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To: Business and Financial Institutions

SENATE BILL NO. 2472

1 AN ACT TO PROVIDE THAT A PROFESSIONAL LICENSE ISSUED IN THE
2 STATE OF MISSISSIPPI TO ANY MEMBER OF THE MISSISSIPPI NATIONAL
3 GUARD OR UNITED STATES ARMED FORCES RESERVES SHALL NOT EXPIRE
4 WHILE THE MEMBER IS SERVING ON FEDERAL ACTIVE DUTY AND SHALL BE
5 EXTENDED FOR 90 DAYS AFTER HIS RETURN; TO AMEND SECTIONS 73-1-27,
6 73-2-15, 73-3-123, 73-4-17, 73-5-37, 73-6-17, 73-7-19, 73-9-19,
7 73-10-21, 73-11-51, 73-13-31, 73-14-31, 73-15-27, 73-17-11,
8 73-19-21, 73-21-91, 73-23-57, 73-24-27, 73-25-14, 73-26-5,
9 73-27-12, 73-29-29, 73-30-29, 73-31-9, 73-33-7, 73-34-25,
10 73-35-17, 73-36-29, 73-38-29, 73-39-75, 73-42-11, 73-53-15,
11 73-54-27, 73-55-13, 73-57-27, 73-59-3, 73-60-21, 73-61-3,
12 73-63-35, 73-65-9 AND 73-67-15, MISSISSIPPI CODE OF 1972, IN
13 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

15 **SECTION 1.** A professional license issued pursuant to any
16 provision of Title 73 to any member of the Mississippi National
17 Guard or the United States Armed Forces Reserves shall not expire
18 while the member is serving on federal active duty and shall be
19 extended for a period not to exceed ninety (90) days after his
20 return from federal active duty. If the license is renewed during
21 the 90-day period after his return from federal active duty, the
22 member shall only be responsible for normal fees and activities
23 relating to renewal of the license and shall not be charged any
24 additional costs such as, but not limited to, late fees or
25 delinquency fees. The member shall present to the authority
26 issuing the professional license a copy of his official military
27 orders or a written verification from the member's commanding
28 officer before the end of the 90-day period in order to qualify
29 for the extension.

30 **SECTION 2.** Section 73-1-27, Mississippi Code of 1972, is
31 amended as follows:

32 73-1-27. Except as provided in Section 1 of Senate Bill No.
33 2472, 2006 Regular Session, every registered architect who resides
34 in this state and desires to continue to practice his profession
35 in this state shall, during the time he shall continue to
36 practice, pay biennially to the secretary of said board during the
37 month of November, a fee of not to exceed Four Hundred Dollars
38 (\$400.00) and every registered architect residing out of this
39 state who desires to continue to practice his profession in this
40 state shall, during the time he shall continue to practice, pay
41 biennially to the secretary of said board during the month of
42 November, a fee of not to exceed Four Hundred Dollars (\$400.00),
43 and the secretary shall thereupon issue to such registered
44 architect a certificate of renewal of his registration for a term
45 of two (2) years. Upon failure to have his certificate renewed
46 during the month of November as provided by this section, the
47 holder thereof shall have his certificate revoked, but the failure
48 to renew said registration in ample time shall not deprive him of
49 the right to renewal upon payment of said fee, provided his
50 application for reinstatement is made within two (2) years after
51 the expiration of his certificate. On all applications for
52 reinstatement made after January 1 of the year immediately
53 succeeding the year in which the fee is due, there shall be a late
54 charge of Five Dollars (\$5.00) per month charged for the
55 processing of such application.

56 **SECTION 3.** Section 73-2-15, Mississippi Code of 1972, is
57 amended as follows:

58 73-2-15. Except as provided in Section 1 of Senate Bill No.
59 2472, 2006 Regular Session, the board shall require that every
60 landscape architect shall pay a biennial license renewal fee set
61 by the board not in excess of Two Hundred Dollars (\$200.00). The
62 renewal fee shall be due and payable on the first day of January
63 of each year in which the fee is required to be paid and shall
64 become delinquent after the thirty-first day of January of such

65 year, and if the renewal fee is not paid before it becomes
66 delinquent, a penalty fee of Five Dollars (\$5.00) shall be added
67 to the amount thereof per month. If the renewal fee and penalty
68 are not paid before the first day of June in the year in which
69 they become due, the landscape architect's certificate shall be
70 suspended. The certificate may be reinstated upon the payment of
71 the renewal fee, the penalty fees and a reinstatement fee of Fifty
72 Dollars (\$50.00), and provision of such proof of the landscape
73 architect's qualifications as may be required in the sound
74 discretion of the board.

75 The board shall send a receipt to each landscape architect
76 promptly upon payment of the renewal fee.

77 The board may recognize, prepare or administer continuing
78 education programs for landscape architects as a basis for license
79 renewal.

80 The board shall adopt an appropriate seal for use by licensed
81 landscape architects.

82 **SECTION 4.** Section 73-3-123, Mississippi Code of 1972, is
83 amended as follows:

84 73-3-123. (1) Each member of the bar shall, unless exempt
85 by virtue of Section 73-3-125 and Section 1 of Senate Bill No.
86 2472, 2006 Regular Session, pay enrollment fees each year in an
87 amount as established by the board of commissioners, but not to
88 exceed the sum of Four Hundred Dollars (\$400.00) for those members
89 admitted to practice law for three (3) years or more; and Two
90 Hundred Sixty Dollars (\$260.00) for those members admitted to
91 practice law for one (1) year, but less than three (3) years; and
92 Two Hundred Dollars (\$200.00) for those members admitted to
93 practice law less than one (1) year; and Fifty Dollars (\$50.00)
94 for those members on inactive status. All enrollment fees shall
95 be paid for the same period, that is, for the period of one (1)
96 year beginning on the day and month to be determined as provided

97 in Section 73-3-127. The enrollment fees shall be paid to the
98 secretary of the bar.

99 (2) The Board of Bar Commissioners shall increase enrollment
100 fees within the limitations imposed by subsection (1) of this
101 section by not more than the minimum increment necessary to cover
102 the annual expenses of The Mississippi Bar.

103 **SECTION 5.** Section 73-4-17, Mississippi Code of 1972, is
104 amended as follows:

105 73-4-17. There shall be three (3) classes of auctioneers'
106 licenses, which shall be livestock auctioneer, auctioneer and
107 auction gallery. All applicants for a license under this chapter
108 shall possess the following minimum qualifications:

109 (a) Applicants shall have attained the age of eighteen
110 (18) years by the issuance date of the license.

111 (b) Applicants shall have obtained at a minimum a high
112 school diploma or G.E.D. equivalent and shall be graduates of an
113 auctioneering school approved by the commission.

114 (c) Each applicant for a license under this chapter
115 shall demonstrate to the commission that he is of good moral
116 character and worthy of public trust through background
117 information to be provided on his application form and two (2)
118 letters of reference from persons not related to the applicant who
119 have known the applicant at least three (3) years. The commission
120 may require additional information or a personal interview with
121 the applicant to determine if such applicant should be granted a
122 license.

123 (d) Each applicant for a license under this chapter
124 shall take and successfully complete an examination as prescribed
125 by the commission. The examination shall include questions on
126 ethics, reading comprehension, writing, spelling, elementary
127 arithmetic, elementary principals of land economics, general
128 knowledge of bulk sales law, contracts of sale, agency, leases,
129 brokerage, knowledge of various goods commonly sold at auction,

130 ability to call bids, knowledge of sale preparation and proper
131 sale advertising and sale summary, and knowledge of the provisions
132 of this chapter and the commission's rules and regulations. There
133 shall be separate examinations for auctioneer and auction gallery
134 each based upon relevant subject matter appropriate to the license
135 classification as set forth herein. Examinations shall be
136 administered at least once a year and may be administered
137 quarterly at the commission's discretion provided there are at
138 least twenty-five (25) examinees. The commission shall ensure
139 that the various forms of the test remain secure.

140 (e) In order to defray the cost of administration of
141 the examinations, applicants for the examination shall pay fees as
142 follows:

- 143 (i) Auctioneer..... \$ 100.00
- 144 (ii) Auction gallery..... \$ 100.00
- 145 (iii) Livestock auctioneer..... \$ 100.00

146 (f) Each applicant desiring to sit for the examination
147 for any license required under this chapter shall be required to
148 furnish to the commission at least thirty (30) days prior to the
149 examination evidence of a surety bond in the following minimum
150 amounts:

- 151 (i) Auctioneer..... \$10,000.00
- 152 (ii) Auctioneer gallery..... \$10,000.00
- 153 (iii) Livestock auctioneer..... \$10,000.00

154 (g) In addition to the bond required herein, applicants
155 for the auction gallery license shall furnish the commission with
156 all relevant information concerning the premises to be licensed,
157 to include location, whether the premises are owned or leased, and
158 an affidavit that the proposed use of the premises as an auction
159 gallery does not violate zoning or any other use restrictions. A
160 separate license shall be required for each business location of
161 the owner of multiple auction galleries.

162 (h) Except as provided in Section 1 of Senate Bill No.
163 2472, 2006 Regular Session, all licenses granted pursuant to this
164 chapter shall be for a term of two (2) years and shall expire on
165 the first day of March at the end of such two-year term. Biannual
166 license fees shall be set from time to time by the commission with
167 a maximum fee of Two Hundred Dollars (\$200.00). Individuals
168 failing to submit license renewal fees on or before March 1 of the
169 year for renewal shall be required to successfully pass the next
170 administration of the examination in order to renew a license.

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

174 **SECTION 6.** Section 73-5-37, Mississippi Code of 1972, is
175 amended as follows:

176 73-5-37. Except as provided in Section 1 of Senate Bill No.
177 2472, 2006 Regular Session, every registered barber and barber
178 instructor who continues in active practice or service shall
179 annually on or before the anniversary date of the issuance of his
180 certificate of registration renew the certificate by paying the
181 required fee and meeting all applicable requirements of the State
182 Board of Health. Every certificate of registration which has not
183 been renewed within thirty (30) days of its anniversary date shall
184 expire. A registered barber or barber instructors whose
185 certificate of registration has expired may have his certificate
186 restored immediately upon payment of the renewal fee plus the
187 required restoration fee.

188 **SECTION 7.** Section 73-6-17, Mississippi Code of 1972, is
189 amended as follows:

190 73-6-17. The State Board of Chiropractic Examiners shall
191 charge the following fees for application, examination and
192 issuance of certificates: application, One Hundred Dollars
193 (\$100.00); examination and issuance of certificate, Two Hundred
194 Dollars (\$200.00) for all applicants; provided, however, that

195 resident and nonresident applicants shall have first successfully
196 completed parts 1, 2, 3 and 4 and the physical modality section of
197 the examination prepared by the National Board of Chiropractic
198 Examiners.

199 Except as provided in Section 1 of Senate Bill No. 2472, 2006
200 Regular Session, every registered chiropractor in order to
201 continue the practice of chiropractic shall pay annually to the
202 secretary of the board a registration renewal fee of not more than
203 Three Hundred Dollars (\$300.00) and, in addition to such renewal
204 fee, shall be required to file with the secretary of the board a
205 certificate, certified by a state board and state association,
206 verifying his attendance at a course of study approved by the
207 board consisting of not less than twelve (12) hours of instruction
208 in the latest developments in the practice of chiropractic of
209 which at least three (3) hours shall be instruction in the subject
210 of risk management. Provided, that any chiropractor who has
211 reached the age of seventy-five (75) years and is not
212 participating in an active practice shall not be required to pay
213 said renewal fee or submit the twelve (12) hours of continuing
214 education. Any chiropractor who has received a certificate of
215 licensure in this state under the provisions of Section 73-6-21
216 shall be in good standing in the state of his original licensure
217 in order to renew his certificate in this state, and the board
218 shall refuse to renew the certificate of any such chiropractor
219 whose license has been suspended or revoked for cause in the state
220 of his original licensure. In case of failure to pay the renewal
221 fee, the board may revoke such certificate after giving sixty (60)
222 days' notice to the holder who, within such period, may renew such
223 certificate upon payment of the delinquent fee with a special
224 processing charge of not more than Three Hundred Dollars
225 (\$300.00). Lack of participation in active practice for a period
226 of less than two (2) years, except when a doctor is in active
227 military duty, shall not deprive the holder of the right to renew

228 such certificate, without examination, upon the payment of all
229 lapsed fees and proof of required continuing education hours.

