

By: Representatives Young, Carpenter

To: Public Health and Human Services; Judiciary B

HOUSE BILL NO. 1068

1 AN ACT TO AMEND SECTION 73-7-2, MISSISSIPPI CODE OF 1972, TO
 2 REVISE THE DEFINITION OF THE TERM "SCHOOL" UNDER THE COSMETOLOGY
 3 LICENSURE LAW; TO AMEND SECTION 73-7-11, MISSISSIPPI CODE OF 1972,
 4 TO PROVIDE THAT THE REQUIREMENT THAT COSMETOLOGY LICENSES CONTAIN
 5 A HEAD PHOTOGRAPH OF THE LICENSE HOLDER APPLIES ONLY TO THE
 6 PRACTITIONER LICENSE AND NOT TO THE COSMETOLOGY SCHOOL LICENSE AND
 7 SALON LICENSE; TO AMEND SECTION 73-7-16, MISSISSIPPI CODE OF 1972,
 8 TO PROVIDE THAT PERSONS WHO HAVE A HIGH SCHOOL DIPLOMA OR ITS
 9 EQUIVALENT MAY BE ADMITTED TO SCHOOLS OF COSMETOLOGY; AND FOR
 10 RELATED PURPOSES.

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

12 **SECTION 1.** Section 73-7-2, Mississippi Code of 1972, is
 13 amended as follows:

14 73-7-2. As used in this chapter, the following terms shall
 15 have the meanings ascribed herein unless the context otherwise
 16 requires:

- 17 (a) "Board" means the State Board of Cosmetology.
- 18 (b) "Cosmetology" means any one (1) or a combination of
 19 the following practices if they are performed on a person's head,
 20 face, neck, shoulder, arms, hands, legs or feet for cosmetic
 21 purposes:



22 (i) Cutting, clipping or trimming hair and hair
23 pieces.

24 (ii) Styling, arranging, dressing, curling,
25 waving, permanent waving, straightening, cleansing, bleaching,
26 tinting, coloring or similarly treating hair and hair pieces.

27 (iii) Cleansing, stimulating, manipulating,
28 beautifying or applying oils, antiseptics, clays, lotions or other
29 preparations, either by hand or by mechanical or electrical
30 apparatus.

31 (iv) Arching eyebrows, to include tweezing,
32 waxing, threading or any other methods of epilation, or tinting
33 eyebrows and eyelashes.

34 (v) Removing superfluous hair by the use of
35 depilation.

36 (vi) Manicuring and pedicuring.

37 (c) "Cosmetologist" means a person who for
38 compensation, whether direct or indirect, engages in the practice
39 of cosmetology.

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

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

43 (ii) Arching eyebrows to include trimming,
44 tweezing, waxing, threading or any other method of epilation or
45 tinting eyebrows and eyelashes.

46 (iii) Tinting eyelashes or eyebrows.



47 (iv) Waxing, stimulating, cleaning or beautifying
48 the face, neck, arms or legs of a person by any method with the
49 aid of the hands or any mechanical or electrical apparatus, or by
50 the use of a cosmetic preparation.

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

53 (e) "Esthetician" means any person who, for
54 compensation, either direct or indirect, engages in the practice
55 of esthetics.

56 (f) "Instructor" means a person licensed to teach
57 cosmetology, or manicuring and pedicuring, or esthetics, or all of
58 those, pursuant to this chapter, and shall include those persons
59 engaged in the instruction of student instructors.

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

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

64 (ii) Applying artificial nails.

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

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



70 (i) "Master" means a person holding a cosmetology,
71 manicuring and esthetics license who has completed the minimum
72 course of continuing education prescribed by Section 73-7-14.

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

76 (k) "School" means an establishment, public or private,
77 secondary or post-secondary, operated for the purpose of teaching
78 cosmetology, or manicuring and pedicuring, or esthetics, or
79 wigology, or all of those.

80 **SECTION 2.** Section 73-7-11, Mississippi Code of 1972, is
81 amended as follows:

82 73-7-11. Each owner of a license issued by the board under
83 the provisions of this chapter shall display the license in a
84 conspicuous place in his or her principal office, place of
85 business or employment, at all times.

86 Each license shall contain a head photograph of the license
87 holder, the person's name, and the type of license held by the
88 person. The requirement of a head photograph shall apply only to
89 the practitioner license, but shall not apply to the cosmetology
90 school license and salon license. The requirements of this
91 section shall apply at the time of issuance of a new license or at
92 the time of renewal of an existing license.

93 **SECTION 3.** Section 73-7-16, Mississippi Code of 1972, is
94 amended as follows:



95 73-7-16. (1) All schools of cosmetology or school owners
96 shall have a school license and shall pay to the board the
97 required license fee biennially therefor. A grace period of sixty
98 (60) days will be given in which to renew the license, and upon
99 the expiration of the grace period of sixty (60) days, any
100 applicant for the renewal of a school license will be required to
101 pay a delinquent fee in addition to the renewal fee. The board
102 is * * * authorized and empowered to promulgate necessary and
103 reasonable rules and regulations for the issuance and renewal of
104 school licenses. However, the board shall not refuse to issue or
105 renew a school's license because of the number of schools already
106 in that area of the state, and any rule promulgated by the board
107 for that purpose shall be null and void.

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

111 (3) The board shall require all schools of cosmetology to
112 only admit students who met minimum competencies on an acceptable
113 aptitude test or have a high school diploma or its equivalent,
114 unless the student is enrolled in a high school cosmetology
115 program.

116 **SECTION 4.** This act shall take effect and be in force from
117 and after July 1, 2014.

