

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

To: Appropriations

HOUSE BILL NO. 1596
(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 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\$ 1,013,260.00.

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 the State Personnel Board
23 shall publish. The agency's personal services appropriation may
24 consist of restricted funds for approved vacancies for Fiscal Year
25 2024 that may not be utilized for active Fiscal Year 2023
26 Headcount. It shall be the agency's responsibility to ensure that
27 the funds provided for vacancies are used to increase headcount
28 and not for promotions, title changes, in-range salary adjustments
29 or any other mechanism for increasing salaries for current
30 employees. It is the Legislature's intention that no employee
31 salary falls below the minimum salary established by the
32 Mississippi State Personnel Board.

33 Additionally, the State Personnel Board shall determine and
34 publish the projected annualized payroll costs based on current
35 employees. It shall be the responsibility of the agency head to
36 ensure that actual personnel expenditures for Fiscal Year 2024 do
37 not exceed the data provided by the Legislative Budget Office. If
38 the agency's Fiscal Year 2024 projected cost exceeds the
39 annualized costs, no salary actions shall be processed by the
40 State Personnel Board except for new hires determined to be
41 essential for the agency.

42 Any transfers or escalations shall be made in accordance with
43 the terms, conditions, and procedures established by law or



44 allowable under the terms set forth within this act. The State
45 Personnel Board shall not escalate positions without written
46 approval from the Department of Finance and Administration. The
47 Department of Finance and Administration shall not provide written
48 approval to escalate any funds for salaries and/or positions
49 without proof of availability of new or additional funds above the
50 appropriated level.

51 No general funds authorized to be expended herein shall be
52 used to replace federal funds and/or other special funds used for
53 salaries authorized under the provisions of this act and which are
54 withdrawn and no longer available.

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

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

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



68 (b) A policy that allows any person who holds a wig
69 specialist license issued by the board before July 1, 2014, to
70 continue his or her practice as it existed before July 1, 2014,
71 and allows any person who holds a wig salon license issued by the
72 board before July 1, 2014, to continue operating a wig salon under
73 the statutory requirements as they existed before July 1, 2014,
74 and provides that any such person will be eligible to receive a
75 certificate of registration issued by the board.

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

| 83 | | FY2024 |
|----|--|---------------|
| 84 | <u>Performance Measures</u> | <u>Target</u> |
| 85 | Exam Administration | |
| 86 | Number of Students Tested | 1,500 |
| 87 | Cost per Licensing Examination | 400.00 |
| 88 | School Coordination | |
| 89 | Number of School Permits | 41 |
| 90 | Establishment Inspections | |
| 91 | Percent of Establishments, by Type | |
| 92 | (Salons & Schools), That are Inspected | |
| 93 | Each Year | 80.00 |



| | | |
|-----|--|--------|
| 94 | Number of Average Violations per | |
| 95 | Inspection by Type | 3 |
| 96 | Number of Documented Complaints Received | 15 |
| 97 | Percent of Documented Complaints | |
| 98 | Resolved within Six Months | 100.00 |
| 99 | Percent of School Audits Resulting in | |
| 100 | Disciplinary Actions | 3.00 |
| 101 | Licensure & Information Support | |
| 102 | Percent of Completed Applications | |
| 103 | Processed within Ten Business Days, by | |
| 104 | Type (Practitioners, Instructors) | 100.00 |
| 105 | Number of Business Days from Date of | |
| 106 | Completed Applications of New Salon & | |
| 107 | School to Initial Inspection | 14 |
| 108 | Collect & Report the Percent of License | |
| 109 | Renewals Issued within Seven Business | |
| 110 | Days, Ten Business Days for Schools | 100.00 |

111 A reporting of the degree to which the performance targets
112 set above have been or are being achieved shall be provided in the
113 agency's budget request submitted to the Joint Legislative Budget
114 Committee for Fiscal Year 2025.

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



118 **SECTION 6.** It is the intention of the Legislature that the
119 State Board of Cosmetology shall maintain complete accounting and
120 personnel records related to the expenditure of all funds
121 appropriated under this act and that such records shall be in the
122 same format and level of detail as maintained for Fiscal Year
123 2023. It is further the intention of the Legislature that the
124 agency's budget request for Fiscal Year 2025 shall be submitted to
125 the Joint Legislative Budget Committee in a format and level of
126 detail comparable to the format and level of detail provided
127 during the Fiscal Year 2024 budget request process.

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

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



143 **SECTION 9.** The money herein appropriated shall be paid by
144 the State Treasurer out of any money in the State Treasury to the
145 credit of the proper fund or funds as set forth in this act, upon
146 warrants issued by the State Fiscal Officer; and the State Fiscal
147 Officer shall issue his warrants upon requisitions signed by the
148 proper person, officer or officers, in the manner provided by law.

149 **SECTION 10.** This act shall take effect and be in force from
150 and after July 1, 2023.

