monies received by the
169 board shall be deposited in a special fund that is created in the
170 State Treasury and shall be used for the implementation and
171 administration of this chapter when appropriated by the
172 Legislature for such purpose. The monies in the special fund
173 shall be subject to all provisions of the state budget laws that
174 are applicable to special fund agencies, and shall be disbursed by
175 the State Treasurer only upon warrants issued by the State Fiscal
176 Officer upon requisitions signed by the president of the board or
177 another board member designated by the president, and
178 countersigned by the secretary of the board. Any interest earned
179 on this special fund shall be credited by the State Treasurer to
180 the fund and shall not be paid into the State General Fund. Any
181 unexpended monies remaining in the special fund at the end of a
182 fiscal year shall not lapse into the State General Fund.

183 (2) The State Auditor shall audit the financial affairs of
184 the board and the transactions involving the special fund at least
185 once a year in the same manner as for other special fund agencies.
186 In addition, the Governor, in his discretion, shall have the power
187 from time to time to require an audit of the financial affairs of
188 the board, the same to be made by the State Auditor upon request
189 of the Governor. The Governor shall have the power to suspend any
190 member of the board who shall be found in default in any account
191 until such time as it shall be determined whether such default was
192 a result of an act of dishonesty on the part of the member, and in
193 the event it is found that such default is an act of dishonesty,
194 misfeasance or nonfeasance on the part of the member, such member
195 shall be immediately removed by the Governor from office.

196 **SECTION 5.** Section 73-7-7, Mississippi Code of 1972, is
197 reenacted as follows:

198 73-7-7. The board shall have authority to make reasonable
199 rules and regulations for the administration of the provisions of
200 this chapter. The board shall set up a curriculum for operation
201 of schools of cosmetology and the other professions it is charged
202 to regulate in this state. The board shall receive and consider
203 for adoption recommendations for rules and regulations, school
204 curriculum, and related matters from the Mississippi Cosmetology
205 Council, whose membership shall consist of, in addition to the
206 board members, five (5) elected delegates from the Mississippi
207 Hairdressers and Cosmetologists Association, five (5) elected
208 delegates from the Mississippi Cosmetology School Association,
209 five (5) elected delegates from the Mississippi Independent
210 Beauticians Association, and five (5) elected delegates from the
211 School Owners and Teachers Association. The board may revoke the
212 license of any cosmetologist, esthetician, manicurist, wig
213 specialist, instructor, school of cosmetology, or salon, or may
214 refuse to issue a license to any cosmetologist, esthetician,
215 manicurist, wig specialist, instructor, school of cosmetology, or
216 salon that fails or refuses to comply with the provisions of this
217 chapter and the rules and regulations of the board in carrying out
218 the provisions of this chapter.

219 The board shall have authority to prescribe reasonable rules
220 and regulations governing sanitation of schools of cosmetology and
221 beauty salons for the guidance of persons licensed under this
222 chapter in the operation of schools of cosmetology, or a beauty
223 salon, and in the practice of cosmetology, esthetics, manicuring
224 and pedicuring, and wigology. However, any and all rules and
225 regulations relating to sanitation shall, before adoption by the
226 board, have the written approval of the State Board of Health.
227 When the board has reason to believe that any of the provisions of
228 this chapter or of the rules and regulations of the board have

229 been violated, either upon receipt of a written complaint alleging
230 such violations or upon the board's own initiative, the board, or
231 any of its authorized agents, shall investigate same and shall
232 have authority to enter upon the premises of a school of
233 cosmetology or salon at any time during the regular business hours
234 of that school or salon to conduct the investigation. Such
235 investigation may include, but not be limited to, conducting oral
236 interviews with the complaining party, school or salon owner(s)
237 and/or students of the school, and reviewing records of the school
238 or salon pertinent to the complaint and related to an area subject
239 to the authority of the board. Such investigation shall not
240 include written interviews or surveys of school employees or
241 students, and the privacy of patrons shall be respected by any
242 person making such investigation.

243 On or before July 1, 2001, the board shall adopt regulations
244 to ensure that all fingernail service products used by licensed
245 cosmetologists, manicurists and other licensees do not contain
246 methyl methacrylate (MMA) as a monomer agent for cosmetic nail
247 applications.

248 If the board finds that a violation of the provisions of this
249 chapter or the rules and regulations of the board has occurred, it
250 may cause a hearing to be held as set forth in Section 73-7-27.

251 **SECTION 6.** Section 73-7-9, Mississippi Code of 1972, is
252 reenacted as follows:

253 73-7-9. No person required by this chapter to have a license
254 shall conduct a beauty salon or school of cosmetology, or practice
255 cosmetology, esthetics, manicuring and pedicuring, or wigology, or
256 practice as an instructor, unless such person has received a
257 license or temporary permit therefor from the board. Students
258 determined to have violated any of these rules or regulations
259 prior to being licensed by the board shall be subject to the same
260 discipline by the board as licensees. They may be disciplined and
261 fined accordingly.

262 **SECTION 7.** Section 73-7-11, Mississippi Code of 1972, is
263 reenacted as follows:

264 73-7-11. Each owner of a certificate of registration issued
265 by the state board, pursuant to the provisions of this chapter,
266 shall display said certificate of registration in a conspicuous
267 place in his or her principal office, place of business or
268 employment, at all times.

269 **SECTION 8.** Section 73-7-12, Mississippi Code of 1972, is
270 reenacted as follows:

271 73-7-12. The board shall hold examinations for
272 cosmetologists, estheticians, manicurists, wig specialists and
273 instructors at least twice a year and at such other times as the
274 board may determine.

