

By: Representative Newman

To: Business and Commerce

HOUSE BILL NO. 313
(As Sent to Governor)

1 AN ACT TO AMEND SECTIONS 73-7-1, 73-7-2, 73-7-3, 73-7-7,
2 73-7-9, 73-7-11, 73-7-12, 73-7-13, 73-7-14, 73-7-15, 73-7-16,
3 73-7-17, 73-7-18, 73-7-19, 73-7-21, 73-7-23, 73-7-25, 73-7-27,
4 73-7-29, 73-7-31, 73-7-33, 73-7-35, 73-7-37 AND 73-7-71,
5 MISSISSIPPI CODE OF 1972, TO MERGE THE STATE BOARD OF COSMETOLOGY
6 AND THE STATE BOARD OF BARBERING INTO THE STATE BOARD OF
7 COSMETOLOGY AND BARBERING; TO PROVIDE FOR THE MEMBERSHIP OF THE
8 BOARD; TO PROVIDE FOR THE APPOINTMENT OF THE EXECUTIVE DIRECTOR;
9 TO REVISE THE LICENSING REQUIREMENTS OF BARBERS AND
10 COSMETOLOGISTS; TO REQUIRE CERTAIN CONTINUING EDUCATION; TO SET
11 CERTAIN PROHIBITIONS; TO PROVIDE THAT THE BOARD MAY CHARGE LICENSE
12 FEES; TO SET THE BARBERING AND COSMETOLOGY SCHOOL REQUIREMENTS; TO
13 SET CERTAIN VIOLATIONS, PENALTIES AND FINES; TO MAKE TECHNICAL
14 AMENDMENTS TO CONFORM; TO BRING FORWARD SECTION 73-7-5,
15 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT;
16 TO CREATE NEW SECTION 73-7-13.1, MISSISSIPPI CODE OF 1972, TO
17 PROVIDE FOR BARBER LICENSING REQUIREMENTS; TO REPEAL SECTIONS
18 73-7-63, MISSISSIPPI CODE OF 1972, WHICH PROVIDES A REPEALER ON
19 THE STATE BOARD OF COSMETOLOGY; TO REPEAL SECTION 73-5-1,
20 MISSISSIPPI CODE OF 1972, WHICH CREATES THE STATE BOARD OF BARBER
21 EXAMINERS; TO REPEAL SECTION 73-5-3, MISSISSIPPI CODE OF 1972,
22 WHICH ADDRESSES THE STAFFING AND COMPENSATION OF THE STATE BOARD
23 OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-5, MISSISSIPPI CODE OF
24 1972, WHICH ESTABLISHES A SPECIAL FUND FOR DEPOSITS AND AUDITS; TO
25 REPEAL SECTION 73-5-7, MISSISSIPPI CODE OF 1972, WHICH GIVES THE
26 STATE BOARD OF BARBER EXAMINERS THE AUTHORITY TO CREATE AND
27 ENFORCE RULES AND REGULATIONS; TO REPEAL SECTION 73-5-8,
28 MISSISSIPPI CODE OF 1972, WHICH ADDRESSES CERTIFICATE
29 QUALIFICATIONS FOR BARBER INSTRUCTORS; TO REPEAL SECTION 73-5-9,
30 MISSISSIPPI CODE OF 1972, WHICH ADDRESSES THE REQUIREMENT FOR
31 BARBERS TO BE REGISTERED WITH AND LICENSED BY THE STATE BOARD OF
32 BARBER EXAMINERS; TO REPEAL SECTION 73-5-11, MISSISSIPPI CODE OF
33 1972, WHICH PROVIDES FOR BARBERING SCHOOL ELIGIBILITY; TO REPEAL
34 SECTION 73-5-12, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES



35 COSMETOLOGY, BARBER EXAMINATION AND ELIGIBILITY; TO REPEAL SECTION
36 73-5-15, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES THE PROCEDURE
37 FOR APPLICATIONS FOR BARBER EXAMINATIONS; TO REPEAL SECTION
38 73-5-17, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES CERTAIN
39 REQUIREMENTS FOR THE ADMINISTRATION OF BARBER EXAMINATIONS; TO
40 REPEAL SECTION 73-5-19, MISSISSIPPI CODE OF 1972, WHICH PROVIDES
41 FOR THE ISSUANCE OF CERTIFICATES OF REGISTRATION AS A BARBER; TO
42 REPEAL SECTION 73-5-21, MISSISSIPPI CODE OF 1972, WHICH CREATES
43 THE LICENSE PROCEDURES FOR PERSONS HAVING PRACTICED BARBERING IN
44 ANOTHER STATE OR COUNTRY OR IN MILITARY SERVICE FOR THE STATE
45 BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-23, MISSISSIPPI
46 CODE OF 1972, WHICH ADDRESSES CONSPICUOUS DISPLAY OF REGISTRATION
47 CERTIFICATES AND THE PENALTY FOR VIOLATIONS; TO REPEAL SECTION
48 73-5-25, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES CERTIFICATE OR
49 LICENSE DENIAL, SUSPENSION OR REVOCATION; TO REPEAL SECTION
50 73-5-27, MISSISSIPPI CODE OF 1972, WHICH CREATES THE HEARING
51 PROCEDURES FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL
52 SECTION 73-5-29, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES FEES
53 FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION
54 73-5-31, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES APPLICATION
55 FOR NONRESIDENT LICENSE FOR THE STATE BOARD OF BARBER EXAMINERS;
56 TO REPEAL SECTION 73-5-33, MISSISSIPPI CODE OF 1972, WHICH CREATES
57 LICENSURE PROCEDURES AND FEES FOR BARBERSHOPS, AND THE ENFORCEMENT
58 OF LICENSURE REQUIREMENTS FOR THE STATE BOARD OF BARBER EXAMINERS;
59 TO REPEAL SECTION 73-5-35, MISSISSIPPI CODE OF 1972, WHICH CREATES
60 LICENSURE PROCEDURES AND FEES FOR BARBER SCHOOLS FOR THE STATE
61 BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-37, MISSISSIPPI
62 CODE OF 1972, WHICH SETS AN ANNUAL CYCLE FOR BARBER LICENSE
63 RENEWAL FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION
64 73-5-39, MISSISSIPPI CODE OF 1972, WHICH DEFINES WHAT CONSTITUTES
65 THE PRACTICE OF BARBERING; TO REPEAL SECTION 73-5-41, MISSISSIPPI
66 CODE OF 1972, WHICH ESTABLISHES EXEMPTIONS FROM LICENSING
67 REQUIREMENTS FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL
68 SECTION 73-5-43, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES
69 OFFENSES AND PENALTIES FOR THE STATE BOARD OF BARBER EXAMINERS;
70 AND FOR RELATED PURPOSES.

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

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

74 73-7-1. Any reference to the State Board of Cosmetology or
75 the Board of Barber Examiners in Title 73, Chapters 5 and 7,
76 Mississippi Code of 1972, or any other provision of law, or in any



77 rule, regulation or document, shall mean the State Board of
78 Cosmetology and Barbering created in this section.

79 There is * * * created the State Board of Cosmetology and
80 Barbering, which shall be composed of * * * seven (7)
81 members * * *, with six (6) members to be appointed by the
82 Governor, with the advice and consent of the Senate, and * * * the
83 State Health Officer or his or her designee. Of the appointed
84 members, three (3) members shall be from the cosmetology
85 professions and three (3) members shall be from the barbering
86 profession. However, no more than two (2) members shall be
87 appointed from each Supreme Court district as such district
88 existed on July 1, 2024, and one (1) member from each district
89 shall be a barber.

90 The initial term of office for the two (2) members appointed
91 from the First Supreme Court District shall be two (2) years and
92 thereafter shall be six (6) years from the expiration date of the
93 previous term; the initial term of office for the two (2) members
94 appointed from the Second Supreme Court District shall be three
95 (3) years and thereafter shall be six (6) years from the
96 expiration date of the previous term; and the initial term of
97 office for the two (2) members appointed from the Third Supreme
98 Court District shall be four (4) years and thereafter shall be six
99 (6) years from the expiration date of the previous term. No
100 member may serve more than three (3) consecutive terms. The
101 initial appointments must be made before August 1, 2024. If



102 appointments are not made by August 1, 2024, the State Board of
103 Cosmetology and the Board of Barber Examiners shall continue to
104 operate in their separate capacities until such time as the Board
105 of Cosmetology and Barbering is appointed.

106 There shall be a president of the board and such other
107 officers as deemed necessary by the board elected by and from its
108 membership, provided that the member elected as president shall
109 have at least one (1) year of experience on the board. Any member
110 appointed by the Governor and confirmed by the Senate for a term
111 to begin on or after * * * August 1, 2024, who was designated by
112 the Governor to serve as president of the board, shall be fully
113 qualified to serve on the board for a full term of office, but
114 shall not serve as president of the board unless elected by the
115 membership of the board as provided under this paragraph.

116 To be eligible for appointment as a member of the State Board
117 of Cosmetology and Barbering, the person applying shall have been
118 a citizen of this state for a minimum of five (5) years
119 immediately prior to appointment. Such person shall be at least
120 thirty (30) years of age, possess a high school education or its
121 equivalent, and shall have been * * * licensed * * * by the board
122 with not less than ten (10) years' active practice in * * * any
123 profession regulated by the board. No member of the board shall
124 be connected in any way with any school * * * in which any of the
125 professions regulated by the board are taught.



126 * * * In the event of vacancy by death or resignation of
127 any member of the board, the Governor shall, within thirty (30)
128 days, appoint a person possessing all qualifications required to
129 serve the remainder of the term. Any member who * * * has
130 not * * * attended two (2) consecutive meetings of the board for
131 reasons other than illness of such member shall be subject to
132 removal by the Governor. The president of the board shall notify
133 the Governor in writing when any such member has failed to attend
134 two (2) consecutive regular meetings.

