

By: Senator(s) Blount, Burton

To: Public Health and Welfare

SENATE BILL NO. 2084

1 AN ACT TO REENACT SECTIONS 73-7-1 THROUGH 73-7-37 AND 73-7-51  
2 THROUGH 73-7-61, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBE THE  
3 POWERS AND DUTIES OF THE MISSISSIPPI BOARD OF COSMETOLOGY; TO MAKE  
4 CERTAIN TECHNICAL AMENDMENTS TO THE COSMETOLOGY LICENSURE LAW; TO  
5 AMEND SECTION 73-7-2, MISSISSIPPI CODE OF 1972, TO REVISE THE  
6 DEFINITION OF COSMETOLOGY AND ESTHETICS FOR PURPOSES OF LICENSURE  
7 REQUIREMENTS; TO AMEND SECTION 73-7-7, MISSISSIPPI CODE OF 1972,  
8 TO CLARIFY THE MEMBERSHIP OF THE MISSISSIPPI COSMETOLOGY COUNCIL;  
9 TO AMEND SECTIONS 73-7-9, 73-7-12, 73-7-19, 73-7-35 AND 73-7-71,  
10 MISSISSIPPI CODE OF 1972, TO DELETE AUTHORITY FOR WIG SPECIALISTS;  
11 TO AMEND SECTION 73-7-12, MISSISSIPPI CODE OF 1972, TO CLARIFY  
12 QUALIFICATIONS FOR COSMETOLOGY EXAMINATIONS; TO AMEND SECTION  
13 73-7-14, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MASTER MANICURIST  
14 AND ESTHETICIAN LICENSURE; TO AMEND SECTION 73-7-15, MISSISSIPPI  
15 CODE OF 1972, TO CLARIFY QUALIFICATIONS FOR A COSMETOLOGY  
16 INSTRUCTOR'S LICENSE; TO AMEND SECTION 73-7-16, MISSISSIPPI CODE  
17 OF 1972, TO PROVIDE FOR BIENNIAL LICENSE FEES AND TO CLARIFY  
18 CERTAIN TESTING REQUIREMENTS FOR STUDENTS AT SCHOOLS OF  
19 COSMETOLOGY; TO AMEND SECTION 73-7-17, MISSISSIPPI CODE OF 1972,  
20 TO PROVIDE FOR RENEWAL OF A SALON LICENSE; TO AMEND SECTION  
21 73-7-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ELECTRIC NAIL FILE  
22 REGULATIONS; TO AMEND SECTION 73-7-23, MISSISSIPPI CODE OF 1972,  
23 TO PROVIDE FOR LICENSE RECIPROCITY WITH OTHER STATES; TO AMEND  
24 SECTIONS 73-7-27 AND 73-7-37, MISSISSIPPI CODE OF 1972, TO PROVIDE  
25 FOR APPEAL OF LICENSURE DISCIPLINARY ACTION AND TO INCREASE  
26 AUTHORIZED FINES; TO AMEND SECTION 73-7-29, MISSISSIPPI CODE OF  
27 1972, TO PROVIDE FOR FEES; TO REPEAL SECTIONS 73-7-51 THROUGH  
28 73-7-61, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR WIG  
29 SPECIALIST AND WIG SALON LICENSURE; TO REPEAL SECTION 73-7-63,  
30 MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN AUTOMATIC REPEALER ON  
31 THE COSMETOLOGY PRACTICE ACT; AND FOR RELATED PURPOSES.

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



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

35           73-7-1. There is hereby continued and reconstituted a State  
36 Board of Cosmetology, composed of five (5) members to be appointed  
37 by the Governor, with the advice and consent of the Senate, and  
38 whose term of office shall be four (4) years from the date of  
39 appointment except as otherwise provided herein. However, no more  
40 than two (2) members shall be appointed from each Supreme Court  
41 district.

42           There shall be a president of the board and such other  
43 officers as deemed necessary by the board elected by and from its  
44 membership, provided that the member elected as president shall  
45 have at least one (1) year of experience on the board. Any member  
46 appointed by the Governor and confirmed by the Senate for a term  
47 to begin on or after July 1, 1997, who was designated by the  
48 Governor to serve as president of the board, shall be fully  
49 qualified to serve on the board for a full term of office, but  
50 shall not serve as president of the board unless elected by the  
51 membership of the board as provided under this paragraph.

52           To be eligible for appointment as a member of the State Board  
53 of Cosmetology, the person applying shall have been a citizen of  
54 this state for a minimum of five (5) years immediately prior to  
55 appointment. Such person shall be at least thirty (30) years of  
56 age, possess a high school education or its equivalent, and shall  
57 have been a licensed cosmetologist with not less than ten (10)



58 years' active practice in cosmetology. No member of the board  
59 shall be connected in any way with any school wherein cosmetology  
60 is taught, nor shall any two (2) members of the board be graduates  
61 of the same school of cosmetology.

62 However, in the event of vacancy by death or resignation of  
63 any member of the board, the Governor shall, within thirty (30)  
64 days, appoint a person possessing all qualifications required to  
65 serve the remainder of the term. Any member who shall not attend  
66 two (2) consecutive meetings of the board for reasons other than  
67 illness of such member shall be subject to removal by the  
68 Governor. The president of the board shall notify the Governor in  
69 writing when any such member has failed to attend two (2)  
70 consecutive regular meetings.