275 **SECTION 9.** Section 73-7-13, Mississippi Code of 1972, is
276 reenacted as follows:

277 73-7-13. (1) The board shall admit to examination for a
278 cosmetology license any person who has made application to the
279 board in proper form, has paid the required fee, and who (a) is at
280 least seventeen (17) years of age, (b) can read, write and speak
281 English, (c) has successfully completed no less than fifteen
282 hundred (1500) hours over a period of no less than nine (9) months
283 in an accredited school of cosmetology, and (d) has a high school
284 education or its equivalent.

285 The board may, in its discretion, issue to any student who
286 has completed the prescribed hours in an accredited school in
287 Mississippi a temporary permit until such time as the next
288 examination may be held, but such student shall be issued only one
289 (1) temporary permit. Application for an examination and license
290 shall be accompanied by two (2) recent head photographs of the
291 applicant. No temporary permit will be issued an applicant from
292 any other state to operate a beauty salon or school of cosmetology
293 in this state unless in case of emergency.

294 Applicants for the cosmetologist examination, after having
295 satisfactorily passed the prescribed examination, shall be issued
296 a cosmetology license which until June 30, 2001, shall be valid
297 for one (1) year, and after July 1, 2001, shall be valid for two
298 (2) years, and all those licenses shall be subject to renewal.

299 Any barber who can read, write and speak English and has
300 successfully completed no less than fifteen hundred (1500) hours
301 in an accredited barber school, and who holds a current valid
302 certificate of registration to practice barbering and who holds a
303 current valid license, is eligible to take the cosmetology
304 examination to secure a cosmetology license upon successfully
305 completing five hundred (500) hours in an accredited school of
306 cosmetology. All fees for application, examination, registration
307 and renewal thereof shall be the same as provided for
308 cosmetologists.

309 (2) Each application or filing made under this section shall
310 include the social security number(s) of the applicant in
311 accordance with Section 93-11-64.

312 (3) Any licensed cosmetologist, esthetician, manicurist or
313 wigologist who is registered but not actively practicing in the
314 State of Mississippi at the time of making application for
315 renewal, may apply for registration on the "inactive" list. Such
316 "inactive" list shall be maintained by the board and shall set out
317 the names and post office addresses of all persons registered but
318 not actively practicing in this state, arranged alphabetically by
319 name and also by the municipalities and states of their last known
320 professional or residential address. Only the cosmetologists,
321 estheticians, manicurists and wigologists registered on the
322 appropriate list as actively practicing in the State of
323 Mississippi shall be authorized to practice those professions.
324 For the purpose of this section, any licensed cosmetologist,
325 esthetician, manicurist or wigologist who has actively practiced
326 his or her profession for at least three (3) months of the

327 immediately preceding license renewal period shall be considered
328 in active practice. No cosmetologist, esthetician, manicurist or
329 wigologist shall be registered on the "inactive" list until the
330 person has furnished a statement of intent to take such action to
331 the board. Any licensed cosmetologist, esthetician, manicurist or
332 wigologist registered on the "inactive" list shall not be eligible
333 for registration on the active list until either of the following
334 conditions have been satisfied:

335 (a) Written application shall be submitted to the State
336 Board of Cosmetology stating the reasons for such inactivity and
337 setting forth such other information as the board may require on
338 an individual basis and completion of the number of clock hours of
339 continuing education as approved by the board; or

340 (b) Evidence to the satisfaction of the board shall be
341 submitted that they have actively practiced their profession in
342 good standing in another state and have not been guilty of conduct
343 that would warrant suspension or revocation as provided by
344 applicable law; and

345 (c) Payment of the fee for processing such inactive
346 license.

347 **SECTION 10.** Section 73-7-14, Mississippi Code of 1972, is
348 reenacted as follows:

349 73-7-14. Any person who holds a current, valid cosmetology
350 license may be licensed as a master cosmetologist if he or she has
351 been a licensed cosmetologist in this state for a period of not
352 less than twelve (12) months, and has completed a minimum course
353 of sixteen (16) hours' study in continuing education approved by
354 the board within the licensing period preceding initial
355 application for the license, and has paid the original license
356 fee. Master cosmetologist licenses shall be renewable upon
357 completion of a minimum course of eight (8) hours' study in
358 continuing education approved by the board within a licensing
359 period and payment of the required renewal fee. This is an

360 optional license and persons who do not wish to complete the
361 continuing education requirement may obtain a cosmetology license
362 when renewing their license.

363 Each application or filing made under this section shall
364 include the social security number(s) of the applicant in
365 accordance with Section 93-11-64, Mississippi Code of 1972.

366 **SECTION 11.** Section 73-7-15, Mississippi Code of 1972, is
367 reenacted and amended as follows:

368 73-7-15. (1) The board shall admit to examination for a
369 cosmetology instructor's license any person who has made
370 application to the board in proper form, has paid the required
371 fee, and who:

- 372 (a) Is not less than twenty-one (21) years of age;
- 373 (b) Can read, write and speak English;
- 374 (c) Is a graduate of an accredited cosmetology school;
- 375 (d) Has a high school education or its equivalent;
- 376 (e) Has successfully completed seven hundred fifty
377 (750) hours of instructor training in an accredited school of
378 cosmetology;
- 379 (f) Has successfully completed twelve (12) semester
380 hours in college courses approved by the board;
- 381 (g) Holds a current, valid Mississippi cosmetology
382 license; and
- 383 (h) Has at least two (2) years' active practical
384 experience as a licensed cosmetologist or, as an alternative to
385 such experience, has successfully completed two thousand (2,000)
386 hours of instructor training in an accredited school of
387 cosmetology.

