

By: Representative Zuber

To: Business and Commerce

HOUSE BILL NO. 655

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, 73-7-33, 73-7-35, 73-7-37, 73-5-8, 73-5-11 AND 73-5-12,  
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 A  
12 LICENSE FEE; TO SET THE BARBERING AND COSMETOLOGY SCHOOL  
13 REQUIREMENTS; TO SET CERTAIN VIOLATIONS, PENALTIES AND FINES; TO  
14 MAKE TECHNICAL AMENDMENTS TO CONFORM; TO REPEAL SECTIONS 73-5-1  
15 THROUGH 73-5-7, 73-5-9 AND 73-5-15 THROUGH 73-5-45, MISSISSIPPI  
16 CODE OF 1972, WHICH CREATE THE STATE BOARD OF BARBER EXAMINERS AND  
17 PROVIDE FOR ITS POWERS AND DUTIES REGARDING THE LICENSING OF  
18 BARBERS; AND FOR RELATED PURPOSES.

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

20 **SECTION 1.** Any reference to the State Board of Cosmetology  
21 or the Board of Barber Examiners in Title 73, Chapters 5 and 7,  
22 Mississippi Code of 1972, or any other provision of law, shall  
23 mean the State Board of Cosmetology and Barbering created in  
24 Section 73-7-1.

25 **SECTION 2.** Section 73-7-1, Mississippi Code of 1972, is  
26 amended as follows:



27           73-7-1. (1) There is \* \* \* created the State Board of  
28 Cosmetology and Barbering, composed of the State Health Officer,  
29 or his or her designee, and seven (7) members to be appointed by  
30 the Governor, with the advice and consent of the Senate,  
31 consisting of three (3) cosmetologists, one (1) of whom is a salon  
32 owner, three (3) barbers and one (1) consumer. One (1)  
33 cosmetologist and one (1) barber member shall be appointed from  
34 each Supreme Court District as they exist on July 1, 2024. The  
35 initial term of office for the first cosmetologist member and  
36 first barber member shall be two (2) years; the initial term of  
37 office for the second cosmetologist member and second barber  
38 member shall be four (4) years; and the initial term of office for  
39 the third cosmetologist member, the third barber member and the  
40 consumer member shall be six (6) years. After the expiration of  
41 the initial terms, all later appointments shall be for terms of  
42 six (6) years from the expiration date of the previous term. No  
43 member may serve more than two (2) consecutive terms. The initial  
44 appointments must be made before September 1, 2024.

45           There shall be a president of the board and such other  
46 officers as deemed necessary by the board elected by and from its  
47 membership, provided that the member elected as president shall  
48 have at least one (1) year of experience on the board. Any member  
49 appointed by the Governor and confirmed by the Senate for a term  
50 to begin on or after July 1, \* \* \* 2024, who was designated by the  
51 Governor to serve as president of the board, shall be fully



52 qualified to serve on the board for a full term of office, but  
53 shall not serve as president of the board unless elected by the  
54 membership of the board as provided under this paragraph.

55 To be eligible for appointment as a member of the State Board  
56 of Cosmetology and Barbering, the person applying \* \* \* must have  
57 been a citizen of this state for a minimum of five (5) years  
58 immediately prior to appointment. Such person \* \* \* must be at  
59 least thirty (30) years of age, possess a high school education or  
60 its equivalent, and \* \* \* , except for the consumer member must  
61 have been \* \* \* licensed \* \* \* by the board with not less \* \* \*  
62 than five (5) years' active practice in \* \* \* an occupation  
63 regulated by the board. No member of the board shall be connected  
64 in any way with any school \* \* \* in which cosmetology is taught,  
65 nor shall any two (2) members of the board be graduates of the  
66 same school of cosmetology or barbering.

67 However, in the event of vacancy by death or resignation of  
68 any member of the board, the Governor shall, within thirty (30)  
69 days, appoint a person possessing all qualifications required to  
70 serve the remainder of the term. Any member who \* \* \* does not  
71 attend two (2) consecutive meetings of the board for reasons other  
72 than illness of such member shall be subject to removal by the  
73 Governor. The president of the board shall notify the Governor in  
74 writing when any such member has failed to attend two (2)  
75 consecutive regular meetings.



76           The salaries of all paid employees of the board shall be paid  
77 out of funds in the board's special fund in the State Treasury.  
78 Each member of the board, excepting the inspectors provided for  
79 herein, shall receive per diem as authorized by Section 25-3-69,  
80 and shall be reimbursed for such other expenses at the same rate  
81 and under the same conditions as other state employees as provided  
82 for in Section 25-3-41.

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

85           (2) In addition to any powers conferred upon the board in  
86 other provisions of law, the State Board of Cosmetology and  
87 Barbering shall appoint an individual to serve as the executive  
88 director of the board. The executive director must possess the  
89 qualifications established by the board, which shall be based on  
90 National Best Practices. The executive director shall be  
91 considered a full-time position. The executive director shall  
92 serve at the will and pleasure of the board and shall devote his  
93 or her time to the proper administration of the board and the  
94 duties assigned to him or her by the board. The executive  
95 director shall be paid a salary established by the board, subject  
96 to the approval of the State Personnel Board. Subject to the  
97 availability of funding, the executive director may employ such  
98 administrative staff as may be necessary to assist the director  
99 and board in carrying out the duties and directives of the board.



100           **SECTION 3.** Section 73-7-2, Mississippi Code of 1972, is  
101 amended as follows:

102           73-7-2. As used in this chapter, the following terms shall  
103 have the meanings \* \* \* as defined in this section unless the  
104 context otherwise requires:

105                   (a) "Board" means the State Board of Cosmetology and  
106 Barbering.

107                   (b) "Barbering" means the occupation of shaving or  
108 trimming the beard, cutting or dressing the hair, giving facial or  
109 scalp treatment with oils or creams or other cosmetic preparations  
110 made for that purpose, antiseptics, powders, clays or lotions to  
111 scalp, face, neck or upper part of the body either by hand or by  
112 means of mechanical appliances, singeing and shampooing the hair,  
113 dyeing the hair or permanently waving or straightening the hair  
114 for compensation.

115                   (c) "Barber" means a person, other than a student, who  
116 performs barbering on the general public for compensation, and who  
117 shall satisfy the qualifications and licensure requirements  
118 provided in this chapter.

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

123                           (i) Cutting, clipping or trimming hair and hair  
124 pieces.



125                   (ii) Styling, arranging, dressing, curling,  
126 waving, permanent waving, straightening, cleansing, bleaching,  
127 tinting, coloring or similarly treating hair and hair pieces.

128                   (iii) Cleansing, stimulating, manipulating,  
129 beautifying or applying oils, antiseptics, clays, lotions or other  
130 preparations, either by hand or by mechanical or electrical  
131 apparatus.

132                   (iv) Arching eyebrows, to include tweezing,  
133 waxing, threading or any other methods of epilation, or tinting  
134 eyebrows and eyelashes.

135                   (v) Removing superfluous hair by the use of  
136 depilation.

137                   (vi) Manicuring and pedicuring.

138           For regulation purposes, the terms "cosmetology" \* \* \* and  
139 "barbering" do not include persons whose practice is limited to  
140 only performing makeup artistry, threading or applying or removing  
141 eyelash extensions; however, a person may perform a combination of  
142 not more than three (3) such practices and still be exempt from  
143 this chapter.

144                   ( \* \* \* e) "Cosmetologist" means a person who for  
145 compensation, whether direct or indirect, engages in the practice  
146 of cosmetology.

147                   ( \* \* \* f) "Esthetics" means any one (1) or a  
148 combination of the following practices:

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



150 (ii) Arching eyebrows to include trimming,  
151 tweezing, waxing, threading or any other method of epilation or  
152 tinting eyebrows and eyelashes.

153 (iii) Tinting eyelashes or eyebrows.