135 The salaries of all paid employees of the board shall be paid
136 out of funds in the board's special fund in the State Treasury.
137 Each member of the board, excepting the inspectors provided for
138 herein, shall receive per diem as authorized by Section 25-3-69,
139 and shall be reimbursed for such other expenses at the same rate
140 and under the same conditions as other state employees as provided
141 for in Section 25-3-41.

142 The board shall give reasonable public notice of all board
143 meetings not less than ten (10) days prior to such meetings.

144 In addition to any powers conferred upon the board in other
145 provisions of law, the board shall appoint an individual to serve
146 as the executive director of the board. The executive director
147 shall possess the qualifications established by the board, which
148 shall be based on National Best Practices. The executive director
149 shall be considered a full-time position. The executive director
150 shall serve at the will and pleasure of the board and shall devote



151 his or her time to the proper administration of the board and the
152 duties assigned to him or her by the board. The executive
153 director shall be paid a salary established by the board, subject
154 to the approval of the State Personnel Board. Subject to the
155 availability of funding, the executive director may employ such
156 administrative staff as may be necessary to assist the executive
157 director and the board in carrying out the duties and directives
158 of the board.

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

161 73-7-2. As used in this chapter, the following terms shall
162 have the meanings * * * as defined in this section unless the
163 context otherwise requires:

164 (a) "Board" means the State Board of Cosmetology and
165 Barbering.

166 (b) "Barbering" means the occupation of shaving or
167 trimming the beard, cutting or dressing the hair, giving facial or
168 scalp treatment with oils or creams or other cosmetic preparations
169 made for that purpose, antiseptics, powders, clays or lotions to
170 the scalp, face, neck or upper part of the body either by hand or
171 by means of mechanical appliances, singeing and shampooing the
172 hair, dyeing the hair, or permanently waving or straightening the
173 hair for compensation.

174 (c) "Barber" means a person, other than a student, who
175 performs barbering on the general public for compensation, and who



176 shall satisfy the qualifications and licensure requirements
177 provided in this chapter.

178 (* * *d) "Cosmetology" means any one (1) or a
179 combination of the following practices if they are performed on a
180 person's head, face, neck, shoulder, arms, hands, legs or feet for
181 cosmetic purposes:

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

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

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

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

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

196 (vi) Manicuring and pedicuring.

197 For regulation purposes, the terms "cosmetology" and
198 "barbering" * * * do not include persons whose practice is limited
199 to only performing makeup artistry, threading or applying or
200 removing eyelash extensions; however, a person may perform a



201 combination of not more than three (3) such practices and still be
202 exempt from this chapter.

203 (* * *e) "Cosmetologist" means a person who for
204 compensation, whether direct or indirect, engages in the practice
205 of cosmetology.

206 (* * *f) "Esthetics" means any one (1) or a
207 combination of the following practices:

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

209 (ii) Arching eyebrows to include trimming,
210 tweezing, waxing, threading or any other method of
211 epilation * * *.

212 (iii) Tinting eyelashes or eyebrows.

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

217 The term "esthetics" shall not include the diagnosis,
218 treatment or therapy of any dermatological condition. For
219 regulation purposes, the term "esthetics" does not include persons
220 whose practice is limited to only performing makeup artistry,
221 threading or applying or removing eyelash extensions; however, a
222 person may perform a combination of not more than three (3) such
223 practices and still be exempt from this chapter.



224 (* * *g) "Esthetician" means any person who, for
225 compensation, either direct or indirect, engages in the practice
226 of esthetics.

227 (* * *h) "Instructor" means a person licensed to teach
228 cosmetology, barbering, or * * * nail technology, or esthetics, or
229 all of those, pursuant to this chapter, and shall include those
230 persons engaged in the instruction of student instructors.

231 (* * *i) " * * * Nail technology" means any one (1) or
232 a combination of the following practices:

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

235 (ii) Applying artificial nails.

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

238 (* * *j) " * * * Nail technician" means a person who
239 for compensation, either direct or indirect, engages in the
240 practice of * * * nail technology.

241 (* * *k) "Master" means a person holding a
242 cosmetology, * * * barbering, nail technology and/or esthetics
243 license who has completed the minimum course of continuing
244 education prescribed by Section 73-7-14.

245 (* * *l) "Salon/barber shop" means an establishment
246 operated for the purpose of engaging in the practice of
247 cosmetology, * * * barbering, nail technology, or esthetics, * * *
248 or all of those.



249 (* * *m) "School" means an establishment, public or
250 private, operated for the purpose of teaching cosmetology, * * *
251 barbering, nail technology, or esthetics, * * * or all of those.

252 **SECTION 3.** Section 73-7-3, Mississippi Code of 1972, is
253 amended as follows:

254 73-7-3. (1) The board shall be authorized to employ such
255 clerical * * * assistance, bookkeepers, investigators and other
256 agents as they may deem necessary to carry out the provisions of
257 this chapter, and to fix their tenure of employment and
258 compensation therefor. The members of the board, as well as all
259 employees of the board except for investigators, shall file a bond
260 with the Secretary of State in the sum of not less than * * *
261 Twenty-five Thousand Dollars (\$25,000.00) payable to the State of
262 Mississippi for the faithful performance of their duties. The
263 bond shall be made by a surety company authorized to do business
264 in this state, the premium of the bond to be paid out of any money
265 in the board's special fund in the State Treasury.

266 (2) The office of the board shall be located in the greater
267 metropolitan area of the City of Jackson, Mississippi, and * * *
268 if office space cannot be obtained in any state-owned building,
269 the board is authorized to rent suitable office space and to pay
270 therefor out of funds in the board's special fund. The board
271 shall employ inspectors as needed, not to exceed * * * twelve
272 (12), who shall be full-time employees and whose salaries and
273 duties shall be fixed by the board.



274 (3) The salaries of all paid employees of the board shall be
275 paid out of the funds in the board's special fund in the State
276 Treasury. The inspectors shall, in addition to their salaries, be
277 reimbursed for such expenses as are allowed other state employees
278 under the provisions of Section 25-3-41. In addition to the
279 paying of office rent, the board is authorized to purchase
280 necessary office furniture and equipment, stationery, books,
281 certificates and any other equipment necessary for the proper
282 administration of this chapter.

283 (4) When, in the opinion of the board, it is essential that
284 an employee of the board work after normal working hours, the
285 employee may receive credit for compensatory leave.

286 (a) The board should use the standards established by
287 the State Personnel Board in determining whether or not the
288 board's executive director may receive compensatory leave.

289 (b) Employees of the board may be granted
290 administrative leave with pay, which means discretionary leave
291 with pay, other than personal leave or major medical leave.

292 (i) The board may grant administrative leave to
293 any employee of the board serving as a witness or juror or party
294 litigant, as verified by the clerk of the court, in addition to
295 any fees paid for such services, and such services or necessary
296 appearance in any court shall not be counted as personal leave.

297 (ii) The board may grant administrative leave with
298 pay to employees of the board in the event of extreme weather



299 conditions or in the event of a man-made, technological, or
300 natural disaster or emergency. Any employee on a previously
301 approved leave during the affected period shall be eligible for
302 such administrative leave granted by the board and shall not be
303 charged for his or her previously approved leave during the
304 affected period.

305 (iii) The board may grant administrative leave
306 with pay to any employee of the board who is a certified disaster
307 service volunteer of the American Red Cross who participates in
308 specialized disaster relief services for the American Red Cross in
309 this state and in states contiguous to this state when the
310 American Red Cross requests the employee's participation.
311 Administrative leave granted under this subparagraph shall not
312 exceed twenty (20) days in any twelve-month period. Employees on
313 leave under this subparagraph shall not be deemed to be an
314 employee of the state for purposes of workers' compensation or for
315 purposes of claims against the state allowed under Title 11,
316 Chapter 46, Mississippi Code of 1972. As used in this
317 subparagraph, the term "disaster" includes disasters designated at
318 Level II and above in American Red Cross' national regulations and
319 procedures.

320 **SECTION 4.** Section 73-7-5, Mississippi Code of 1972, is
321 brought forward as follows:

322 73-7-5. (1) All fees and any other monies received by the
323 board shall be deposited in a special fund that is created in the



324 State Treasury and shall be used for the implementation and
325 administration of this chapter when appropriated by the
326 Legislature for such purpose. The monies in the special fund
327 shall be subject to all provisions of the state budget laws that
328 are applicable to special fund agencies, and shall be disbursed by
329 the State Treasurer only upon warrants issued by the State Fiscal
330 Officer upon requisitions signed by the president of the board or
331 another board member designated by the president, and
332 countersigned by the secretary of the board. Any interest earned
333 on this special fund shall be credited by the State Treasurer to
334 the fund and shall not be paid into the State General Fund. Any
335 unexpended monies remaining in the special fund at the end of a
336 fiscal year shall not lapse into the State General Fund.

337 (2) The State Auditor shall audit the financial affairs of
338 the board and the transactions involving the special fund at least
339 once a year in the same manner as for other special fund agencies.
340 In addition, the Governor, in his discretion, shall have the power
341 from time to time to require an audit of the financial affairs of
342 the board, the same to be made by the State Auditor upon request
343 of the Governor. The Governor shall have the power to suspend any
344 member of the board who shall be found in default in any account
345 until such time as it shall be determined whether such default was
346 a result of an act of dishonesty on the part of the member, and in
347 the event it is found that such default is an act of dishonesty,



348 misfeasance or nonfeasance on the part of the member, such member
349 shall be immediately removed by the Governor from office.