388 (2) The board shall admit to examination for an esthetics
389 instructor's license any person who has made application to the
390 board in proper form, has paid the required fee, and who:

- 391 (a) Is not less than twenty-one (21) years of age;
- 392 (b) Can read, write and speak English;

393 (c) Has a high school education or its equivalent;

394 (d) Has successfully completed six hundred (600) hours
395 of instructor training in an accredited school in which the
396 practice of esthetics is taught;

397 (e) Has successfully completed twelve (12) semester
398 hours in college courses approved by the board;

399 (f) Holds a current, valid Mississippi esthetician's
400 license; and

401 (g) Has had two (2) years of active practical
402 experience as an esthetician or, as an alternative to such
403 experience, has successfully completed one thousand (1,000) hours
404 of instructor training in an accredited school in which the
405 practice of esthetics is taught.

406 (3) The board shall admit to examination for a manicurist
407 instructor's license any person who has made application to the
408 board in proper form, has paid the required fee, and who:

409 (a) Is not less than twenty-one (21) years of age;

410 (b) Can read, write and speak English;

411 (c) Has a high school education or its equivalent;

412 (d) Has successfully completed six hundred (600) hours
413 of instructor training in an accredited school in which the
414 practice of manicuring is taught;

415 (e) Has successfully completed twelve (12) semester
416 hours in college courses approved by the board;

417 (f) Holds a current, valid Mississippi manicurist's
418 license; and

419 (g) Has had two (2) years of active practical
420 experience as a manicurist or, as an alternative to such
421 experience, has successfully completed one thousand (1,000) hours
422 of instructor training in an accredited school in which the
423 practice of manicuring is taught.

424 (4) The board shall admit to examination for a wigologist
425 instructor's license any person who has made application to the
426 board in proper form, has paid the required fee, and who:

427 (a) Is not less than twenty-one (21) years of age;

428 (b) Can read, write and speak English;

429 (c) Has a high school education or its equivalent;

430 (d) Has successfully completed six hundred (600) hours of
431 instructor training in an accredited school in which the practice
432 of wigology is taught;

433 (e) Has successfully completed twelve (12) semester hours in
434 college courses approved by the board;

435 (f) Holds a current, valid Mississippi wigologist's license;

436 and

437 (g) Has at least two (2) years' active practical experience
438 as a licensed wigologist, or as an alternative to such experience,
439 has successfully completed one thousand (1,000) hours of
440 instructor training in an accredited school in which the practice
441 of wigology is taught.

442 (5) Applicants shall satisfactorily pass the examination
443 prescribed by the board for licensing instructors prior to the
444 issuance of the licenses provided for in this section. However,
445 the board may, in its discretion, issue a temporary instructor's
446 permit until such time as the next examination may be held, but
447 such applicant shall be issued only one (1) temporary permit. All
448 applications for an instructor's examination shall be accompanied
449 by two (2) recent head photographs of the applicant.

450 (6) All instructors licensed pursuant to this section shall
451 biennially obtain twenty-four (24) clock hours of continuing
452 education in teacher training instruction in cosmetology or
453 esthetics or manicuring, as the case may be, as approved by the
454 board. Any instructor who fails to obtain the continuing
455 education required by this subsection shall not be allowed to
456 instruct nor enroll students under his or her license until such

457 education requirement has been met. The board may issue an
458 inactive instructor's license to such instructors, and an inactive
459 license may be converted into an active license after proof
460 satisfactory to the board of completion of at least twenty-four
461 (24) clock hours of approved continuing education required for
462 teacher training instruction.

463 (7) Each application or filing made under this section shall
464 include the social security number(s) of the applicant in
465 accordance with Section 93-11-64.

466 **SECTION 12.** Section 73-7-16, Mississippi Code of 1972, is
467 reenacted and amended as follows:

468 73-7-16. All schools of cosmetology or school owners shall
469 have a school license and shall pay to the board the required
470 license fee biennially therefor. A grace period of sixty (60)
471 days will be given in which to renew the license, and upon the
472 expiration of the grace period of sixty (60) days, any applicant
473 for the renewal of a school license will be required to pay a
474 delinquent fee in addition to the renewal fee. The board is
475 hereby authorized and empowered to promulgate necessary and
476 reasonable rules and regulations for the issuance and renewal of
477 school licenses. However, the board shall not refuse to issue or
478 renew a school's license because of the number of schools already
479 in that area of the state, and any rule promulgated by the board
480 for that purpose shall be null and void.

481 Each application or filing made under this section shall
482 include the social security number(s) of the applicant in
483 accordance with Section 93-11-64, Mississippi Code of 1972.

484 **SECTION 13.** Section 73-7-17, Mississippi Code of 1972, is
485 reenacted as follows:

486 73-7-17. All salon owners shall have a salon license and
487 shall pay to the board the required license fee therefor and pay
488 the required renewal fee for renewal thereof. A grace period of
489 sixty (60) days will be given in which to renew the license, and

490 upon the expiration of the grace period of sixty (60) days any
491 applicant for the renewal of a salon license will be required to
492 pay a delinquent fee in addition to the renewal fee. Prior to the
493 initial issuance of such license, the board shall inspect the
494 premises to determine if same qualifies with the law, upon payment
495 by the applicant of the required inspection fee.