154 (iv) Waxing, stimulating, cleaning or beautifying  
155 the face, neck, arms or legs of a person by any method with the  
156 aid of the hands or any mechanical or electrical apparatus, or by  
157 the use of a cosmetic preparation.

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

165 ( \* \* \*g) "Esthetician" means any person who, for  
166 compensation, either direct or indirect, engages in the practice  
167 of esthetics.

168 ( \* \* \*h) "Instructor" means a person licensed to teach  
169 cosmetology, or manicuring and pedicuring, or esthetics, or all of  
170 those, pursuant to this chapter, and shall include those persons  
171 engaged in the instruction of student instructors.

172 ( \* \* \*i) "Manicuring and pedicuring" means any one (1)  
173 or a combination of the following practices:



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

176                   (ii) Applying artificial nails.

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

179                   ( \* \* \* j) "Manicurist" means a person who for  
180 compensation, either direct or indirect, engages in the practice  
181 of manicuring and pedicuring.

182                   ( \* \* \* k) "Master" means a person holding a  
183 cosmetology, barbering, manicuring \* \* \* or esthetics license who  
184 has completed the minimum course of continuing education  
185 prescribed by Section 73-7-14.

186                   ( \* \* \* l) "Salon" or "barber business" means an  
187 establishment operated for the purpose of engaging in the practice  
188 of cosmetology, barbering, or manicuring and pedicuring,  
189 esthetics, \* \* \* or all of those.

190                   ( \* \* \* m) "School" means an establishment, public or  
191 private, operated for the purpose of teaching cosmetology,  
192 barbering, or manicuring and pedicuring, or esthetics, \* \* \* or  
193 all of those.

194                   **SECTION 4.** Section 73-7-3, Mississippi Code of 1972, is  
195 amended as follows:

196                   73-7-3. (1) The board shall be authorized to employ such  
197 clerical and stenographic assistance, bookkeepers, investigators  
198 and other agents as they may deem necessary to carry out the





199 provisions of this chapter, and to fix their tenure of employment  
200 and compensation therefor. The members of the board shall file a  
201 bond with the Secretary of State in the sum of not less than Five  
202 Thousand Dollars (\$5,000.00) payable to the State of Mississippi  
203 for the faithful performance of their duties. The bond shall be  
204 made by a surety company authorized to do business in this state,  
205 the premium of the bond to be paid out of any money in the board's  
206 special fund in the State Treasury.

207       (2) The office of the board shall be located in the greater  
208 metropolitan area of the City of Jackson, Mississippi, and in the  
209 event office space cannot be obtained in any state-owned building,  
210 the board is authorized to rent suitable office space and to pay  
211 therefor out of funds in the board's special fund. The board  
212 shall employ inspectors as needed, not to exceed \* \* \* twelve  
213 (12), who shall be full-time employees and whose salaries and  
214 duties shall be fixed by the board.

215       (3) The salaries of all paid employees of the board shall be  
216 paid out of the funds in the board's special fund. The inspectors  
217 shall, in addition to their salaries, be reimbursed for such  
218 expenses as are allowed other state employees under the provisions  
219 of Section 25-3-41. In addition to the paying of office rent, the  
220 board is authorized to purchase necessary office furniture and  
221 equipment, stationery, books, certificates and any other equipment  
222 necessary for the proper administration of this chapter.



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

225           73-7-7. (1) The board shall have authority to make  
226 reasonable rules and regulations for the administration of the  
227 provisions of this chapter. The board shall set up a curriculum  
228 for operation of schools of cosmetology, barbering and the other  
229 professions it is charged to regulate in this state. The board  
230 shall receive and consider for adoption recommendations for rules  
231 and regulations, school curriculum, and related matters from the  
232 Mississippi Cosmetology and Barbering Council, whose membership  
233 shall consist of, in addition to the board members, five (5)  
234 elected delegates from the Mississippi Cosmetology and Barbering  
235 Association, five (5) elected delegates from the Mississippi  
236 Cosmetology and Barbering School Association, five (5) elected  
237 delegates from the Mississippi Independent Beauticians  
238 Association, and five (5) elected delegates from the School Owners  
239 and Teachers Association. The board may revoke the license of any  
240 cosmetologist, barber, esthetician, manicurist, instructor, school  
241 of cosmetology or barbering, or salon and/or barber business, or  
242 may refuse to issue a license to any cosmetologist, barber,  
243 esthetician, manicurist, instructor, school of cosmetology or  
244 barbering, or salon and/or barber business that fails or refuses  
245 to comply with the provisions of this chapter and the rules and  
246 regulations of the board in carrying out the provisions of this  
247 chapter.



248           (2) The board shall have authority to prescribe reasonable  
249 rules and regulations governing sanitation of schools of  
250 cosmetology and barbering and beauty salons and barber businesses  
251 for the guidance of persons licensed under this chapter in the  
252 operation of schools of cosmetology and barbering, or a beauty  
253 salon and/or barber business, and in the practice of cosmetology,  
254 barbering, esthetics, manicuring and pedicuring \* \* \*. However,  
255 any and all rules and regulations relating to sanitation shall,  
256 before adoption by the board, have the written approval of the  
257 State Board of Health. When the board has reason to believe that  
258 any of the provisions of this chapter or of the rules and  
259 regulations of the board have been violated, either upon receipt  
260 of a written complaint alleging such violations or upon the  
261 board's own initiative, the board, or any of its authorized  
262 agents, shall investigate same and shall have authority to enter  
263 upon the premises of a school of cosmetology or barbering or salon  
264 and/or barber business at any time during the regular business  
265 hours of that school or salon and/or barber business to conduct  
266 the investigation. Such investigation may include, but not be  
267 limited to, conducting oral interviews with the complaining party,  
268 school or salon and/or barber business owner(s) and/or students of  
269 the school, and reviewing records of the school or salon and/or  
270 barber business pertinent to the complaint and related to an area  
271 subject to the authority of the board. Such investigation shall  
272 not include written interviews or surveys of school employees or



273 students, and the privacy of patrons shall be respected by any  
274 person making such investigation.

275 (3) On or before July 1, 2001, the board shall adopt  
276 regulations to ensure that all fingernail service products used by  
277 licensed cosmetologists, manicurists and other licensees do not  
278 contain methyl methacrylate (MMA) as a monomer agent for cosmetic  
279 nail applications.

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

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

286 73-7-9. No person required by this chapter to have a license  
287 shall conduct a beauty salon, barber business or school of  
288 cosmetology or barbering, or practice cosmetology, barbering,  
289 esthetics, manicuring and pedicuring, or practice as an  
290 instructor, unless such person has received a license or temporary  
291 permit therefor from the board. \* \* \* Anyone determined to have  
292 violated any of these rules or regulations prior to being licensed  
293 by the board shall be subject to the same discipline by the board  
294 as licensees. They may be disciplined and fined accordingly.

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



297 73-7-11. Each owner of a license issued by the board under  
298 the provisions of this chapter shall display the license in a  
299 conspicuous place in his or her principal office, place of  
300 business or employment, at all times.

301 Each practitioner and instructor license shall contain a head  
302 photograph of the license holder, the person's name, and the type  
303 of license held by the person. The requirements of this section  
304 shall apply at the time of issuance of a new license or at the  
305 time of renewal of an existing license.

306 A barber pole can only be displayed if the business carries a  
307 barber business license or is dually licensed as a cosmetology and  
308 barber business.

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

311 73-7-12. Effective January 1, \* \* \* 2025, the \* \* \*  
312 board \* \* \* shall terminate its student testing contract with  
313 proper notice and shall conduct examinations for cosmetologists,  
314 barbers, estheticians, manicurists and instructors at such times  
315 and locations as determined by the board. The members of the  
316 board shall not personally administer or monitor the examinations,  
317 but the board shall contract for administrators of the  
318 examinations. A member of the board shall not receive any per  
319 diem compensation for any day that the member is present at the  
320 site where the examinations are being administered.