71 The salaries of all paid employees of the board shall be paid  
72 out of funds in the board's special fund in the State Treasury.  
73 Each member of the board, excepting the inspectors provided for  
74 herein, shall receive per diem as authorized by Section 25-3-69,  
75 and shall be reimbursed for such other expenses at the same rate  
76 and under the same conditions as other state employees as provided  
77 for in Section 25-3-41.

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

80 **SECTION 2.** Section 73-7-2, Mississippi Code of 1972, is  
81 reenacted and amended as follows:



82           73-7-2. As used in this chapter, the following terms shall  
83 have the meanings ascribed herein unless the context otherwise  
84 requires:

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

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

90                   (i) Cutting, clipping or trimming hair and hair  
91 pieces.

92                   (ii) Styling, arranging, dressing, curling,  
93 waving, permanent waving, straightening, cleansing, bleaching,  
94 tinting, coloring or similarly treating hair and hair pieces.

95                   (iii) Cleansing, stimulating, manipulating,  
96 beautifying or applying oils, antiseptics, clays, lotions or other  
97 preparations, either by hand or by mechanical or electrical  
98 apparatus.

99                   (iv) Arching eyebrows, to include tweezing,  
100 waxing, threading or any other methods of epilation, or tinting  
101 eyebrows and eyelashes.

102                   (v) Removing superfluous hair by the use of \* \* \*  
103 depilation.

104                   (vi) Manicuring and pedicuring.



105 (c) "Cosmetologist" means a person who for  
106 compensation, whether direct or indirect, engages in the practice  
107 of cosmetology.

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

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

111 (ii) \* \* \* Arching eyebrows to include trimming,  
112 tweezing, waxing, threading or any other method of epilation or  
113 tinting eyebrows and eyelashes.

114 (iii) Tinting eyelashes or eyebrows.

115 (iv) Waxing, stimulating, cleaning or beautifying  
116 the face, neck, arms or legs of a person by any method with the  
117 aid of the hands or any mechanical or electrical apparatus, or by  
118 the use of a cosmetic preparation.

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

121 (e) "Esthetician" means any person who, for  
122 compensation, either direct or indirect, engages in the practice  
123 of esthetics.

124 (f) "Instructor" means a person licensed to teach  
125 cosmetology, or manicuring and pedicuring, or esthetics, \* \* \* or  
126 all of those, pursuant to this chapter, and shall include those  
127 persons engaged in the instruction of student instructors.

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



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

132 (ii) Applying artificial nails.

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

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

138 (i) "Master \* \* \*" means a person holding a  
139 cosmetology, manicuring and esthetics license who has completed  
140 the minimum course of continuing education prescribed by Section  
141 73-7-14.

142 (j) "Salon" means an establishment operated for the  
143 purpose of engaging in the practice of cosmetology, or manicuring  
144 and pedicuring, or esthetics, \* \* \* or all of those.

145 (k) "School" means an establishment, public or private,  
146 operated for the purpose of teaching cosmetology, or manicuring  
147 and pedicuring, or esthetics, \* \* \* or all of those.

148 \* \* \*

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

151 73-7-3. The board shall be authorized to employ such  
152 clerical and stenographic assistance, bookkeepers, investigators  
153 and other agents as they may deem necessary to carry out the  
154 provisions of this chapter, and to fix their tenure of employment



155 and compensation therefor. The members of the board shall file a  
156 bond with the Secretary of State in the sum of not less than Five  
157 Thousand Dollars (\$5,000.00) payable to the State of Mississippi  
158 for the faithful performance of their duties. The bond shall be  
159 made by a surety company authorized to do business in this state,  
160 the premium of the bond to be paid out of any money in the board's  
161 special fund in the State Treasury.

162 The office of the board shall be located in the greater  
163 metropolitan area of the City of Jackson, Mississippi, and in the  
164 event office space cannot be obtained in any state-owned building,  
165 the board is authorized to rent suitable office space and to pay  
166 therefor out of funds in the board's special fund. The board  
167 shall employ inspectors as needed, not to exceed seven (7), who  
168 shall be full-time employees and whose salaries and duties shall  
169 be fixed by the board.

170 The salaries of all paid employees of the board shall be paid  
171 out of the funds in the board's special fund. The inspectors  
172 shall, in addition to their salaries, be reimbursed for such  
173 expenses as are allowed other state employees under the provisions  
174 of Section 25-3-41. In addition to the paying of office rent, the  
175 board is authorized to purchase necessary office furniture and  
176 equipment, stationery, books, certificates and any other equipment  
177 necessary for the proper administration of this chapter.

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



180           73-7-5. (1) All fees and any other monies received by the  
181 board shall be deposited in a special fund that is created in the  
182 State Treasury and shall be used for the implementation and  
183 administration of this chapter when appropriated by the  
184 Legislature for such purpose. The monies in the special fund  
185 shall be subject to all provisions of the state budget laws that  
186 are applicable to special fund agencies, and shall be disbursed by  
187 the State Treasurer only upon warrants issued by the State Fiscal  
188 Officer upon requisitions signed by the president of the board or  
189 another board member designated by the president, and  
190 countersigned by the secretary of the board. Any interest earned  
191 on this special fund shall be credited by the State Treasurer to  
192 the fund and shall not be paid into the State General Fund. Any  
193 unexpended monies remaining in the special fund at the end of a  
194 fiscal year shall not lapse into the State General Fund.