496 Each application or filing made under this section shall
497 include the social security number(s) of the applicant in
498 accordance with Section 93-11-64, Mississippi Code of 1972.

499 **SECTION 14.** Section 73-7-18, Mississippi Code of 1972, is
500 reenacted as follows:

501 73-7-18. (1) The board shall admit to examination for an
502 esthetician's license any person who has made application to the
503 board in proper form, has paid the required fee, and who:

504 (a) Is not less than seventeen (17) years of age;

505 (b) Can read, write and speak English;

506 (c) Has a high school education or its equivalent; and

507 (d) Has successfully completed a course of training in

508 esthetics of not less than six hundred (600) hours in an

509 accredited school in which the practice of esthetics is taught,

510 including not less than one hundred (100) hours of theory and five

511 hundred (500) hours of skill practice.

512 Any licensed esthetician wishing to acquire a cosmetology

513 license may apply the six hundred (600) hours of esthetics

514 training toward the requirements for a cosmetology license.

515 (2) Every person who has completed not less than three

516 hundred fifty (350) hours of training in esthetics approved by the

517 board in this or any other state prior to July 1, 1987, shall be

518 registered with the board within a period not exceeding six (6)

519 months after July 1, 1987, and shall be granted an esthetician's

520 license by the board if such person presents satisfactory evidence

521 to the board that he or she has fulfilled all the requirements to

522 be admitted to examination except the training hours requirement.

523 (3) Each application or filing made under this section shall
524 include the social security number(s) of the applicant in
525 accordance with Section 93-11-64, Mississippi Code of 1972.

526 **SECTION 15.** Section 73-7-19, Mississippi Code of 1972, is
527 reenacted as follows:

528 73-7-19. Until June 30, 2001, all licenses issued under the
529 provisions of this chapter shall expire one (1) year from date of
530 issue; however, the board may authorize any licensee to renew his
531 or her license for a two-year period until June 30, 2001, after
532 which all licenses shall be renewed biennially under the fee
533 schedule in Section 73-7-29. Applications for renewal of licenses
534 for cosmetologists, estheticians, manicurists, wig specialists and
535 instructors must be accompanied by the required renewal fee. A
536 grace period of sixty (60) days will be given in which to renew
537 the license; and upon the expiration of the grace period of sixty
538 (60) days, any applicant for the renewal of a license will be
539 required to pay the required renewal fee and a delinquent fee in
540 addition to the renewal fee. The fees may be paid by either
541 personal or certified check, cash or money order, under such
542 safeguards, rules and regulations as the board may prescribe.
543 Checks returned to the board because of insufficient funds shall
544 result in nonrenewal of the license, which will require the
545 penalty fee for insufficient fund checks plus all other amounts
546 due for renewal of the license before the license may be renewed.
547 After one (1) year has passed from the expiration date of the
548 license, a delinquent fee must be paid for each year up to three
549 (3) years, after which the required examination must be taken.
550 All applications for examination required by this chapter shall
551 expire ninety (90) days from the date thereof.

552 Each application or filing made under this section shall
553 include the social security number(s) of the applicant in
554 accordance with Section 93-11-64.

555 **SECTION 16.** Section 73-7-21, Mississippi Code of 1972, is
556 reenacted as follows:

557 73-7-21. The board shall admit to examination for a
558 manicurist's license any person who has made application to the
559 board in proper form, has paid the required fee, and who:

560 (a) Is at least seventeen (17) years of age;

561 (b) Can read, write and speak English;

562 (c) Has successfully completed no less than three
563 hundred fifty (350) hours of practice and related theory in
564 manicuring and pedicuring over a period of no less than nine (9)
565 weeks in an accredited school of cosmetology in this or any other
566 state; and

567 (d) Has a high school education or its equivalent.

568 Licensed manicurists desiring to pursue additional hours to
569 be eligible for a license as a cosmetologist may be credited with
570 the three hundred fifty (350) hours acquired in studying and
571 training to be a manicurist which may be applied to the number of
572 hours required for a cosmetology license examination.

573 The board shall adopt regulations governing the use of power
574 drills for the purpose of filing false or natural fingernails.

575 Each application or filing made under this section shall
576 include the social security number(s) of the applicant in
577 accordance with Section 93-11-64.

578 **SECTION 17.** Section 73-7-23, Mississippi Code of 1972, is
579 reenacted as follows:

580 73-7-23. The board may, upon application, issue a license by
581 reciprocity to any cosmetologist, esthetician, manicurist or wig
582 specialist over the age of seventeen (17) years from any other
583 state who has satisfactorily completed the required number of
584 accredited hours in that state, provided the state board from
585 which the applicant comes issues to cosmetologists, estheticians,
586 manicurists or wig specialists, as the case may be, from the State
587 of Mississippi a license under the same conditions. Applications

588 must be accompanied by (a) proof satisfactory to the board that
589 the required hours have been completed, and (b) the required
590 reciprocity fee, which shall be paid to the board.

591 An instructor from any other state may be qualified for
592 instructor's examination upon presenting a valid instructor's
593 license and proof of a high school education or its equivalent,
594 provided that the instructor (a) has had three (3) years or more
595 of experience as a licensed instructor prior to application, (b)
596 can read, write and speak English, and (c) has completed twelve
597 (12) semester hours in college courses approved by the board.
598 Such application must be accompanied by two (2) recent head
599 photographs of the applicant. Applicants shall pay the required
600 examination fee and license fee.