230 **SECTION 8.** Section 73-7-19, Mississippi Code of 1972, is
231 amended as follows:

232 73-7-19. Except as provided in Section 1 of Senate Bill No.
233 2472, 2006 Regular Session, all licenses shall be renewed
234 biennially under the fee schedule in Section 73-7-29.

235 Applications for renewal of licenses for cosmetologists,
236 estheticians, manicurists, wig specialists and instructors must be
237 accompanied by the required renewal fee. A grace period of sixty
238 (60) days will be given in which to renew the license; and upon
239 the expiration of the grace period of sixty (60) days, any
240 applicant for the renewal of a license will be required to pay the
241 required renewal fee and a delinquent fee in addition to the
242 renewal fee. The fees may be paid by either personal or certified
243 check, cash or money order, under such safeguards, rules and
244 regulations as the board may prescribe. Checks returned to the
245 board because of insufficient funds shall result in nonrenewal of
246 the license, which will require the penalty fee for insufficient
247 fund checks plus all other amounts due for renewal of the license
248 before the license may be renewed. After one (1) year has passed
249 from the expiration date of the license, a delinquent fee must be
250 paid for each year up to three (3) years, after which the required
251 examination must be taken. All applications for examination
252 required by this chapter shall expire ninety (90) days from the
253 date thereof.

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

257 **SECTION 9.** Section 73-9-19, Mississippi Code of 1972, is
258 amended as follows:

259 73-9-19. The State Board of Dental Examiners shall maintain
260 a compiled list of the names and post office addresses of all

261 licensees registered with the board, arranged alphabetically by
262 name and also by the municipalities where their offices are
263 situated. Every licensee shall notify the board within thirty
264 (30) days of any change in address of his or her office or
265 residence. Failure to keep the board apprised of any change of
266 address may result in an administrative penalty to the licensee,
267 the amount of which shall not exceed the amount stipulated in
268 Section 73-9-43. Every licensee shall prominently display his or
269 her current registration, either the original or a notarized copy,
270 in his or her place(s) of business. As used in this section, the
271 word "licensee" shall include all dental and dental hygiene
272 license holders, as well as all holders of permits duly issued by
273 the board.

274 Except as provided in Section 1 of Senate Bill No. 2472, 2006
275 Regular Session, every licensee shall, in accordance with the laws
276 and rules and regulations of the board, together with appropriate
277 required information and renewal fee, apply for renewal for such
278 period as set by the board, and the board shall issue the
279 registration certificate to any licensee in good standing with the
280 board. The board shall have the specific authority to adopt such
281 rules and regulations setting the dates and deadlines for
282 license/permit renewal and establishing the penalty for failure to
283 renew same.

284 Any licensee performing acts within the scope of this chapter
285 without legally having in his or her custody a valid active
286 registration certificate or duly issued duplicate therefor in
287 accordance with provisions elsewhere set out may be found guilty
288 and punished or prosecuted therefor in accordance with law;
289 however, the filing of the application, the payment of the fee,
290 and the issuance of the certificate therefor, shall not entitle
291 the holder thereof to lawfully practice within the State of
292 Mississippi unless he or she has in fact been previously licensed
293 by the State Board of Dental Examiners as provided by this

294 chapter, and unless the license/permit is in full force and
295 effect; in addition, in any prosecution for the unlicensed
296 practice, the receipt showing payment of the renewal fee required
297 by this chapter shall not be treated as evidence that the holder
298 thereof is lawfully entitled to practice according to his or her
299 license/permit.

300 Any licensee who is registered but not actively practicing in
301 the State of Mississippi at the time of making application for
302 renewal, shall be registered on the "inactive" list and shall not
303 be authorized to practice his or her profession in this state.
304 The "inactive" list shall be maintained by the board and shall set
305 out the names and post office addresses of all licensees
306 registered but not actively practicing in this state, arranged
307 alphabetically by name and also by the municipalities and states
308 of their last known professional or residential address. However,
309 licensed dentists or dental hygienists actively practicing at a
310 veterans hospital, federal government facility or residency
311 graduate school program at the time of renewal shall not be
312 registered on the inactive list.

313 Only the licensees registered on the appropriate list as
314 actively practicing in the State of Mississippi shall be
315 authorized to practice their profession. For the purpose of this
316 section, any licensed dentist or dental hygienist who has actively
317 practiced his or her profession for at least three (3) months of
318 the immediately preceding license renewal period shall be
319 considered in active practice.

320 No licensee shall be registered on the "inactive" list until
321 the licensee has been furnished a statement of intent to take that
322 action by the board. The board shall notify the licensee by mail
323 that on the day fixed for hearing he or she may appear and show
324 cause, if any, why his or her license/permit to practice dentistry
325 or dental hygiene should remain active. The licensee may be
326 present at the hearing in person, by counsel, or both. For the

327 purpose of the hearing the board may require the attendance of
328 witnesses, administer oaths and hear testimony, either oral or
329 documentary, for and against the licensee, and if after the
330 hearing, the board is satisfied that the licensee should be
331 registered on the inactive list, it shall thereupon without
332 further notice take that action.

333 Any licensed dentist or dental hygienist registered on the
334 "inactive" list shall not be eligible for registration on the
335 active list until either of the following conditions have been
336 satisfied:

337 (a) Written application shall be submitted to the State
338 Board of Dental Examiners stating the reasons for the inactivity
339 and setting forth such other information as the board may require
340 on an individual basis; or

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

346 **SECTION 10.** Section 73-10-21, Mississippi Code of 1972, is
347 amended as follows:

348 73-10-21. (1) Rules, regulations and standards.

349 (a) The board is hereby empowered, authorized and
350 directed to adopt, amend, promulgate and enforce such rules,
351 regulations and standards governing dietitians as may be necessary
352 to further the accomplishment of the purpose of the governing law,
353 and in so doing shall utilize as the basis thereof the
354 corresponding recommendations of the advisory council. The rules,
355 regulations and minimum standards for licensing of dietitians may
356 be amended by the board as deemed necessary. In so doing, the
357 board shall utilize as the basis thereof the corresponding
358 recommendations of the advisory council.

359 (b) The board shall publish and disseminate to all
360 licensees, in appropriate manner, the licensure standards
361 prescribed by this chapter, any amendments thereto, and such rules
362 and regulations as the board may adopt under the authority vested
363 by Section 73-38-13, within sixty (60) days of their adoption.

364 (2) The board shall adopt a code of ethics for dietitians
365 using as the basis thereof the ADA "Code of Ethics for the
366 Profession of Dietetics."

367 (3) Issuance and renewal of licenses.

368 (a) The board shall issue a license to any person who
369 meets the requirements of this chapter upon payment of the license
370 fee prescribed.

371 (b) Except as provided in Section 1 of Senate Bill No.
372 2472, 2006 Regular Session, licenses under this chapter shall be
373 valid for two (2) calendar years and shall be subject to renewal
374 and shall expire unless renewed in the manner prescribed by the
375 rules and regulations of the board, upon the payment of a biennial
376 renewal fee to be set at the discretion of the board, but not to
377 exceed One Hundred Dollars (\$100.00), and the presentation of
378 evidence satisfactory to the board that the licensee has met such
379 continuing education requirements as the board may require. An
380 applicant for license renewal shall demonstrate to the board
381 evidence of satisfactory completion of the continuing education
382 requirements established by the American Dietetic Association
383 and/or other continuing education requirements as may be required
384 by the board.

385 (c) The board may provide for the late renewal of a
386 license upon the payment of a late fee in accordance with its
387 rules and regulations, but no such late renewal of a license may
388 be granted more than one (1) year after its expiration.

389 (d) A suspended license shall be subject to expiration
390 and may be renewed as provided in this section, but such renewal
391 shall not entitle the licensee, while the license remains

392 suspended and until it is reinstated, to engage in the licensed
393 activity, or in any other conduct or activity in violation of the
394 order of judgment by which the license was suspended. If a
395 license revoked on disciplinary grounds is reinstated, the
396 licensee, as a condition of reinstatement, shall pay the renewal
397 fee and any late fee that may be applicable.

398 (4) Denial or revocation of license.

399 (a) The board may deny or refuse to renew a license, or
400 suspend or revoke a license, or issue orders to cease or desist
401 from certain conduct, or issue warnings or reprimands where the
402 licensee or applicant for license has been convicted of unlawful
403 conduct or has demonstrated unprofessional conduct which has
404 endangered or is likely to endanger the health, welfare or safety
405 of the public. Such conduct includes:

406 (i) Obtaining a license by means of fraud,
407 misrepresentation or concealment of material facts;

408 (ii) Being guilty of unprofessional conduct as
409 defined by the rules and established by the board or violating the
410 Code of Ethics of the American Dietetic Association;

411 (iii) Being convicted of a crime in any court
412 other than a misdemeanor;

413 (iv) Violating any lawful order, rule or
414 regulation rendered or adopted by the board; or

415 (v) Violating any provision of this chapter.

416 (b) Such denial, refusal to renew, suspension,
417 revocation, order to cease and desist from designated conduct, or
418 warning or reprimand may be ordered by the board in a decision
419 made after a hearing in the manner provided by the rules and
420 regulations adopted by the board. One (1) year from the date of
421 the revocation of a license, application may be made to the board
422 for reinstatement. The board shall have discretion to accept or
423 reject an application for reinstatement and may, but shall not be
424 required to, hold a hearing to consider such reinstatement.

425 (c) In addition to the reasons specified in paragraph
426 (a) of this subsection (4), the board shall be authorized to
427 suspend the license of any licensee for being out of compliance
428 with an order for support, as defined in Section 93-11-153. The
429 procedure for suspension of a license for being out of compliance
430 with an order for support, and the procedure for the reissuance or
431 reinstatement of a license suspended for that purpose, and the
432 payment of any fees for the reissuance or reinstatement of a
433 license suspended for that purpose, shall be governed by Section
434 93-11-157 or 93-11-163, as the case may be. If there is any
435 conflict between any provision of Section 93-11-157 or 93-11-163
436 and any provision of this chapter, the provisions of Section
437 93-11-157 or 93-11-163, as the case may be, shall control.

438 (5) Establish fees.

439 (a) A person licensed under this chapter shall pay to
440 the board a fee, not to exceed One Hundred Dollars (\$100.00), to
441 be set by the board for the issuance of a license.

442 (b) Such fees shall be set in such an amount as to
443 reimburse the state to the extent feasible for the cost of the
444 services rendered.

445 (6) Collect funds.

446 (a) The administration of the provisions of this
447 chapter shall be financed from income accruing from fees, licenses
448 and other charges assessed and collected by the board in
449 administering this chapter.

450 (b) The board shall receive and account for all funds
451 received and shall keep such funds in a separate fund.

452 (c) Funds collected under the provisions of this
453 chapter shall be used solely for the expenses of the advisory
454 council and the board to administer the provisions of this
455 chapter. Such funds shall be subject to audit by the State
456 Auditor.

457 (d) Members of the advisory council shall receive no
458 compensation for services performed on the council, but may be
459 reimbursed for necessary and actual expenses incurred in
460 connection with attendance at meetings of the council or for
461 authorized business of the council from funds made available for
462 such purpose, as provided in Section 25-3-41.

463 (7) Receive and process complaints.

464 (a) The board shall have full authority to investigate
465 and evaluate each and every applicant applying for a license to
466 practice dietetics, with the advice of the advisory council.

467 (b) The board shall have the authority to issue
468 subpoenas, examine witnesses and administer oaths, and shall, at
469 its discretion, investigate allegations or practices violating the
470 provisions of this chapter, and in so doing shall have power to
471 seek injunctive relief to prohibit any person from providing
472 professional dietetic services as defined in Section 73-10-3(1)(j)
473 without being licensed as provided herein.

474 (8) A license certificate issued by the board is the
475 property of the board and must be surrendered on demand.

476 **SECTION 11.** Section 73-11-51, Mississippi Code of 1972, is
477 amended as follows:

478 73-11-51. (1) No person shall engage in the business or
479 practice of funeral service, including embalming, and/or funeral
480 directing or hold himself out as transacting or practicing or
481 being entitled to transact or practice funeral service, including
482 embalming, and/or funeral directing in this state unless duly
483 licensed under the provisions of this chapter.