195           (2) The State Auditor shall audit the financial affairs of  
196 the board and the transactions involving the special fund at least  
197 once a year in the same manner as for other special fund agencies.  
198 In addition, the Governor, in his discretion, shall have the power  
199 from time to time to require an audit of the financial affairs of  
200 the board, the same to be made by the State Auditor upon request  
201 of the Governor. The Governor shall have the power to suspend any  
202 member of the board who shall be found in default in any account  
203 until such time as it shall be determined whether such default was  
204 a result of an act of dishonesty on the part of the member, and in





205 the event it is found that such default is an act of dishonesty,  
206 misfeasance or nonfeasance on the part of the member, such member  
207 shall be immediately removed by the Governor from office.

208         **SECTION 5.** Section 73-7-7, Mississippi Code of 1972, is  
209 reenacted and amended as follows:

210         73-7-7. The board shall have authority to make reasonable  
211 rules and regulations for the administration of the provisions of  
212 this chapter. The board shall set up a curriculum for operation  
213 of schools of cosmetology and the other professions it is charged  
214 to regulate in this state. The board shall receive and consider  
215 for adoption recommendations for rules and regulations, school  
216 curriculum, and related matters from the Mississippi Cosmetology  
217 Council, whose membership shall consist of, in addition to the  
218 board members, five (5) elected delegates from the  
219 Mississippi \* \* \* Cosmetology Association, five (5) elected  
220 delegates from the Mississippi Cosmetology School Association,  
221 five (5) elected delegates from the Mississippi Independent  
222 Beauticians Association, and five (5) elected delegates from the  
223 School Owners and Teachers Association. The board may revoke the  
224 license of any cosmetologist, esthetician, manicurist, \* \* \*  
225 instructor, school of cosmetology, or salon, or may refuse to  
226 issue a license to any cosmetologist, esthetician,  
227 manicurist, \* \* \* instructor, school of cosmetology, or salon that  
228 fails or refuses to comply with the provisions of this chapter and



229 the rules and regulations of the board in carrying out the  
230 provisions of this chapter.

231 The board shall have authority to prescribe reasonable rules  
232 and regulations governing sanitation of schools of cosmetology and  
233 beauty salons for the guidance of persons licensed under this  
234 chapter in the operation of schools of cosmetology, or a beauty  
235 salon, and in the practice of cosmetology, esthetics, manicuring  
236 and pedicuring \* \* \*. However, any and all rules and regulations  
237 relating to sanitation shall, before adoption by the board, have  
238 the written approval of the State Board of Health. When the board  
239 has reason to believe that any of the provisions of this chapter  
240 or of the rules and regulations of the board have been violated,  
241 either upon receipt of a written complaint alleging such  
242 violations or upon the board's own initiative, the board, or any  
243 of its authorized agents, shall investigate same and shall have  
244 authority to enter upon the premises of a school of cosmetology or  
245 salon at any time during the regular business hours of that school  
246 or salon to conduct the investigation. Such investigation may  
247 include, but not be limited to, conducting oral interviews with  
248 the complaining party, school or salon owner(s) and/or students of  
249 the school, and reviewing records of the school or salon pertinent  
250 to the complaint and related to an area subject to the authority  
251 of the board. Such investigation shall not include written  
252 interviews or surveys of school employees or students, and the



253 privacy of patrons shall be respected by any person making such  
254 investigation.

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

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

263 **SECTION 6.** Section 73-7-9, Mississippi Code of 1972, is  
264 reenacted and amended as follows:

265 73-7-9. No person required by this chapter to have a license  
266 shall conduct a beauty salon or school of cosmetology, or practice  
267 cosmetology, esthetics, manicuring and pedicuring, \* \* \* or  
268 practice as an instructor, unless such person has received a  
269 license or temporary permit therefor from the board. Students  
270 determined to have violated any of these rules or regulations  
271 prior to being licensed by the board shall be subject to the same  
272 discipline by the board as licensees. They may be disciplined and  
273 fined accordingly.

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

276 73-7-11. Each owner of a certificate of registration issued  
277 by the state board, pursuant to the provisions of this chapter,



278 shall display said certificate of registration in a conspicuous  
279 place in his or her principal office, place of business or  
280 employment, at all times.

281       **SECTION 8.** Section 73-7-12, Mississippi Code of 1972, is  
282 reenacted and amended as follows:

283       73-7-12. The State Board of Cosmetology shall contract with  
284 a recognized testing service to conduct examinations for  
285 cosmetologists, estheticians, manicurists \* \* \* and instructors at  
286 such times and locations as determined by the contracted testing  
287 service. No member of the board shall be authorized to personally  
288 administer the examinations.

289       **SECTION 9.** Section 73-7-13, Mississippi Code of 1972, is  
290 reenacted and amended as follows:

291       73-7-13. (1) The board shall admit to examination for a  
292 cosmetology license any person who has made application to the  
293 board in proper form, has paid the required fee, and who (a) is at  
294 least seventeen (17) years of age, (b) can read, write and speak  
295 English, (c) has successfully completed no less than fifteen  
296 hundred (1500) hours over a period of no less than nine (9) months  
297 in an accredited school of cosmetology, and (d) has a high school  
298 education or its equivalent.