601 **SECTION 18.** Section 73-7-25, Mississippi Code of 1972, is
602 reenacted as follows:

603 73-7-25. Every demonstrator in the field of cosmetology
604 shall, before making demonstrations in a salon or school, apply
605 for and obtain a permit from the board. For such permit, which
606 shall be for one (1) year, the required fee shall be paid to the
607 board. This section shall be construed to apply to demonstrators
608 in salons and schools.

609 **SECTION 19.** Section 73-7-27, Mississippi Code of 1972, is
610 reenacted as follows:

611 73-7-27. (1) Any complaint may be filed with the board by a
612 member or agent of the board or by any person charging any
613 licensee of the board with the commission of any of the offenses
614 enumerated in subsection (2) of this section. Such complaint
615 shall be in writing, signed by the accuser or accusers, and
616 verified under oath, and such complaints shall be investigated as
617 set forth in Section 73-7-7. If, after the investigation, the
618 board through its administrative review agents determines that
619 there is not substantial justification to believe that the accused
620 licensee has committed any of the offenses enumerated, it may

621 dismiss the complaint or may prepare a formal complaint proceeding
622 against the licensee as hereinafter provided. When used with
623 reference to any complaint filed against a licensee herein, the
624 term "not substantial justification" means a complaint that is
625 frivolous, groundless in fact or law, or vexatious, as determined
626 by unanimous vote of the board. In the event of a dismissal, the
627 person filing the accusation and the accused licensee shall be
628 given written notice of the board's determination. If the board
629 determines there is reasonable cause to believe the accused has
630 committed any of those offenses, the secretary of the board shall
631 give written notice of such determination to the accused licensee
632 and set a day for a hearing as provided in subsection (3) of this
633 section.

634 (2) The board shall have the power to revoke, suspend or
635 refuse to issue or renew any license or certificate provided for
636 in this chapter, and to fine, place on probation and/or otherwise
637 discipline a student or licensee or holder of a certificate, upon
638 proof that such person: (a) has not complied with or has violated
639 any of the rules and regulations promulgated by the board; (b) has
640 not complied with or has violated any of the sections of this
641 chapter; (c) has committed fraud or dishonest conduct in the
642 taking of the examination herein provided for; (d) has been
643 convicted of a felony; (e) has committed grossly unprofessional or
644 dishonest conduct; (f) is addicted to the excessive use of
645 intoxicating liquors or to the use of drugs to such an extent as
646 to render him or her unfit to practice in any of the practices or
647 occupations set forth in this chapter; (g) has advertised by means
648 of knowingly false or deceptive statements; or (h) has failed to
649 display the license or certificate issued to him or her as
650 provided for in this chapter; or (i) has been convicted of
651 violating any of the provisions of this chapter. A conviction of
652 violating any of the provisions of this chapter shall be grounds

653 for automatic suspension of the license or certificate of such
654 person.

655 (3) The board shall not revoke, suspend or refuse to issue
656 or renew any license or certificate, or fine, place on probation
657 or otherwise discipline any person in a disciplinary matter except
658 after a hearing of which the applicant or licensee or holder of
659 the certificate affected shall be given at least twenty (20) days'
660 notice in writing, specifying the reason or reasons for denying
661 the applicant a license or certificate of registration, or in the
662 case of any other disciplinary action, the offense or offenses of
663 which the licensee or holder of a certificate of registration is
664 charged. Such notice may be served by mailing a copy thereof by
665 United States first-class certified mail, postage prepaid, to the
666 last known residence or business address of such applicant,
667 licensee or holder of a certificate. The hearing on such charges
668 shall be at such time and place as the board may prescribe.

669 (4) At such hearings, all witnesses shall be sworn by a
670 member of the board, and stenographic notes of the proceedings
671 shall be taken. Any party to the proceedings desiring it shall be
672 furnished with a copy of such stenographic notes upon payment to
673 the board of such fees as it shall prescribe, not exceeding,
674 however, the actual costs of transcription.

675 (5) The board is hereby authorized and empowered to issue
676 subpoenas for the attendance of witnesses and the production of
677 books and papers. The process issued by the board shall extend to
678 all parts of the state and such process shall be served by any
679 person designated by the board for such service. The person
680 serving such process shall receive such compensation as may be
681 allowed by the board, not to exceed the fee prescribed by law for
682 similar services. All witnesses who shall be subpoenaed, and who
683 shall appear in any proceedings before the board, shall receive
684 the same fees and mileage as allowed by law.

685 (6) Where in any proceeding before the board any witness
686 shall fail or refuse to attend upon subpoena issued by the board,
687 shall refuse to testify, or shall refuse to produce any books and
688 papers, the production of which is called for by the subpoena, the
689 attendance of such witness and the giving of his testimony and the
690 production of the books and papers shall be enforced by any court
691 of competent jurisdiction of this state, in manner as are enforced
692 the attendance and testimony of witnesses in civil cases in the
693 courts of this state.