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

323           73-7-13. (1) The board shall admit to examination for a  
324 cosmetology license any person who has made application to the  
325 board in proper form, has paid the required fee, and who (a) is at  
326 least \* \* \* sixteen (16) years of age, (b) \* \* \* has successfully  
327 completed no less than fifteen hundred (1500) hours over a period  
328 of no less than nine (9) months in a licensed school of  
329 cosmetology or in an apprenticeship program for three thousand  
330 (3,000) hours certified by the board, and ( \* \* \*c) has a \* \* \*  
331 tenth-grade education or its equivalent or has been successfully  
332 enrolled in a community college. Apprenticeships provided for in  
333 this subsection may be monitored or mentored by a licensed  
334 cosmetology instructor. Only one (1) apprentice may be mentored  
335 by any person at the same time.

336           ( \* \* \*2) The board may, in its discretion, issue to any  
337 student who has completed the prescribed hours in a licensed  
338 school and paid the required fee a temporary permit until such  
339 time as the next examination may be held, but such student shall  
340 be issued only one (1) temporary permit. Application for an  
341 examination and license shall be accompanied by two (2) passport  
342 photographs of the applicant. No temporary permit will be issued  
343 to an applicant from any other state to operate a beauty salon or  
344 school of cosmetology in this state unless in case of emergency.



345 ( \* \* \*3) Applicants for the cosmetologist examination,  
346 after having satisfactorily passed the prescribed examination,  
347 shall be issued a cosmetology license which until June 30, 2001,  
348 shall be valid for one (1) year, and after July 1, 2001, shall be  
349 valid for two (2) years, and all those licenses shall be subject  
350 to renewal.

351 ( \* \* \*4) Any barber who \* \* \* has successfully completed no  
352 less than fifteen hundred (1500) hours in a licensed barber  
353 school, and who holds a current valid certificate of registration  
354 to practice barbering and who holds a current valid license, is  
355 eligible to take the cosmetology examination to secure a  
356 cosmetology license upon successfully completing \* \* \* six hundred  
357 (600) hours in a licensed school of cosmetology. All fees for  
358 application, examination, registration and renewal thereof shall  
359 be the same as provided for cosmetologists.

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

363 ( \* \* \*6) Any licensed cosmetologist, barber, esthetician,  
364 or manicurist who is registered but not actively practicing in the  
365 State of Mississippi at the time of making application for  
366 renewal, may apply for registration on the "inactive" list. Such  
367 "inactive" list shall be maintained by the board and shall set out  
368 the names and post office addresses of all persons registered but  
369 not actively practicing in this state, arranged alphabetically by



370 name and also by the municipalities and states of their last-known  
371 professional or residential address. Only the cosmetologists,  
372 barbers, estheticians and manicurists registered on the  
373 appropriate list as actively practicing in the State of  
374 Mississippi shall be authorized to practice those professions.  
375 For the purpose of this section, any licensed cosmetologist,  
376 barber, esthetician or manicurist who has actively practiced his  
377 or her profession for at least three (3) months of the immediately  
378 preceding license renewal period shall be considered inactive  
379 practice. No cosmetologist, barber, esthetician, or manicurist  
380 shall be registered on the "inactive" list until the person has  
381 furnished a statement of intent to take such action to the board.  
382 Any licensed cosmetologist, barber, esthetician, or  
383 manicurist \* \* \* registered on the "inactive" list shall not be  
384 eligible for registration on the active list until either of the  
385 following conditions have been satisfied:

386 (a) Written application shall be submitted to the \* \* \*  
387 board \* \* \* stating the reasons for such inactivity and setting  
388 forth such other information as the board may require on an  
389 individual basis and completion of the number of clock hours of  
390 continuing education as approved by the board; or

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





394 that would warrant suspension or revocation as provided by  
395 applicable law; and

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

398 **SECTION 10.** Section 73-7-14, Mississippi Code of 1972, is  
399 amended as follows:

400 73-7-14. (1) Any person who holds a current, valid  
401 cosmetology, barber, manicuring or esthetics license may be  
402 licensed as a master cosmetologist, barber, manicurist or  
403 esthetician if he or she has been a licensed cosmetologist,  
404 barber, manicurist or esthetician in this state for a period of  
405 not less than twelve (12) months, and has completed a minimum  
406 course of sixteen (16) hours' study in continuing education  
407 approved by the board within the licensing period preceding  
408 initial application for the license, and has paid the original  
409 license fee. Master cosmetologist, barber, manicurist or  
410 esthetician licenses shall be renewable upon completion of a  
411 minimum course of eight (8) hours' study in continuing education  
412 approved by the board within a licensing period and payment of the  
413 required renewal fee. This is an optional license and persons who  
414 do not wish to complete the continuing education requirement may  
415 obtain a cosmetology license when renewing their license.

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



419           **SECTION 11.** Section 73-7-15, Mississippi Code of 1972, is  
420 amended as follows:

421           73-7-15. (1) The board shall admit to examination for a  
422 cosmetology instructor's license any person who has made  
423 application to the board in proper form, has paid the required  
424 fee, and who:

425                   (a) Is not less than twenty-one (21) years of age;

426           \* \* \*

427                   ( \* \* \*b) Is a graduate of a licensed cosmetology  
428 school;

429                   ( \* \* \*c) Has a high school education or its  
430 equivalent;

431                   ( \* \* \*d) Has successfully completed one thousand  
432 (1,000) hours of instructor training in a licensed school of  
433 cosmetology;

434                   ( \* \* \*e) Has successfully completed six (6) semester  
435 hours in college courses approved by the board;

436                   ( \* \* \*f) Holds a current, valid Mississippi  
437 cosmetology license; and

438                   ( \* \* \*g) Has at least one (1) year active practical  
439 experience as a cosmetologist or, as an alternative to such  
440 experience, has successfully completed one thousand (1,000) hours  
441 of instructor training in a licensed school of cosmetology.



442 (2) The board shall admit to examination for an esthetics  
443 instructor's license any person who has made application to the  
444 board in proper form, has paid the required fee, and who:

445 (a) Is not less than twenty-one (21) years of age;

446 \* \* \*

447 ( \* \* \*b) Has a high school education or its  
448 equivalent;

449 ( \* \* \*c) Has successfully completed one thousand  
450 (1,000) hours of instructor training in a licensed school in which  
451 the practice of esthetics is taught;

452 ( \* \* \*d) Has successfully completed six (6) semester  
453 hours in college courses approved by the board;

454 ( \* \* \*e) Holds a current, valid Mississippi  
455 esthetician's license; and

456 ( \* \* \*f) Has had one (1) year of active practical  
457 experience as an esthetician or, as an alternative to such  
458 experience, has successfully completed one thousand (1,000) hours  
459 of instructor training in a licensed school in which the practice  
460 of esthetics is taught.

461 (3) The board shall admit to examination for a manicurist  
462 instructor's license any person who has made application to the  
463 board in proper form, has paid the required fee, and who:

464 (a) Is not less than twenty-one (21) years of age;

465 \* \* \*



466 ( \* \* \*b) Has a high school education or its  
467 equivalent;

468 ( \* \* \*c) Has successfully completed one thousand  
469 (1,000) hours of instructor training in a licensed school in which  
470 the practice of manicuring is taught;

471 ( \* \* \*d) Has successfully completed six (6) semester  
472 hours in college courses approved by the board;

473 ( \* \* \*e) Holds a current, valid Mississippi  
474 manicurist's license; and

475 ( \* \* \*f) Has had one (1) year of active practical  
476 experience as a manicurist or, as an alternative to such  
477 experience, has successfully completed one thousand (1,000) hours  
478 of instructor training in a licensed school in which the practice  
479 of manicuring is taught.

480 (4) Applicants shall satisfactorily pass the examination  
481 prescribed by the board for licensing instructors prior to the  
482 issuance of the licenses provided for in this section. However,  
483 the board may, in its discretion, issue a temporary instructor's  
484 permit until such time as the next examination may be held, but  
485 such applicant shall be issued only one (1) temporary permit. All  
486 applications for an instructor's examination shall be accompanied  
487 by two (2) recent head photographs of the applicant.