484 (2) The board is authorized and empowered to examine
485 applicants for licenses for the practice of funeral service and
486 funeral directing and shall issue the proper license to those
487 persons who successfully pass the applicable examination and
488 otherwise comply with the provisions of this chapter.

489 (3) To be licensed for the practice of funeral directing
490 under this chapter, a person must:

491 (a) Be at least eighteen (18) years of age;

492 (b) Have a high school diploma or the equivalent
493 thereof;

494 (c) Have served as a resident trainee for not less than
495 twenty-four (24) months under the supervision of a person licensed
496 for the practice of funeral service or funeral directing in this
497 state;

498 (d) Have successfully passed a written and/or oral
499 examination as prepared or approved by the board; and

500 (e) Be of good moral character.

501 (4) To be licensed for the practice of funeral service under
502 this chapter, a person must:

503 (a) Be at least eighteen (18) years of age;

504 (b) Have a high school diploma or the equivalent
505 thereof;

506 (c) Have successfully completed twelve (12) months or
507 more of academic and professional instruction from an institution
508 accredited by the United States Department of Education for
509 funeral service education and have a certificate of completion
510 from an institution accredited by the American Board of Funeral
511 Service Education or any other successor recognized by the United
512 States Department of Education for funeral service education;

513 (d) Have served as a resident trainee for not less than
514 twelve (12) months, either before or after graduation from an
515 accredited institution mentioned above, under the supervision of a
516 person licensed for the practice of funeral service in this state
517 and in an establishment licensed in this state;

518 (e) Have successfully passed the National Conference of
519 Funeral Examiners examination as approved by the board; and

520 (f) Be of good moral character.

521 (5) All applications for examination and license for the
522 practice of funeral service or funeral directing shall be upon
523 forms furnished by the board and shall be accompanied by an
524 examination fee, a licensing fee and a nonrefundable application
525 fee in amounts fixed by the board in accordance with Section
526 73-11-56. The fee for an initial license, however, may be
527 prorated in proportion to the period of time from the date of
528 issuance to the date of biennial license renewal prescribed in
529 subsection (8) of this section. All applications for examination
530 shall be filed with the board office at least sixty (60) days
531 before the date of examination. A candidate shall be deemed to
532 have abandoned the application for examination if he does not
533 appear on the scheduled date of examination unless such failure to
534 appear has been approved by the board.

535 (6) The practice of funeral service or funeral directing
536 must be engaged in at a licensed funeral establishment, at least
537 one (1) of which is listed as the licensee's place of business;
538 and no person, partnership, corporation, association or other
539 organization shall open or maintain a funeral establishment at
540 which to engage in or conduct or hold himself or itself out as
541 engaging in the practice of funeral service or funeral directing
542 until such establishment has complied with the licensing
543 requirements of this chapter. A license for the practice of
544 funeral service or funeral directing shall be used only at
545 licensed funeral establishments; however, this provision shall not
546 prevent a person licensed for the practice of funeral service or
547 funeral directing from conducting a funeral service at a church, a
548 residence, public hall, lodge room or cemetery chapel, if such
549 person maintains a fixed licensed funeral establishment of his own
550 or is in the employ of or an agent of a licensed funeral
551 establishment.

552 (7) Any person holding a valid, unrevoked and unexpired
553 nonreciprocal license in another state or territory having

554 requirements greater than or equal to those of this state as
555 determined by the board may apply for a license to practice in
556 this state by filing with the board a certified statement from the
557 secretary of the licensing board of the state or territory in
558 which the applicant holds his license certifying to his
559 qualifications and good standing with that board by having
560 successfully passed a written and/or oral examination on the
561 Mississippi Funeral Service licensing law and rules and
562 regulations as prepared or approved by the board, and by paying a
563 nonrefundable application fee set by the board under Section
564 73-11-56. If the board finds that the applicant has fulfilled
565 substantially similar requirements, the board shall grant such
566 license upon receipt of a fee in an amount equal to the renewal
567 fee set by the board for a license for the practice of funeral
568 service or funeral directing, as the case may be, in this state.
569 The board may issue a temporary funeral service or funeral
570 directing work permit before a license is granted, before the next
571 regular meeting of the board, if the applicant for a reciprocal
572 license has complied with all requirements, rules and regulations
573 of the board. The temporary permit will expire at the next
574 regular meeting of the board.

575 (8) (a) Except as provided in Section 1 of Senate Bill No.
576 2472, 2006 Regular Session, any person holding a license for the
577 practice of funeral service or funeral directing may have the same
578 renewed for a period of two (2) years by making and filing with
579 the board an application on or before the due date. Payment of
580 the renewal fee shall be in an amount set by the board in
581 accordance with Section 73-11-56. The board shall mail the notice
582 of renewal and the due date for the payment of the renewal fee to
583 the last known address of each licensee at least thirty (30) days
584 before that date. It is the responsibility of the licensee to
585 notify the board in writing of any change of address. An

586 application will be considered late if the application and proper
587 fees are not in the board's office or postmarked by the due date.

588 (b) If the renewal fee is not paid on or postmarked by
589 the due date, the license of such person shall by operation of law
590 automatically expire and become void without further action of the
591 board. The board may reinstate such license if application for
592 licensure is made within a period of five (5) years, upon payment
593 of the renewal fee for the current year, all renewal fees in
594 arrears, and a reinstatement fee. After a period of five (5)
595 years, the licensee must make application, pay the current renewal
596 fee, all fees in arrears, and pass a written and/or oral
597 examination as prepared or approved by the board.

598 (9) No license shall be assignable or valid for any person
599 other than the original licensee.

600 (10) The board may, in its discretion, if there is a major
601 disaster or emergency where human death is likely to occur,
602 temporarily authorize the practice of funeral directing and
603 funeral service by persons licensed to practice in another state
604 but not licensed to practice in this state, provided that such
605 services are only rendered by members of disaster mortuary teams
606 authorized by federal or appropriate local authorities to provide
607 such services. Only persons licensed in this state, however, may
608 sign death certificates.

609 (11) A person who is licensed for the practice of funeral
610 service by another state is authorized to make a removal of a
611 deceased person, embalm a deceased person or conduct a funeral or
612 burial service in this state, and a funeral director who is
613 licensed by another state is authorized to conduct a funeral or
614 burial service in this state, in the same manner and to the same
615 extent as provided by the laws of that state to persons licensed
616 by the State of Mississippi for the practice of funeral service or
617 for the practice of funeral directing. The board is authorized to
618 enter into written agreements with those states detailing the

619 manner and extent to which persons licensed by the State of
620 Mississippi may practice funeral service or directing in that
621 state.

622 (12) Any funeral service technology or mortuary science
623 program accredited by the American Board of Funeral Service
624 Education in the State of Mississippi, as well as students
625 enrolled in such a program, shall be exempt from licensing under
626 this chapter when embalming or otherwise preparing a deceased
627 human body for disposition as part of a student practicum
628 experience, when the student is directly supervised by an
629 instructor or preceptor who holds a current funeral service
630 license. This exemption shall apply to practicum experiences
631 performed at an accredited institution of funeral service
632 technology or mortuary science program or at a duly licensed
633 funeral establishment or commercial mortuary service. Nothing in
634 this subsection shall be construed to allow any funeral service
635 technology or mortuary science program, or those students enrolled
636 in such a program, to engage in practicum experiences for
637 remuneration.

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

641 **SECTION 12.** Section 73-13-31, Mississippi Code of 1972, is
642 amended as follows:

643 73-13-31. Except as provided in Section 1 of Senate Bill No.
644 2472, 2006 Regular Session, certificates of licensure shall expire
645 on the last day of the month of December following their issuance
646 or renewal and shall become invalid on that date unless renewed.
647 It shall be the duty of the board to notify every person licensed
648 under this chapter of the date of the expiration of his
649 certificate and the amount of the fee that shall be required for
650 its renewal for one (1) year. Such notice shall be sent by
651 first-class mail to the last known address of the licensee at

652 least one (1) month in advance of the date of the expiration of
653 said certificate. Renewal may be effected at any time during the
654 month of December by the payment of a fee, as determined by the
655 board, not to exceed Fifty Dollars (\$50.00). A person who is
656 licensed as a professional engineer and as a professional surveyor
657 may effect both renewals by the payment of a fee not to exceed
658 Seventy-five Dollars (\$75.00). The failure on the part of any
659 licensee to renew his certificate annually in the month of
660 December as required above, shall not deprive such person of the
661 right of renewal, but the fee to be paid for the renewal of a
662 certificate after the month of December shall be increased ten
663 percent (10%) for each month, or fraction of a month that payment
664 of renewal is delayed; provided, however, that the maximum fee for
665 delayed renewal shall not exceed five (5) times the normal renewal
666 fee. A state agency or any of the state's political subdivisions,
667 such as a county or municipality, may pay the renewal fee of any
668 licensee who is a full-time employee; provided, however, that any
669 licensee who permits his/her renewal fee to be paid from any
670 public funds shall not perform engineering or surveying services
671 for a fee or other emoluments for the public or for any other
672 public entity. If a certificate has expired for six (6) months or
673 more, the licensee shall be required to submit a new application,
674 paying back fees and submitting proof of continuing professional
675 competency compliance. If the certificate has expired for five
676 (5) years or more, in addition to submitting a new application and
677 proof of continuing professional competency compliance,
678 reexamination in the principles and practice may be required. The
679 reexamination requirement may be waived by the board provided the
680 applicant has continued to practice in another jurisdiction from
681 the date of expiration of his certificate.

682 **SECTION 13.** Section 73-14-31, Mississippi Code of 1972, is
683 amended as follows:

684 73-14-31. Except as provided in Section 1 of Senate Bill No.
685 2472, 2006 Regular Session, a person who practices the fitting and
686 dispensing of hearing aids shall biennially pay to the board a fee
687 of Two Hundred Dollars (\$200.00) for a renewal of his license. A
688 grace period of thirty (30) days shall be allowed after the
689 expiration of a license, during which the same may be renewed on
690 payment of a fee of Two Hundred Dollars (\$200.00) to the board.
691 The license of any person who fails to have his license renewed by
692 the expiration of the grace period of thirty (30) days shall be
693 considered to have lapsed. After the expiration of the grace
694 period, the board may reinstate a license upon payment of a fee of
695 Two Hundred Fifty Dollars (\$250.00) to the board. No person who
696 applies for reinstatement, whose license was suspended for the
697 sole reason of failure to renew, shall be required to submit to
698 any examination as a condition of reinstatement, provided such
699 person applies for reinstatement within one (1) year from the date
700 of lapse of the license.

701 The board shall require the applicant for license renewal to
702 present evidence of the satisfactory completion of continuing
703 education requirements as determined by the board.

704 In the event that any licensee shall fail to meet the annual
705 educational requirement, his license shall not be renewed by the
706 board, but the board may renew the license upon the presentation
707 of satisfactory evidence of educational study of a standard
708 approved by the board and upon the payment of all fees due. No
709 governmental entity or agency shall be required to pay the fee or
710 fees set forth in this section.

711 **SECTION 14.** Section 73-15-27, Mississippi Code of 1972, is
712 amended as follows:

713 73-15-27. The license of every person licensed under the
714 provisions of this chapter shall be renewed biennially except as
715 hereinafter provided:

716 (a) Registered nurses:

717 (i) Except as provided in Section 1 of Senate Bill
718 No. 2472, 2006 Regular Session, the license to practice as a
719 registered nurse shall be valid for two (2) calendar years,
720 beginning January 1 of each uneven-numbered year and expiring
721 December 31 in each even-numbered year of the biennial period and
722 subject to renewal for each period of two (2) years thereafter.

723 (ii) An application for renewal of licensure will
724 be mailed by the board on or before November 1 of the year the
725 license expires to every person to whom a license was issued or
726 renewed during the biennial period. Such application shall be
727 completed and returned to the board by December 31 of that year
728 with the biennial renewal fee to be set at the discretion of the
729 board, but not to exceed Fifty Dollars (\$50.00).