694 (7) The board shall conduct the hearing in an orderly and
695 continuous manner, granting continuances only when the ends of
696 justice may be served. The board shall, within sixty (60) days
697 after conclusion of the hearing, reduce its decision to writing
698 and forward an attested true copy thereof to the last known
699 residence or business address of such applicant, licensee or
700 holder of a certificate, by way of United States first-class
701 certified mail, postage prepaid. Such applicant, licensee, holder
702 of a certificate, or person aggrieved shall have the right of
703 appeal from an adverse ruling, or order, or decision of the board
704 to the chancery court upon forwarding notice of appeal to the
705 board within thirty (30) days after the decision of the board is
706 mailed in the manner here contemplated. An appeal will not be
707 allowed in the event notice of appeal, together with the appeal
708 bond hereinafter required, shall not have been forwarded to the
709 board within the thirty-day period. Appeal shall be to the
710 chancery court of the county and judicial district of the
711 residence of the appellant, or to the Chancery Court of the First
712 Judicial District of Hinds County, Mississippi, at the election of
713 the appellant. The notice of appeal shall elect venue, unless the
714 appellant be a nonresident of the State of Mississippi, in which
715 event the board shall certify all documents and evidence directly
716 to the Chancery Court of the First Judicial District of Hinds
717 County for further proceedings. The appeal shall thereupon be

718 heard in due course by the court which shall review the record and
719 make its determination thereon.

720 (8) The appellant shall, together with the notice of appeal,
721 forward to and post with the board a satisfactory bond in the
722 amount of Five Hundred Dollars (\$500.00) for the payment of any
723 costs which may be adjudged against him.

724 (9) In the event of an appeal, the court shall dispose of
725 the appeal and enter its decision promptly. The hearing on the
726 appeal may, in the discretion of the chancellor, be tried in
727 vacation. If there is an appeal, such appeal may, in the
728 discretion of and on motion to the chancery court, act as a
729 supersedeas. However, any fine imposed by the board under the
730 provisions of this chapter shall not take effect until after the
731 time for appeal has expired, and an appeal of the imposition of
732 such a fine shall act as a supersedeas.

733 (10) Any fine imposed by the board upon a licensee or holder
734 of a certificate shall be in accordance with the following
735 schedule:

736 (a) For the first violation, a fine of not less than
737 Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00)
738 for each violation.

739 (b) For the second and each subsequent violation, a
740 fine of not less than One Hundred Dollars (\$100.00) nor more than
741 Four Hundred Dollars (\$400.00) for each violation.

742 The power and authority of the board to impose such fines
743 under this section shall not be affected or diminished by any
744 other proceeding, civil or criminal, concerning the same violation
745 or violations.

746 (11) In addition to the reasons specified in subsection (2)
747 of this section, the board shall be authorized to suspend the
748 license of any licensee for being out of compliance with an order
749 for support, as defined in Section 93-11-153. The procedure for
750 suspension of a license for being out of compliance with an order

751 for support, and the procedure for the reissuance or reinstatement
 752 of a license suspended for that purpose, and the payment of any
 753 fees for the reissuance or reinstatement of a license suspended
 754 for that purpose, shall be governed by Section 93-11-157 or
 755 93-11-163, as the case may be. Actions taken by the board in
 756 suspending a license when required by Section 93-11-157 or
 757 93-11-163 are not actions from which an appeal may be taken under
 758 this section. Any appeal of a license suspension that is required
 759 by Section 93-11-157 or 93-11-163 shall be taken in accordance
 760 with the appeal procedure specified in Section 93-11-157 or
 761 93-11-163, as the case may be, rather than the procedure specified
 762 in this section. If there is any conflict between any provision
 763 of Section 93-11-157 or 93-11-163 and any provision of this
 764 chapter, the provisions of Section 93-11-157 or 93-11-163, as the
 765 case may be, shall control.

766 **SECTION 20.** Section 73-7-29, Mississippi Code of 1972, is
 767 reenacted as follows:

768 73-7-29. The board shall assess fees in the following
 769 amounts and for the following purposes:

- 770 (a) Application for examination and
 771 reexamination-cosmetologist, manicurist, esthetician, or wig
 772 specialist.....\$35.00
- 773 (b) Application for in-state instructor examination and
 774 reexamination.....50.00
- 775 (c) Application for out-of-state instructor
 776 examination, processing.....55.00
- 777 (d) Until June 30, 2001, cosmetologist, manicurist,
 778 esthetician, or wig specialist license, original and
 779 renewal25.00
- 780 From and after July 1, 2001, biennial original license and
 781 renewal.....50.00
- 782 (e) Until June 30, 2001, master cosmetologist
 783 license35.00

784 From and after July 1, 2001, biennial original license and
785 renewal.....70.00

786 (f) Cosmetologist, manicurist, esthetician, or wig
787 specialist by reciprocity, processing.....55.00

788 (g) Until July 1, 2001, instructor license, original
789 and renewal.....40.00

790 After July 1, 2001, biennial original license and
791 renewal.....80.00

792 (h) Delinquent renewal penalty - cosmetologist,
793 manicurist, esthetician, wig specialist and instructor:
794 60 days to 1 year.....25.00
795 plus license fee
796 Over 1 year to 3 years, per year.....50.00
797 plus license fee

798 (i) Salon application.....50.00

799 (j) Salon reinspection.....35.00

800 (k) Salon change of ownership or location or both.50.00

801 (l) Until June 30, 2001, salon license renewal....30.00

802 From and after July 1, 2001, biennial salon license
803 renewal.....60.00

804 (m) Salon delinquent renewal penalty -
805 60 days to 1 year.....25.00
806 plus license fee
807 Over 1 year.....45.00
808 plus license fee

809 (n) Application for a new school.....300.00

810 (o) New school reinspection.....100.00

811 (p) School change of ownership.....300.00

812 (q) School relocation.....300.00

813 (r) Until June 30, 2001, school license renewal...75.00

814 From and after July 1, 2001, biennial school license
815 renewal.....150.00

816 (s) School delinquent renewal penalty -

817	60 days to 1 year.....	100.00
818		plus license fee
819	(t) Duplicate license or lost renewal form.....	10.00
820	(u) Penalty for insufficient fund checks.....	20.00
821	(v) Affidavit processing.....	15.00
822	(w) Inactive license fee.....	15.00
823	(x) Renewal of inactive license.....	15.00

824 The board may charge additional fees for services which the
825 board deems appropriate to carry out its intent and purpose.
826 These additional fees shall not exceed the cost of rendering the
827 service.

