

By: Senator(s) Butler

To: Public Health and Welfare

SENATE BILL NO. 2180

1 AN ACT TO AMEND SECTIONS 73-7-13 AND 73-7-16, MISSISSIPPI
2 CODE OF 1972, TO PROVIDE THAT EDUCATIONAL QUALIFICATIONS FOR
3 COSMETOLOGISTS SHALL INCLUDE ANY HIGH SCHOOL VOCATIONAL-TECHNICAL
4 EDUCATION PROGRAM IN COSMETOLOGY APPROVED BY THE STATE BOARD FOR
5 COMMUNITY AND JUNIOR COLLEGES, AND TO PROVIDE THAT SUCH APPROVED
6 VOCATIONAL-TECHNICAL COURSES SHALL BE EXEMPT FROM LICENSURE BY THE
7 STATE BOARD OF COSMETOLOGY; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 73-7-13, Mississippi Code of 1972, is
10 amended as follows:

11 73-7-13. (1) The board shall admit to examination for a
12 cosmetology license any person who has made application to the
13 board in proper form, has paid the required fee, and who (a) is at
14 least seventeen (17) years of age, (b) can read, write and speak
15 English, (c) has successfully completed no less than fifteen
16 hundred (1500) hours over a period of no less than nine (9) months
17 in an accredited school of cosmetology or any high school
18 vocational-technical education program in cosmetology approved by
19 the State Board for Community and Junior Colleges, and (d) has a
20 high school education or its equivalent.

21 The board may, in its discretion, issue to any student who
22 has completed the prescribed hours in an accredited school in
23 Mississippi a temporary permit until such time as the next
24 examination may be held, but such student shall be issued only one
25 (1) temporary permit. Application for an examination and license
26 shall be accompanied by two (2) recent head photographs of the
27 applicant. No temporary permit will be issued an applicant from
28 any other state to operate a beauty salon or school of cosmetology
29 in this state unless in case of emergency.

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

35 Any barber who can read, write and speak English and has
36 successfully completed no less than fifteen hundred (1500) hours
37 in an accredited barber school, and who holds a current valid
38 certificate of registration to practice barbering and who holds a
39 current valid license, is eligible to take the cosmetology
40 examination to secure a cosmetology license upon successfully
41 completing five hundred (500) hours in an accredited school of
42 cosmetology or in a high school vocational-technical education
43 program in cosmetology approved by the State Board for Community
44 and Junior Colleges. All fees for application, examination,
45 registration and renewal thereof shall be the same as provided for
46 cosmetologists.

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

50 (3) Any licensed cosmetologist, esthetician, manicurist or
51 wigologist who is registered but not actively practicing in the
52 State of Mississippi at the time of making application for
53 renewal, may apply for registration on the "inactive" list. Such
54 "inactive" list shall be maintained by the board and shall set out
55 the names and post office addresses of all persons registered but
56 not actively practicing in this state, arranged alphabetically by
57 name and also by the municipalities and states of their last known
58 professional or residential address. Only the cosmetologists,
59 estheticians, manicurists and wigologists registered on the
60 appropriate list as actively practicing in the State of
61 Mississippi shall be authorized to practice those professions.
62 For the purpose of this section, any licensed cosmetologist,

63 esthetician, manicurist or wigologist who has actively practiced
64 his or her profession for at least three (3) months of the
65 immediately preceding license renewal period shall be considered
66 in active practice. No cosmetologist, esthetician, manicurist or
67 wigologist shall be registered on the "inactive" list until the
68 person has furnished a statement of intent to take such action to
69 the board. Any licensed cosmetologist, esthetician, manicurist or
70 wigologist registered on the "inactive" list shall not be eligible
71 for registration on the active list until either of the following
72 conditions have been satisfied:

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

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

83 (c) Payment of the fee for processing such inactive
84 license.

85 **SECTION 2.** Section 73-7-16, Mississippi Code of 1972, is
86 amended as follows:

87 73-7-16. All schools of cosmetology or school owners shall
88 have a school license and shall pay to the board the required
89 license fee annually therefor. A grace period of sixty (60) days
90 will be given in which to renew the license, and upon the
91 expiration of the grace period of sixty (60) days, any applicant
92 for the renewal of a school license will be required to pay a
93 delinquent fee in addition to the renewal fee. The board is
94 hereby authorized and empowered to promulgate necessary and
95 reasonable rules and regulations for the issuance and renewal of

96 school licenses. However, the board shall not refuse to issue or
97 renew a school's license because of the number of schools already
98 in that area of the state, and any rule promulgated by the board
99 for that purpose shall be null and void. Any high school
100 vocational-technical education program in cosmetology approved by
101 the State Board for Community and Junior Colleges shall be exempt
102 from the requirement for a license provided under this section.

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

106 **SECTION 3.** This act shall take effect and be in force from
107 and after July 1, 2005.