350 **SECTION 5.** Section 73-7-7, Mississippi Code of 1972, is
351 amended as follows:

352 73-7-7. (1) The board shall have authority to make
353 reasonable rules and regulations for the administration of the
354 provisions of this chapter. The board shall set up a curriculum
355 for operation of schools of * * * all of the professions that it
356 is charged to regulate in this state. The board shall receive and
357 consider for adoption recommendations for rules and regulations,
358 school curriculum, and related matters from the Mississippi
359 Cosmetology and Barbering Council, whose membership shall consist
360 of, in addition to the six (6) appointed board members, five (5)
361 elected delegates from the Mississippi Cosmetology and Barbering
362 Association, five (5) elected delegates from the Mississippi
363 Cosmetology and Barber School Association, five (5) elected
364 delegates from the Mississippi Esthetics Association, five (5)
365 elected delegates from the Mississippi Independent Beauticians and
366 Barbers Association, and five (5) elected delegates from the
367 Cosmetology and Barbering School Owners and Teachers Association.
368 The board may revoke the license * * * or may refuse to issue a
369 license to any cosmetologist, barber, esthetician, * * * nail
370 technician, instructor, school of * * * any profession regulated
371 by the board, or salon/barber shop that fails or refuses to comply



372 with the provisions of this chapter and the rules and regulations
373 of the board in carrying out the provisions of this chapter.

374 (2) The board shall have authority to prescribe reasonable
375 rules and regulations governing sanitation of schools of * * * all
376 professions regulated by the board, salons, and barber shops for
377 the guidance of persons licensed under this chapter in the
378 operation of schools of * * * all professions regulated by the
379 board, salons or barber shops, * * * and in the practice of
380 cosmetology, barbering, esthetics, * * * and * * * nail
381 technology. However, any and all rules and regulations relating
382 to sanitation shall, before adoption by the board, have the
383 written approval of the State Board of Health. When the board has
384 reason to believe that any of the provisions of this chapter or of
385 the rules and regulations of the board have been violated, either
386 upon receipt of a written complaint alleging such violations or
387 upon the board's own initiative, the board, or any of its
388 authorized agents, shall investigate same and shall have authority
389 to enter upon the premises of a school of * * * any profession
390 regulated by the board, salon or barber shop at any time during
391 the regular business hours of that school * * *, salon or barber
392 shop to conduct the investigation. Such investigation may
393 include, but not be limited to, conducting oral interviews with
394 the complaining party, school * * *, salon or barber shop owner(s)
395 and/or students of the school, and reviewing records of the
396 school * * *, salon or barber shop pertinent to the complaint and



397 related to an area subject to the authority of the board. Such
398 investigation shall not include written interviews or surveys of
399 school employees or students, and the privacy of patrons shall be
400 respected by any person making such investigation.

401 (3) * * * The board shall adopt regulations to ensure that
402 all fingernail service products used by * * * licensees regulated
403 by the board do not contain methyl methacrylate (MMA) as a monomer
404 agent for cosmetic nail applications.

405 (4) If the board finds that a violation of the provisions of
406 this chapter or the rules and regulations of the board has
407 occurred, it may cause a hearing to be held as set forth in
408 Section 73-7-27.

409 **SECTION 6.** Section 73-7-9, Mississippi Code of 1972, is
410 amended as follows:

411 73-7-9. No person required by this chapter to have a license
412 shall conduct a * * * school of * * * any profession regulated by
413 the board, salon or barber shop, or practice cosmetology,
414 barbering, esthetics, * * * nail technology, or practice as an
415 instructor, unless such person has received a license or temporary
416 permit therefor from the board. * * * Anyone determined to have
417 violated any of these rules or regulations prior to being licensed
418 by the board shall be subject to the same discipline by the board
419 as licensees. They may be disciplined and fined accordingly.

420 **SECTION 7.** Section 73-7-11, Mississippi Code of 1972, is
421 amended as follows:



422 73-7-11. Each owner of a license issued by the board under
423 the provisions of this chapter shall display the license in a
424 conspicuous place in his or her principal office, place of
425 business or employment, at all times.

426 Each practitioner and instructor license shall contain
427 a * * * recent passport-style photograph of the license holder,
428 the person's name, and the type of license held by the person.
429 The requirements of this section shall apply at the time of
430 issuance of a new license or at the time of renewal of an existing
431 license. A barber pole can only be displayed if the business
432 carries a barber license or is dual licensed as a cosmetology
433 salon and barber shop with at least one (1) current barber
434 licensee employed at the location.

435 **SECTION 8.** Section 73-7-12, Mississippi Code of 1972, is
436 amended as follows:

437 73-7-12. * * * The * * * board * * * shall conduct
438 examinations for cosmetologists, barbers, estheticians, * * * nail
439 technicians and instructors at such times and locations as
440 determined by the board. The members of the board shall not
441 personally administer or monitor the examinations, but the board
442 shall contract for administrators of the examinations. A member
443 of the board shall not receive any per diem compensation for any
444 day that the member is present at the * * * location(s) where the
445 examinations are being administered.



446 **SECTION 9.** Section 73-7-13, Mississippi Code of 1972, is
447 amended as follows:

448 73-7-13. (1) The board shall admit to examination for a
449 cosmetology license any person who is at least sixteen (16) years
450 old and who has made application to the board in proper form, has
451 paid the required fee, and who * * * has successfully completed no
452 less than fifteen hundred (1500) hours over a period of no less
453 than nine (9) months in a licensed school of cosmetology or no
454 less than three thousand (3,000) hours in an apprenticeship
455 program certified by the board, and * * * has a high school
456 education or its equivalent or has been successfully enrolled in a
457 community college. Apprenticeships provided for in this
458 subsection shall be monitored or mentored by a licensed
459 cosmetology instructor only. Only one (1) apprentice may be
460 mentored by any person at the same time.

461 (* * *2) The board may, in its discretion, issue to any
462 student who has completed the prescribed hours in a licensed
463 school or approved apprenticeship program and paid the required
464 fee a temporary permit until such time as the next examination may
465 be held * * * but not exceeding six (6) months. Such student
466 shall be issued only one (1) temporary permit. Application for an
467 examination and license shall be accompanied by two (2) recent
468 passport-style photographs of the applicant. No temporary permit
469 will be issued to an applicant from any other state to operate a



470 beauty salon, barber shop or school of * * * any profession
471 regulated by the board in this state unless in case of emergency.

472 (* * *3) Applicants for the cosmetologist * * * license,
473 after having satisfactorily passed the prescribed examination,
474 shall be issued a cosmetology license which * * * shall be valid
475 for * * * two (2) years, and * * * the license shall be subject to
476 renewal. No license issued by the board may be renewed until all
477 monetary fines and penalties assessed by the board to the licensee
478 are paid in full.

479 (* * *4) Any barber who * * * has successfully completed no
480 less than fifteen hundred (1500) hours in a licensed barber
481 school * * * and who holds a current valid certificate of * * *
482 licensure to practice barbering * * * is eligible to take the
483 cosmetology examination to secure a cosmetology license upon
484 successfully completing * * * six hundred (600) hours in a
485 licensed school of cosmetology. All fees for application,
486 examination, * * * licensure, and renewal thereof shall be the
487 same as provided for cosmetologists.

488 (* * *5) Each application or filing made under this section
489 shall include the social security number(s) of the applicant in
490 accordance with Section 93-11-64.

491 (* * *6) Any licensed cosmetologist, barber, esthetician,
492 or * * * nail technician who is registered but not actively
493 practicing in the State of Mississippi at the time of making
494 application for renewal of an active license, may apply for



495 registration * * * as * * * inactive * * * status. Such
496 "inactive" status list shall be maintained by the board and shall
497 set out the names and post office addresses of all persons
498 registered but not actively practicing in this state, arranged
499 alphabetically by name and also by the municipalities and states
500 of their last-known professional or residential address. Only the
501 cosmetologists, barbers, estheticians and * * * nail technicians
502 registered on the appropriate list as actively practicing in the
503 State of Mississippi shall be authorized to practice those
504 professions. * * * No cosmetologist, barber, nail technician or
505 esthetician * * * shall be registered on the "inactive" list until
506 the person has furnished a statement of intent to take such action
507 to the board. Any licensed cosmetologist, barber, nail technician
508 or esthetician * * *, who is registered on the "inactive" status
509 list shall not be eligible for * * * active * * * licensure status
510 until either of the following conditions have been satisfied:

511 (a) Written application shall be submitted to the * * *
512 board * * * stating the reasons for such inactivity and setting
513 forth such other information as the board may require on an
514 individual basis and completion of the number of clock hours of
515 continuing education as approved by the board; or

516 (b) Evidence to the satisfaction of the board shall be
517 submitted that they have actively practiced their profession in
518 good standing in another state and have not been guilty of conduct



519 that would warrant suspension or revocation as provided by
520 applicable law; and

521 (c) Payment of the fee for processing such inactive
522 license shall be paid biennially in accordance to board rules.

523 **SECTION 10.** The following shall be codified as Section
524 73-7-13.1, Mississippi Code of 1972:

525 73-7-13.1 (1) The board shall admit to examination for a
526 barbering license any person who is at least sixteen (16) years
527 old and who has made application to the board in proper form, has
528 paid the required fee, and who (a) has successfully completed no
529 less than fifteen hundred (1500) hours at a barbering school
530 approved by the board or three thousand (3,000) hours of
531 board-approved apprenticeship training, and (b) has a high school
532 education or its equivalent or has been successfully enrolled in a
533 community college. Apprenticeships shall only be monitored and
534 mentored by those with an instructor license, and there shall be
535 only one (1) apprentice per mentor.

536 (2) The board may, in its discretion, issue to any student
537 who has completed the prescribed hours in a licensed school or
538 approved apprenticeship training and paid the required fee a
539 temporary permit to practice barbering until the next examination
540 is given but not exceeding six (6) months. In no event shall a
541 person be allowed to practice barbering on a temporary permit
542 beyond the date the next examination is given, except because of
543 personal illness.