730 (iii) Upon receipt of the application and fee, the
731 board shall verify the accuracy of the application and issue to
732 the applicant a certificate of renewal for the ensuing period of
733 two (2) years. Such renewal shall render the holder thereof the
734 right to practice as a registered nurse.

735 (iv) A registered nurse may request in writing to
736 the board that his or her license be placed on inactive status.
737 The board may grant such request and shall have authority, in its
738 discretion, to attach conditions to the licensure of such
739 registered nurse while on inactive status. A biennial renewal fee
740 for inactive registered nurses shall be set at the discretion of
741 the board, not to exceed Fifty Dollars (\$50.00).

742 (v) Any registered nurse applying for a license,
743 renewal of an active license, reinstatement of a lapsed license,
744 or change from inactive to active status may be required to
745 provide evidence of continuing basic nursing competencies when
746 such nurse has not practiced nursing for compensation or performed
747 the function of a registered nurse in a voluntary capacity with or
748 without compensation within the five-year period immediately prior

749 to such application for a license, renewal, reinstatement or
750 change of status.

751 (vi) Any registered nurse who permits his or her
752 license to lapse by failing to renew the license as provided above
753 may be reinstated by the board on satisfactory explanation for
754 such failure to renew his or her license, by compliance with all
755 other applicable provisions of this chapter, by completion of a
756 reinstatement form, and upon payment of a reinstatement fee not to
757 exceed One Hundred Dollars (\$100.00) which shall not include the
758 renewal fee for the current biennial period. Any registered nurse
759 who permits his or her license to lapse shall be notified by the
760 board within fifteen (15) days of such lapse.

761 (vii) Any person practicing as a registered nurse
762 during the time his or her license has lapsed shall be considered
763 in violation of this chapter and shall be subject to the penalties
764 provided for violation of this chapter, provided the registered
765 nurse has not submitted the required reinstatement form and fees
766 within fifteen (15) days after notification by the board of such
767 lapse.

768 (b) Licensed practical nurses:

769 (i) Except as provided in Section 1 of Senate Bill
770 No. 2472, 2006 Regular Session, the license to practice as a
771 licensed practical nurse shall be valid for two (2) calendar
772 years, beginning January 1 of each even-numbered year and expiring
773 December 31 in each uneven-numbered year of the biennial period
774 and subject to renewal for each period of two (2) years
775 thereafter.

776 (ii) An application for renewal of licensure will
777 be mailed by the board on or before November 1 of the year the
778 license expires to every person to whom a license was issued or
779 renewed during the biennial period. Such application shall be
780 completed and returned to the board by December 31 of that year

781 with the biennial renewal fee to be set at the discretion of the
782 board, but not to exceed Fifty Dollars (\$50.00).

783 (iii) Upon receipt of the application and fee, the
784 board shall verify the accuracy of the application and issue to
785 the applicant a certificate of renewal for the ensuing period of
786 two (2) years. Such renewal shall render the holder thereof the
787 right to practice as a licensed practical nurse.

788 (iv) A licensed practical nurse may request in
789 writing to the board that his or her license be placed on inactive
790 status. The board may grant such request and shall have
791 authority, in its discretion, to attach conditions to the
792 licensure of such licensed practical nurse while on inactive
793 status. A biennial renewal fee for inactive licensed practical
794 nurses shall be set at the discretion of the board, not to exceed
795 Fifty Dollars (\$50.00).

796 (v) Any licensed practical nurse applying for a
797 license, renewal of an active license, reinstatement of a lapsed
798 license, or change from inactive to active status may be required
799 to provide evidence of continuing basic nursing competencies when
800 such nurse has not practiced nursing for compensation or performed
801 the function of a licensed practical nurse in a voluntary capacity
802 with or without compensation within the five-year period
803 immediately prior to such application for a license, renewal,
804 reinstatement or change of status.

805 (vi) Any licensed practical nurse who permits his
806 or her license to lapse by failing to renew the license as
807 provided above may be reinstated by the board upon satisfactory
808 explanation for such failure to renew his or her license, by
809 compliance with all other applicable provisions of this chapter,
810 by completion of a reinstatement form, and upon payment of the
811 reinstatement fee not to exceed One Hundred Dollars (\$100.00),
812 which shall not include the renewal fee for the current biennial
813 period. Any licensed practical nurse who permits his or her

814 license to lapse shall be notified by the board within fifteen
815 (15) days of such lapse.

816 (vii) Any person practicing as a licensed
817 practical nurse during the time his or her license has lapsed
818 shall be considered an illegal practitioner and shall be subject
819 to the penalties provided for violation of this chapter, provided
820 the licensed practical nurse has not submitted the required
821 reinstatement form and fees within fifteen (15) days after
822 notification by the board of such lapse.

823 **SECTION 15.** Section 73-17-11, Mississippi Code of 1972, is
824 amended as follows:

825 73-17-11. (1) From and after July 1, 1983, in order to be
826 eligible to be licensed as a nursing home administrator an
827 individual must submit evidence satisfactory to the board that he
828 or she:

829 (a) Is at least twenty-one (21) years of age;

830 (b) Is of good moral character;

831 (c) Is in good health;

832 (d) Is a high school graduate or the equivalent;

833 (e) For initial licensure on or after July 1, 1988, has
834 an associate degree from an accredited institution, or at least
835 sixty-four (64) semester hours of college work from an accredited
836 institution, or at least one (1) year of supervisory or
837 administrative responsibilities in a licensed sub-acute or
838 long-term health care facility in Mississippi within the twelve
839 (12) months before making application; and

840 (f) Has successfully passed examinations administered
841 by the board to test his or her proficiency and basic knowledge in
842 the area of nursing home administration.

843 The board may establish the frequency of the offering of
844 those examinations and the contents thereof.

845 (2) Reciprocity shall be extended to individuals holding
846 licenses as nursing home administrators in other states, upon

847 proper application and a finding on the part of the board that (a)
848 the applicant possesses the basic qualifications listed in this
849 chapter, and (b) that the standards and requirements of the
850 licensing jurisdiction under which he or she holds a license are
851 no less stringent than those of the State of Mississippi, and (c)
852 that the licensing jurisdiction extends reciprocity to licensees
853 of the State of Mississippi under reasonable terms and conditions.

854 (3) The board may prescribe appropriate fees for the taking
855 of examinations and for the issuance of licenses. Those fees
856 shall be not more than Four Hundred Dollars (\$400.00) for taking
857 the examinations and Four Hundred Fifty Dollars (\$450.00) for the
858 issuance of a license. However, the fee for an initial license
859 may be prorated in proportion to the period of time from the date
860 of issuance and the date of biennial license renewal prescribed in
861 subsection (4). All licenses issued under this chapter shall be
862 for a maximum period of two (2) years.

863 (4) Except as provided in Section 1 of Senate Bill No. 2472,
864 2006 Regular Session, the board may renew licenses * * *
865 biennially * * * upon the payment of a fee to be established by
866 the board, which shall be not more than Four Hundred Fifty Dollars
867 (\$450.00), plus any administrative costs for late payment.

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

871 **SECTION 16.** Section 73-19-21, Mississippi Code of 1972, is
872 amended as follows:

873 73-19-21. Except as provided in Section 1 of Senate Bill No.
874 2472, 2006 Regular Session, the board shall charge the following
875 fees for examination, registrations and renewals of certificates:
876 The sum of not more than Two Hundred Dollars (\$200.00) for an
877 examination of an applicant who is a resident of Mississippi and
878 not more than Three Hundred Dollars (\$300.00) for a nonresident of
879 Mississippi to cover the additional expenses of checking

880 references, character and other statements contained in the
881 application. Every registered optometrist who desires to continue
882 the practice of optometry shall, biennially, on or before January
883 1, pay to the secretary of the board a renewal registration fee of
884 not more than Four Hundred Dollars (\$400.00) for which he shall
885 receive a renewal of his certificate. The board, in its
886 discretion, may set the renewal registration fee at different
887 amounts for registered optometrists, for registered optometrists
888 certified to use diagnostic pharmaceutical agents, and for
889 registered optometrists certified to use diagnostic and
890 therapeutic pharmaceutical agents, not to exceed the maximum
891 amount prescribed in this section.

892 In case of neglect to pay the renewal registration fee herein
893 specified, the board may revoke such certificate and the holder
894 thereof may be reinstated by complying with the conditions
895 specified in this chapter. But no certificate or permit shall be
896 revoked without giving sixty (60) days' notice to the delinquent,
897 who, within such period shall have the right of renewal of such
898 certificate on payment of the renewal fee with a penalty of not
899 more than Fifteen Dollars (\$15.00), provided, that retirement from
900 practice for a period not exceeding five (5) years shall not
901 deprive the holder of said certificate of the right to renew his
902 certificate on the payment of all lapsed fees. The board shall
903 adopt a seal and certificate of suitable design and shall conduct
904 its examination at Jackson, in this state. Its permanent records
905 shall be kept in the office of the secretary, which records shall
906 be open to public inspection.

907 **SECTION 17.** Section 73-21-91, Mississippi Code of 1972, is
908 amended as follows:

909 73-21-91. (1) Except as provided in Section 1 of Senate
910 Bill No. 2472, 2006 Regular Session, every pharmacist shall renew
911 his license biennially. To renew his license, a pharmacist shall:

912 (a) Submit an application for renewal on the form
913 prescribed by the board;

914 (b) Submit satisfactory evidence of the completion in
915 the last licensure period of such continuing education units as
916 shall be required by the board, but in no case less than two (2)
917 continuing education units in the last licensure period;

918 (c) Pay such renewal fees as required by the board, not
919 to exceed Two Hundred Dollars (\$200.00) for each biennial
920 licensing period, provided that the board may add a surcharge of
921 not more than Five Dollars (\$5.00) to a license renewal fee to
922 fund a program to aid impaired pharmacists or pharmacy students.
923 Any pharmacist license renewal received postmarked after December
924 31 of the renewal period will be returned and a Fifty Dollar
925 (\$50.00) late renewal fee will be assessed prior to renewal.

926 (2) Any pharmacist who has defaulted in license renewal may
927 be reinstated within two (2) years upon payment of renewal fees in
928 arrears and presentation of evidence of the required continuing
929 education. Any pharmacist defaulting in license renewal for a
930 period in excess of two (2) years shall be required to
931 successfully complete the examination given by the board pursuant
932 to Section 73-21-85 before being eligible for reinstatement as a
933 pharmacist in Mississippi, or shall be required to appear before
934 the board to be examined for his competence and knowledge of the
935 practice of pharmacy, and may be required to submit evidence of
936 continuing education. If such person is found fit by the board to
937 practice pharmacy in this state, the board may reinstate his
938 license to practice pharmacy upon payment of all renewal fees in
939 arrears.

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

943 **SECTION 18.** Section 73-23-57, Mississippi Code of 1972, is
944 amended as follows:

945 73-23-57. (1) Except as provided in Section 1 of Senate
946 Bill No. 2472, 2006 Regular Session, every licensed physical
947 therapist and physical therapist assistant shall apply to the
948 board for a renewal of licensure in a manner prescribed by the
949 rules and regulations of the board, and pay the prescribed fee,
950 not to exceed Seventy-five Dollars (\$75.00) per year, or One
951 Hundred Fifty Dollars (\$150.00) every two (2) years. Licenses
952 that are not so renewed shall automatically lapse.

953 (2) The manner in which lapsed licenses shall be revived or
954 extended shall be established by the board.

955 **SECTION 19.** Section 73-24-27, Mississippi Code of 1972, is
956 amended as follows:

957 73-24-27. (1) Except as provided in Section 1 of Senate
958 Bill No. 2472, 2006 Regular Session, any license issued under this
959 chapter shall be subject to renewal and shall expire unless
960 renewed in the manner prescribed by the rules and regulations of
961 the board, upon the payment of a renewal fee and demonstration of
962 completion of continuing professional education. The board may
963 provide for the late renewal of a license upon the payment of a
964 late fee in accordance with its rules and regulations, but no late
965 renewal of a license may be granted more than two (2) years after
966 its expiration.

967 (2) Upon request and payment of the license fee required,
968 the board shall grant inactive status to a licensee who: (a) does
969 not practice as an occupational therapist or an occupational
970 therapy assistant, (b) does not hold himself or herself out as an
971 occupational therapist or an occupational therapy assistant, and
972 (c) does not maintain any continuing education requirements.