299       The board may, in its discretion, issue to any student who  
300 has completed the prescribed hours in \* \* \* a licensed school and  
301 paid the required fee a temporary permit until such time as the  
302 next examination may be held, but such student shall be issued



303 only one (1) temporary permit. Application for an examination and  
304 license shall be accompanied by two (2) \* \* \* passport photographs  
305 of the applicant. No temporary permit will be issued an applicant  
306 from any other state to operate a beauty salon or school of  
307 cosmetology in this state unless in case of emergency.

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

313 Any barber who can read, write and speak English and has  
314 successfully completed no less than fifteen hundred (1500) hours  
315 in an accredited barber school, and who holds a current valid  
316 certificate of registration to practice barbering and who holds a  
317 current valid license, is eligible to take the cosmetology  
318 examination to secure a cosmetology license upon successfully  
319 completing five hundred (500) hours in an accredited school of  
320 cosmetology. All fees for application, examination, registration  
321 and renewal thereof shall be the same as provided for  
322 cosmetologists.

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

326 (3) Any licensed cosmetologist, esthetician or  
327 manicurist \* \* \* who is registered but not actively practicing in



328 the State of Mississippi at the time of making application for  
329 renewal, may apply for registration on the "inactive" list. Such  
330 "inactive" list shall be maintained by the board and shall set out  
331 the names and post office addresses of all persons registered but  
332 not actively practicing in this state, arranged alphabetically by  
333 name and also by the municipalities and states of their last-known  
334 professional or residential address. Only the cosmetologists,  
335 estheticians, manicurists and wigologists registered on the  
336 appropriate list as actively practicing in the State of  
337 Mississippi shall be authorized to practice those professions.  
338 For the purpose of this section, any licensed cosmetologist,  
339 esthetician \* \* \* or manicurist \* \* \* who has actively practiced  
340 his or her profession for at least three (3) months of the  
341 immediately preceding license renewal period shall be considered  
342 in active practice. No cosmetologist, esthetician \* \* \* or  
343 manicurist \* \* \* shall be registered on the "inactive" list until  
344 the person has furnished a statement of intent to take such action  
345 to the board. Any licensed cosmetologist, esthetician \* \* \* or  
346 manicurist \* \* \* registered on the "inactive" list shall not be  
347 eligible for registration on the active list until either of the  
348 following conditions have been satisfied:

349 (a) Written application shall be submitted to the State  
350 Board of Cosmetology stating the reasons for such inactivity and  
351 setting forth such other information as the board may require on



352 an individual basis and completion of the number of clock hours of  
353 continuing education as approved by the board; or

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

359 (c) Payment of the fee for processing such inactive  
360 license shall be paid biennially in accordance to board rules.

361 **SECTION 10.** Section 73-7-14, Mississippi Code of 1972, is  
362 reenacted and amended as follows:

363 73-7-14. Any person who holds a current, valid cosmetology,  
364 manicuring or esthetics license may be licensed as a master  
365 cosmetologist, manicurist or esthetician if he or she has been a  
366 licensed cosmetologist, manicurist or esthetician in this state  
367 for a period of not less than twelve (12) months, and has  
368 completed a minimum course of sixteen (16) hours' study in  
369 continuing education approved by the board within the licensing  
370 period preceding initial application for the license, and has paid  
371 the original license fee. Master cosmetologist, manicurist or  
372 esthetician licenses shall be renewable upon completion of a  
373 minimum course of eight (8) hours' study in continuing education  
374 approved by the board within a licensing period and payment of the  
375 required renewal fee. This is an optional license and persons who



376 do not wish to complete the continuing education requirement may  
377 obtain a cosmetology license when renewing their license.

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

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

383 73-7-15. (1) The board shall admit to examination for a  
384 cosmetology instructor's license any person who has made  
385 application to the board in proper form, has paid the required  
386 fee, and who:

- 387 (a) Is not less than twenty-one (21) years of age;
- 388 (b) Can read, write and speak English;
- 389 (c) Is a graduate of an accredited cosmetology school;
- 390 (d) Has a high school education or its equivalent;
- 391 (e) Has successfully completed seven hundred fifty  
392 (750) hours of instructor training in an accredited school of  
393 cosmetology;
- 394 (f) Has successfully completed twelve (12) semester  
395 hours in college courses approved by the board;
- 396 (g) Holds a current, valid Mississippi cosmetology  
397 license; and
- 398 (h) Has at least two (2) years' active practical  
399 experience as a \* \* \* cosmetologist or, as an alternative to such





400 experience, has successfully completed two thousand (2,000) hours  
401 of instructor training in an accredited school of cosmetology.