544 (3) Applicants for the barbering license, after having
545 satisfactorily passed the prescribed examination, shall be issued
546 a barbering license which shall be valid for two (2) years, and
547 the license shall be subject to renewal. No license issued by the
548 board may be renewed until all monetary fines and penalties
549 assessed by the board to the licensee are paid in full.

550 (4) Any cosmetologist who has successfully completed no less
551 than fifteen hundred (1500) hours in a licensed cosmetology school
552 and who holds a current valid certificate of licensure to practice
553 cosmetology is eligible to take the barbering examination to
554 secure a barber license upon successfully completing six hundred
555 (600) hours in a licensed school of barbering. All fees for
556 application, examination, licensure, and renewal thereof shall be
557 the same as provided for barbers.

558 (5) Each application or filing made under this section shall
559 include the social security number(s) of the applicant in
560 accordance with Section 93-11-64.

561 **SECTION 11.** Section 73-7-14, Mississippi Code of 1972, is
562 amended as follows:

563 73-7-14. (1) Any person who holds a current, valid
564 cosmetology, * * * barbering, nail technology, or esthetics
565 license may be licensed as a master cosmetologist, * * * barber,
566 nail technician or esthetician if he or she has been a licensed
567 cosmetologist, * * * barber, nail technician or esthetician in
568 this state for a period of not less than twelve (12) months, and



569 has completed a minimum course of sixteen (16) * * * hours of
570 continuing education approved by the board within the licensing
571 period preceding initial application for the license, and has paid
572 the original license fee. Master cosmetologist, * * * barber,
573 nail technician or esthetician licenses shall be renewable upon
574 completion of a minimum course of eight (8) * * * hours of
575 continuing education approved by the board within a licensing
576 period and payment of the required renewal fee. This is an
577 optional license and * * * pertains only to individuals wishing to
578 complete the continuing education requirement * * *.

579 (2) Each application or filing made under this section shall
580 include the social security number(s) of the applicant in
581 accordance with Section 93-11-64 * * *.

582 (3) No license issued by the board may be renewed until all
583 monetary fines and penalties assessed by the board to the licensee
584 are paid in full.

585 **SECTION 12.** Section 73-7-15, Mississippi Code of 1972, is
586 amended as follows:

587 73-7-15. (1) The board shall admit to examination for a
588 cosmetology instructor's license any person who has made
589 application to the board in proper form, has paid the required
590 fee, and who:

591 * * *

592 (* * * a) Is a graduate of a licensed cosmetology
593 school;



594 (* * *b) Has a high school education or its
595 equivalent;

596 (* * *c) Has successfully completed one thousand
597 (1,000) hours of instructor training in a licensed school of
598 cosmetology;

599 (* * *d) Has successfully completed six (6) semester
600 hours in college courses approved by the board; and

601 (* * *e) Holds a current, valid Mississippi
602 cosmetology license * * *.

603 * * *

604 (2) The board shall admit to examination for * * * a
605 barbering instructor's license any person who has made application
606 to the board in proper form, has paid the required fee, and who:

607 (a) Is * * * a graduate of a licensed barbering
608 school; * * *

609 (* * *b) Has a high school education or its
610 equivalent;

611 (* * *c) Has (i) not less than two (2) years of active
612 experience as a licensed barber and has successfully completed not
613 less than six hundred (600) hours of instructor training in a
614 licensed school of barbering or (ii) less than two (2) years of
615 active experience as a licensed barber and has successfully
616 completed one thousand (1,000) hours of instructor training in a
617 licensed school * * * of barbering;



618 (* * *d) Has successfully completed six (6) semester
619 hours in college courses approved by the board; and

620 (* * *e) Holds a current, valid Mississippi * * *
621 barbering license * * *.

622 * * *

623 (3) The board shall admit to examination for * * * an
624 esthetics instructor's license any person who has made application
625 to the board in proper form, has paid the required fee, and who:

626 * * *

627 (* * *a) Has a high school education or its
628 equivalent;

629 (* * *b) Has successfully completed one thousand
630 (1,000) hours of instructor training in a licensed school or
631 apprenticeship program in which the practice of * * * esthetics is
632 taught;

633 (* * *c) Has successfully completed six (6) semester
634 hours in college courses approved by the board; and

635 (* * *d) Holds a current, valid Mississippi * * *
636 esthetician's license * * *.

637 * * *

638 (4) The board shall admit to examination for a nail
639 technician instructor's license any person who has made
640 application to the board in proper form, has paid the required
641 fee, and who:

642 (a) Has a high school education or its equivalent;



643 (b) Has successfully completed one thousand (1,000)
644 hours of instructor training in a licensed school or
645 apprenticeship program in which the practice of nail technology is
646 taught;

647 (c) Has successfully completed six (6) semester hours
648 in college courses approved by the board; and

649 (d) Holds a current, valid Mississippi nail
650 technician's license.

651 (* * *5) Applicants shall satisfactorily pass the
652 examination prescribed by the board for licensing instructors
653 prior to the issuance of the licenses provided for in this
654 section. However, the board may, in its discretion, issue a
655 temporary instructor's permit until such time as the next
656 examination may be held, * * * the period of which shall not
657 exceed ninety (90) days. Such applicant shall be issued only one
658 (1) temporary permit. All applications for an instructor's
659 examination shall be accompanied by two (2) recent * * *
660 passport-style photographs of the applicant.

661 (* * *6) Renewal Requirements:

662 (a) All cosmetology, barbering, nail technology, and/or
663 esthetics instructors licensed pursuant to this section shall
664 biennially obtain twenty-four (24) clock hours of continuing
665 education in teacher training instruction in cosmetology * * *,
666 barbering, esthetics or * * * nail technology, as the case may be,
667 as approved by the board. Any instructor who fails to obtain the



668 continuing education required by this subsection shall * * *
669 neither be allowed to instruct nor to enroll students under his or
670 her license until such continuing education requirement has been
671 met. The board may issue an inactive * * * instructor license to
672 such instructors, and an inactive license may be converted into an
673 active license only after proof satisfactory to the board of
674 completion of at least twenty-four (24) clock hours of approved
675 continuing education required for teacher training instruction is
676 submitted.

677 (b) All persons who have received a license as a
678 barbering instructor from the board before July 1, 2002, shall be
679 considered to have met the requirements of this section, and all
680 those certificates of registration shall be renewable as otherwise
681 provided in this chapter.

682 (c) No license issued by the board may be renewed until
683 all monetary fines and penalties assessed by the board to the
684 licensee are paid in full.

685 (* * *7) Each application or filing made under this section
686 shall include the social security number(s) of the applicant in
687 accordance with Section 93-11-64.

688 **SECTION 13.** Section 73-7-16, Mississippi Code of 1972, is
689 amended as follows:

690 73-7-16. (1) All schools of * * * any profession regulated
691 by the board or school owners shall have a school license and
692 shall pay to the board the required license fee. * * * The board



693 is * * * authorized and empowered to promulgate necessary and
694 reasonable rules and regulations for the issuance and renewal of
695 school licenses. * * *

696 (2) Each application * * * made under this section shall
697 include the social security number(s) of the applicant, owners or
698 agents in accordance with Section 93-11-64.

699 (3) * * * Any school making application for a license under
700 this chapter shall not be transferable for any cause and shall
701 include a surety bond in the penal sum of Fifty Thousand Dollars
702 (\$50,000.00) in favor of the board on a bond form completed by the
703 insurance company or agency. The applicant may file in lieu of
704 the bond, cash, or a certificate of deposit or government bonds in
705 the amount of Fifty Thousand Dollars (\$50,000.00).

706 (4) The school applicant shall maintain a professional
707 liability insurance policy covering any aspect of the facility,
708 personnel and/or students.

709 (5) The school shall meet all applicable health and safety
710 standards that may be required by local, state and federal
711 agencies.

712 (6) Private business and vocational schools that have
713 obtained national accreditation from an accrediting agency
714 designated by the United States Department of Education must
715 submit evidence of current accreditation.

716 (7) The course content and length of instruction shall be of
717 such nature and quality as to assure that the students will



718 adequately develop the job skills and knowledge necessary for
719 passing any and all examinations required for licensure.

720 (8) Schools shall provide favorable conditions for effective
721 classroom instruction. A total pattern of successful instruction
722 includes (a) well-defined instructional objectives, (b) systematic
723 planning, (c) selection and use of varied types of learning
724 materials and experiences, (d) adaptation of organization and
725 instructional procedures to student needs, (e) use of varied
726 evaluation instruments and procedures, and (f) good student and
727 teacher morale.

728 (9) Each board-approved school of cosmetology, barbering,
729 esthetics or nail technology must provide proof to the board of an
730 annual pass rate that meets or exceeds the current minimum
731 standard as established by the board.

732 (10) The board shall evaluate school curriculum for
733 conformance with educational requirements set forth in this
734 chapter.

735 (11) There shall be no automatic renewal of school licenses,
736 and each licensee shall be audited for conformity before to the
737 issuance of any a new license. Before to the issuance of any such
738 license, the board shall inspect the premises to determine if same
739 conforms to the law.

740 (12) If a school closes a facility, the licensee must notify
741 the board within sixty (60) days before closing and provide proof
742 of the reason for the closure; proof of method developed to assist



743 students with the completion of their program of study and
744 individual courses; proof of notice sent to all currently enrolled
745 students, notifying them of the closure; proof of notice given to
746 students indicating where they may obtain any of their records;
747 proof of disposition of student records, with a contact person,
748 complete address, and telephone number and how students'
749 information may be obtained; proof of notice sent to all students
750 who have paid for any tuition and/or fees for future enrollment in
751 a program of study or individual course informing them of the
752 closure, and refund information; proof of certified transcripts
753 for each currently enrolled student who has paid for and completed
754 coursework in lieu of receiving a full or partial refund. If a
755 school files a bankruptcy petition, a certified copy must be filed
756 with the board.