488 (5) All instructors licensed pursuant to this section shall  
489 biennially obtain twenty-four (24) clock hours of continuing  
490 education in teacher training instruction in cosmetology or



491 esthetics or manicuring, as the case may be, as approved by the  
492 board. Any instructor who fails to obtain the continuing  
493 education required by this subsection shall not be allowed to  
494 instruct nor enroll students under his or her license until such  
495 education requirement has been met. The board may issue an  
496 inactive instructor's license to such instructors, and an inactive  
497 license may be converted into an active license after proof  
498 satisfactory to the board of completion of at least twenty-four  
499 (24) clock hours of approved continuing education required for  
500 teacher training instruction.

501 (6) Each application or filing made under this section shall  
502 include the social security number(s) of the applicant in  
503 accordance with Section 93-11-64.

504 **SECTION 12.** Section 73-7-16, Mississippi Code of 1972, is  
505 amended as follows:

506 73-7-16. (1) \* \* \* All schools of cosmetology or barbering  
507 or school owners shall have a school license and shall pay to the  
508 board the required license fee. The board shall promulgate  
509 necessary and reasonable rules and regulations for the issuance of  
510 school licensees.

511 (2) \* \* \* Any school making application for a license under  
512 this chapter shall not be transferable for any cause and shall  
513 include a surety bond in the penal sum of Fifty Thousand Dollars  
514 (\$50,000.00) in favor of the board on a bond form completed by the  
515 insurance company or agency. The applicant may file in lieu of



516 the bond, cash or a certificate of deposit or government bonds in  
517 the amount of Fifty Thousand Dollars (\$50,000.00).

518 (3) \* \* \* The school applicant shall maintain a professional  
519 liability insurance policy covering any aspect of the facility,  
520 personnel and/or students.

521 (4) The school shall meet all applicable health and safety  
522 standards that may be required by local, state and federal  
523 agencies.

524 (5) Private business and vocational schools that have  
525 obtained national accreditation from an accrediting agency  
526 designated by the United States Department of Education must  
527 submit evidence of current accreditation.

528 (6) The course content and length of instruction shall be of  
529 such nature and quality as to assure that the students will  
530 adequately develop the job skills and knowledge necessary for  
531 passing any and all examinations required for licensure.

532 (7) Schools shall provide favorable conditions for effective  
533 classroom instruction. A total pattern of successful instruction  
534 includes:

535 (a) Well-defined instructional objectives;

536 (b) Systematic planning;

537 (c) Selection and use of varied types of learning  
538 materials and experiences;

539 (d) Adaptation of organization and instructional  
540 procedures to student needs;



541 (e) Use of varied evaluation instruments and  
542 procedures; and

543 (f) Good student and teacher morale.

544 (8) Each board-approved school of cosmetology, barbering,  
545 esthetics or manicuring must provide proof to the board of an  
546 annual pass rate that meets or exceeds the current minimum  
547 standard as established by the board.

548 (9) The board will evaluate school curriculum for  
549 conformance with educational requirements set forth by the  
550 Mississippi Cosmetology and Barbering Act.

551 (10) There shall be no automatic renewal of school licenses  
552 and each licensee shall be audited for conformity before the  
553 issuance of any new license.

554 (11) The licensee shall notify the board at least thirty  
555 (30) days in advance of closure and provide a teach-out plan for  
556 existing students which must be approved by the board.

557 (12) If a school closes a facility, the licensee must notify  
558 the board within sixty (60) days before closing and provide proof  
559 of the reason for the closure; proof of method developed to assist  
560 students with the completion of their program of study and  
561 individual courses; proof of notice sent to all currently enrolled  
562 students, notifying them of the closure; proof of notice given to  
563 students indicating where they may obtain any of their records;  
564 proof of disposition of student records, with a contact person,  
565 complete address and telephone number and how students'



566 information may be obtained; proof of notice sent to all students  
567 who have paid for any tuition and/or fees for future enrollment in  
568 a program of study or individual course informing them of the  
569 closure, and refund information; proof of certified transcripts  
570 for each currently enrolled student who has paid for and completed  
571 coursework in lieu of receiving a full or partial refund. If a  
572 school files a bankruptcy petition, a certified copy must be filed  
573 with the board.

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

575 (a) Temporary licenses may be issued for a one-year  
576 period. These licenses may be issued to new schools with less  
577 than two (2) graduating classes. Schools shall submit annual  
578 reports by July 16 of each year unless otherwise specified.  
579 Prospective students before enrolling and enrolled students shall  
580 be notified in writing of the school's temporary status.

581 (b) Probationary licenses shall indicate warning status  
582 and may be issued for a one-year period. These licenses may be  
583 issued to new schools with less than two (2) graduating classes  
584 and with any significant violation(s) in the most recent year.  
585 Such schools shall submit annual reports by July 16 of each year  
586 unless otherwise specified. Such schools shall notify both  
587 prospective students before their enrolling and enrolled students  
588 in writing of the school's probationary status.

589 (c) Conditional licenses may be issued to schools for a  
590 one-year period. Conditional license status for schools that





591 previously held a nonconditional license shall not exceed two (2)  
592 years. Such schools shall submit annual reports by July 16 of  
593 each year unless otherwise specified. Such schools shall notify  
594 both prospective students before their enrolling and enrolled  
595 students in writing of the school's conditional status.

596 These licenses may be issued to schools with two (2) or more  
597 graduating classes and with any of the following:

598 (i) Any significant violation(s) in the most  
599 recent year; and

600 (ii) Either the school's annual pass rate or the  
601 school's comprehensive pass rate does not meet or exceed the  
602 board's current minimum standard.

603 (d) Nonconditional licenses may be issued for a  
604 two-year period. Such schools shall submit annual reports by July  
605 16 of each year unless otherwise specified. These licenses may be  
606 issued to schools with two (2) or more graduating classes and with  
607 all of the following:

608 (i) No significant violation(s) in the most recent  
609 year; and

610 (ii) Either an annual pass rate or a comprehensive  
611 pass rate that meets or exceeds the board's current minimum  
612 standard.

613 (14) The combined temporary, probationary and/or conditional  
614 license status for schools shall not exceed a



615 five-year-consecutive period before moving to a nonconditional  
616 license status.

617 (15) Cosmetology and barber school owners, instructors,  
618 and/or employees or contractors of the school shall adhere to the  
619 Board of Cosmetology and Barbering laws and relevant rules and  
620 regulations and shall regard students with the same care and  
621 consideration as clients.

622 (16) The board will evaluate school curriculum for  
623 conformance with educational requirements set forth by the  
624 Mississippi Cosmetology and Barbering Act.

625 (17) There shall be no automatic renewal of school licenses  
626 and each licensee shall be audited for conformity. Before the  
627 issuance of any such license, the board shall inspect the premises  
628 to determine if same qualifies with the law and regulations.

629 (18) Each application made under this section shall include  
630 the social security number of the applicant, owners or agents in  
631 accordance with Section 93-11-64.

632 **SECTION 13.** Section 73-7-17, Mississippi Code of 1972, is  
633 amended as follows:

634 73-7-17. (1) All salon and/or barber business owners shall  
635 have a salon and/or barber business license and shall pay to the  
636 board the required license fee therefor and pay the required  
637 renewal fee for renewal thereof. A grace period of sixty (60)  
638 days will be given in which to renew the license, and upon the  
639 expiration of the grace period of sixty (60) days any applicant



640 for the renewal of a salon and/or barber business license will be  
641 required to pay a delinquent fee in addition to the renewal fee.  
642 A salon and/or barber business license that has been expired for  
643 over one (1) year is nonrenewable and requires a new application.  
644 Prior to the initial issuance of such license, the board shall  
645 inspect the premises to determine if same qualifies with the law,  
646 upon payment by the applicant of the required inspection fee.