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

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

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

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

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

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

413 (f) Holds a current, valid Mississippi esthetician's  
414 license; and

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

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

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

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



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

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

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

431 (f) Holds a current, valid Mississippi manicurist's  
432 license; and

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

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

446 (5) All instructors licensed pursuant to this section shall  
447 biennially obtain twenty-four (24) clock hours of continuing  
448 education in teacher training instruction in cosmetology or  
449 esthetics or manicuring, as the case may be, as approved by the



450 board. Any instructor who fails to obtain the continuing  
451 education required by this subsection shall not be allowed to  
452 instruct nor enroll students under his or her license until such  
453 education requirement has been met. The board may issue an  
454 inactive instructor's license to such instructors, and an inactive  
455 license may be converted into an active license after proof  
456 satisfactory to the board of completion of at least twenty-four  
457 (24) clock hours of approved continuing education required for  
458 teacher training instruction.

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

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

464 73-7-16. All schools of cosmetology or school owners shall  
465 have a school license and shall pay to the board the required  
466 license fee \* \* \* biennially therefor. A grace period of sixty  
467 (60) days will be given in which to renew the license, and upon  
468 the expiration of the grace period of sixty (60) days, any  
469 applicant for the renewal of a school license will be required to  
470 pay a delinquent fee in addition to the renewal fee. The board is  
471 hereby authorized and empowered to promulgate necessary and  
472 reasonable rules and regulations for the issuance and renewal of  
473 school licenses. However, the board shall not refuse to issue or  
474 renew a school's license because of the number of schools already



475 in that area of the state, and any rule promulgated by the board  
476 for that purpose shall be null and void.

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

480 \* \* \*

481 The board shall require all schools of cosmetology to only  
482 admit students who have \* \* \* met minimum competencies on an  
483 acceptable aptitude test unless enrolled in a high school  
484 cosmetology program.

485 \* \* \*

486 **SECTION 13.** Section 73-7-17, Mississippi Code of 1972, is  
487 reenacted and amended as follows:

488 73-7-17. All salon owners shall have a salon license and  
489 shall pay to the board the required license fee therefor and pay  
490 the required renewal fee for renewal thereof. A grace period of  
491 sixty (60) days will be given in which to renew the license, and  
492 upon the expiration of the grace period of sixty (60) days any  
493 applicant for the renewal of a salon license will be required to  
494 pay a delinquent fee in addition to the renewal fee. A salon  
495 license that has been expired for over one (1) year is  
496 nonrenewable and requires a new application. Prior to the initial  
497 issuance of such license, the board shall inspect the premises to  
498 determine if same qualifies with the law, upon payment by the  
499 applicant of the required inspection fee.



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

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

505 73-7-18. (1) The board shall admit to examination for an  
506 esthetician's license any person who has made application to the  
507 board in proper form, has paid the required fee, and who:

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

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

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

511 (d) Has successfully completed a course of training in  
512 esthetics of not less than six hundred (600) hours in an  
513 accredited school in which the practice of esthetics is taught,  
514 including not less than one hundred (100) hours of theory and five  
515 hundred (500) hours of skill practice.

516 Any licensed esthetician wishing to acquire a cosmetology  
517 license may apply the six hundred (600) hours of esthetics  
518 training toward the requirements for a cosmetology license.

519 (2) Every person who has completed not less than three  
520 hundred fifty (350) hours of training in esthetics approved by the  
521 board in this or any other state prior to July 1, 1987, shall be  
522 registered with the board within a period not exceeding six (6)  
523 months after July 1, 1987, and shall be granted an esthetician's  
524 license by the board if such person presents satisfactory evidence



525 to the board that he or she has fulfilled all the requirements to  
526 be admitted to examination except the training hours requirement.

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

530 **SECTION 15.** Section 73-7-19, Mississippi Code of 1972, is  
531 reenacted and amended as follows:

532 73-7-19. Except as provided in Section 33-1-39, all licenses  
533 shall be renewed biennially under the fee schedule in Section  
534 73-7-29. Applications for renewal of licenses for cosmetologists,  
535 estheticians, manicurists \* \* \* and instructors must be  
536 accompanied by the required renewal fee. A grace period of sixty  
537 (60) days will be given in which to renew the license; and upon  
538 the expiration of the grace period of sixty (60) days, any  
539 applicant for the renewal of a license will be required to pay the  
540 required renewal fee and a delinquent fee in addition to the  
541 renewal fee. The fees may be paid by either personal or certified  
542 check, cash or money order, under such safeguards, rules and  
543 regulations as the board may prescribe. Checks returned to the  
544 board because of insufficient funds shall result in nonrenewal of  
545 the license, which will require the penalty fee for insufficient  
546 fund checks plus all other amounts due for renewal of the license  
547 before the license may be renewed. After one (1) year has passed  
548 from the expiration date of the license, a delinquent fee must be  
549 paid for each year up to three (3) years, after which the required



550 examination must be taken. All applications for examination  
551 required by this chapter shall expire ninety (90) days from the  
552 date thereof.

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

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

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

- 561 (a) Is at least seventeen (17) years of age;
- 562 (b) Can read, write and speak English;
- 563 (c) Has successfully completed no less than three  
564 hundred fifty (350) hours of practice and related theory in  
565 manicuring and pedicuring over a period of no less than nine (9)  
566 weeks in an accredited school of cosmetology in this or any other  
567 state; and
- 568 (d) Has a high school education or its equivalent.

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



574           The board shall adopt regulations governing the use of \* \* \*  
575 electric nail files for the purpose of filing false or  
576 natural \* \* \* nails.