757 (13) School licenses may be issued, as follows:

758 (a) Temporary licenses may be issued only for a one-
759 year period. These licenses are issued to new schools with less
760 than two (2) graduating classes. Annual reports are required and
761 are due by July 16 of each year unless otherwise specified.

762 Prospective students before enrolling and enrolled students must
763 be notified in writing of the school's temporary status;

764 (b) Probationary licenses indicate warning status and
765 may be issued only for a one-year period. These licenses are
766 issued to new schools with less than two (2) graduating classes
767 and with any significant violation(s) in the most recent year.



768 Annual reports are required and are due by July 16 of each year
769 unless otherwise specified. Prospective students and enrolled
770 students shall be notified in writing of the school's probationary
771 status;

772 (c) Conditional licenses may be issued to schools for
773 only a one-year period. Conditional license status for schools
774 that previously held a nonconditional license shall not exceed two
775 (2) years. Annual reports are required and are due by July 16 of
776 each year unless otherwise specified. Prospective students and
777 enrolled students shall be notified in writing of the school's
778 conditional status. These licenses shall be issued to schools
779 with two (2) or more graduating classes and with any of the
780 following:

781 (i) Any significant violation(s) in the most
782 recent year; and

783 (ii) Either the school's annual pass rate or the
784 school's comprehensive pass rate does not meet or exceed the
785 board's current minimum standard;

786 (d) Nonconditional licenses may be issued for only a
787 two-year period. Annual reports shall be required and are due
788 July 16 of each year unless otherwise specified. These licenses
789 shall be issued to schools with two (2) or more graduating classes
790 and with all of the following:

791 (i) No significant violation(s) in the most recent
792 year; and



793 (ii) Either the school's annual pass rate or the
794 school's comprehensive pass rate meets or exceeds the board's
795 current minimum standard.

796 (14) The combined temporary, probationary and/or conditional
797 license status for schools shall not exceed a five-year
798 consecutive period before moving to a nonconditional license
799 status.

800 (15) No license issued by the board may be renewed until all
801 monetary fines and penalties assessed by the board to the licensee
802 are paid in full.

803 (16) School owners, instructors, and/or employees or
804 contractors of the school shall adhere to the board's statutes and
805 rules and regulations and shall regard students with the same care
806 and consideration as clients.

807 **SECTION 14.** Section 73-7-17, Mississippi Code of 1972, is
808 amended as follows:

809 73-7-17. (1) All salon/barber shop owners shall have a
810 salon/barber shop license and shall pay to the board the required
811 license fee therefor and pay the required renewal fee for renewal
812 thereof. A grace period of sixty (60) days will be given in which
813 to renew the license, and upon the expiration of the grace period
814 of sixty (60) days any applicant for the renewal of a salon/barber
815 shop license will be required to pay a delinquent fee in addition
816 to the renewal fee. A salon/barber shop license that has been
817 expired for over one (1) year is nonrenewable and requires a new



818 application. Prior to the initial issuance of such license, the
819 board shall inspect the premises to determine if same qualifies
820 with the law, upon payment by the applicant of the required
821 inspection fee.

822 (2) Each application or filing made under this section shall
823 include the social security number(s) of the applicant in
824 accordance with Section 93-11-64 * * *.

825 (3) No license issued by the board may be renewed until all
826 monetary fines and penalties assessed by the board to the licensee
827 are paid in full.

828 **SECTION 15.** Section 73-7-18, Mississippi Code of 1972, is
829 amended as follows:

830 73-7-18. (1) The board shall admit to examination for an
831 esthetician's license any person who is at least sixteen (16)
832 years old and who has made application to the board in proper
833 form, who has paid the required fee, and who:

834 * * *

835 (* * *a) Has a high school education or its equivalent
836 or has been successfully enrolled in a community college; and

837 (* * *b) Has successfully completed a course of
838 training in esthetics of not less than six hundred (600)
839 hours * * *, comprised of not less than one hundred (100) hours of
840 theory and five hundred (500) hours of skill practice, in a
841 licensed school in which the practice of esthetics is taught or of



842 no less than twelve hundred (1200) hours in an apprenticeship
843 program certified by the board.

844 * * * Apprenticeships provided for in this section shall be
845 monitored or mentored by a person with an instructor license in
846 cosmetology or esthetics. Only one (1) apprentice may be mentored
847 by any person at the same time.

848 (2) The board may, in its discretion, issue to any student
849 who has completed the prescribed hours in a licensed school or
850 approved apprenticeship program and paid the required fee a
851 temporary permit until such time as the next examination may be
852 held but not exceeding six (6) months. Such student shall be
853 issued only one (1) temporary permit. Application for an
854 examination and license shall be accompanied by two (2) recent
855 passport-style photographs of the applicant. No temporary permit
856 will be issued to an applicant from any other state to operate a
857 beauty salon, barber shop or school of any profession regulated by
858 the board in this state unless in case of emergency.

859 (3) Licensed estheticians desiring to pursue additional
860 hours to be eligible for a license as a cosmetologist may be
861 credited with any hours acquired in studying and training to be an
862 esthetician, which may be applied to the number of hours required
863 for a cosmetology license examination.

864 (* * *4) Every person who has completed not less than three
865 hundred fifty (350) hours of training in esthetics approved by the
866 board in this or any other state prior to July 1, 1987, shall



867 be * * * granted an esthetician's license by the board if such
868 person presents satisfactory evidence to the board that he or she
869 has fulfilled all the requirements to be admitted to examination
870 except the training hours requirement.

871 (* * * 5) Each application or filing made under this section
872 shall include the social security number(s) of the applicant in
873 accordance with Section 93-11-64 * * *.

874 **SECTION 16.** Section 73-7-19, Mississippi Code of 1972, is
875 amended as follows:

876 73-7-19. (1) Except as provided in Section 33-1-39, all
877 licenses shall be renewed biennially under the fee schedule in
878 Section 73-7-29. Applications for renewal of licenses for
879 cosmetologists, barbers, estheticians, * * * nail technicians and
880 instructors must be accompanied by the required renewal fee. A
881 grace period of sixty (60) days will be given in which to renew
882 the license * * * . Upon the expiration of the grace period of
883 sixty (60) days, any applicant for the renewal of a license will
884 be required to pay the required renewal fee and a delinquent fee
885 in addition to the renewal fee. The fees may be paid * * *
886 according to the manner prescribed by the board in rules and
887 regulations. Checks returned to the board because of insufficient
888 funds shall result in nonrenewal of the license, which will
889 require the penalty fee for insufficient fund checks plus all
890 other amounts due for renewal of the license before the license
891 may be renewed. After one (1) year has passed from the expiration



892 date of the license, a delinquent fee must be paid for each year
893 up to three (3) years, after which the required examination must
894 be taken before a license can be renewed. All applications for
895 examination required by this chapter shall expire ninety (90) days
896 from the date thereof.

897 (2) Each application or filing made under this section shall
898 include the social security number(s) of the applicant in
899 accordance with Section 93-11-64.

900 (3) No license issued by the board may be renewed until all
901 monetary fines and penalties assessed by the board to the licensee
902 are paid in full.

903 **SECTION 17.** Section 73-7-21, Mississippi Code of 1972, is
904 amended as follows:

905 73-7-21. (1) The board shall admit to examination for
906 a * * * nail technician's license any person who is at least
907 sixteen (16) years old and who has made application to the board
908 in proper form, who has paid the required fee, and who:

909 * * *

910 (* * * a) * * * Has a high school education or its
911 equivalent or has been successfully enrolled in a community
912 college; and

913 (* * * b) Has successfully completed no less than three
914 hundred fifty (350) hours of practice and related theory in * * *
915 nail technology over a period of no less than nine (9) weeks
916 in * * * a licensed school in which the practice of * * * nail



917 technology is taught in this or any other state * * * or no less
918 than seven hundred (700) hours in an apprenticeship program
919 certified by the board. Apprenticeships provided for in this
920 section shall be monitored or mentored by a person with an
921 instructor license in cosmetology or nail technology. Only one
922 (1) apprentice may be mentored by any person at the same time.

923 * * *

924 (2) The board may, in its discretion, issue to any student
925 who has completed the prescribed hours in a licensed school or
926 approved apprenticeship program and paid the required fee for a
927 temporary permit until such time as the next examination may be
928 held but not exceeding six (6) months. Such student shall be
929 issued only one (1) temporary permit. Application for an
930 examination and license shall be accompanied by two (2) recent
931 passport-style photographs of the applicant. No temporary permit
932 will be issued to an applicant from any other state to operate a
933 beauty salon, barber shop or school of any profession regulated by
934 the board in this state unless in case of emergency.

935 (* * *3) Licensed * * * nail technicians desiring to pursue
936 additional hours to be eligible for a license as a cosmetologist
937 may be credited with * * * any hours acquired in studying and
938 training to be a * * * nail technician which may be applied to the
939 number of hours required for a cosmetology license examination.



940 (* * *4) The board shall adopt regulations governing the
941 use of electric nail files for the purpose of filing false or
942 natural nails.

943 (* * *5) Each application or filing made under this section
944 shall include the social security number(s) of the applicant in
945 accordance with Section 93-11-64.

946 (6) No license issued by the board may be renewed until all
947 monetary fines and penalties assessed by the board to the licensee
948 are paid in full.