647 (2) Each application or filing made under this section shall  
648 include the social security number(s) of the applicant in  
649 accordance with Section 93-11-64, Mississippi Code of 1972.

650 **SECTION 14.** Section 73-7-18, Mississippi Code of 1972, is  
651 amended as follows:

652 73-7-18. (1) The board shall admit to examination for an  
653 esthetician's license any person who has made application to the  
654 board in proper form, has paid the required fee, and who:

655 (a) Is not less than \* \* \* sixteen (16) years of age;

656 \* \* \*

657 ( \* \* \* b) Has a \* \* \* tenth-grade education or its  
658 equivalent or has been successfully enrolled in a community  
659 college; and

660 ( \* \* \* c) Has successfully completed a course of  
661 training in esthetics of not less than six hundred (600) hours in  
662 an accredited school in which the practice of esthetics is taught,  
663 including not less than one hundred (100) hours of theory and five  
664 hundred (500) hours of skill practice or an apprenticeship program



665 of twelve hundred (1200) hours certified by the board.  
666 Apprenticeships provided for in this section may be monitored or  
667 mentored by a person with an instructor license in cosmetology or  
668 esthetics. Only one (1) apprentice may be mentored by any person  
669 at the same time.

670 Licensed estheticians desiring to pursue additional hours to  
671 be eligible for a license as a cosmetologist may be credited with  
672 any hours acquired in studying and training to be an esthetician,  
673 which may be applied to the number of hours required for a  
674 cosmetology license examination.

675 \* \* \*

676 (2) Every person who has completed not less than three  
677 hundred fifty (350) hours of training in esthetics approved by the  
678 board in this or any other state prior to July 1, 1987, shall be  
679 registered with the board within a period not exceeding six (6)  
680 months after July 1, 1987, and shall be granted an esthetician's  
681 license by the board if such person presents satisfactory evidence  
682 to the board that he or she has fulfilled all the requirements to  
683 be admitted to examination except the training hours requirement.

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

687 **SECTION 15.** Section 73-7-19, Mississippi Code of 1972, is  
688 amended as follows:



689           73-7-19. (1) Except as provided in Section 33-1-39, all  
690 licenses shall be renewed biennially under the fee schedule in  
691 Section 73-7-29. Applications for renewal of licenses for  
692 cosmetologists, barbers, estheticians, manicurists and instructors  
693 must be accompanied by the required renewal fee. A grace period  
694 of sixty (60) days will be given in which to renew the license;  
695 and upon the expiration of the grace period of sixty (60) days,  
696 any applicant for the renewal of a license will be required to pay  
697 the required renewal fee and a delinquent fee in addition to the  
698 renewal fee. The fees may be paid by either personal or certified  
699 check, cash or money order, under such safeguards, rules and  
700 regulations as the board may prescribe. Checks returned to the  
701 board because of insufficient funds shall result in nonrenewal of  
702 the license, which will require the penalty fee for insufficient  
703 fund checks plus all other amounts due for renewal of the license  
704 before the license may be renewed. After one (1) year has passed  
705 from the expiration date of the license, a delinquent fee must be  
706 paid for each year up to three (3) years, after which the required  
707 examination must be taken. All applications for examination  
708 required by this chapter shall expire ninety (90) days from the  
709 date thereof.

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



713           **SECTION 16.** Section 73-7-21, Mississippi Code of 1972, is  
714 amended as follows:

715           73-7-21. (1) The board shall admit to examination for a  
716 manicurist's license any person who has made application to the  
717 board in proper form, has paid the required fee, and who:

718                   (a) Is at least \* \* \* sixteen (16) years of age;

719           \* \* \*

720                   ( \* \* \* b) Has successfully completed no less than three  
721 hundred fifty (350) hours of practice and related theory in  
722 manicuring and pedicuring over a period of no less than nine (9)  
723 weeks in an accredited school of cosmetology in this or any other  
724 state, or in an apprenticeship program of seven hundred (700)  
725 hours certified by the State Board of Cosmetology and Barbering.  
726 Apprenticeships provided for in this section may be monitored or  
727 mentored by a person with an instructor license in cosmetology or  
728 manicuring. Only one (1) apprentice may be mentored by any person  
729 at the same time; and

730                   (d) Has a \* \* \* tenth-grade education or its  
731 equivalent, or has been successfully enrolled in a community  
732 college.

733           (2) Licensed manicurists desiring to pursue additional hours  
734 to be eligible for a license as a cosmetologist may be credited  
735 with \* \* \* any hours acquired in studying and training to be a  
736 manicurist, which may be applied to the number of hours required  
737 for a cosmetology license examination.



738 (3) The board shall adopt regulations governing the use of  
739 electric nail files for the purpose of filing false or natural  
740 nails.

741 (4) Each application or filing made under this section shall  
742 include the social security number(s) of the applicant in  
743 accordance with Section 93-11-64.

744 **SECTION 17.** Section 73-7-23, Mississippi Code of 1972, is  
745 amended as follows:

746 73-7-23. (1) The board may, upon application, issue a  
747 license by reciprocity to any cosmetologist, barber, esthetician  
748 or manicurist over the age of \* \* \* sixteen (16) years from any  
749 other state who has satisfactorily completed the required number  
750 of accredited hours in that state, provided the state board from  
751 which the applicant comes issues to cosmetologists, barbers,  
752 estheticians or manicurists, as the case may be, from the State of  
753 Mississippi a license under the same conditions and the other  
754 state has entered into a written reciprocal agreement between  
755 participating states. Applications must be accompanied by (a)  
756 proof satisfactory to the board that the required hours have been  
757 completed, and (b) the required reciprocity fee, which shall be  
758 paid to the board.

759 (2) An instructor from any other state may be qualified for  
760 a Mississippi instructor's license upon presenting a valid  
761 instructor's license and proof of a high school education or its  
762 equivalent, provided that the instructor (a) is not less than



763 twenty-one (21) years of age, (b) has completed training  
764 equivalent to the State of Mississippi's training as provided in  
765 Section 73-7-15 or has three (3) years or more of experience as a  
766 licensed instructor prior to application, (c) \* \* \* has completed  
767 twelve (12) semester hours in college courses approved by the  
768 board, and ( \* \* \*d) has completed a minimum of five (5)  
769 continuing education hours in Mississippi board laws, rules and  
770 regulations. Such application must be accompanied by two (2)  
771 recent passport photographs of the applicant. Applicants shall  
772 pay the required license fee.

773 (3) An applicant for a Mississippi instructor's license by  
774 reciprocity who has not completed the college courses requirement  
775 at the time of application may apply for a onetime temporary  
776 teaching permit, which shall be valid for six (6) months and shall  
777 be nonrenewable. Such application must be accompanied by proof of  
778 enrollment in college course(s), required permit fee, two (2)  
779 recent passport photographs of the applicant and other  
780 documentation as required for application for a Mississippi  
781 instructor's license by reciprocity. Upon proof of completion of  
782 college courses and payment of the required license fee, a  
783 Mississippi instructor's license shall be issued.

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





788           **SECTION 18.** Section 73-7-25, Mississippi Code of 1972, is  
789 amended as follows:

790           73-7-25. Every demonstrator in the field of cosmetology or  
791 barbering shall, before making demonstrations in a salon and/or  
792 barber business or school, apply for and obtain a permit from the  
793 board. For such permit, which shall be for one (1) year, the  
794 required fee shall be paid to the board. This section shall be  
795 construed to apply to demonstrators in salons and barber  
796 businesses and schools.

