

By: Representatives Deweese, Read, Bennett,  
Creekmore IV, Currie, McGee, Scott, Turner,  
Young

To: Appropriations C;  
Appropriations A

HOUSE BILL NO. 1795

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE  
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF  
3 COSMETOLOGY FOR THE FISCAL YEAR 2025.

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

5 **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is appropriated out of any money in the State Treasury  
7 to the credit of the State Board of Cosmetology, for the purpose  
8 of defraying the expenses of the board for the fiscal year  
9 beginning July 1, 2024, and ending June 30, 2025.....  
10 .....\$ 1,016,500.00.

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

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

16 With the funds herein appropriated, it shall be the agency's  
17 responsibility to make certain that funds required for Personal  
18 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds



19 appropriated for that purpose unless programs or positions are  
20 added to the agency's Fiscal Year 2025 budget by the Mississippi  
21 Legislature. The Legislature shall determine the agency's personal  
22 services appropriation, which the State Personnel Board shall  
23 publish. In accordance with applicable laws, if an agency  
24 determines that its personal services amount is insufficient, the  
25 agency must contact the State Personnel Board. Any adjustment to  
26 the personal services amount must be approved by the State  
27 Personnel Director and the State Fiscal Officer after consultation  
28 with the Legislative Budget Office. Any adjustment shall be  
29 reported to the Legislative Budget Office and the House and Senate  
30 Appropriations Chairmen. The agency's personal services  
31 appropriation may consist of restricted funds for approved  
32 vacancies for Fiscal Year 2025 that may not be utilized for active  
33 Fiscal Year 2024 headcount. It shall be the agency's  
34 responsibility to ensure that the funds provided for vacancies are  
35 used to increase headcount and not for promotions, title changes,  
36 in-range salary adjustments, or any other mechanism for increasing  
37 salaries for current employees. If the State Personnel Board  
38 determines that an agency has used provided vacancy funds for any  
39 of the mechanisms previously listed, the State Personnel Board  
40 shall not process any additional salary actions for the agency in  
41 the current fiscal year, except for new hires determined by the  
42 State Personnel Board to be essential for the agency. It is the  
43 Legislature's intention that no employee salary falls below the



44 minimum salary established by the Mississippi State Personnel  
45 Board.

46         Additionally, the State Personnel Board shall determine and  
47 publish the projected annualized payroll costs based on current  
48 employees. It shall be the responsibility of the agency head to  
49 ensure that actual personnel expenditures for Fiscal Year 2025 do  
50 not exceed the data provided by the Legislative Budget Office. If  
51 the agency's projected cost for Fiscal Year 2025 exceeds the  
52 annualized costs, no salary actions shall be processed by the  
53 State Personnel Board except for new hires determined to be  
54 essential for the agency.

55         Any transfers or escalations shall be made in accordance with  
56 the terms, conditions, and procedures established by law or  
57 allowable under the terms set forth within this act. The State  
58 Personnel Board shall not escalate positions without written  
59 approval from the Department of Finance and Administration. The  
60 Department of Finance and Administration shall not provide written  
61 approval to escalate any funds for salaries and/or positions  
62 without proof of availability of new or additional funds above the  
63 appropriated level.

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



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

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

77 (a) A policy that the board will not issue any licenses  
78 for the practice of wigology and will issue licenses and  
79 certifications only as provided under the cosmetology licensure  
80 law; and

81 (b) A policy that allows any person who holds a wig  
82 specialist license issued by the board before July 1, 2014, to  
83 continue his or her practice as it existed before July 1, 2014,  
84 and allows any person who holds a wig salon license issued by the  
85 board before July 1, 2014, to continue operating a wig salon under  
86 the statutory requirements as they existed before July 1, 2014,  
87 and provides that any such person will be eligible to receive a  
88 certificate of registration issued by the board.

89 **SECTION 4.** In compliance with the "Mississippi Performance  
90 Budget and Strategic Planning Act of 1994," it is the intent of  
91 the Legislature that the funds provided herein shall be utilized  
92 in the most efficient and effective manner possible to achieve the



93 intended mission of this agency. Based on the funding authorized,  
 94 this agency shall make every effort to attain the targeted  
 95 performance measures provided below:

	FY2025
<u>Performance Measures</u>	<u>Target</u>
Exam Administration	
Number of Students Tested	1,500
Cost per Licensing Examination	290.00
School Coordination	
Number of School Permits	0.00
Establishment Inspections	
Percent of Establishments, by Type	
(Salons and Schools), That are Inspected	
Each Year	80.00
Number of Average Violations per	
Inspection by Type	3
Number of Documented Complaints Received	15
Percent of Documented Complaints	
Resolved within Six Months	100.00
Percent of School Audits Resulting in	
Disciplinary Actions	3.00
Licensure & Information Support	
Percent of Completed Applications	
Processed within Ten Business Days, by	
Type (Practitioners, Instructors)	100.00



118 Number of Business Days from Date of  
119 Completed Applications of New Salon and  
120 School to Initial Inspection 14  
121 Collect & Report the Percent of License  
122 Renewals Issued within Seven Business  
123 Days, Ten Business Days for Schools 100.00

124 A reporting of the degree to which the performance targets  
125 set above have been or are being achieved shall be provided in the  
126 agency's budget request submitted to the Joint Legislative Budget  
127 Committee for Fiscal Year 2026.

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

131 **SECTION 6.** It is the intention of the Legislature that the  
132 State Board of Cosmetology shall maintain complete accounting and  
133 personnel records related to the expenditure of all funds  
134 appropriated under this act and that such records shall be in the  
135 same format and level of detail as maintained for Fiscal Year  
136 2024. It is further the intention of the Legislature that the  
137 agency's budget request for Fiscal Year 2026 shall be submitted to  
138 the Joint Legislative Budget Committee in a format and level of  
139 detail comparable to the format and level of detail provided  
140 during the Fiscal Year 2025 budget request process.

141 **SECTION 7.** It is the intention of the Legislature that  
142 whenever two (2) or more bids are received by this agency for the



143 purchase of commodities or equipment, and whenever all things  
144 stated in such received bids are equal with respect to price,  
145 quality and service, the Mississippi Industries for the Blind  
146 shall be given preference. A similar preference shall be given to  
147 the Mississippi Industries for the Blind whenever purchases are  
148 made without competitive bids.

149         **SECTION 8.** It is the intention of the Legislature that the  
150 funds herein appropriated shall be expended in compliance with  
151 Section 27-104-25, Mississippi Code of 1972, that no state agency  
152 shall incur obligations or indebtedness in excess of their  
153 appropriation and that the responsible officers, either personally  
154 or upon their official bonds, shall be held responsible for  
155 actions contrary to this provision.

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

162         **SECTION 10.** This act shall take effect and be in force from  
163 and after July 1, 2024, and shall stand repealed June 30, 2024.