949 **SECTION 18.** Section 73-7-23, Mississippi Code of 1972, is
950 amended as follows:

951 73-7-23. (1) The board may, upon application, issue a
952 license by reciprocity to any cosmetologist, barber, nail
953 technician, or esthetician * * * who demonstrates proof that the
954 applicant holds a valid current license in another state with
955 similar educational requirements to those required by this
956 chapter, and that all other licensure requirements, including the
957 passage of an examination, under this chapter are met. Applicants
958 must also (a) successfully pass an examination and (b) pay the
959 required reciprocity fee, which shall be paid to the board. Such
960 application must be accompanied by two (2) recent passport-style
961 photographs of the applicant.

962 (2) An instructor from any other state may be qualified for
963 a Mississippi instructor's license upon presenting a valid
964 instructor's license from the other state and * * * (a) has



965 completed training equivalent to the State of Mississippi's
966 education and training as provided in Section 73-7-15 or has three
967 (3) years or more of experience as a licensed instructor prior to
968 application, (* * *b) * * * has completed * * * six (6) semester
969 hours in college courses approved by the board, and (* * *c) has
970 completed a minimum of five (5) continuing education hours in
971 Mississippi * * * State Board of Cosmetology and Barbering laws,
972 rules and regulations. Such application must be accompanied by
973 two (2) recent passport photographs of the applicant. Applicants
974 shall pay the required license fee.

975 (3) An applicant for a Mississippi instructor's license by
976 reciprocity who has not completed the college courses requirement
977 at the time of application may apply for a onetime temporary
978 teaching permit, which shall be valid for six (6) months and shall
979 be nonrenewable. Such application must be accompanied by proof of
980 enrollment in college course(s), required permit fee, two (2)
981 recent passport photographs of the applicant and other
982 documentation as required for application for a Mississippi
983 instructor's license by reciprocity. Upon proof of completion of
984 college courses and payment of the required license fee, a
985 Mississippi instructor's license shall be issued.

986 (4) The issuance of a license by reciprocity to a
987 military-trained applicant, military spouse or person who
988 establishes residence in this state shall be subject to the
989 provisions of Section 73-50-1 or 73-50-2, as applicable.



990 **SECTION 19.** Section 73-7-25, Mississippi Code of 1972, is
991 amended as follows:

992 73-7-25. Every demonstrator in the field of cosmetology,
993 barbering, esthetics or nail technology shall, before making
994 demonstrations in a salon, barber shop or school, apply for and
995 obtain a permit from the board. For such permit, which shall be
996 for one (1) year, the required fee shall be paid to the board.
997 This section shall be construed to apply to demonstrators in * * *
998 a salon, barber shop and schools.

999 **SECTION 20.** Section 73-7-27, Mississippi Code of 1972, is
1000 amended as follows:

1001 73-7-27. (1) Any complaint may be filed with the board by a
1002 member or agent of the board or by any person charging any
1003 licensee of the board with the commission of any of the offenses
1004 enumerated in subsection (2) of this section. Such complaint
1005 shall be in writing, signed by the accuser or accusers, and
1006 verified under oath, and such complaints shall be investigated as
1007 set forth in Section 73-7-7. * * * After the investigation, the
1008 board may dismiss the complaint if the board, through its
1009 administrative review agents, determines that there is not
1010 substantial justification to believe that the accused licensee has
1011 committed any of the offenses enumerated or, * * * the * * * board
1012 may prepare a formal complaint proceeding against the licensee as
1013 hereinafter provided. When used with reference to any complaint
1014 filed against a licensee herein, the term "not substantial



1015 justification" means a complaint that is frivolous, groundless in
1016 fact or law, or vexatious, as determined by unanimous vote of the
1017 board. In the event of a dismissal, the person filing the
1018 accusation and the accused licensee shall be given written notice
1019 of the board's determination. If the board determines there is
1020 reasonable cause to believe the accused has committed any of those
1021 offenses, the secretary of the board or the executive director
1022 shall give written notice of such determination to the accused
1023 licensee and set a day for a hearing as provided in subsection (3)
1024 of this section.

1025 (2) The board shall have the power to revoke, suspend or
1026 refuse to issue or renew any license or certificate provided for
1027 in this chapter, and to fine, place on probation and/or otherwise
1028 discipline * * * an applicant, student * * *, licensee or holder
1029 of a certificate, upon proof that such person: (a) has not
1030 complied with or has violated any of the rules and regulations
1031 promulgated by the board; (b) has not complied with * * * an
1032 order, decision, or ruling of the * * * board; (c) has committed
1033 fraud or dishonest conduct in the taking of the examination herein
1034 provided for; (d) has been convicted of a felony; (e) has
1035 committed grossly unprofessional or dishonest conduct; (f) is
1036 addicted to the excessive use of intoxicating liquors or to the
1037 use of drugs to such an extent as to render him or her unfit to
1038 practice in any of the practices or occupations set forth in this
1039 chapter; (g) has advertised by means of knowingly false or



1040 deceptive statements; * * * (h) has failed to display the license
1041 or certificate issued to him or her as provided for in this
1042 chapter; or (i) has been convicted of violating any of the
1043 provisions of this chapter. A conviction of violating any of the
1044 provisions of this chapter shall be grounds for automatic
1045 suspension of the license or certificate of such person.

1046 (3) (a) The board shall not revoke, suspend or refuse to
1047 issue or renew any license or certificate, or fine, place on
1048 probation or otherwise discipline any * * * applicant, licensee or
1049 holder of a certificate in a disciplinary matter except after a
1050 hearing of which the applicant or licensee or holder of the
1051 certificate affected shall be given at least twenty (20) days'
1052 notice in writing, specifying the reason or reasons for denying
1053 the applicant a license or certificate of registration, or in the
1054 case of any other disciplinary action, the offense or offenses of
1055 which the licensee or holder of a certificate of registration is
1056 charged. Such notice may be served by mailing a copy thereof by
1057 United States first-class certified mail, postage prepaid, to the
1058 last-known residence or business address of such applicant,
1059 licensee or holder of a certificate. The hearing on such charges
1060 shall be at such time and place as the board may prescribe. The
1061 provisions of this paragraph (a) shall not apply to the board's
1062 collection of a civil penalty or fine imposed by the board under
1063 paragraph (b) of this subsection.



1064 (b) Any civil penalty or fine imposed by the board
1065 under this chapter resulting from an inspection or audit shall
1066 become due and payable when the applicant, licensee or holder of a
1067 certificate incurring the penalty receives a notice in writing
1068 from the board of the penalty. The notice shall be sent by
1069 registered or certified mail or by personal service. The person
1070 to whom the notice is addressed shall have thirty (30) days from
1071 the date of the notice in which to make written application for a
1072 hearing. Any person who makes the application for a hearing shall
1073 be entitled to a hearing. The hearing shall be conducted as a
1074 contested case hearing. When an order assessing a civil penalty
1075 under this section becomes final by operation of law or on appeal,
1076 unless the amount of penalty is paid within thirty (30) days after
1077 the order becomes final, it may be recorded with the circuit clerk
1078 in any county of this state. The clerk shall then record the name
1079 of the person incurring the penalty and the amount of the penalty
1080 in his lien record book.

1081 (c) The board may temporarily suspend a license under
1082 this chapter without any hearing, simultaneously with the
1083 institution of proceedings under this section, if it finds that
1084 the evidence in support of the board's determination is clear,
1085 competent and unequivocal that the licensee's continuation in
1086 practice would constitute an imminent danger to public health and
1087 safety.



1088 (4) At such hearings, all witnesses shall be sworn by
1089 a * * * court reporter, and stenographic notes of the proceedings
1090 shall be taken. Any party to the proceedings * * *, at the
1091 request of such party, shall be furnished with a copy of such
1092 stenographic notes upon payment to the board of such fees as it
1093 shall prescribe, not exceeding, however, the actual costs of
1094 transcription.

1095 (5) The board is * * * authorized and empowered to issue
1096 subpoenas for the attendance of witnesses and the production of
1097 books and papers. The process issued by the board shall extend to
1098 all parts of the state and such process shall be served by any
1099 person designated by the board for such service. The person
1100 serving such process shall receive such compensation as may be
1101 allowed by the board, not to exceed the fee prescribed by law for
1102 similar services. All witnesses who shall be subpoenaed, and who
1103 shall appear in any proceedings before the board, shall receive
1104 the same fees and mileage as allowed by law.

1105 (6) Where in any proceeding before the board any witness
1106 shall fail or refuse to attend upon subpoena issued by the board,
1107 shall refuse to testify, or shall refuse to produce any books and
1108 papers, the production of which is called for by the subpoena, the
1109 attendance of such witness and the giving of his testimony and the
1110 production of the books and papers shall be enforced by any court
1111 of competent jurisdiction of this state, in the same manner as are



1112 enforced for the attendance and testimony of witnesses in civil
1113 cases in the courts of this state.

1114 (7) The board shall conduct the hearing in an orderly and
1115 continuous manner, granting continuances only when the ends of
1116 justice may be served. The board shall, within sixty (60) days
1117 after conclusion of the hearing, reduce its decision to writing
1118 and forward an attested true copy thereof to the last-known
1119 residence or business address of such applicant, licensee or
1120 holder of a certificate, by way of United States first-class
1121 certified mail, postage prepaid.

1122 * * * (8) Any and all parties to the hearing shall have the
1123 right of appeal from an adverse ruling, or order, or decision of
1124 the board to the Chancery Court of the First Judicial District of
1125 Hinds County, Mississippi, upon forwarding notice of appeal to the
1126 board within thirty (30) days after the decision of the board is
1127 mailed in the manner here contemplated. * * * The appellant
1128 shall, together with the notice of appeal, * * * first pay the
1129 costs for the * * * transcription of * * * the record of the
1130 hearing(s) and proceeding(s) before the board in which the adverse
1131 ruling, order or decision of the board was made. Any fine imposed
1132 by the board under the provisions of this chapter shall not take
1133 effect until after the time for appeal has expired, and an appeal
1134 of the imposition of such a fine shall act as a supersedeas bond.
1135 The appeal shall thereupon be heard in due course by the court,
1136 which shall review the record and make its determination thereon.