797           **SECTION 19.** Section 73-7-27, Mississippi Code of 1972, is  
798 amended as follows:

799           73-7-27. (1) Any complaint may be filed with the board by a  
800 member or agent of the board or by any person charging any  
801 licensee of the board with the commission of any of the offenses  
802 enumerated in subsection (2) of this section. Such complaint  
803 shall be in writing, signed by the accuser or accusers, and  
804 verified under oath, and such complaints shall be investigated as  
805 set forth in Section 73-7-7. If, after the investigation, the  
806 board through its administrative review agents determines that  
807 there is not substantial justification to believe that the accused  
808 licensee has committed any of the offenses enumerated, it may  
809 dismiss the complaint or may prepare a formal complaint proceeding  
810 against the licensee as hereinafter provided. When used with  
811 reference to any complaint filed against a licensee herein, the  
812 term "not substantial justification" means a complaint that is



813 frivolous, groundless in fact or law, or vexatious, as determined  
814 by unanimous vote of the board. In the event of a dismissal, the  
815 person filing the accusation and the accused licensee shall be  
816 given written notice of the board's determination. If the board  
817 determines there is reasonable cause to believe the accused has  
818 committed any of those offenses, the secretary of the board shall  
819 give written notice of such determination to the accused licensee  
820 and set a day for a hearing as provided in subsection (3) of this  
821 section.

822 (2) The board shall have the power to revoke, suspend or  
823 refuse to issue or renew any license or certificate provided for  
824 in this chapter, and to fine, place on probation and/or otherwise  
825 discipline a student or licensee or holder of a certificate, upon  
826 proof that such person: (a) has not complied with an order,  
827 decision or ruling of the board or has violated any of the rules  
828 and regulations promulgated by the board; (b) has not complied  
829 with or has violated any of the sections of this chapter; (c) has  
830 committed fraud or dishonest conduct in the taking of the  
831 examination herein provided for; (d) has been convicted of a  
832 felony; (e) has committed grossly unprofessional or dishonest  
833 conduct; (f) is addicted to the excessive use of intoxicating  
834 liquors or to the use of drugs to such an extent as to render him  
835 or her unfit to practice in any of the practices or occupations  
836 set forth in this chapter; (g) has advertised by means of  
837 knowingly false or deceptive statements; or (h) has failed to



838 display the license or certificate issued to him or her as  
839 provided for in this chapter; or (i) has been convicted of  
840 violating any of the provisions of this chapter. A conviction of  
841 violating any of the provisions of this chapter shall be grounds  
842 for automatic suspension of the license or certificate of such  
843 person.

844 (3) (a) The board shall not revoke, suspend or refuse to  
845 issue or renew any license or certificate, or fine, place on  
846 probation or otherwise discipline any person in a disciplinary  
847 matter except after a hearing of which the applicant or licensee  
848 or holder of the certificate affected shall be given at least  
849 twenty (20) days' notice in writing, specifying the reason or  
850 reasons for denying the applicant a license or certificate of  
851 registration, or in the case of any other disciplinary action, the  
852 offense or offenses of which the licensee or holder of a  
853 certificate of registration is charged. Such notice may be served  
854 by mailing a copy thereof by United States first-class certified  
855 mail, postage prepaid, to the last-known residence or business  
856 address of such applicant, licensee or holder of a certificate.  
857 The hearing on such charges shall be at such time and place as the  
858 board may prescribe. The provisions of this paragraph (a) shall  
859 not apply to the board's collection of a civil penalty or fine  
860 imposed by the board under paragraph (b) of this subsection.

861 (b) Any civil penalty or fine imposed by the board  
862 under this chapter shall become due and payable when the person



863 incurring the penalty receives a notice in writing from the board  
864 of the penalty. The notice shall be sent by registered or  
865 certified mail. The person to whom the notice is addressed shall  
866 have thirty (30) days from the date of mailing of the notice in  
867 which to make written application for a hearing. Any person who  
868 makes that application shall be entitled to a hearing. The  
869 hearing shall be conducted as a contested case hearing. When an  
870 order assessing a civil penalty under this section becomes final  
871 by operation of law or on appeal, unless the amount of penalty is  
872 paid within ten (10) days after the order becomes final, it may be  
873 recorded with the circuit clerk in any county of this state. The  
874 clerk shall then record the name of the person incurring the  
875 penalty and the amount of the penalty in his lien record book.

876 (4) At such hearings, all witnesses shall be sworn by a  
877 member of the board or court reporter, and stenographic notes of  
878 the proceedings shall be taken. Any party to the proceedings  
879 desiring it shall be furnished with a copy of such stenographic  
880 notes upon payment to the board of such fees as it shall  
881 prescribe, not exceeding, however, the actual costs of  
882 transcription.

883 (5) The board is hereby authorized and empowered to issue  
884 subpoenas for the attendance of witnesses and the production of  
885 books and papers. The process issued by the board shall extend to  
886 all parts of the state and such process shall be served by any  
887 person designated by the board for such service. The person



888 serving such process shall receive such compensation as may be  
889 allowed by the board, not to exceed the fee prescribed by law for  
890 similar services. All witnesses who shall be subpoenaed, and who  
891 shall appear in any proceedings before the board, shall receive  
892 the same fees and mileage as allowed by law.

893 (6) Where in any proceeding before the board any witness  
894 shall fail or refuse to attend upon subpoena issued by the board,  
895 shall refuse to testify, or shall refuse to produce any books and  
896 papers, the production of which is called for by the subpoena, the  
897 attendance of such witness and the giving of his testimony and the  
898 production of the books and papers shall be enforced by any court  
899 of competent jurisdiction of this state, in the same manner as are  
900 enforced for the attendance and testimony of witnesses in civil  
901 cases in the courts of this state.

902 (7) The board shall conduct the hearing in an orderly and  
903 continuous manner, granting continuances only when the ends of  
904 justice may be served. The board shall, within sixty (60) days  
905 after conclusion of the hearing, reduce its decision to writing  
906 and forward an attested true copy thereof to the last-known  
907 residence or business address of such applicant, licensee or  
908 holder of a certificate, by way of United States first-class  
909 certified mail, postage prepaid. Such applicant, licensee, holder  
910 of a certificate, or person aggrieved shall have the right of  
911 appeal from an adverse ruling, or order, or decision of the board  
912 to the Chancery Court of the First Judicial District of Hinds



913 County, Mississippi, upon forwarding notice of appeal to the board  
914 within thirty (30) days after the decision of the board is mailed  
915 in the manner here contemplated. An appeal will not be allowed in  
916 the event notice of appeal, together with the appeal bond  
917 hereinafter required, shall not have been forwarded to the board  
918 within the thirty-day period. Appeal shall be to the Chancery  
919 Court of the First Judicial District of Hinds County, Mississippi.  
920 The appeal shall thereupon be heard in due course by the court  
921 which shall review the record and make its determination thereon.

922 (8) The appellant shall, together with the notice of  
923 appeal, \* \* \* first pay the costs for the transcription of the  
924 record of the hearing(s) and proceeding(s) before the board in  
925 which the adverse ruling, order or decision of the board was made.

926 (9) In the event of an appeal, the court shall dispose of  
927 the appeal and enter its decision promptly. The hearing on the  
928 appeal may, in the discretion of the chancellor, be tried in  
929 vacation. If there is an appeal, such appeal may, in the  
930 discretion of and on motion to the chancery court, act as a  
931 supersedeas. However, any fine imposed by the board under the  
932 provisions of this chapter shall not take effect until after the  
933 time for appeal has expired, and an appeal of the imposition of  
934 such a fine shall act as a supersedeas.

935 (10) Any fine imposed by the board upon a licensee or holder  
936 of a certificate shall be in accordance with the following \* \* \*  
937 class designation of fines:



938           (a) \* \* \* Class A. Class A violations shall be set at  
939 no less than Five Hundred Dollars (\$500.00) nor more than One  
940 Thousand Dollars (\$1,000.00). Class A violations are specific to  
941 the following:

942           (i) Unlicensed practice or the use of fraudulent  
943 statements to obtain any benefits or privileges under this chapter  
944 or practicing one (1) of the occupations without a license. These  
945 violations will be handled in accordance with the requirements of  
946 Section 73-7-27 or 73-7-37, as applicable; and

947           (ii) Extremely dangerous to the health and safety  
948 of the general public.