973 (3) A suspended license is subject to expiration and may be
974 renewed as provided in this section, but such renewal shall not
975 entitle the suspended licensee to engage in the licensed activity
976 or in any other conduct or activity in violation of the order of
977 judgment by which the license was suspended. If a license revoked

978 on disciplinary grounds is reinstated, the licensee, as a
979 condition of reinstatement, shall pay the renewal fee and any late
980 fee that may be applicable. The procedure for the reinstatement
981 of a license that is suspended for being out of compliance with an
982 order for support, as defined in Section 93-11-153, shall be
983 governed by Section 93-11-157 or 93-11-163, as the case may be.

984 **SECTION 20.** Section 73-25-14, Mississippi Code of 1972, is
985 amended as follows:

986 73-25-14. (1) Except as provided in Section 1 of Senate
987 Bill No. 2472, 2006 Regular Session, the license of every person
988 licensed to practice medicine or osteopathy in the State of
989 Mississippi shall be renewed annually.

990 On or before May 1 of each year, the State Board of Medical
991 Licensure shall mail a notice of renewal of license to every
992 physician or osteopath to whom a license was issued or renewed
993 during the current licensing year. The notice shall provide
994 instructions for obtaining and submitting applications for
995 renewal. The State Board of Medical Licensure is authorized to
996 make applications for renewal available via electronic means. The
997 applicant shall obtain and complete the application and submit it
998 to the board in the manner prescribed by the board in the notice
999 before June 30 with the renewal fee of an amount established by
1000 the board, but not to exceed Two Hundred Dollars (\$200.00), a
1001 portion of which fee shall be used to support a program to aid
1002 impaired physicians and osteopaths. The payment of the annual
1003 license renewal fee shall be optional with all physicians over the
1004 age of seventy (70) years. Upon receipt of the application and
1005 fee, the board shall verify the accuracy of the application and
1006 issue to applicant a certificate of renewal for the ensuing year,
1007 beginning July 1 and expiring June 30 of the succeeding calendar
1008 year. That renewal shall render the holder thereof a legal
1009 practitioner as stated on the renewal form.

1010 (2) Any physician or osteopath practicing in Mississippi who
1011 allows his or her license to lapse by failing to renew the license
1012 as provided in subsection (1) may be reinstated by the board on
1013 satisfactory explanation for the failure to renew, by completion
1014 of a reinstatement form, and upon payment of the renewal fee for
1015 the current year, and shall be assessed a fine of Twenty-five
1016 Dollars (\$25.00) plus an additional fine of Five Dollars (\$5.00)
1017 for each month thereafter that the license renewal remains
1018 delinquent.

1019 (3) Any physician or osteopath not practicing in Mississippi
1020 who allows his or her license to lapse by failing to renew the
1021 license as provided in subsection (1) may be reinstated by the
1022 board on satisfactory explanation for the failure to renew, by
1023 completion of a reinstatement form and upon payment of the
1024 arrearages for the previous five (5) years and the renewal fee for
1025 the current year.

1026 (4) Any physician or osteopath who allows his or her license
1027 to lapse shall be notified by the board within thirty (30) days of
1028 that lapse.

1029 (5) Any person practicing as a licensed physician or
1030 osteopath during the time his or her license has lapsed shall be
1031 considered an illegal practitioner and shall be subject to
1032 penalties provided for violation of the Medical Practice Act,
1033 provided that he or she had not submitted the required
1034 reinstatement form and fee within fifteen (15) days after
1035 notification by the board of the lapse.

1036 (6) Any physician or osteopath practicing in the State of
1037 Mississippi whose license has lapsed and is deemed an illegal
1038 practitioner under subsection (5) of this section may petition the
1039 board for reinstatement of his or her license on a retroactive
1040 basis, if the physician or osteopath was unable to meet the June
1041 30 deadline due to extraordinary or other legitimate reasons, and
1042 retroactive reinstatement of licensure shall be granted or may be

1043 denied by the board only for good cause. Failure to advise the
1044 board of change of address shall not be considered a basis of
1045 reinstatement.

1046 (7) None of the fees or fines provided for in this section
1047 shall be applicable to the renewal of a special volunteer medical
1048 license authorized under Section 73-25-18.

1049 (8) Fees collected under the provisions of this section
1050 shall be used by the board to defray expenses of administering the
1051 licensure provisions of the Medical Practice Act (Title 73,
1052 Chapter 25, Mississippi Code of 1972) and to support a program to
1053 aid impaired physicians and osteopaths in an amount determined by
1054 the board.

1055 **SECTION 21.** Section 73-26-5, Mississippi Code of 1972, is
1056 amended as follows:

1057 73-26-5. (1) The board shall promulgate and publish
1058 reasonable rules and regulations necessary to enable it to
1059 discharge its functions and to enforce the provisions of law
1060 regulating the practice of physician assistants. Those rules
1061 shall include, but are not limited to: qualifications for
1062 licensure for physician assistants; scope of practice of physician
1063 assistants; supervision of physician assistants; identification of
1064 physician assistants; grounds for disciplinary actions and
1065 discipline of physician assistants; and setting and charging
1066 reasonable fees for licensure and license renewals for physician
1067 assistants. However, nothing in this chapter or in rules adopted
1068 by the board shall authorize physician assistants to administer or
1069 monitor general inhaled anesthesia, epidural anesthesia, spinal
1070 anesthesia or monitored anesthesia as utilized in surgical
1071 procedures. The board shall promulgate rules for licensure and
1072 license renewals in accordance with Section 1 of Senate Bill No.
1073 2472, 2006 Regular Session.

1074 (2) If the board appoints a task force or committee to
1075 address physician assistant regulation, at least one (1) member of

1076 the task force shall be a nurse practitioner who is a member of
1077 the Mississippi Board of Nursing or a nurse practitioner appointee
1078 selected by the board from a list of three (3) recommendations
1079 submitted by the Mississippi Nurses Association, and at least one
1080 (1) member shall be a physician assistant selected by the board
1081 from a list of three (3) recommendations submitted by the
1082 Mississippi Academy of Physician Assistants.

1083 **SECTION 22.** Section 73-27-12, Mississippi Code of 1972, is
1084 amended as follows:

1085 73-27-12. (1) Except as provided in Section 1 of Senate
1086 Bill No. 2472, 2006 Regular Session, the license of every person
1087 licensed to practice podiatry in the State of Mississippi shall be
1088 renewed annually.

1089 On or before May 1 of each year, the board shall mail a
1090 notice of renewal of license to every podiatrist to whom a license
1091 was issued or renewed during the current licensing year. The
1092 notice shall provide instructions for obtaining and submitting
1093 applications for renewal. The State Board of Medical Licensure is
1094 authorized to make applications for renewal available via
1095 electronic means. The applicant shall obtain and complete the
1096 application and submit it to the board in the manner prescribed by
1097 the board in the notice before June 30 with the renewal fee of an
1098 amount established by the board, but not to exceed Two Hundred
1099 Dollars (\$200.00), a portion of which fee shall be used to support
1100 a program to aid impaired podiatrists. Upon receipt of the
1101 application and fee, the board shall verify the accuracy of the
1102 application and issue to applicant a certificate of renewal for
1103 the ensuing year, beginning July 1 and expiring June 30 of the
1104 succeeding calendar year. That renewal shall render the holder
1105 thereof a legal practitioner as stated on the renewal form.

1106 (2) Any podiatrist practicing in Mississippi who allows his
1107 or her license to lapse by failing to renew the license as
1108 provided in subsection (1) may be reinstated by the board on

1109 satisfactory explanation for the failure to renew, by completion
1110 of a reinstatement form, and upon payment of the renewal fee for
1111 the current year, and shall be assessed a fine of Twenty-five
1112 Dollars (\$25.00) plus an additional fine of Five Dollars (\$5.00)
1113 for each month thereafter that the license renewal remains
1114 delinquent.

1115 (3) Any podiatrist not practicing in Mississippi who allows
1116 his or her license to lapse by failing to renew the license as
1117 provided in subsection (1) may be reinstated by the board on
1118 satisfactory explanation for the failure to renew, by completion
1119 of a reinstatement form and upon payment of the arrearages for the
1120 previous five (5) years and the renewal fee for the current year.

1121 (4) Any podiatrist who allows his or her license to lapse
1122 shall be notified by the board within thirty (30) days of that
1123 lapse.

1124 (5) Any person practicing as a licensed podiatrist during
1125 the time his or her license has lapsed shall be considered an
1126 illegal practitioner and shall be subject to penalties set forth
1127 in Section 73-27-17, provided that he or she has not submitted the
1128 required reinstatement form and fee within fifteen (15) days after
1129 notification by the board of the lapse.

1130 (6) Any podiatrist practicing in the State of Mississippi
1131 whose license has lapsed and is deemed an illegal practitioner
1132 under subsection (5) of this section may petition the board for
1133 reinstatement of his or her license on a retroactive basis, if the
1134 podiatrist was unable to meet the June 30 deadline due to
1135 extraordinary or other legitimate reasons, and retroactive
1136 reinstatement of licensure shall be granted or may be denied by
1137 the board only for good cause. Failure to advise the board of
1138 change of address shall not be considered a basis for
1139 reinstatement.

1140 (7) Fees collected under the provisions of this section
1141 shall be used by the board to defray expenses of administering the

1142 licensure provisions of Title 73, Chapter 27, Mississippi Code of
1143 1972, and to support a program to aid impaired podiatrists in an
1144 amount determined by the board.

1145 **SECTION 23.** Section 73-29-29, Mississippi Code of 1972, is
1146 amended as follows:

1147 73-29-29. Except as provided in Section 1 of Senate Bill No.
1148 2472, 2006 Regular Session, each polygraph examiner's license
1149 shall be issued for the term of one (1) year and shall, unless
1150 suspended or revoked, be renewed annually as prescribed by the
1151 board; provided, however, that licenses issued from and after July
1152 1, 1994, shall be issued for terms of two (2) years and shall,
1153 unless suspended or revoked, be renewed as prescribed by the
1154 board. No license shall be renewed unless the board receives
1155 satisfactory proof of such continuing education as it by
1156 regulation requires.

1157 **SECTION 24.** Section 73-30-29, Mississippi Code of 1972, is
1158 amended as follows:

1159 73-30-29. (1) Except as provided in Section 1 of Senate
1160 Bill No. 2472, 2006 Regular Session, the annual renewal of license
1161 fee under this chapter shall be Fifty Dollars (\$50.00) per year.
1162 License renewal fees may be increased by the board as deemed
1163 necessary, but may not be increased by more than ten percent (10%)
1164 of the previous year's fee.

1165 (2) From and after January 1, 2004, a licensed professional
1166 counselor must complete twelve (12) hours of continuing education
1167 before a license may be renewed. Continuing education courses
1168 must be in the field in which the counselor practices. A minimum
1169 of three (3) hours of continuing education must be in the field of
1170 professional ethics. The board may determine which continuing
1171 education courses are admissible, and the decisions of the board
1172 are final. Courses submitted for other certification processes
1173 will be admissible. The board must adhere to the guidelines as

1174 provided by the National Board of Certified Counselors with regard
1175 to credit for teaching courses, workshops and serving on boards.

1176 **SECTION 25.** Section 73-31-9, Mississippi Code of 1972, is
1177 amended as follows:

1178 73-31-9. (1) All fees from applicants seeking licensing
1179 under this chapter and all license renewal fees received under
1180 this chapter shall be nonrefundable.

1181 (2) The board shall charge an application fee to be
1182 determined by the board but not to exceed Three Hundred Dollars
1183 (\$300.00) to applicants for licensing, and shall charge the
1184 applicant for the expenses incurred by the board for examination
1185 of the applicant.

1186 (3) Except as provided in Section 1 of Senate Bill No. 2472,
1187 2006 Regular Session, every licensed psychologist in this state
1188 shall annually pay to the board a fee determined by the board but
1189 not to exceed Three Hundred Dollars (\$300.00); and the executive
1190 secretary shall thereupon issue a renewal of the license for a
1191 term of one (1) year. The license of any psychologist who shall
1192 fail to renew during the month of July in each and every year
1193 shall lapse; the failure to renew the license, however, shall not
1194 deprive said psychologist of the right of renewal thereafter.
1195 Such lapsed license may be renewed within a period of two (2)
1196 years after such lapse upon payment of all fees in arrears. A
1197 psychologist wishing to renew a license which has been lapsed for
1198 more than two (2) years shall be required to reapply for
1199 licensure.