1137 (9) The board, in its discretion, may assess and charge any
1138 part or all of the costs of any disciplinary proceedings conducted
1139 under this section against the accused if the accused is found
1140 guilty of the charges.

1141 (10) Any fine imposed by the board upon a licensee or holder
1142 of a certificate shall be in accordance with the following * * *
1143 class designation of fines:

1144 (a) * * * Class A - No violations or the violations are
1145 minor health and safety violations that are detrimental to public
1146 safety and welfare. Violations under this class shall be set at
1147 no less than Fifty Dollars (\$50.00) but no more than Two Hundred
1148 Dollars (\$200.00);

1149 (b) * * * Class B - Class B violations are major health
1150 and safety concerns that are detrimental to public safety and
1151 welfare and shall be set at no less than Two Hundred Fifty Dollars
1152 (\$250.00) but no more than Seven Hundred Fifty Dollars (\$750.00);

1153 (c) Class C - Class C violations shall be set at no
1154 less than Eight Hundred Dollars (\$800.00) but no more than One
1155 Thousand Dollars (\$1,000.00) and are violations specific to the
1156 following:

1157 (i) Unlicensed practice or the use of fraudulent
1158 statements to obtain any benefits or privileges under this chapter
1159 or practicing one (1) of the professions regulated by the board
1160 without a license. These violations will be handled in accordance



1161 with the requirements of Section 73-7-27 or Section 73-7-37 when
1162 applicable; and

1163 (ii) Extremely dangerous to the health and safety
1164 of the public.

1165 The power and authority of the board to impose such fines
1166 under this section shall not be affected or diminished by any
1167 other proceeding, civil or criminal, concerning the same violation
1168 or violations.

1169 (11) In addition to the reasons specified in subsection (2)
1170 of this section, the board shall be authorized to suspend the
1171 license of any licensee for being out of compliance with an order
1172 for support, as defined in Section 93-11-153. The procedure for
1173 suspension of a license for being out of compliance with an order
1174 for support, and the procedure for the reissuance or reinstatement
1175 of a license suspended for that purpose, and the payment of any
1176 fees for the reissuance or reinstatement of a license suspended
1177 for that purpose, shall be governed by Section 93-11-157 or
1178 93-11-163, as the case may be. Actions taken by the board in
1179 suspending a license when required by Section 93-11-157 or
1180 93-11-163 are not actions from which an appeal may be taken under
1181 this section. Any appeal of a license suspension that is required
1182 by Section 93-11-157 or 93-11-163 shall be taken in accordance
1183 with the appeal procedure specified in Section 93-11-157 or
1184 93-11-163, as the case may be, rather than the procedure specified
1185 in this section. If there is any conflict between any provision



1186 of Section 93-11-157 or 93-11-163 and any provision of this
1187 chapter, the provisions of Section 93-11-157 or 93-11-163, as the
1188 case may be, shall control.

1189 **SECTION 21.** Section 73-7-29, Mississippi Code of 1972, is
1190 amended as follows:

1191 73-7-29. The * * * board * * * shall assess fees in the
1192 following amounts and for the following purposes:

- 1193 (a) Initial license/renewal for cosmetologist, * * *
1194 barber, nail technician or esthetician * * *.....\$ 50.00
1195 (b) Instructor initial license/renewal..... 80.00
1196 (c) Master * * * license/renewal..... 70.00
1197 (d) Delinquent renewal penalty - cosmetologist, * * *
1198 barber, nail technician, esthetician * * * and instructor.. 50.00
1199 There shall be no renewal fee for any licensee seventy (70)
1200 years of age or older.
1201 (e) Salon/barber shop application and initial
1202 inspection..... 85.00
1203 (f) Salon/barber shop reinspection..... 35.00
1204 (g) * * * Application under reciprocity or UROLA 55.00
1205 (h) Salon/barber shop renewal..... 60.00
1206 (i) Salon/barber shop delinquent renewal penalty 50.00
1207 (j) Application and initial inspection for a
1208 new school..... 300.00
1209 (k) New school reinspection..... 100.00
1210 (l) School change of ownership..... 300.00



1211	(m)	School relocation.....	150.00
1212	(n)	School renewal.....	75.00
1213	(o)	School delinquent renewal penalty.....	100.00
1214	(p)	Duplicate license.....	10.00
1215	(q)	Penalty for insufficient fund checks.....	20.00
1216	(r)	Affidavit processing.....	15.00
1217	(s)	<u>Demonstrator permit.....</u>	<u>10.00</u>

1218 An applicant who applies under the Military Family Freedom
1219 Act shall not be charged a fee. The * * * board * * * may charge
1220 additional fees for services which the board deems appropriate to
1221 carry out its intent and purpose. These additional fees shall not
1222 exceed the cost of rendering the service.

1223 The board is fully authorized to make refunds of any deposits
1224 received by the board for services which are not rendered.
1225 Refunds will automatically be made on overpayment of fees. All
1226 other refunds will be made * * * upon the written requests from
1227 applicants. If no request for refund is made within sixty (60)
1228 days, the fees will be forfeited.

1229 **SECTION 22.** Section 73-7-31, Mississippi Code of 1972, is
1230 amended as follows:

1231 73-7-31. Nothing in this chapter shall apply to:

1232 (a) * * * Cosmetology, barbering, nail technology or
1233 facial treatments given in the home to members of family or
1234 friends for which no charge is made. Cosmetology, barbering, nail
1235 technology or facial treatments given at an event venue to members



1236 of family or friends for which no charge is made may be permitted
1237 upon the express, written approval of the board.

1238 (b) Persons whose practice is limited to only
1239 performing makeup artistry, threading or applying or removing
1240 eyelash extensions; however, a person may perform a combination of
1241 not more than these three (3) such practices and still be exempt
1242 from this chapter.

1243 * * *

1244 (* * *c) Persons engaged in the practice of hair
1245 braiding as defined in Section 73-7-71 who have completed the
1246 self-test part of the brochure on infection control techniques
1247 prepared by the State Department of Health and who keep the
1248 brochure and completed self-test available at the location at
1249 which the person is engaged in hair braiding.

1250 **SECTION 23.** Section 73-7-33, Mississippi Code of 1972, is
1251 amended as follows:

1252 73-7-33. (1) In addition to the rules and regulations that
1253 may be prescribed and promulgated by the board under authority of
1254 this chapter, the following rules and regulations shall be
1255 observed:

1256 (a) Every establishment must be kept sanitary,
1257 including all utensils and equipment, must be well ventilated and
1258 properly lighted. Each salon/barber shop must be provided with
1259 hot and cold running water. Electrical appliances must be
1260 properly installed and grounded.



1261 (b) Cosmetologists, barbers, estheticians and nail
1262 technicians shall be allowed to wear any type of clothing or
1263 apparel while at work as long as such clothing or apparel is clean
1264 and sanitary.

1265 (c) Cosmetologists shall be allowed to use any type of
1266 hair roller as long as they do so in a sanitary manner.

1267 (d) Persons with a communicable disease or parasitic
1268 infection that is medically recognized to be a direct threat of
1269 transmission by the type of contact that practitioners have with
1270 clients are not to be permitted to practice in an establishment
1271 until their condition is no longer communicable under those
1272 circumstances. No work shall be performed on any patron having a
1273 visible disease unless the patron shall produce a certificate from
1274 a practicing physician stating that the patron is free from
1275 infectious, contagious or communicable disease. A * * * license
1276 regulated by the board does not authorize such * * * licensee to
1277 treat or prescribe for an infectious, contagious or any other
1278 disease.

1279 (e) A home salon/barber shop must have a solid wall to
1280 the ceiling with an outside entrance, or if a door exists between
1281 the salon/barber shop and the remainder of the house, the door
1282 must be kept closed at all times while service is being rendered.

1283 **SECTION 24.** Section 73-7-35, Mississippi Code of 1972, is
1284 amended as follows:



1285 73-7-35. (1) No person licensed pursuant to this chapter
1286 shall practice his or her profession except within the physical
1287 confines of a salon/barber shop possessing and displaying a
1288 properly executed license issued pursuant to Section 73-7-17.
1289 However, this requirement shall not prevent a person from
1290 rendering his or her services to any person who may be confined to
1291 his or her home, a hospital, or other place as a result of
1292 illness, and cosmetologists and barbers shall be permitted to
1293 render their services to deceased persons away from their * * *
1294 salon/barber shop.

1295 (2) No salon/barber shop owner licensed pursuant to this
1296 chapter shall allow a cosmetologist, barber, esthetician, or * * *
1297 nail technician to practice his/her profession in the salon/barber
1298 shop without possessing a valid license issued pursuant to this
1299 chapter.

1300 (3) Nothing in this section shall prevent a person licensed
1301 pursuant to this chapter from rendering his or her services at the
1302 physical practice location of a physician, physician's assistant,
1303 or advanced practice registered nurse, or require such a practice
1304 location to be licensed pursuant to this chapter.

1305 **SECTION 25.** Section 73-7-37, Mississippi Code of 1972, is
1306 amended as follows:

1307 73-7-37. (1) The violation of any of the provisions of this
1308 chapter, including the use of fraudulent statements to obtain any
1309 benefits or privileges under this chapter or practicing one (1) of



1310 these professions without a license, shall constitute a
1311 misdemeanor, punishable in any court of competent jurisdiction at
1312 the seat of government, and any person or firm convicted of the
1313 violation of any of the provisions of this chapter shall be fined
1314 not less than * * * Five Hundred Dollars (\$500.00) but not more
1315 than One Thousand Dollars (\$1,000.00). The court shall not be
1316 authorized to suspend or suspend the execution of the fine
1317 required under this section.

