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To: Appropriations

## HOUSE BILL NO. 1621

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 2020.

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, 2019, and ending June 30, 2020.....  
10 .....\$ 759,324.00.

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.....	13
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 2021 do not  
21 exceed Fiscal Year 2020 funds appropriated for that purpose,  
22 unless programs or positions are added to the agency's Fiscal Year  
23 2020 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 2020  
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 2020 "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, 2019, 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.** In compliance with the "Mississippi Performance  
75 Budget and Strategic Planning Act of 1994," it is the intent of  
76 the Legislature that the funds provided herein shall be utilized  
77 in the most efficient and effective manner possible to achieve the  
78 intended mission of this agency. Based on the funding authorized,  
79 this agency shall make every effort to attain the targeted  
80 performance measures provided below:

81		FY2020
82	<u>Performance Measures</u>	<u>Target</u>
83	School Coordination	
84	School Permits (Number of)	75.00
85	Establishment Inspections	
86	Establishments, by Type (Salons &	
87	Schools), that are Inspected Each Year	
88	(%)	100.00
89	Average Violations per Inspection by	
90	Type (Number of)	10.00
91	Documented Complaints Received (Number of)	50.00
92	Documented Complaints Resolved within	



93	Six (6) Months (%)	100.00
94	School Audits Resulting in Disciplinary	
95	Actions (%)	0.00
96	Licensure & Information Support	
97	Completed Applications Processed within	
98	Ten (10) Business Days, by Type	
99	(Practitioners, Instructors) (%)	100.00
100	Business Days from Date of Completed	
101	Applications of New Salon & School to	
102	Initial Inspection (Number of)	14.00
103	Collect and Report the Percentage of	
104	License Renewals Issued within Seven (7)	
105	Business Days (Ten (10) Business Days	
106	for Schools) (%)	100.00

107 A reporting of the degree to which the performance targets

108 set above have been or are being achieved shall be provided in the

109 agency's budget request submitted to the Joint Legislative Budget

110 Committee for Fiscal Year 2021.

111 **SECTION 5.** It is the intent of this legislation to provide

112 the funds for the board to meet when necessary, but under no

113 circumstances shall it meet more than sixty-two (62) days a year.

114 **SECTION 6.** It is the intention of the Legislature that the

115 State Board of Cosmetology shall maintain complete accounting and

116 personnel records related to the expenditure of all funds

117 appropriated under this act and that such records shall be in the



118 same format and level of detail as maintained for Fiscal Year  
119 2019. It is further the intention of the Legislature that the  
120 agency's budget request for Fiscal Year 2021 shall be submitted to  
121 the Joint Legislative Budget Committee in a format and level of  
122 detail comparable to the format and level of detail provided  
123 during the Fiscal Year 2020 budget request process.

124       **SECTION 7.** It is the intention of the Legislature that  
125 whenever two (2) or more bids are received by this agency for the  
126 purchase of commodities or equipment, and whenever all things  
127 stated in such received bids are equal with respect to price,  
128 quality and service, the Mississippi Industries for the Blind  
129 shall be given preference. A similar preference shall be given to  
130 the Mississippi Industries for the Blind whenever purchases are  
131 made without competitive bids.

132       **SECTION 8.** It is the intention of the Legislature that the  
133 funds herein appropriated shall be expended in compliance with  
134 Section 27-104-25, Mississippi Code of 1972, that no state agency  
135 shall incur obligations or indebtedness in excess of their  
136 appropriation and that the responsible officers, either personally  
137 or upon their official bonds, shall be held responsible for  
138 actions contrary to this provision.

139       **SECTION 9.** The money herein appropriated shall be paid by  
140 the State Treasurer out of any money in the State Treasury to the  
141 credit of the proper fund or funds as set forth in this act, upon  
142 warrants issued by the State Fiscal Officer; and the State Fiscal



143 Officer shall issue his warrants upon requisitions signed by the  
144 proper person, officer or officers, in the manner provided by law.  
145       **SECTION 10.** This act shall take effect and be in force from  
146 and after July 1, 2019.