1200 (4) On July 1, 1993, and every odd numbered year thereafter,
1201 no psychologist license shall be renewed unless the psychologist
1202 shows evidence of a minimum of twenty (20) clock hours of
1203 continuing education activities approved by the board.

1204 (5) All fees and any other monies received by the board
1205 shall be deposited in a special fund that is created in the State
1206 Treasury and shall be used for the implementation and

1207 administration of this chapter when appropriated by the
1208 Legislature for such purpose. The monies in the special fund
1209 shall be subject to all provisions of the state budget laws that
1210 are applicable to special fund agencies, and disbursements from
1211 the special fund shall be made by the State Treasurer only upon
1212 warrants issued by the State Fiscal Officer upon requisitions
1213 signed by the chairman or executive secretary of the board. Any
1214 interest earned on this special fund shall be credited by the
1215 State Treasurer to the fund and shall not be paid into the State
1216 General Fund. Any unexpended monies remaining in the special fund
1217 at the end of a fiscal year shall not lapse into the State General
1218 Fund. The State Auditor shall audit the financial affairs of the
1219 board and the transactions involving the special fund at least
1220 once a year in the same manner as for other special fund agencies.

1221 This section shall stand repealed from and after July 1,
1222 2011.

1223 **SECTION 26.** Section 73-33-7, Mississippi Code of 1972, is
1224 amended as follows:

1225 73-33-7. The Mississippi State Board of Public Accountancy
1226 is authorized to charge each applicant a fee for a certified
1227 public accountant license. However, a firm permit to practice
1228 public accounting shall be issued without the assessment of a fee
1229 by the board. All fees shall be in such amounts as to be
1230 determined by the board and paid when the application is filed.

1231 Except as provided in Section 1 of Senate Bill No. 2472, 2006
1232 Regular Session, on or before January 1 of each year, each holder
1233 of a certified public accountant license issued by the Mississippi
1234 State Board of Public Accountancy shall register and pay a
1235 reasonable annual registration fee in such amount as to be
1236 determined by the board. If any certified public accountant fails
1237 to register and pay the annual registration fee on or before
1238 January 1, notice of such default shall be sent to the certified
1239 public accountant by certified mail to the delinquent registrant's

1240 last known address as shown by the records of the board. The
1241 license of any certified public accountant who fails to register
1242 and pay the annual registration fee within ten (10) days after
1243 notice is given shall be automatically cancelled, and the board
1244 shall enter the cancellation on its records.

1245 On or before January 1 of each year, each certified public
1246 accountant firm holding a permit to practice public accounting
1247 shall register with the board without the assessment of a
1248 registration fee. If any firm fails to register on or before
1249 January 1, notice of such default shall be sent to the firm by
1250 certified mail to the firm's last known address as shown by the
1251 records of the board. The permit to practice of any firm who
1252 fails to register within ten (10) days after notice is given shall
1253 be automatically cancelled, and the board shall enter the
1254 cancellation on its records.

1255 Any person who has lost a certified public accountant license
1256 or a firm which has lost a permit to practice in this state by
1257 failure to register or failure to pay the annual registration fee
1258 if so required under this section, or who voluntarily cancels or
1259 surrenders such license or permit, may be again licensed or have a
1260 firm permit reinstated by the board without reexamination,
1261 provided such person or firm shall again comply with the
1262 requirements of this chapter and the rules and regulations of the
1263 board; file application for registration; and, if required to pay
1264 a fee under this section, pay all fees in arrears, late fees and a
1265 reinstatement fee as set by the board.

1266 Out of the funds collected under this chapter shall be paid
1267 the expenses of the members of the board, including mileage, hotel
1268 expenses and per diem compensation as provided in Section 25-3-69,
1269 for the time expended in carrying out the duties of the office;
1270 provided, however, no expense incurred by the board shall ever be
1271 charged against the funds of the state in excess of amounts
1272 collected under this section.

1273 **SECTION 27.** Section 73-34-25, Mississippi Code of 1972, is
1274 amended as follows:

1275 73-34-25. Except as provided in Section 1 of Senate Bill No.
1276 2472, 2006 Regular Session, a license issued under the authority
1277 of this chapter shall expire two (2) years from the last day of
1278 the month of issuance.

1279 **SECTION 28.** Section 73-35-17, Mississippi Code of 1972, is
1280 amended as follows:

1281 73-35-17. (1) A fee not to exceed One Hundred Fifty Dollars
1282 (\$150.00) shall accompany an application for a real estate
1283 broker's license, and in the event that the applicant successfully
1284 passes the examination, no additional fee shall be required for
1285 the issuance of a license for a one-year period; provided, that if
1286 an applicant fails to pass the examination, he may be eligible to
1287 take the next or succeeding examination without the payment of an
1288 additional fee. In the event a contract testing service is
1289 utilized, the application fee along with the additional testing
1290 fee as incurred by the commission in contracting the cost of the
1291 examination shall accompany such application.

1292 (2) For each license as a real estate broker issued to a
1293 member of a partnership, association or officer of a corporation
1294 other than the member or officer named in the license issued to
1295 such partnership, association or corporation, a fee not to exceed
1296 Seventy-five Dollars (\$75.00) shall be charged.

1297 (3) A fee not to exceed One Hundred Twenty Dollars (\$120.00)
1298 shall accompany an application for a real estate salesperson's
1299 license, and in the event that the applicant successfully passes
1300 the examination, no additional fee shall be required for the
1301 issuance of a license for a one-year period; provided, that if an
1302 applicant fails to pass the examination, he may be eligible to
1303 take the next or succeeding examination without the payment of an
1304 additional fee. In the event a contract testing service is
1305 utilized, the applicable fee along with the prevailing cost

1306 incurred by the commission in contracting the cost of the
1307 examination shall accompany such application.

1308 (4) Except as provided in Section 1 of Senate Bill No. 2472,
1309 2006 Regular Session, it shall be the duty of all persons,
1310 partnerships, associations, companies or corporations licensed to
1311 practice as a real estate broker or salesperson to register with
1312 the commission annually or biennially, in the discretion of the
1313 commission, according to rules promulgated by it and to pay the
1314 proper registration fee. An application for renewal of license
1315 shall be made to the commission annually no later than December 31
1316 of each year, or biennially on a date set by the commission. A
1317 licensee failing to pay his renewal fee after the same becomes due
1318 and after two (2) months' written notice of his delinquency mailed
1319 to him by United States certified mail addressed to his address of
1320 record with the commission shall thereby have his license
1321 automatically cancelled. Any licensee renewing in this grace
1322 period shall pay a penalty in the amount of one hundred percent
1323 (100%) of the renewal fee. The renewal fee shall not exceed
1324 Seventy-five Dollars (\$75.00) per year for real estate brokers,
1325 partnerships, associations and corporations. The renewal fee for
1326 a real estate salesperson's license shall not exceed Sixty Dollars
1327 (\$60.00) per year.

1328 (5) For each additional office or place of business, an
1329 annual fee not to exceed Fifty Dollars (\$50.00) shall be charged.

1330 (6) For each change of office or place of business, a fee
1331 not to exceed Fifty Dollars (\$50.00) shall be charged.

1332 (7) For each duplicate or transfer of salesperson's license,
1333 a fee not to exceed Fifty Dollars (\$50.00) shall be charged.

1334 (8) For each duplicate license, where the original license
1335 is lost or destroyed, and affidavit made thereof, a fee not to
1336 exceed Fifty Dollars (\$50.00) shall be charged.

1337 (9) To change status as a licensee from active to inactive
1338 status, a fee not to exceed Twenty-five Dollars (\$25.00) shall be

1339 charged. To change status as a licensee from inactive to active
1340 status, a fee not to exceed Fifty Dollars (\$50.00) shall be
1341 charged.

1342 (10) For each bad check received by the commission, a fee
1343 not to exceed Twenty-five Dollars (\$25.00) shall be charged.

1344 (11) A fee not to exceed Five Dollars (\$5.00) per hour of
1345 instruction may be charged to allay costs of seminars for
1346 educational purposes provided by the commission.

1347 (12) A fee not to exceed Twenty-five Dollars (\$25.00) may be
1348 charged for furnishing any person a copy of a real estate license,
1349 a notarized certificate of licensure or other official record of
1350 the commission.

1351 (13) A fee not to exceed One Hundred Dollars (\$100.00) shall
1352 be charged to review and process the application and instructional
1353 materials for each curriculum seeking acceptance as a real estate
1354 continuing education course developed to satisfy the mandatory
1355 continuing education requirements for this chapter, with the
1356 period of approval expiring after one (1) year. A fee not to
1357 exceed Fifty Dollars (\$50.00) shall be charged for each renewal of
1358 a previously approved course, with the period of renewal expiring
1359 after one (1) year.

1360 (14) Fees, up to the limits specified herein, shall be
1361 established by the Mississippi Real Estate Commission.

1362 **SECTION 29.** Section 73-36-29, Mississippi Code of 1972, is
1363 amended as follows:

1364 73-36-29. Except as provided in Section 1 of Senate Bill No.
1365 2472, 2006 Regular Session, all licenses issued under the
1366 provisions of this chapter shall expire after December 31 of odd
1367 numbered years and shall become invalid after that date unless
1368 renewed. The secretary of the board shall mail a notice to every
1369 person registered under this chapter notifying the person of the
1370 date of the expiration of his license and the amount of fee
1371 required for its renewal for two (2) years. The notice shall be

1372 mailed to the latest known address, according to the board's
1373 records, at least one (1) month in advance of the date of the
1374 expiration of the license. The board shall from time to time fix
1375 the fee for renewal of licenses, provided the fee shall not exceed
1376 the amount of One Hundred Dollars (\$100.00) for two (2) years'
1377 renewal. Any registrant failing to renew his license and applying
1378 for a license shall be required to pay a fee as set by the board
1379 not to exceed twice the total amount of the license fees had his
1380 license been continued in effect, and also to comply with such
1381 other reasonable requirements as may be established by rules and
1382 regulations of the board.

1383 **SECTION 30.** Section 73-38-29, Mississippi Code of 1972, is
1384 amended as follows:

1385 73-38-29. (1) Except as provided in Section 1 of Senate
1386 Bill No. 2472, 2006 Regular Session, licenses issued under this
1387 chapter shall expire and become invalid at midnight of the
1388 expiration date.

1389 (2) Every person licensed under this chapter shall, on or
1390 before the license expiration date, pay a fee for the biennial
1391 renewal of license to the board. The board may suspend the
1392 license of any person who fails to have his license renewed by the
1393 expiration date. After the expiration date, the board may renew a
1394 license upon payment of a fee to the board. No person who
1395 requests renewal of license, whose license has expired, shall be
1396 required to submit to examination as a condition to renewal, if
1397 such renewal application is made within two (2) years from the
1398 date of such expiration.

1399 (3) A suspended license is subject to expiration and may be
1400 renewed as provided in this section, but such renewal shall not
1401 entitle the licensee, while the license remains suspended and
1402 until it is reinstated, to engage in the licensed activity, or in
1403 any other conduct or activity in violation of the order or
1404 judgment by which the license was suspended.

1405 (4) A license revoked on disciplinary grounds is subject to
1406 expiration as provided in subsection (1) of this section, but it
1407 may not be renewed. If such license is reinstated after its
1408 expiration, the licensee, as a condition of reinstatement, shall
1409 pay a reinstatement fee in an amount equal to the fee for a
1410 license issued after the expiration date which is in effect on the
1411 last preceding regular renewal date before the date on which it is
1412 reinstated. The procedure for the reinstatement of a license that
1413 is suspended for being out of compliance with an order for
1414 support, as defined in Section 93-11-153, shall be governed by
1415 Section 93-11-157 or 93-11-163, as the case may be.

1416 (5) Any person who fails to renew his license within the two
1417 (2) years after the date of its expiration may not renew it, and
1418 it may not be restored, reissued or reinstated thereafter, but
1419 such person may apply for and obtain a new license if he meets the
1420 requirements of this chapter.