828 The board may authorize any licensee to renew his or her
829 license for a two-year period until June 30, 2001, after which all
830 licenses shall be renewed biennially pursuant to the above fee
831 schedule.

832 The board is fully authorized to make refunds of any deposits
833 received by the board for services which are not rendered, and may
834 refund any underpayments or overpayments of fees to licensees or
835 applicants.

836 **SECTION 21.** Section 73-7-31, Mississippi Code of 1972, is
837 reenacted as follows:

838 73-7-31. Nothing in this chapter shall apply to:

839 (a) Hairdressing, manicuring or facial treatments given
840 in the home to members of family or friends for which no charge is
841 made.

842 (b) Persons whose practice is limited to the
843 application of cosmetic products to another person in connection
844 with the sale, or attempted sale, of such products at retail,
845 without compensation from such other person other than the regular
846 retail price of such merchandise.

847 (c) Barbers, and nothing in this chapter shall affect
848 the jurisdiction of the State Board of Barber Examiners.

849 **SECTION 22.** Section 73-7-33, Mississippi Code of 1972, is
850 reenacted and amended as follows:

851 73-7-33. In addition to the rules and regulations that may
852 be prescribed and promulgated by the board under authority of this
853 chapter, the following rules and regulations shall be observed:

854 Every establishment must be kept sanitary, including all
855 utensils and equipment; must be well ventilated and properly
856 lighted. Each salon must be provided with hot and cold running
857 water. Electrical appliances must be properly installed and
858 grounded.

859 Cosmetologists, manicurists, estheticians and wig specialists
860 shall be allowed to wear any type of clothing or apparel while at
861 work as long as such clothing or apparel is sanitary.

862 Cosmetologists shall be allowed to use any type of hair
863 roller as long as they do so in a sanitary manner.

864 Anyone having an infectious or contagious disease shall not
865 practice in any establishment. Salon owners will be held
866 responsible for knowingly permitting one with such disease to
867 practice in his or her salon. No work shall be performed on any
868 patron having a visible disease unless the patron shall produce a
869 certificate from a practicing physician stating that the patron is
870 free from infectious, contagious or communicable disease. A
871 cosmetologist's, manicurist's, esthetician's or wig specialist's
872 license does not authorize such person to treat or prescribe for
873 an infectious, contagious or any other disease.

874 A home salon must have a solid wall to the ceiling with an
875 outside entrance, or if a door exists between the salon and the
876 remainder of the house, the door must be kept closed at all times
877 while service is being rendered.

878 **SECTION 23.** Section 73-7-35, Mississippi Code of 1972, is
879 reenacted as follows:

880 73-7-35. (1) No person licensed pursuant to this chapter
881 shall practice his or her profession except within the physical

882 confines of a salon possessing and displaying a properly executed
883 license issued pursuant to Section 73-7-17. However, this
884 requirement shall not prevent a person from rendering his or her
885 services to any person who may be confined to his or her home, a
886 hospital, or other place as a result of illness, and
887 cosmetologists shall be permitted to render their services to
888 deceased persons away from their salons.

889 (2) No salon owner licensed pursuant to this chapter shall
890 allow a cosmetologist, esthetician, manicurist or wig specialist
891 to practice his/her profession in the salon without possessing a
892 valid license issued pursuant to this chapter.

893 **SECTION 24.** Section 73-7-37, Mississippi Code of 1972, is
894 reenacted as follows:

895 73-7-37. (1) The violation of any of the provisions of this
896 chapter, including the use of fraudulent statements to obtain any
897 benefits or privileges under this chapter or practicing one of
898 these professions without a license, shall constitute a
899 misdemeanor, punishable in any court of competent jurisdiction,
900 and any person or firm convicted of the violation of any of the
901 provisions of this chapter shall be fined not less than One
902 Hundred Dollars (\$100.00) nor more than Five Hundred Dollars
903 (\$500.00). The court shall not be authorized to suspend or
904 suspend the execution of the fine required under this section.

905 (2) If any person, firm or corporation violates any of the
906 provisions of this chapter, the secretary of the board, upon
907 direction of a majority of the board and in the name of the board,
908 acting through the Attorney General or an attorney employed by the
909 board, shall apply in any chancery court of competent jurisdiction
910 for an order enjoining such violation or for an order enforcing
911 compliance with the provisions of this chapter. Upon the filing
912 of a verified petition in the proper court and after notice as
913 provided under the Mississippi Rules of Civil Procedure, such
914 court or any judge thereof, if satisfied by the sworn petition, by

915 affidavit or otherwise, that such person has violated any of the
916 provisions of this chapter, may issue an injunction without notice
917 or bond, enjoining such continued violation and such injunction
918 shall remain in force and effect until a final hearing. If at
919 such hearing it is established that such person has violated or is
920 violating any of the provisions of this chapter, the court may
921 enter a decree permanently enjoining such violation or enforcing
922 compliance with this chapter. In addition, the court may enter a
923 judgment against such person for attorneys' fees, court costs and
924 the actual costs incurred by the board in investigating the
925 actions of such person for which the board brought the suit for an
926 injunction. In case of violation of any decree issued in
927 compliance with this subsection, the court may punish the offender
928 for contempt of court and the court shall proceed as in other
929 cases.

