

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

To: Appropriations

HOUSE BILL NO. 1596

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 2024.

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, 2023, and ending June 30, 2024.....  
10 .....\$ 971,622.00.

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 2025 do not exceed Fiscal Year 2024 funds



19 appropriated for that purpose unless programs or positions are  
20 added to the agency's Fiscal Year 2024 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 2024 do not exceed the data provided by the  
28 Legislative Budget Office. If the agency's Fiscal Year 2024  
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:

	FY2024
<u>Performance Measures</u>	<u>Target</u>
Exam Administration	
Number of Students Tested	1,500
Cost per Licensing Examination	400.00
School Coordination	
Number of School Permits	41
Establishment Inspections	
Percent of Establishments, by Type	
(Salons & Schools), That are Inspected	
Each Year	80.00
Number of Average Violations per	
Inspection by Type	3
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	3.00
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 2025.

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 2023. It is further the intention of the Legislature that the  
120 agency's budget request for Fiscal Year 2025 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 2024 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, 2023, and shall stand repealed June 30, 2023.