1421 **SECTION 31.** Section 73-39-75, Mississippi Code of 1972, is
1422 amended as follows:

1423 73-39-75. (1) Except as provided in Section 1 of Senate
1424 Bill No. 2472, 2006 Regular Session, all licenses shall expire
1425 August 1 of each year but may be renewed by registration with the
1426 board and payment of the license renewal fee. At least thirty
1427 (30) days in advance, the board shall mail an expiration notice to
1428 each licensed veterinarian and include a form for renewal.

1429 (2) The board shall establish the continuing education
1430 requirements that must be met for license renewal.

1431 (3) Any person may renew an expired license within five (5)
1432 years of the date of its expiration by making written application
1433 for renewal, paying the current renewal fee and a reinstatement
1434 fee of Five Hundred Dollars (\$500.00), plus all delinquent renewal
1435 fees and complying with continuing education requirements.

1436 (4) The board may waive the payment of the registration
1437 renewal fee of a licensed veterinarian during the period when he

1438 is on active duty with any branch of the Armed Services of the
1439 United States.

1440 (5) Any licensed veterinarian who is sixty-five (65) years
1441 of age or older and who is employed as a veterinarian on a
1442 part-time basis only shall be exempt from payment of such renewal
1443 fee.

1444 (6) The payment of the annual license renewal fee shall be
1445 optional for all veterinarians seventy (70) years and older.

1446 **SECTION 32.** Section 73-42-11, Mississippi Code of 1972, is
1447 amended as follows:

1448 73-42-11. (1) Except as otherwise provided in subsection
1449 (3), the Secretary of State shall issue a certificate of
1450 registration to an individual who complies with Section
1451 73-42-9(1).

1452 (2) Except as otherwise provided in subsection (3), the
1453 Secretary of State shall issue a certificate of registration to an
1454 individual whose application has been accepted under Section
1455 73-42-9(2).

1456 (3) The Secretary of State may refuse to issue a certificate
1457 of registration if the Secretary of State determines that the
1458 applicant has engaged in conduct that has a significant adverse
1459 effect on the applicant's fitness to serve as an athlete agent.
1460 In making the determination, the Secretary of State may consider
1461 whether the applicant has:

1462 (a) Been convicted of a crime that, if committed in
1463 this state, would be a felony or other crime involving moral
1464 turpitude;

1465 (b) Made a materially false, misleading, deceptive or
1466 fraudulent representation as an athlete agent or in the
1467 application;

1468 (c) Engaged in conduct that would disqualify the
1469 applicant from serving in a fiduciary capacity;

1470 (d) Engaged in conduct prohibited by Section 73-42-27;

1471 (e) Had a registration or licensure as an athlete agent
1472 suspended, revoked, or denied or been refused renewal of
1473 registration or licensure in any state;

1474 (f) Engaged in conduct or failed to engage in conduct
1475 the consequence of which was that a sanction, suspension or
1476 declaration of ineligibility to participate in an interscholastic
1477 or intercollegiate athletic event was imposed on a student-athlete
1478 or educational institution; or

1479 (g) Engaged in conduct that significantly adversely
1480 reflects on the applicant's credibility, honesty or integrity.

1481 (4) In making a determination under subsection (3), the
1482 Secretary of State shall consider:

1483 (a) How recently the conduct occurred;

1484 (b) The nature of the conduct and the context in which
1485 it occurred; and

1486 (c) Any other relevant conduct of the applicant.

1487 (5) An athlete agent may apply to renew a registration by
1488 submitting an application for renewal in a form prescribed by the
1489 Secretary of State. An application filed under this section is a
1490 public record. The application for renewal must be signed by the
1491 applicant under penalty of perjury and must contain current
1492 information on all matters required in an original registration.

1493 (6) An individual who has submitted an application for
1494 renewal of registration or licensure in another state, in lieu of
1495 submitting an application for renewal in the form prescribed
1496 pursuant to subsection (5), may file a copy of the application for
1497 renewal and a valid certificate of registration from the other
1498 state. The Secretary of State shall accept the application for
1499 renewal from the other state as an application for renewal in this
1500 state if the application to the other state:

1501 (a) Was submitted in the other state within the last
1502 six (6) months and the applicant certifies the information
1503 contained in the application for renewal is current;

1504 (b) Contains information substantially similar to or
1505 more comprehensive than that required in an application for
1506 renewal submitted in this state; and

1507 (c) Was signed by the applicant under penalty of
1508 perjury.

1509 (7) Except as provided in Section 1 of Senate Bill No. 2472,
1510 2006 Regular Session, a certificate of registration or a renewal
1511 of a registration is valid for two (2) years.

1512 **SECTION 33.** Section 73-53-15, Mississippi Code of 1972, is
1513 amended as follows:

1514 73-53-15. All original licenses shall be valid for one (1)
1515 year, unless earlier suspended or revoked by the board, and each
1516 person to whom a license is issued shall pay a fee of not more
1517 than Fifty Dollars (\$50.00) therefor to the board. Except as
1518 provided in Section 1 of Senate Bill No. 2472, 2006 Regular
1519 Session, licenses shall be renewed biennially after initial
1520 licensure upon payment of a fee of not more than One Hundred Fifty
1521 Dollars (\$150.00) for licensed social workers, Two Hundred Dollars
1522 (\$200.00) for licensed master social workers and Two Hundred
1523 Dollars (\$200.00) for licensed certified social workers, and being
1524 in compliance with such additional requirements as the board shall
1525 promulgate.

1526 **SECTION 34.** Section 73-54-27, Mississippi Code of 1972, is
1527 amended as follows:

1528 73-54-27. (1) Except as provided in Section 1 of Senate
1529 Bill No. 2472, 2006 Regular Session, licenses issued under this
1530 chapter shall be valid for two (2) years and must be renewed
1531 biennially, in September, with the renewal fee being determined by
1532 the board but not to exceed Two Hundred Dollars (\$200.00).

1533 (2) The license of any marriage and family therapist who
1534 fails to renew biennially during the month of September shall
1535 lapse; the failure to renew the license shall not deprive the
1536 marriage and family therapist of the right of renewal thereafter.

1537 Such lapsed license may be renewed within a period of two (2)
1538 years after such lapse upon payment of all fees in arrears.

1539 (3) A marriage and family therapist wishing to renew a
1540 license that has been lapsed for more than two (2) years shall be
1541 required to reapply for licensure.

1542 (4) The board shall notify each license holder in writing of
1543 the pending license expiration no later than the thirtieth day
1544 before the date on which the license expires.

1545 (5) The board shall require each license holder to
1546 participate in approved continuing education activities in order
1547 to renew a license issued under this chapter.

1548 (6) Any person who notifies the board, in writing on forms
1549 prescribed by the board, may place his license on inactive status
1550 and shall be excused from the payment of renewal fees until the
1551 person notifies the board in writing of the intention to resume
1552 active practice. Any person requesting his license to be changed
1553 from inactive to active status shall be required to pay the
1554 current fee and shall also demonstrate compliance with continuing
1555 education requirements as defined by the board.

1556 **SECTION 35.** Section 73-55-13, Mississippi Code of 1972, is
1557 amended as follows:

1558 73-55-13. (1) Except as provided in Section 1 of Senate
1559 Bill No. 2472, 2006 Regular Session, a person licensed as an
1560 athletic trainer under this chapter shall pay to the board a fee
1561 not to exceed Three Hundred Dollars (\$300.00) for every three-year
1562 period for a renewal of his license.

1563 (2) Continuing education requirements for license renewal
1564 shall be fulfilled during three-year periods running concurrently
1565 with the requirement to maintain certification through the
1566 National Athletic Trainers' Association Board of Certification,
1567 Inc.

1568 (3) A licensee must complete sixty (60) hours of continuing
1569 education during the three-year period as approved by the National

1570 Athletic Trainers' Association Board of Certification, Inc. Proof
1571 of the completion of continuing education as required by this
1572 section shall be turned in to the board within thirty (30) days of
1573 the completion or proof that the continuing education requirements
1574 have been filed with the National Athletic Trainers' Association.

1575 **SECTION 36.** Section 73-57-27, Mississippi Code of 1972, is
1576 amended as follows:

1577 73-57-27. (1) A license shall be renewed biennially except
1578 as herein provided or as provided in Section 1 of Senate Bill No.
1579 2472, 2006 Regular Session. The board shall mail notices at least
1580 thirty (30) calendar days prior to expiration for renewal of
1581 license to every person to whom a license was issued or renewed
1582 during the preceding renewal period. The licensee shall complete
1583 the notice of renewal and return it to the board with the renewal
1584 fee before the date of expiration.

1585 (2) Upon receipt of the notice of renewal and the fee, the
1586 board shall verify its contents and shall issue the licensee a
1587 license for the current renewal period, which shall be valid for
1588 the period stated thereon. The board, with the advice of the
1589 council, shall establish continuing education requirements for
1590 biennial renewal of the license, which shall include proof of
1591 completion of at least fifteen (15) clock hours approved by the
1592 board for continuing education credit.

1593 (3) A licensee who allows his license to lapse by failing to
1594 renew it may be reinstated by the board upon payment of the
1595 renewal fee and reinstatement fee provided that such request for
1596 reinstatement is made within two (2) years of the end of the
1597 renewal period.

1598 (4) A respiratory care practitioner who does not engage in
1599 the practice of respiratory care during the succeeding renewal
1600 period is not required to pay the renewal fee as long as he
1601 remains inactive. If he desires to resume the practice of
1602 respiratory care, he shall notify the board of his intent and

1603 shall satisfy the current requirements of the board in addition to
1604 remitting the renewal fee for the current renewal period of the
1605 reinstatement fee. Requirements of the board shall include a
1606 specific period of time of continuous inactivity after which
1607 testing is required.

1608 (5) The board is authorized to establish fees for
1609 replacement and duplicate licenses.

1610 **SECTION 37.** Section 73-59-3, Mississippi Code of 1972, is
1611 amended as follows:

1612 73-59-3. (1) Except as otherwise provided in Section
1613 73-59-15 or Section 1 of Senate Bill No. 2472, 2006 Regular
1614 Session, persons who perform residential construction or
1615 residential improvement shall be licensed by the board annually,
1616 and, as a prerequisite to obtaining a license or renewal thereof,
1617 each shall submit to the board:

1618 (a) Proof of workers' compensation insurance, if
1619 applicable;

1620 (b) A federal employment identification number or
1621 social security number.

1622 (2) The board shall not require liability insurance to be
1623 licensed under this chapter but if a licensee has liability
1624 insurance it shall be reflected on the certificate of licensure.

1625 (3) The board shall issue or renew a license to a
1626 residential builder or remodeler upon payment to the board of the
1627 license fee. The initial license fee shall be Fifty Dollars
1628 (\$50.00). The license fee may thereafter be increased or
1629 decreased by the board and cannot exceed One Hundred Dollars
1630 (\$100.00); however, the receipts from fees collected by the board
1631 shall be no greater than the amount required to pay all costs and
1632 expenses incurred by the board in enforcing the provisions of this
1633 chapter. Twenty-five Dollars (\$25.00) of the fee required by this
1634 section which is assessed to residential builders licensed under
1635 the provisions of Section 73-59-1 et seq. shall be deposited to

1636 the Construction Education Fund created pursuant to Section
1637 31-3-14 and shall be distributed to the Mississippi Housing
1638 Institute. The remaining fees collected under this chapter shall
1639 be deposited into the special fund in the State Treasury known as
1640 the "State Board of Contractor's Fund" created pursuant to Section
1641 31-3-17 and shall be used for the administration and enforcement
1642 of this chapter and as provided in Section 31-3-14. Amounts in
1643 such fund shall not lapse into the State General Fund at the end
1644 of a fiscal year. Interest accrued to such fund shall remain in
1645 the fund. All expenditures from the special fund shall be by
1646 requisition to the Department of Finance and Administration,
1647 signed by the executive secretary of the board and countersigned
1648 by the chairman or vice chairman of the board.