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

580           **SECTION 17.** Section 73-7-23, Mississippi Code of 1972, is  
581 reenacted and amended as follows:

582           73-7-23. The board may, upon application, issue a license by  
583 reciprocity to any cosmetologist, esthetician \* \* \* or  
584 manicurist \* \* \* over the age of seventeen (17) years from any  
585 other state who has satisfactorily completed the required number  
586 of accredited hours in that state, provided the state board from  
587 which the applicant comes issues to cosmetologists,  
588 estheticians \* \* \* or manicurists \* \* \*, as the case may be, from  
589 the State of Mississippi a license under the same conditions.  
590 Applications must be accompanied by (a) proof satisfactory to the  
591 board that the required hours have been completed, and (b) the  
592 required reciprocity fee, which shall be paid to the board.

593           An instructor from any other state may be qualified for a  
594 Mississippi instructor's \* \* \* license upon presenting a valid  
595 instructor's license and proof of a high school education or its  
596 equivalent, provided that the instructor (a) has \* \* \* completed  
597 training equivalent to the State of Mississippi's training or has  
598 three (3) years or more of experience as a licensed instructor





599 prior to application, (b) can read, write and speak English, \* \* \*  
600 (c) has completed twelve (12) semester hours in college courses  
601 approved by the board, and (d) has completed a minimum of five (5)  
602 continuing education hours in Mississippi board laws, rules and  
603 regulations. Such application must be accompanied by two (2)  
604 recent \* \* \* passport photographs of the applicant. Applicants  
605 shall pay the required \* \* \* license fee.

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

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

614       **SECTION 19.** Section 73-7-27, Mississippi Code of 1972, is  
615 reenacted and amended as follows:

616       73-7-27. (1) Any complaint may be filed with the board by a  
617 member or agent of the board or by any person charging any  
618 licensee of the board with the commission of any of the offenses  
619 enumerated in subsection (2) of this section. Such complaint  
620 shall be in writing, signed by the accuser or accusers, and  
621 verified under oath, and such complaints shall be investigated as  
622 set forth in Section 73-7-7. If, after the investigation, the  
623 board through its administrative review agents determines that



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

639 (2) The board shall have the power to revoke, suspend or  
640 refuse to issue or renew any license or certificate provided for  
641 in this chapter, and to fine, place on probation and/or otherwise  
642 discipline a student or licensee or holder of a certificate, upon  
643 proof that such person: (a) has not complied with or has violated  
644 any of the rules and regulations promulgated by the board; (b) has  
645 not complied with or has violated any of the sections of this  
646 chapter; (c) has committed fraud or dishonest conduct in the  
647 taking of the examination herein provided for; (d) has been  
648 convicted of a felony; (e) has committed grossly unprofessional or



649 dishonest conduct; (f) is addicted to the excessive use of  
650 intoxicating liquors or to the use of drugs to such an extent as  
651 to render him or her unfit to practice in any of the practices or  
652 occupations set forth in this chapter; (g) has advertised by means  
653 of knowingly false or deceptive statements; or (h) has failed to  
654 display the license or certificate issued to him or her as  
655 provided for in this chapter; or (i) has been convicted of  
656 violating any of the provisions of this chapter. A conviction of  
657 violating any of the provisions of this chapter shall be grounds  
658 for automatic suspension of the license or certificate of such  
659 person.

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



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

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

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



699           (7) The board shall conduct the hearing in an orderly and  
700 continuous manner, granting continuances only when the ends of  
701 justice may be served. The board shall, within sixty (60) days  
702 after conclusion of the hearing, reduce its decision to writing  
703 and forward an attested true copy thereof to the last-known  
704 residence or business address of such applicant, licensee or  
705 holder of a certificate, by way of United States first-class  
706 certified mail, postage prepaid. Such applicant, licensee, holder  
707 of a certificate, or person aggrieved shall have the right of  
708 appeal from an adverse ruling, or order, or decision of the board  
709 to the Chancery Court of the First Judicial District of Hinds  
710 County, Mississippi, upon forwarding notice of appeal to the board  
711 within thirty (30) days after the decision of the board is mailed  
712 in the manner here contemplated. An appeal will not be allowed in  
713 the event notice of appeal, together with the appeal bond  
714 hereinafter required, shall not have been forwarded to the board  
715 within the thirty-day period. Appeal shall be to the \* \* \*  
716 Chancery Court of the First Judicial District of Hinds County,  
717 Mississippi \* \* \*. The appeal shall thereupon be heard in due  
718 course by the court which shall review the record and make its  
719 determination thereon.

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



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

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

736 (a) For the first violation, a fine of not less  
737 than \* \* \* Three Hundred Dollars (\$300.00) nor more than \* \* \* Six  
738 Hundred Dollars (\$600.00) for each violation.

739 (b) For the second and each subsequent violation, a  
740 fine of not less than \* \* \* Six Hundred Dollars (\$600.00) nor more  
741 than \* \* \* One Thousand Two Hundred Dollars (\$1,200.00) for each  
742 violation.