949           (b) Class B. Class B violations shall be set at no  
950 less than Two Hundred Fifty Dollars (\$250.00) nor more than Seven  
951 Hundred Fifty Dollars (\$750.00). Class B violations are major  
952 health and safety concerns that are detrimental to public safety  
953 and welfare.

954           (c) Class C. Class C violations shall be set at no  
955 less than One Hundred Dollars (\$100.00) nor more than Five Hundred  
956 Dollars (\$500.00). Class C violations are minor health and safety  
957 violations that are detrimental to public safety and welfare.

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



962 (11) In addition to the reasons specified in subsection (2)  
963 of this section, the board shall be authorized to suspend the  
964 license of any licensee for being out of compliance with an order  
965 for support, as defined in Section 93-11-153. The procedure for  
966 suspension of a license for being out of compliance with an order  
967 for support, and the procedure for the reissuance or reinstatement  
968 of a license suspended for that purpose, and the payment of any  
969 fees for the reissuance or reinstatement of a license suspended  
970 for that purpose, shall be governed by Section 93-11-157 or  
971 93-11-163, as the case may be. Actions taken by the board in  
972 suspending a license when required by Section 93-11-157 or  
973 93-11-163 are not actions from which an appeal may be taken under  
974 this section. Any appeal of a license suspension that is required  
975 by Section 93-11-157 or 93-11-163 shall be taken in accordance  
976 with the appeal procedure specified in Section 93-11-157 or  
977 93-11-163, as the case may be, rather than the procedure specified  
978 in this section. If there is any conflict between any provision  
979 of Section 93-11-157 or 93-11-163 and any provision of this  
980 chapter, the provisions of Section 93-11-157 or 93-11-163, as the  
981 case may be, shall control.

982 **SECTION 20.** Section 73-7-29, Mississippi Code of 1972, is  
983 amended as follows:

984 73-7-29. The \* \* \* board \* \* \* shall assess fees in the  
985 following amounts and for the following purposes:





986	(a)	Initial license/renewal for cosmetologist, <u>barber,</u>	
987		manicurist * * * <u>or</u> esthetician * * *	
988		.....	\$ 50.00
989	(b)	Instructor initial license/renewal.....	80.00
990	(c)	Master cosmetologist <u>or barber</u>	
991		license/renewal.....	70.00
992	(d)	Delinquent renewal penalty - cosmetologist, <u>barber,</u>	
993		manicurist * * * <u>or</u> esthetician * * * and	
994		instructor.....	50.00
995		There shall be no renewal fee for any licensee seventy (70)	
996		years of age or older.	
997	(e)	Salon/ <u>barber business</u> application and initial	
998		inspection.....	85.00
999	(f)	Salon/ <u>barber business</u> reinspection.....	35.00
1000	(g)	Salon/ <u>barber business</u> change of ownership or	
1001		location, or both.....	85.00
1002	(h)	Salon/ <u>barber business</u> renewal.....	60.00
1003	(i)	Salon/ <u>barber business</u> delinquent renewal	
1004		penalty.....	50.00
1005	(j)	Application and initial inspection for a	
1006		new school.....	300.00
1007	(k)	New school reinspection.....	100.00
1008	(l)	School change of ownership.....	300.00
1009	(m)	School relocation.....	150.00
1010	(n)	School renewal.....	75.00



- 1011 (o) School delinquent renewal penalty..... 100.00
- 1012 (p) Duplicate license..... 10.00
- 1013 (q) Penalty for insufficient fund checks..... 20.00
- 1014 (r) Affidavit processing..... 15.00

1015 The \* \* \* board \* \* \* may charge additional fees for services  
1016 which the board deems appropriate to carry out its intent and  
1017 purpose. These additional fees shall not exceed the cost of  
1018 rendering the service.

1019 The board is fully authorized to make refunds of any deposits  
1020 received by the board for services which are not rendered.  
1021 Refunds will automatically be made on overpayment of fees.  
1022 Refunds will be made on underpayments by written requests from  
1023 applicants. If no request for refund is made within sixty (60)  
1024 days, the fees will be forfeited.

1025 **SECTION 21.** Section 73-7-33, Mississippi Code of 1972, is  
1026 amended as follows:

1027 73-7-33. In addition to the rules and regulations that may  
1028 be prescribed and promulgated by the board under authority of this  
1029 chapter, the following rules and regulations shall be observed:

1030 Every establishment must be kept sanitary, including all  
1031 utensils and equipment, must be well ventilated and properly  
1032 lighted. Each salon and/or barber business must be provided with  
1033 hot and cold running water. Electrical appliances must be  
1034 properly installed and grounded.



1035           Cosmetologists and barbers shall be allowed to wear any type  
1036 of clothing or apparel while at work as long as such clothing or  
1037 apparel is sanitary.

1038           Cosmetologists shall be allowed to use any type of hair  
1039 roller as long as they do so in a sanitary manner.

1040           Persons with a communicable disease or parasitic infection  
1041 that is medically recognized to be a direct threat of transmission  
1042 by the type of contact that practitioners have with clients are  
1043 not to be permitted to practice in an establishment until their  
1044 condition is no longer communicable under those circumstances. No  
1045 work shall be performed on any patron having a visible disease  
1046 unless the patron shall produce a certificate from a practicing  
1047 physician stating that the patron is free from infectious,  
1048 contagious or communicable disease. A cosmetologist's license or  
1049 barbering license does not authorize such person to treat or  
1050 prescribe for an infectious, contagious or any other disease.

1051           A home salon and/or barbering business must have a solid wall  
1052 to the ceiling with an outside entrance, or if a door exists  
1053 between the salon and the remainder of the house, the door must be  
1054 kept closed at all times while service is being rendered.

1055           **SECTION 22.** Section 73-7-35, Mississippi Code of 1972, is  
1056 amended as follows:

1057           73-7-35. (1) No person licensed pursuant to this chapter  
1058 shall practice his or her profession except within the physical  
1059 confines of a salon and/or barber business possessing and



1060 displaying a properly executed license issued pursuant to Section  
1061 73-7-17. However, this requirement shall not prevent a person  
1062 from rendering his or her services to any person who may be  
1063 confined to his or her home, a hospital, or other place as a  
1064 result of illness, and cosmetologists and barbers shall be  
1065 permitted to render their services to deceased persons away from  
1066 their salons and/or barber business.

1067 (2) No salon and/or barber business owner licensed pursuant  
1068 to this chapter shall allow a cosmetologist, barber, esthetician,  
1069 or manicurist to practice his/her profession in the salon and/or  
1070 barber business without possessing a valid license issued pursuant  
1071 to this chapter.

1072 **SECTION 23.** Section 73-7-37, Mississippi Code of 1972, is  
1073 amended as follows:

1074 73-7-37. (1) The violation of any of the provisions of this  
1075 chapter, including the use of fraudulent statements to obtain any  
1076 benefits or privileges under this chapter or practicing one (1) of  
1077 these professions without a license, shall constitute a  
1078 misdemeanor, punishable in any court of competent jurisdiction at  
1079 the seat of government, and any person or firm convicted of the  
1080 violation of any of the provisions of this chapter shall be fined  
1081 not less than \* \* \* Five Hundred Dollars (\$500.00) nor more  
1082 than \* \* \* One Thousand Dollars (\$1,000.00). The court shall not  
1083 be authorized to suspend or suspend the execution of the fine  
1084 required under this section.