1649 (4) Except as provided in Section 1 of Senate Bill No. 2472,
1650 2006 Regular Session, the license shall expire on the last day of
1651 the twelfth month following its issuance or renewal and shall
1652 become invalid unless renewed. The board shall notify by mail
1653 every licensee under this chapter of the date of the expiration of
1654 his license and the amount of the fee required for renewal of the
1655 license for one (1) year. Such notice shall be mailed within
1656 thirty (30) days prior to the expiration date of the license. The
1657 failure on the part of any licensee to renew his license annually
1658 in such twelfth month shall not deprive such licensee of the right
1659 of renewal, provided that renewal is effected within one hundred
1660 twenty (120) days after the expiration date of the license by
1661 payment of the license fee plus a penalty of ten percent (10%) of
1662 the license fee. A new license required to replace a revoked,
1663 lost, mutilated or destroyed license may be issued, subject to the
1664 rules of the board, for a charge of not more than Twenty-five
1665 Dollars (\$25.00).

1666 (5) Any person who is not a resident of the State of
1667 Mississippi who desires to perform residential construction or

1668 residential improvement shall be licensed to perform such
1669 construction or improvement as provided by this chapter.

1670 **SECTION 38.** Section 73-60-21, Mississippi Code of 1972, is
1671 amended as follows:

1672 73-60-21. Except as provided in Section 1 of Senate Bill No.
1673 2472, 2006 Regular Session, a license under this chapter shall
1674 expire two (2) years after its date of issuance. The commission
1675 may issue a renewal license without examination, on submission of
1676 a completed renewal application, payment of the required license
1677 renewal fee, and successful completion of continuing education
1678 requirements.

1679 **SECTION 39.** Section 73-61-3, Mississippi Code of 1972, is
1680 amended as follows:

1681 73-61-3. (1) For the purposes of this section, the term
1682 "body piercing" means the creation of an opening in any part of
1683 the human body, other than the outer perimeter or lobe of the ear,
1684 for the purpose of inserting jewelry or other decorative object,
1685 or for some other nonmedical purpose.

1686 (2) No person shall perform body piercing upon any person
1687 for compensation within the State of Mississippi without first
1688 registering with the State Department of Health. The facility or
1689 premises in which body piercing is to be performed shall be
1690 specified in the registration, and the registered person shall be
1691 authorized to perform body piercing only in the specified facility
1692 or premises. Except as provided in Section 1 of Senate Bill No.
1693 2472, 2006 Regular Session, registrations shall be valid for one
1694 (1) year, and each person registered under this section shall pay
1695 an annual registration fee to the department in an amount set by
1696 the department, but not to exceed One Hundred Fifty Dollars
1697 (\$150.00), which fee shall be uniform for all registered persons.

1698 (3) The State Board of Health shall promulgate rules and
1699 regulations relating to:

1700 (a) Health, cleanliness and general sanitation of the
1701 facilities or premises in which body piercing is performed or to
1702 be performed;

1703 (b) Sterilization of body piercing apparatus and safe
1704 disposal of body piercing apparatus;

1705 (c) Procedures to prevent the transmission of disease
1706 or infection during or relating to body piercing procedures,
1707 specifically including, but not limited to, transmission of
1708 Hepatitis B and the human immunodeficiency virus (HIV); and

1709 (d) Such other administrative provisions as may be
1710 necessary to protect public health or properly administer the
1711 requirements of this section.

1712 (4) Representatives of the department may visit any facility
1713 or premises in which body piercing is performed at any time during
1714 business hours to ensure compliance with the requirements of this
1715 section and the rules and regulations promulgated under this
1716 section. Representatives of the department shall visit each
1717 facility or premises in which body piercing is performed not less
1718 than once each year to inspect for such compliance. The
1719 department may suspend or revoke the registration of any person
1720 found to be violating any of the rules or regulations promulgated
1721 under this section.

1722 (5) It shall be unlawful for any person to perform body
1723 piercing upon any person under the age of eighteen (18) years.

1724 (6) Any person who performs body piercing for compensation
1725 without first registering with the department or after his
1726 registration has been suspended or revoked by the department, or
1727 any person who performs body piercing upon any person in violation
1728 of subsection (5) of this section, is guilty of a misdemeanor and,
1729 upon conviction, shall be punished by a fine of not less than One
1730 Hundred Dollars (\$100.00) nor more than Five Hundred Dollars
1731 (\$500.00).

1732 (7) The department is authorized to bring an action for an
1733 injunction under the provisions of Sections 73-51-1 through
1734 73-51-5 to prohibit any person who is required to be registered
1735 under this section from performing body piercing without first
1736 registering with the department or after his registration has been
1737 suspended or revoked by the department.

1738 (8) This section shall not apply to physicians licensed to
1739 practice medicine in Mississippi in the performance of their
1740 professional duties.

1741 **SECTION 40.** Section 73-63-35, Mississippi Code of 1972, is
1742 amended as follows:

1743 73-63-35. (1) Except as provided in Section 1 of Senate
1744 Bill No. 2472, 2006 Regular Session, certificates of registration
1745 shall be valid for a period of two (2) years, and shall expire on
1746 a date or dates established by the board. The board shall notify
1747 every registered professional geologist of the date of expiration
1748 of that person's certificate and the amount of the fee that shall
1749 be required for its renewal at least sixty (60) days before the
1750 expiration date. Upon expiration, a certificate shall be
1751 cancelled and is invalid, and may not be renewed unless provided
1752 in this chapter.

1753 (2) The board shall renew the certificate of registration or
1754 certificate of enrollment of any registrant who, within sixty (60)
1755 days following the expiration date:

1756 (a) Submits a renewal application, the renewal fee and
1757 any penalty for late renewal; and

1758 (b) Meets the requirements for renewal established by
1759 the board which may include requiring evidence of continued
1760 competence in the practice of geology through a review of
1761 qualifications and experience.

1762 (3) The board shall establish requirements and conditions
1763 for the reissuance of certificates of registration and

1764 certificates of enrollment which have lapsed, expired, or have
1765 been suspended or revoked.

1766 (4) The board shall issue a new certificate to replace any
1767 certificate of registration or certificate of enrollment which has
1768 been lost, destroyed, or mutilated. The holder of the certificate
1769 shall bear the cost of issuing a new certificate.

1770 **SECTION 41.** Section 73-65-9, Mississippi Code of 1972, is
1771 amended as follows:

1772 73-65-9. (1) Except as provided in Section 1 of Senate Bill
1773 No. 2472, 2006 Regular Session, each license holder shall renew
1774 the license to practice art therapy biennially by submitting a
1775 renewal application on a form provided by the board, paying a
1776 license renewal fee, and producing evidence of completion of
1777 relevant professional continuing education experience satisfactory
1778 to the board, not to exceed forty (40) hours per renewal cycle.

1779 (2) A ninety-day grace period shall be allowed for each
1780 license holder after the licensure period, during which time the
1781 license may be renewed upon payment of the renewal fee, the late
1782 fee, and compliance with all renewal requirements.

1783 (3) Any license granted by the board shall be automatically
1784 suspended if the holder fails to apply for the license renewal
1785 pursuant to this section within a period of three (3) months after
1786 the renewal deadline; however, any suspended license may be
1787 restored by the board upon payment of a reinstatement fee not to
1788 exceed One Hundred Dollars (\$100.00) in addition to any unpaid
1789 renewal or late fees. Failure to renew a license within three (3)
1790 months from the date of suspension as provided in this section
1791 shall cause the license to be automatically revoked.

1792 Reinstatement of a revoked license shall require the license
1793 holder to reapply and meet all current standards for licensure.

1794 (4) A person licensed under the provisions of Section
1795 73-65-7 who intends to retire as a licensed professional art
1796 therapist shall notify the board in writing before the expiration

1797 of his current licensure. If, within a period of five (5) years
1798 from the year of retirement, the license holder wishes to resume
1799 practice as a licensed professional art therapist, he shall notify
1800 the board in writing, and upon giving proof of completing the
1801 required continuing education and the payment of an amount
1802 equivalent to elapsed renewal fees, the license shall be restored
1803 in full effect.

1804 **SECTION 42.** Section 73-67-15, Mississippi Code of 1972, is
1805 amended as follows:

1806 73-67-15. (1) The board shall:

1807 (a) Adopt an official seal and keep a record of its
1808 proceedings, persons registered as massage therapists, and a
1809 record of the certificates of registration that have been revoked
1810 or suspended;

1811 (b) Keep on file all appropriate records pertaining to
1812 each certificate of registration;

1813 (c) Annually, on or before February 15, make a report
1814 to the Governor and Legislature of all of its official acts during
1815 the preceding year, its total receipts and disbursements, and a
1816 full and complete report of relevant statistical and significantly
1817 notable conditions of massage therapists in this state as
1818 uniformly stipulated by the board;

1819 (d) Evaluate the qualifications of applicants for
1820 registration under this chapter, and advise applicants as to the
1821 acceptance or denial of registration with any reasons for denial
1822 within forty-five (45) days;

1823 (e) Issue certificates of registration to applicants
1824 who meet the requirements of this chapter;

1825 (f) Inspect, or have inspected, when required, the
1826 business premises of any registered massage therapist during their
1827 operating hours, so long as that inspection does not infringe on
1828 the reasonable privacy of any therapist's clients;

1829 (g) Establish minimum training and educational
1830 standards for obtaining a certificate of registration under this
1831 chapter, provided that requirements do not decrease;

1832 (h) Establish a procedure for approval of educational
1833 standards required by this chapter;

1834 (i) Investigate persons suspected of engaging in
1835 practices that may violate provisions of this chapter;

1836 (j) Revoke, suspend or deny a certificate of
1837 registration in accordance with the provisions of this chapter;

1838 (k) Adopt an annual budget;

1839 (l) Establish policies with respect to continuing
1840 education;

1841 (m) Adopt rules:

1842 (i) Specifying standards and procedures for
1843 issuance of a provisional permit;

1844 (ii) Specifying registration procedures for
1845 practitioners desiring to be registered in this state who hold an
1846 active license or credentials from another state board;

1847 (iii) The board shall prescribe renewal
1848 procedures, requirements, dates and fees for massage therapy
1849 certificates of registration issued by the board and shall include
1850 provisions for inactive and lapsed registrations; such rules shall
1851 be in accordance with Section 1 of Senate Bill No. 2472, 2006
1852 Regular Session;

1853 (n) Make available all forms necessary for carrying out
1854 all provisions of this chapter and any and all necessary business
1855 of the board;

1856 (o) Establish written duties of the executive director;

1857 (p) Establish a set of reasonable and customary fines
1858 and penalties for violations of this chapter, and fees, including
1859 refund policies, which shall be standardized and not exceeded
1860 unless amended with at least thirty (30) days' notice to those who
1861 are registered;

1862 (q) Establish, amend or repeal any rules or regulations
1863 necessary to carry out the purposes of this chapter and the duties
1864 and responsibilities of the board. Affected practitioners shall
1865 be sent relevant changes no less than once per registration
1866 renewal;

1867 (r) The board shall maintain a current register listing
1868 the name of every massage therapist registered to practice in this
1869 state, his/her last known place of business and last known place
1870 of residence, and the date and number of his/her certificate of
1871 registration;

1872 (s) The board shall set up guidelines for the operation
1873 of schools of massage therapy, and it is charged with that
1874 regulation in this state. The board may prescribe reasonable
1875 rules and regulations governing schools of massage therapy for the
1876 guidance of persons registered under this chapter in the operation
1877 of schools of massage therapy and in the practice of massage
1878 therapy. When the board has reasons to believe that any of the
1879 provisions of this chapter or the rules and regulations of the
1880 board have been violated, either upon receipt of a written
1881 complaint alleging those violations or upon the board's own
1882 initiative, the board or any of its authorized agents shall
1883 investigate same and may enter upon the premises of a school of
1884 massage therapy at any time during regular business hours of that
1885 school to conduct the investigation. The investigation may
1886 include, but not be limited to, conducting oral interviews with
1887 the complaining party, school or school owner(s) and/or students
1888 of the school, and reviewing records of the school pertinent to
1889 the complaint and related to an area subject to the authority of
1890 the board.

1891 (2) Each board member shall be held accountable to the
1892 Governor for the proper performance of all duties and obligations
1893 of the member's office. Board members shall be immune from civil

1894 liability pertaining to any legal functions involving the carrying
1895 out of the activities and responsibilities of this chapter.

1896 **SECTION 43.** This act shall take effect and be in force from
1897 and after its passage.