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

747 (11) In addition to the reasons specified in subsection (2)  
748 of this section, the board shall be authorized to suspend the



749 license of any licensee for being out of compliance with an order  
750 for support, as defined in Section 93-11-153. The procedure for  
751 suspension of a license for being out of compliance with an order  
752 for support, and the procedure for the reissuance or reinstatement  
753 of a license suspended for that purpose, and the payment of any  
754 fees for the reissuance or reinstatement of a license suspended  
755 for that purpose, shall be governed by Section 93-11-157 or  
756 93-11-163, as the case may be. Actions taken by the board in  
757 suspending a license when required by Section 93-11-157 or  
758 93-11-163 are not actions from which an appeal may be taken under  
759 this section. Any appeal of a license suspension that is required  
760 by Section 93-11-157 or 93-11-163 shall be taken in accordance  
761 with the appeal procedure specified in Section 93-11-157 or  
762 93-11-163, as the case may be, rather than the procedure specified  
763 in this section. If there is any conflict between any provision  
764 of Section 93-11-157 or 93-11-163 and any provision of this  
765 chapter, the provisions of Section 93-11-157 or 93-11-163, as the  
766 case may be, shall control.

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

769       73-7-29. The State Board of Cosmetology shall have full  
770 authority to establish and assess fees in \* \* \* accordance with  
771 the following minimum guidelines:

772               (a) Initial license/renewal for cosmetologist,  
773 manicurist \* \* \* or esthetician \* \* \* .....\$ 50.00



774	(b) Instructor initial license/renewal.....	80.00
775	(c) Master cosmetologist license/renewal.....	70.00
776	(d) Delinquent renewal penalty - cosmetologist,	
777	manicurist, esthetician * * * and instructor.....	50.00
778	There shall be no renewal fee for any licensee seventy	
779	(70) years of age or older.	
780	(e) Salon application and initial inspection....	85.00
781	(f) Salon reinspection.....	35.00
782	(g) Salon change of ownership or location,	
783	or both.....	85.00
784	(h) Salon renewal.....	60.00
785	(i) Salon delinquent renewal penalty.....	50.00
786	(j) Application and initial inspection for a	
787	new school.....	300.00
788	(k) New school reinspection.....	100.00
789	(l) School change of ownership.....	300.00
790	(m) School relocation.....	150.00
791	(n) School renewal.....	75.00
792	(o) School delinquent renewal penalty.....	100.00
793	(p) Duplicate license.....	10.00
794	(q) Penalty for insufficient fund checks.....	20.00
795	(r) Affidavit processing.....	15.00
796	The State Board of Cosmetology may charge additional fees for	
797	services which the board deems appropriate to carry out its intent	





798 and purpose. These additional fees shall not exceed the cost of  
799 rendering the service.

800 The board is fully authorized to make refunds of any deposits  
801 received by the board for services which are not rendered.  
802 Refunds will automatically be made on overpayment of fees.  
803 Refunds will be made on underpayments by written requests from  
804 applicants. If no request for refund is made within sixty (60)  
805 days, the fees will be forfeited.

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

808 73-7-31. Nothing in this chapter shall apply to:

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

812 (b) Persons whose practice is limited to the  
813 application of cosmetic products to another person in connection  
814 with the sale, or attempted sale, of such products at retail,  
815 without compensation from such other person other than the regular  
816 retail price of such merchandise.

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

819 (d) Persons engaged in the practice of hair braiding as  
820 defined in Section 73-7-71 who have completed the self-test part  
821 of the brochure on infection control techniques prepared by the  
822 State Department of Health and who keep the brochure and completed



823 self-test available at the location at which the person is engaged  
824 in hair braiding.

825         **SECTION 22.** Section 73-7-33, Mississippi Code of 1972, is  
826 reenacted as follows:

827         73-7-33. In addition to the rules and regulations that may  
828 be prescribed and promulgated by the board under authority of this  
829 chapter, the following rules and regulations shall be observed:

830         Every establishment must be kept sanitary, including all  
831 utensils and equipment, must be well ventilated and properly  
832 lighted. Each salon must be provided with hot and cold running  
833 water. Electrical appliances must be properly installed and  
834 grounded.

835         Cosmetologists shall be allowed to wear any type of clothing  
836 or apparel while at work as long as such clothing or apparel is  
837 sanitary.

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

840         Anyone having an infectious or contagious disease shall not  
841 practice in any establishment. Salon owners will be held  
842 responsible for knowingly permitting one with such disease to  
843 practice in his or her salon. No work shall be performed on any  
844 patron having a visible disease unless the patron shall produce a  
845 certificate from a practicing physician stating that the patron is  
846 free from infectious, contagious or communicable disease. A



847 cosmetologist's license does not authorize such person to treat or  
848 prescribe for an infectious, contagious or any other disease.

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

853 **SECTION 23.** Section 73-7-35, Mississippi Code of 1972, is  
854 reenacted and amended as follows:

855 73-7-35. (1) No person licensed pursuant to this chapter  
856 shall practice his or her profession except within the physical  
857 confines of a salon possessing and displaying a properly executed  
858 license issued pursuant to Section 73-7-17. However, this  
859 requirement shall not prevent a person from rendering his or her  
860 services to any person who may be confined to his or her home, a  
861 hospital, or other place as a result of illness, and  
862 cosmetologists shall be permitted to render their services to  
863 deceased persons away from their salons.

