

By: Representative Mims

To: Accountability,
Efficiency, Transparency

HOUSE BILL NO. 1318

1 AN ACT TO AMEND SECTION 73-7-2, MISSISSIPPI CODE OF 1972, TO
2 AMEND THE DEFINITIONS OF "COSMETOLOGY" AND "ESTHETICS" AND DEFINE
3 "MAKEUP ARTISTRY" IN THE COSMETOLOGY LICENSURE LAW TO REMOVE
4 THREADING AND MAKEUP ARTISTRY FROM REGULATION BY THE STATE BOARD
5 OF COSMETOLOGY; TO AMEND SECTION 73-7-35, MISSISSIPPI CODE OF
6 1972, TO PROHIBIT PERSONS NOT LICENSED UNDER THE COSMETOLOGY
7 LICENSURE LAW FROM PRACTICING THEIR PROFESSION, INCLUDING HAIR
8 BRAIDING AND MAKEUP ARTISTRY, IN A LICENSED SALON; AND FOR RELATED
9 PURPOSES.

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

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

13 73-7-2. As used in this chapter, the following terms shall
14 have the meanings ascribed herein unless the context otherwise
15 requires:

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

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



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

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

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

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

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

(vi) Manicuring and pedicuring.

For regulation purposes, the term "cosmetology" does not include a practice limited to makeup artistry alone without being licensed to offer any other cosmetology services through such limited practice.

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

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

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



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

(iii) Tinting eyelashes or eyebrows.

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

The term "esthetics" shall not include the diagnosis, treatment or therapy of any dermatological condition. For regulation purposes, the term "esthetics" does not include a practice limited to makeup artistry alone without being licensed to offer esthetic services through such limited practice.

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

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

(g) "Makeup artistry" means the art of doing makeovers, transforming, beautifying or improving the appearance of an individual's face by using cosmetic preparations and applying makeup on individuals for compensation. Makeup artistry can be practiced for weddings and for other social events and for



individual or group photoshoots; and with the application of
makeup and at times, prosthetics, makeup artistry can be practiced
for theatre, television, film, fashion, magazines, the modeling
industry and other similar productions.

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

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

(ii) Applying artificial nails.

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

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

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

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

(* * *l) "School" means an establishment, public or private, operated for the purpose of teaching cosmetology, or



manicuring and pedicuring, or esthetics, or wigology, or all of those.

SECTION 2. Section 73-7-35, Mississippi Code of 1972, is amended as follows:

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

(2) No salon owner licensed pursuant to this chapter shall allow a cosmetologist, esthetician, or manicurist to practice his/her profession in the salon without possessing a valid license issued pursuant to this chapter. No unlicensed person may practice his/her profession, including hair braiding, as defined by Section 73-7-71, and makeup artistry, as defined in Section 73-7-2, in a licensed salon.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