930 (3) The proceedings in this section shall be in addition to
931 and not in lieu of the other remedies and penalties provided in
932 this chapter.

933 **SECTION 25.** Section 73-7-51, Mississippi Code of 1972, is
934 reenacted as follows:

935 73-7-51. From and after June 7, 1972, no person required by
936 Sections 73-7-51 through 73-7-61 to have a wig specialist license
937 or wig salon certificate of registration shall conduct a wig salon
938 or service a wig or hairpiece unless application for an
939 appropriate certificate or registration or license has been made.
940 All persons required by law to obtain a certificate of
941 registration or a license must file application therefor within
942 thirty (30) days after May 8, 1972. However, upon the proper
943 filing of an application by a holder of a current valid wigologist
944 permit as issued by the board, such holder shall be issued a wig
945 specialist license, and upon the proper filing of an application
946 by a holder of a current, valid wig shop certificate of

947 registration as issued by the board, such holder shall be issued a
948 wig salon certificate of registration.

949 **SECTION 26.** Section 73-7-53, Mississippi Code of 1972, is
950 reenacted as follows:

951 73-7-53. Any applicant who is at least seventeen (17) years
952 of age, can read, write and speak English, has a high school
953 education or its equivalent, and has successfully completed no
954 less than three hundred (300) hours of practice and instruction
955 and related theory in the care and treatment of wigs over a period
956 of no less than eight (8) weeks in an accredited school of
957 cosmetology is eligible to take the examination to secure a wig
958 specialist license.

959 Application for an examination and license shall be
960 accompanied by two (2) recent head photographs. The board shall
961 hold examinations for wig specialists at least twice a year if
962 applications have been received and approved and at such other
963 times as the board may determine.

964 Applicants for wig specialist license, after having
965 satisfactorily passed the prescribed examination, shall be issued
966 a wig specialist license which shall be valid for one (1) year,
967 and from and after July 1, 2001, shall be valid for two (2) years.
968 All those licenses shall be subject to renewal.

969 All fees for application, examination and registration for a
970 wig specialist license and the renewal thereof shall be the same
971 as herein provided for cosmetologists.

972 A person holding a wig specialist license may perform for
973 compensation services limited to a wig or hairpiece.

974 **SECTION 27.** Section 73-7-55, Mississippi Code of 1972, is
975 reenacted as follows:

976 73-7-55. Registered wig specialists desiring to pursue
977 additional hours to be eligible for a certificate of registration
978 as a cosmetologist may be credited with the three hundred (300)
979 hours acquired in studying and training to be a wig specialist

980 which may be applied to the number of hours required to be
981 eligible to take a cosmetologist's examination.

982 **SECTION 28.** Section 73-7-57, Mississippi Code of 1972, is
983 reenacted as follows:

984 73-7-57. All wig salon owners shall have a wig salon license
985 and shall pay to the board the required license fee therefor and
986 pay the required renewal fee for the renewal thereof. Prior to
987 the initial issuance of such a license, the board shall inspect
988 the premises to determine if same qualifies with the law, upon
989 payment by the applicant of the required inspection fee.

990 A person holding a wig salon license may maintain an
991 establishment in which services shall be limited to wigs or
992 hairpieces and performed only by licensed wig specialists and/or
993 licensed cosmetologists.

994 **SECTION 29.** Section 73-7-59, Mississippi Code of 1972, is
995 reenacted as follows:

996 73-7-59. Nothing in Sections 73-7-51 through 73-7-61 as
997 amended by Laws, 2000, Chapter 485, shall be construed to cause
998 any person who, as of May 8, 1972, holds a valid cosmetology
999 license to make any application or take any additional training in
1000 order to continue his or her practice as it then exists. Nothing
1001 in those sections shall be construed to force any person who
1002 desires to obtain a valid cosmetology license to take any training
1003 in addition to the fifteen hundred (1500) hours now required.

1004 **SECTION 30.** Section 73-7-61, Mississippi Code of 1972, is
1005 reenacted as follows:

1006 73-7-61. Nothing in Sections 73-7-51 through 73-7-61 shall
1007 apply to retail sales of wigs or hairpieces when such sales do not
1008 include arranging, dressing, waving, cleaning, curling, bleaching,
1009 coloring, cutting and shaping of such wig or hairpiece sold at
1010 retail. Such retail seller shall be exempted from all fees,
1011 inspections and other requirements of said sections. In
1012 connection with such retail sales, wigs and hairpieces may be

1013 fitted, combed and arranged before such retail sale is
1014 consummated.

1015 **SECTION 31.** Section 73-7-63, Mississippi Code of 1972, is
1016 amended as follows:

1017 73-7-63. Sections 73-7-1 through 73-7-37 and 73-7-51 through
1018 73-7-61, Mississippi Code of 1972, which create and empower the
1019 State Board of Cosmetology and prescribe standards for the
1020 practice of cosmetology, esthetics, manicuring, pedicuring and
1021 wigology, shall stand repealed as of July 1, 2009.

1022 **SECTION 32.** This act shall take effect and be in force from
1023 and after June 30, 2005.