864 (2) No salon owner licensed pursuant to this chapter shall  
865 allow a cosmetologist, esthetician \* \* \* or manicurist \* \* \* to  
866 practice his/her profession in the salon without possessing a  
867 valid license issued pursuant to this chapter.

868 **SECTION 24.** Section 73-7-37, Mississippi Code of 1972, is  
869 reenacted and amended as follows:

870 73-7-37. (1) The violation of any of the provisions of this  
871 chapter, including the use of fraudulent statements to obtain any



872 benefits or privileges under this chapter or practicing one (1) of  
873 these professions without a license, shall constitute a  
874 misdemeanor, punishable in any court of competent jurisdiction at  
875 the seat of government, and any person or firm convicted of the  
876 violation of any of the provisions of this chapter shall be fined  
877 not less than \* \* \* One Thousand Dollars (\$1,000.00) nor more  
878 than \* \* \* Five Thousand Dollars (\$5,000.00). The court shall not  
879 be authorized to suspend or suspend the execution of the fine  
880 required under this section.

881 (2) If any person, firm or corporation violates any of the  
882 provisions of this chapter, the secretary of the board, upon  
883 direction of a majority of the board and in the name of the board,  
884 acting through the Attorney General or an attorney employed by the  
885 board, shall apply in \* \* \* the Chancery Court of \* \* \* the First  
886 Judicial District of Hinds County, Mississippi, for an order  
887 enjoining such violation or for an order enforcing compliance with  
888 the provisions of this chapter. Upon the filing of a verified  
889 petition in the \* \* \* chancery court and after notice as provided  
890 under the Mississippi Rules of Civil Procedure, such court \* \* \*,  
891 if satisfied by the sworn petition, by affidavit or otherwise,  
892 that such person has violated any of the provisions of this  
893 chapter, may issue an injunction without notice or bond, enjoining  
894 such continued violation and such injunction shall remain in force  
895 and effect until a final hearing. If at such hearing it is  
896 established that such person has violated or is violating any of



897 the provisions of this chapter, the court may enter a decree  
898 permanently enjoining such violation or enforcing compliance with  
899 this chapter. In addition, the court may enter a judgment against  
900 such person for attorney's fees, court costs and the actual costs  
901 incurred by the board in investigating the actions of such person  
902 for which the board brought the suit for an injunction. In case  
903 of violation of any decree issued in compliance with this  
904 subsection, the court may punish the offender for contempt of  
905 court and the court shall proceed as in other cases.

906 (3) The proceedings in this section shall be in addition to  
907 and not in lieu of the other remedies and penalties provided in  
908 this chapter.

909 **SECTION 25.** Sections 73-7-51, 73-7-53, 73-7-55, 73-7-57,  
910 73-7-59 and 73-7-61, Mississippi Code of 1972, which provide for  
911 wig specialist and wig salon licensure, are hereby repealed.

912 **SECTION 26.** Section 73-7-63, Mississippi Code of 1972, which  
913 provides an automatic repealer on the Cosmetology Practice Act, is  
914 hereby repealed.

915 **SECTION 27.** Section 73-7-71, Mississippi Code of 1972, is  
916 reenacted and amended as follows:

917 73-7-71. (1) For the purpose of this section, the term  
918 "hair braiding" means the use of techniques that result in tension  
919 on hair strands or roots by twisting, wrapping, weaving,  
920 extending, locking or braiding of the hair by hand or mechanical  
921 device, but does not include the application of dyes, reactive



922 chemicals, or other preparations to alter the color of the hair or  
923 to straighten, curl or alter the structure of the hair.

924 (2) No person shall engage in hair braiding for compensation  
925 in the State of Mississippi without first registering with the  
926 State Department of Health. The department may charge each  
927 registrant a fee of not more than Twenty-five Dollars (\$25.00) to  
928 cover the department's costs in registering the person and  
929 providing the person with the brochure prepared under subsection  
930 (3) of this section, which fee shall be uniform for all  
931 registrants. The purpose of this registration is only to maintain  
932 a listing of those persons who engage in hair braiding for  
933 compensation in the state, and does not authorize the department  
934 to license or regulate the practice of hair braiding in the state,  
935 except as provided in subsection (4) of this section.

936 (3) The State Department of Health shall develop and prepare  
937 a brochure containing information about infection control  
938 techniques that are appropriate for hair braiding in or outside of  
939 a salon setting. The brochure shall be made available through the  
940 department's \* \* \* website or by mail, upon request, for a fee to  
941 cover the department's mailing costs. The brochure shall contain  
942 a self-test with questions on the information contained in the  
943 brochure. For a person engaged in hair braiding to be exempt from  
944 the cosmetology licensure law, Section 73-7-1 et seq., the person  
945 shall complete the self-test part of the brochure and keep the



946 brochure and completed self-test available at the location at  
947 which the person is engaged in hair braiding.

948 (4) Representatives of the department may visit any facility  
949 or premises in which hair braiding is performed at any time during  
950 business hours to determine if the brochure and completed  
951 self-test are available at the facility or premises.

952 (5) This section does not apply to cosmetologists \* \* \* or  
953 barbers \* \* \* licensed to practice in Mississippi in their  
954 respective fields.

955 **SECTION 28.** This act shall take effect and be in force from  
956 and after July 1, 2013.