1318 (2) If any person, * * * salon, school or * * * other type
1319 of business entity engaged in the practice or teaching of the
1320 professions regulated by the board violates any of the provisions
1321 of this chapter, the secretary of the board, upon direction of a
1322 majority of the board and in the name of the board, acting through
1323 the Attorney General or an attorney employed by the board, shall
1324 apply in the * * * chancery court of the county in Mississippi in
1325 which the person or licensee resides or in the county which the
1326 person or licensee practices, or the county in which the salon,
1327 school, or other type of business entity is located, for an order
1328 enjoining such violation or for an order enforcing compliance with
1329 the provisions of this chapter. Upon the filing of a verified
1330 petition in the chancery court and after notice as provided under
1331 the Mississippi Rules of Civil Procedure, such court, if satisfied
1332 by the sworn petition, by affidavit or otherwise, that such person
1333 or entity has violated any of the provisions of this chapter, may
1334 issue an injunction without notice or bond, enjoining such



1335 continued violation and such injunction shall remain in force and
1336 effect until a final hearing. If at such hearing it is
1337 established that such person or entity has violated or is
1338 violating any of the provisions of this chapter, the court may
1339 enter a decree permanently enjoining such violation or enforcing
1340 compliance with this chapter. In addition, the court may enter a
1341 judgment against such person or entity for attorney's fees, court
1342 costs and the actual costs incurred by the board in investigating
1343 the actions of such person for which the board brought the suit
1344 for an injunction. In case of violation of any decree issued in
1345 compliance with this subsection, the court may punish the offender
1346 for contempt of court and the court shall proceed as in other
1347 cases.

1348 (3) The proceedings in this section shall be in addition to
1349 and not in lieu of the other remedies and penalties provided in
1350 this chapter.

1351 **SECTION 26.** Section 73-7-71, Mississippi Code of 1972, is
1352 amended as follows:

1353 73-7-71. (1) For the purpose of this section, the term
1354 "hair braiding" means the use of techniques that result in tension
1355 on hair strands or roots by twisting, wrapping, weaving,
1356 extending, locking or braiding of the hair by hand or mechanical
1357 device, but does not include the application of dyes, reactive
1358 chemicals, or other preparations to alter the color of the hair or
1359 to straighten, curl or alter the structure of the hair.



1360 (2) No person shall engage in hair braiding for compensation
1361 in the State of Mississippi without first registering with the
1362 State Department of Health. The department may charge each
1363 registrant a fee of not more than Twenty-five Dollars (\$25.00) to
1364 cover the department's costs in registering the person and
1365 providing the person with the brochure prepared under subsection
1366 (3) of this section, which fee shall be uniform for all
1367 registrants. Any increase in the fee charged by the board under
1368 this subsection shall be in accordance with the provisions of
1369 Section 41-3-65. The purpose of this registration is only to
1370 maintain a listing of those persons who engage in hair braiding
1371 for compensation in the state, and does not authorize the
1372 department to license or regulate the practice of hair braiding in
1373 the state, except as provided in subsection (4) of this section.

1374 (3) The State Department of Health shall develop and prepare
1375 a brochure containing information about infection control
1376 techniques that are appropriate for hair braiding in or outside of
1377 a salon/barber shop setting. The brochure shall be made available
1378 through the department's website or by mail, upon request, for a
1379 fee to cover the department's mailing costs. The brochure shall
1380 contain a self-test with questions on the information contained in
1381 the brochure. For a person engaged in hair braiding to be exempt
1382 from the cosmetology and barbering licensure law, Section 73-7-1
1383 et seq., the person shall complete the self-test part of the



1384 brochure and keep the brochure and completed self-test available
1385 at the location at which the person is engaged in hair braiding.

1386 (4) Representatives of the department may visit any facility
1387 or premises in which hair braiding is performed at any time during
1388 business hours to determine if the brochure and completed
1389 self-test are available at the facility or premises.

1390 (5) This section does not apply to cosmetologists, or
1391 barbers licensed to practice in Mississippi in their respective
1392 fields.

1393 **SECTION 27.** The Department of Finance and Administration,
1394 the Department of Information Technology Services, and the State
1395 Personnel Board, shall assist the State Board of Cosmetology and
1396 the Board of Barber Examiners in carrying out the consolidation
1397 required by this act. This section shall become effective from
1398 and after its passage, and shall stand repealed on July 1, 2025.

1399 **SECTION 28.** Section 73-7-63, Mississippi Code of 1972, which
1400 provides a repealer on the State Board of Cosmetology, is
1401 repealed.

1402 **SECTION 29.** Section 73-5-1, Mississippi Code of 1972, which
1403 creates the State Board of Barber Examiners, is repealed.

1404 **SECTION 30.** Section 73-5-3, Mississippi Code of 1972, which
1405 addresses the staffing and compensation of the State Board of
1406 Barber Examiners, is repealed.

1407 **SECTION 31.** Section 73-5-5, Mississippi Code of 1972, which
1408 establishes a special fund for deposits; audit, is repealed.



1409 **SECTION 32.** Section 73-5-7, Mississippi Code of 1972, which
1410 gives the State Board of Barber Examiners the authority to create
1411 and enforce rules and regulations, is repealed.

1412 **SECTION 33.** Section 73-5-8, Mississippi Code of 1972, which
1413 addresses certificate qualifications for barber instructor, is
1414 repealed.

1415 **SECTION 34.** Section 73-5-9, Mississippi Code of 1972, which
1416 addresses the requirement for barbers to be registered with and
1417 licensed by the State Board of Barber Examiners, is repealed.

1418 **SECTION 35.** Section 73-5-11, Mississippi Code of 1972, which
1419 barbering school eligibility and certificate qualifications, is
1420 repealed.

1421 **SECTION 36.** Section 73-5-12, Mississippi Code of 1972, which
1422 addresses cosmetology, barber examination and eligibility, is
1423 repealed.

1424 **SECTION 37.** Section 73-5-15, Mississippi Code of 1972, which
1425 prescribes the procedure for applications for barber examinations,
1426 is repealed.

1427 **SECTION 38.** Section 73-5-17, Mississippi Code of 1972, which
1428 establishes certain requirements for the administration of barber
1429 examinations, is repealed.

1430 **SECTION 39.** Section 73-5-19, Mississippi Code of 1972, which
1431 provides for the issuance of certificates of registration as a
1432 barber, is repealed.



1433 **SECTION 40.** Section 73-5-21, Mississippi Code of 1972, which
1434 creates the license procedures for persons having practiced
1435 barbering in another state or country or in military service for
1436 the State Board of Barber Examiners, is repealed.

1437 **SECTION 41.** Section 73-5-23, Mississippi Code of 1972, which
1438 addresses conspicuous display of registration certificates and the
1439 penalty for violations, is repealed.

1440 **SECTION 42.** Section 73-5-25, Mississippi Code of 1972, which
1441 addresses certificate or license denial, suspension or revocation,
1442 is repealed.

1443 **SECTION 43.** Section 73-5-27, Mississippi Code of 1972, which
1444 creates the hearing procedures for the State Board of Barber
1445 Examiners, is repealed.

1446 **SECTION 44.** Section 73-5-29, Mississippi Code of 1972, which
1447 establishes fees for the State Board of Barber Examiners, is
1448 repealed.

1449 **SECTION 45.** Section 73-5-31, Mississippi Code of 1972, which
1450 establishes application for nonresident license for the State
1451 Board of Barber Examiners, is repealed.

1452 **SECTION 46.** Section 73-5-33, Mississippi Code of 1972, which
1453 creates licensure procedures and fees for barbershops, and the
1454 enforcement of licensure requirements for the State Board of
1455 Barber Examiners, is repealed.



1456 **SECTION 47.** Section 73-5-35, Mississippi Code of 1972, which
1457 creates licensure procedures and fees for barber schools for the
1458 State Board of Barber Examiners, is repealed.

1459 **SECTION 48.** Section 73-5-37, Mississippi Code of 1972, which
1460 sets an annual cycle for barber license renewal for the State
1461 Board of Barber Examiners, is repealed.

1462 **SECTION 49.** Section 73-5-39, Mississippi Code of 1972, which
1463 defines what constitutes the practice of barbering, is repealed.

1464 **SECTION 50.** Section 73-5-41, Mississippi Code of 1972, which
1465 establishes exemptions from licensing requirements for the State
1466 Board of Barber Examiners, is repealed.

1467 **SECTION 51.** Section 73-5-43, Mississippi Code of 1972, which
1468 establishes offenses and penalties for the State Board of Barber
1469 Examiners, is repealed.

1470 **SECTION 52.** This act shall take effect and be in force from
1471 and after January 1, 2025, except for Sections 1 and 27, which
1472 shall take effect and be in force from and after the passage of
1473 this act.

1474 Licenses and registrations issued by the Mississippi State
1475 Board of Cosmetology and the State Board of Barber Examiners,
1476 prior to the effective date of this act, shall remain in full
1477 force and confer the same authority as when they were issued.
1478 Such licenses and registrations shall remain in full force until
1479 such time that the licenses and registrations expire or are
1480 revoked, as applicable.



1481 All property and assets owned by the Mississippi State Board
1482 of Cosmetology and the State Board of Barber Examiners shall be
1483 vested in and transferred to the Mississippi State Board of
1484 Cosmetology and Barbering by January 1, 2025.

1485 Any litigation, disciplinary action, or other proceeding
1486 pending as of the effective date of this act, in the name of or
1487 against the Mississippi State Board of Cosmetology or the State
1488 Board of Barber Examiners, shall continue in the name of the
1489 Mississippi State Board of Cosmetology and Barbering.

