

By: Representatives Read, Oliver, Bounds,
Busby, Cockerham, Hale, Haney, Hines,
Huddleston, Jackson, Ladner, Turner, Watson,
Young

To: Appropriations

HOUSE BILL NO. 1584

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 2023.

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, 2022, and ending June 30, 2023.....
10\$ 730,644.00.

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 for "Personal
20 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023
21 funds appropriated for that purpose unless programs or positions
22 are added to the agency's Fiscal Year 2023 budget by the
23 Mississippi Legislature. The Legislature shall determine the
24 agency's personal services appropriation, which shall be published
25 by the State Personnel Board. Additionally, the State Personnel
26 Board shall determine and publish the projected annualized payroll
27 costs based on current employees. It shall be the responsibility
28 of the agency head to ensure that actual personnel expenditures
29 for Fiscal Year 2023 do not exceed the data provided by the
30 Legislative Budget Office. If the agency's Fiscal Year 2023
31 projected cost exceeds the annualized costs, no salary actions
32 shall be processed by the State Personnel Board with the exception
33 of new hires that are determined to be essential for the agency.

34 Any transfers or escalations shall be made in accordance with
35 the terms, conditions and procedures established by law or
36 allowable under the terms set forth within this act. The State
37 Personnel Board shall not escalate positions without written
38 approval from the Department of Finance and Administration. The
39 Department of Finance and Administration shall not provide written
40 approval to escalate any funds for salaries and/or positions
41 without proof of availability of new or additional funds above the
42 appropriated level.



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46 act and which are withdrawn and no longer available.

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

51 Funds have been appropriated herein for the purpose of
52 funding Project SEC2 minimum salaries for all employees covered
53 under the Colonel Guy Groff/Neville Kenning Variable Compensation
54 Plan. It shall be the agency's responsibility to ensure that the
55 funds are used to increase all employees' salaries up to the
56 minimum level as determined by the State Personnel Board.

57 **SECTION 3.** The State Board of Cosmetology shall not be
58 authorized to expend any funds appropriated by this act after
59 October 1, 2019, unless the board has adopted and implemented each
60 of the following policies, which shall be conditions upon the
61 receipt and expenditure of those funds:

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

66 (b) A policy that allows any person who holds a wig
67 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		FY2023
82	<u>Performance Measures</u>	<u>Target</u>
83	Exam Administration	
84	Number of Students Tested	1500
85	Cost per Licensing Examination	290.00
86	School Coordination	
87	Number of School Permits	42
88	Establishment Inspections	
89	Percent of Establishments, by Type	
90	(Salons & Schools), That are Inspected	
91	Each Year	80.00
92	Number of Average Violations per	



93	Inspection by Type	5
94	Number of Documented Complaints Received	15
95	Percent of Documented Complaints	
96	Resolved within Six Months	100.00
97	Percent of School Audits Resulting in	
98	Disciplinary Actions	67.00
99	Licensure & Information Support	
100	Percent of Completed Applications	
101	Processed within Ten Business Days, by	
102	Type (Practitioners, Instructors)	100.00
103	Number of Business Days from Date of	
104	Completed Applications of New Salon &	
105	School to Initial Inspection	14
106	Collect & Report the Percent of License	
107	Renewals Issued within Seven Business	
108	Days, Ten Business Days for Schools (%)	100.00

109 A reporting of the degree to which the performance targets
110 set above have been or are being achieved shall be provided in the
111 agency's budget request submitted to the Joint Legislative Budget
112 Committee for Fiscal Year 2024.

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

116 **SECTION 6.** It is the intention of the Legislature that the
117 State Board of Cosmetology shall maintain complete accounting and



118 personnel records related to the expenditure of all funds
119 appropriated under this act and that such records shall be in the
120 same format and level of detail as maintained for Fiscal Year
121 2022. It is further the intention of the Legislature that the
122 agency's budget request for Fiscal Year 2024 shall be submitted to
123 the Joint Legislative Budget Committee in a format and level of
124 detail comparable to the format and level of detail provided
125 during the Fiscal Year 2021 budget request process.

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

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

141 **SECTION 9.** The money herein appropriated shall be paid by
142 the State Treasurer out of any money in the State Treasury to the



143 credit of the proper fund or funds as set forth in this act, upon
144 warrants issued by the State Fiscal Officer; and the State Fiscal
145 Officer shall issue his warrants upon requisitions signed by the
146 proper person, officer or officers, in the manner provided by law.

147 **SECTION 10.** This act shall take effect and be in force from
148 and after July 1, 2022, and shall stand repealed June 30, 2022.

