

By: Representatives Frierson, Huddleston
(15th), Arnold, Brown, Cockerham, Denny,
Holland, Ladner, Monsour, Myers, Read,
Staples, Sullivan, Watson

To: Appropriations

HOUSE BILL NO. 1624

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF
3 COSMETOLOGY FOR THE FISCAL YEAR 2017.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is appropriated out of any money in the State Treasury
7 to the credit of the State Board of Cosmetology, for the purpose
8 of defraying the expenses of the board for the fiscal year
9 beginning July 1, 2016, and ending June 30, 2017.....
10\$ 786,453.00.

11 **SECTION 2.** Of the funds approved for expenditure under the
12 provisions of Section 1, the following positions are authorized:

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	12
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0



18 With the funds herein appropriated, it shall be the agency's
19 responsibility to make certain that funds required to be
20 appropriated for "Personal Services" for Fiscal Year 2018 do not
21 exceed Fiscal Year 2017 funds appropriated for that purpose,
22 unless programs or positions are added to the agency's Fiscal Year
23 2017 budget by the Mississippi Legislature. Based on data
24 provided by the Legislative Budget Office, the State Personnel
25 Board shall determine and publish the projected annual cost to
26 fully fund all appropriated positions in compliance with the
27 provisions of this act. It shall be the responsibility of the
28 agency head to ensure that no single personnel action increases
29 this projected annual cost and/or the Fiscal Year 2017
30 appropriations for "Personal Services" when annualized, with the
31 exception of escalated funds and the award of benchmarks. If, at
32 the time the agency takes any action to change "Personal
33 Services," the State Personnel Board determines that the agency
34 has taken an action which would cause the agency to exceed this
35 projected annual cost or the Fiscal Year 2017 "Personal Services"
36 appropriated level, when annualized, then only those actions which
37 reduce the projected annual cost and/or the appropriation
38 requirement will be processed by the State Personnel Board until
39 such time as the requirements of this provision are met.

40 Any transfers or escalations shall be made in accordance with
41 the terms, conditions and procedures established by law or
42 allowable under the terms set forth within this act. The State



Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. The State Board of Cosmetology shall not be authorized to expend any funds appropriated by this act after October 1, 2016, unless the board has adopted and implemented each of the following policies, which shall be conditions upon the receipt and expenditure of those funds:

(a) A policy that the board will not issue any licenses for the practice of wigology and will issue licenses and certifications only as provided under the cosmetology licensure law; and

(b) A policy that allows any person who holds a wig specialist license issued by the board before July 1, 2014, to



68 continue his or her practice as it existed before July 1, 2014,
69 and allows any person who holds a wig salon license issued by the
70 board before July 1, 2014, to continue operating a wig salon under
71 the statutory requirements as they existed before July 1, 2014,
72 and provides that any such person will be eligible to receive a
73 certificate of registration issued by the board.

74 **SECTION 4.** If not needed for other purposes, the State
75 Treasurer shall invest any part of or all monies herein approved
76 and any surplus funds of the State Board of Cosmetology for a
77 period of ninety (90) days or more at the highest rate of interest
78 obtainable and credit such to this respective fund. Monies shall
79 be invested by the Treasurer in any short-term bonds, notes or
80 other direct obligations of the United States of America or the
81 State of Mississippi or any county or municipality of this state,
82 which county or municipal bonds have been approved by a reputable
83 bond attorney or have been validated by a decree of the court, or
84 in savings accounts or certificates of deposit of a state or
85 national bank in the State of Mississippi, or in federally insured
86 savings and loan associations in the State of Mississippi; and in
87 any event, the bonds, notes or obligations in which such funds are
88 invested shall mature or be redeemable prior to the time the funds
89 so invested will be needed for the purposes herein provided.

90 **SECTION 5.** It is the intent of this legislation to provide
91 the funds for the board to meet when necessary, but under no
92 circumstances shall it meet more than sixty-two (62) days a year.



93 **SECTION 6.** It is the intention of the Legislature that the
94 State Board of Cosmetology shall maintain complete accounting and
95 personnel records related to the expenditure of all funds
96 appropriated under this act and that such records shall be in the
97 same format and level of detail as maintained for Fiscal Year
98 2016. It is further the intention of the Legislature that the
99 agency's budget request for Fiscal Year 2018 shall be submitted to
100 the Joint Legislative Budget Committee in a format and level of
101 detail comparable to the format and level of detail provided
102 during the Fiscal Year 2017 budget request process.

103 **SECTION 7.** It is the intention of the Legislature that
104 whenever two (2) or more bids are received by this agency for the
105 purchase of commodities or equipment, and whenever all things
106 stated in such received bids are equal with respect to price,
107 quality and service, the Mississippi Industries for the Blind
108 shall be given preference. A similar preference shall be given to
109 the Mississippi Industries for the Blind whenever purchases are
110 made without competitive bids.

111 **SECTION 8.** It is the intention of the Legislature that the
112 funds herein appropriated shall be expended in compliance with
113 Section 27-104-25, Mississippi Code of 1972, that no state agency
114 shall incur obligations or indebtedness in excess of their
115 appropriation and that the responsible officers, either personally
116 or upon their official bonds, shall be held responsible for
117 actions contrary to this provision.



118 **SECTION 9.** The money herein appropriated shall be paid by
119 the State Treasurer out of any money in the State Treasury to the
120 credit of the proper fund or funds as set forth in this act, upon
121 warrants issued by the State Fiscal Officer; and the State Fiscal
122 Officer shall issue his warrants upon requisitions signed by the
123 proper person, officer or officers, in the manner provided by law.

124 **SECTION 10.** This act shall take effect and be in force from
125 and after July 1, 2016; and shall stand repealed from and after
126 June 30, 2016.

