

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

To: Appropriations

HOUSE BILL NO. 1584
(As Sent to Governor)

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\$ 977,331.00.

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

13 AUTHORIZED HEADCOUNT:
14 Permanent: 13
15 Time-Limited: 0

16 With the funds herein appropriated, it shall be the agency's
17 responsibility to make certain that funds required for Personal
18 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds



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

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

41 No general funds authorized to be expended herein shall be
42 used to replace federal funds and/or other special funds which are



43 being used for salaries authorized under the provisions of this
44 act and which are withdrawn and no longer available.

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

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

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

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

64 (b) A policy that allows any person who holds a wig
65 specialist license issued by the board before July 1, 2014, to
66 continue his or her practice as it existed before July 1, 2014,
67 and allows any person who holds a wig salon license issued by the



68 board before July 1, 2014, to continue operating a wig salon under
69 the statutory requirements as they existed before July 1, 2014,
70 and provides that any such person will be eligible to receive a
71 certificate of registration issued by the board.

72 **SECTION 4.** In compliance with the "Mississippi Performance
73 Budget and Strategic Planning Act of 1994," it is the intent of
74 the Legislature that the funds provided herein shall be utilized
75 in the most efficient and effective manner possible to achieve the
76 intended mission of this agency. Based on the funding authorized,
77 this agency shall make every effort to attain the targeted
78 performance measures provided below:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
Exam Administration	
Number of Students Tested	1500
Cost per Licensing Examination	290.00
School Coordination	
Number of School Permits	42
Establishment Inspections	
Percent of Establishments, by Type	
(Salons & Schools), That are Inspected	
Each Year	80.00
Number of Average Violations per	
Inspection by Type	5
Number of Documented Complaints Received	15



93	Percent of Documented Complaints	
94	Resolved within Six Months	100.00
95	Percent of School Audits Resulting in	
96	Disciplinary Actions	67.00
97	Licensure & Information Support	
98	Percent of Completed Applications	
99	Processed within Ten Business Days, by	
100	Type (Practitioners, Instructors)	100.00
101	Number of Business Days from Date of	
102	Completed Applications of New Salon &	
103	School to Initial Inspection	14
104	Collect & Report the Percent of License	
105	Renewals Issued within Seven Business	
106	Days, Ten Business Days 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 2024.	

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 2022. It is further the intention of the Legislature that the
120 agency's budget request for Fiscal Year 2024 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 2021 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, 2022.