1085           (2) If any person, \* \* \* salon, school or other type of  
1086 business entity engaged in the practice or teaching of the  
1087 provisions governed by this chapter violates any of the provisions  
1088 of this chapter, the secretary of the board, upon direction of a  
1089 majority of the board and in the name of the board, acting through  
1090 the Attorney General or an attorney employed by the board, shall  
1091 apply in the Chancery Court of the \* \* \* county in which the  
1092 person or licensee resides or in the county in which the person or  
1093 licensee practices, or the county in which the salon, school or  
1094 other type of business entity is located, for an order enjoining  
1095 such violation or for an order enforcing compliance with the  
1096 provisions of this chapter. Upon the filing of a verified  
1097 petition in the chancery court and after notice as provided under  
1098 the Mississippi Rules of Civil Procedure, such court, if satisfied  
1099 by the sworn petition, by affidavit or otherwise, that such person  
1100 or entity has violated any of the provisions of this chapter, may  
1101 issue an injunction without notice or bond, enjoining such  
1102 continued violation and such injunction shall remain in force and  
1103 effect until a final hearing. If at such hearing it is  
1104 established that such person or entity has violated or is  
1105 violating any of the provisions of this chapter, the court may  
1106 enter a decree permanently enjoining such violation or enforcing  
1107 compliance with this chapter. In addition, the court may enter a  
1108 judgment against such person or entity for attorney's fees, court  
1109 costs and the actual costs incurred by the board in investigating



1110 the actions of such person or entity for which the board brought  
1111 the suit for an injunction. In case of violation of any decree  
1112 issued in compliance with this subsection, the court may punish  
1113 the offender for contempt of court and the court shall proceed as  
1114 in other cases.

1115 (3) The proceedings in this section shall be in addition to  
1116 and not in lieu of the other remedies and penalties provided in  
1117 this chapter.

1118 **SECTION 24.** Section 73-5-8, Mississippi Code of 1972, is  
1119 amended as follows:

1120 73-5-8. Any person is qualified to receive a certificate of  
1121 registration as a barber instructor who:

1122 (a) Is \* \* \* twenty-one (21) years of age or older;

1123 (b) Is of good moral and temperate habits;

1124 \* \* \*

1125 ( \* \* \* c) Possesses a high school education or its  
1126 equivalent;

1127 ( \* \* \* d) Has successfully completed not less than  
1128 fifteen hundred (1500) hours at a barbering school approved by the  
1129 State Board of \* \* \* Cosmetology and Barbering and holds a valid  
1130 certificate of registration to practice barbering;

1131 ( \* \* \* e) Has (i) not less than two (2) years of active  
1132 experience as a registered barber and has successfully completed  
1133 not less than six hundred (600) hours of barber instructor  
1134 training at a school approved by the board, or (ii) less than two



1135 (2) years of active experience as a registered barber and has  
1136 successfully completed not less than one thousand (1,000) hours of  
1137 barber instructor training at a school approved by the board; and  
1138 ( \* \* \*f) Has passed a satisfactory examination  
1139 conducted by the board to determine his fitness to practice as a  
1140 barber instructor.

1141 All instructors licensed pursuant to this section shall  
1142 biennially obtain twenty-four (24) hours of continuing education  
1143 in teacher training instruction in barbering. Such education  
1144 shall be acquired in classes or trade show teaching materials that  
1145 are approved by the board. Any instructor who fails to obtain the  
1146 continuing education required by this subsection shall not be  
1147 allowed to instruct nor enroll students under his or her license  
1148 until such education requirement have been met. The board may  
1149 issue an inactive instructor's license to such instructors, and an  
1150 inactive license may be converted into an active license after  
1151 proof satisfactory to the board of completion of at least  
1152 twenty-four (24) hours of approved continuing education required  
1153 for teacher training instruction.

1154 All persons who have received a certificate of registration  
1155 as a barber instructor from the board before July 1, 2002, shall  
1156 be considered to have met the requirements of this section, and  
1157 all those certificates of registration shall be renewable as  
1158 otherwise provided in this chapter.



1159           The board will implement an active and inactive instructor  
1160 license. In order to renew an active license, instructors holding  
1161 an active license shall be required to submit proof of twelve (12)  
1162 hours of continuing education each year to the Board of Barber  
1163 Examiners. That education shall be acquired in classes or trade  
1164 shows teaching materials that are approved by the board.  
1165 Instructors holding an inactive license shall be required to  
1166 submit proof of twelve (12) hours continuing education before  
1167 upgrading to an active status.

1168           **SECTION 25.** Section 73-5-11, Mississippi Code of 1972, is  
1169 amended as follows:

1170           73-5-11. (1) To be eligible for enrollment at a barbering  
1171 school approved by the \* \* \* State Board of Cosmetology and  
1172 Barbering, a person shall \* \* \* be at least sixteen (16) years of  
1173 age, have a minimum education of tenth grade or its equivalent,  
1174 and/or shall have satisfactorily passed the Ability-to-Benefit  
1175 Test (ATB) approved by the U.S. Department of Education.

1176           (2) Any person is qualified to receive a certificate of  
1177 registration to practice barbering:

1178                   (a) Who is qualified under the provisions of this  
1179 chapter;

1180                   (b) Who is of good moral character and temperate  
1181 habits;

1182                   (c) Who has completed not less than fifteen hundred  
1183 (1500) hours at a barbering school approved by the \* \* \* State





1184 Board of Cosmetology and Barbering or three thousand (3,000) hours  
1185 of board-approved apprenticeship training. Apprenticeships shall  
1186 only be monitored and mentored by those with an instructor license  
1187 and there shall be only one (1) apprentice per mentor; and

1188 (d) Who has passed a satisfactory examination conducted  
1189 by the board \* \* \* to determine his fitness to practice barbering.

1190 (3) A temporary permit to practice barbering until the next  
1191 examination is given may be issued to a student who has completed  
1192 not less than fifteen hundred (1500) hours at a barbering school  
1193 approved by the \* \* \* State Board of Cosmetology and Barbering or  
1194 three thousand (3,000) hours of board-approved apprenticeship  
1195 training. In no event shall a person be allowed to practice  
1196 barbering on a temporary permit beyond the date the next  
1197 examination is given, except because of personal illness.

1198 (4) The ability to read, write and speak English shall not  
1199 be a requirement for licensure as a registered barber.

1200 **SECTION 26.** Section 73-5-12, Mississippi Code of 1972, is  
1201 amended as follows:

1202 73-5-12. Any cosmetologist who \* \* \* has successfully  
1203 completed not less than fifteen hundred (1500) hours in an  
1204 accredited school of cosmetology, and holds a valid, current  
1205 license, shall be eligible to take the barber examination to  
1206 secure a certificate of registration as a barber upon successfully  
1207 completing six hundred (600) hours in a barber school approved by  
1208 the State Board of \* \* \* Cosmetology and Barbering.



1209 All fees for application, examination, registration and  
1210 renewal thereof shall be the same as provided for in \* \* \* Section  
1211 73-7-1 et seq.

1212 **SECTION 27.** On or before December 15, 2025, the PEER  
1213 Committee shall conduct a review of the operations of the State  
1214 Board of Cosmetology and Barbering and report its findings to the  
1215 Legislature with recommendation on whether or not the board has  
1216 carried out its mandate effectively and efficiently. PEER shall  
1217 also make recommendations to the Legislature on improvements that  
1218 need to be made to ensure effective and efficient operations in  
1219 the future.

1220 **SECTION 28.** The Department of Finance and Administration,  
1221 the Department of Information Technology Services, and the State  
1222 Personnel Board shall assist the boards in carrying out the  
1223 consolidation required by this act. This section shall stand  
1224 repealed on July 1, 2025.

1225 **SECTION 29.** Sections 73-5-1, 73-5-3, 73-5-5, 73-5-7, 73-5-9,  
1226 73-5-15, 73-5-17, 73-5-19, 73-5-21, 73-5-23, 73-5-25, 73-5-27,  
1227 73-5-29, 73-5-31, 73-5-33, 73-5-35, 73-5-37, 73-5-39, 73-5-41,  
1228 73-5-43 and 73-5-45, Mississippi Code of 1972, which create the  
1229 State Board of Barber Examiners and prescribe its powers and  
1230 duties regarding the licensing of barbers, are repealed.

1231 **SECTION 30.** This act shall take effect and be in force from  
1232 and after July 1, 2024, except for Section 28, which shall take  
1233 effect and be in force from and after the passage of this act.

