

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

To: Appropriations C;  
Appropriations A

HOUSE BILL NO. 1795  
(As Sent to Governor)

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE  
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF  
3 COSMETOLOGY AND BARBERING 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 and Barbering, for  
8 the purpose of defraying the expenses of the board for the fiscal  
9 year beginning July 1, 2024, and ending June 30, 2025.....  
10 .....\$ 1,454,080.00.

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: 17

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  
22 personal services appropriation, which the State Personnel Board  
23 shall publish. The agency's personal services appropriation may  
24 consist of restricted funds for approved vacancies for Fiscal Year  
25 2025 that may be utilized to fill vacant Fiscal Year 2024  
26 headcount. It shall be the agency's responsibility to ensure that  
27 the funds provided for vacancies are used to increase headcount  
28 and not for promotions, title changes, in-range salary adjustments  
29 or any other mechanism for increasing salaries for current  
30 employees. It is the Legislature's intention that no employee  
31 salary falls below the minimum salary established by the  
32 Mississippi State Personnel Board.

33       Additionally, the State Personnel Board shall determine and  
34 publish the projected annualized payroll costs based on current  
35 employees. It shall be the responsibility of the agency head to  
36 ensure that actual personnel expenditures for Fiscal Year 2025 do  
37 not exceed the data provided by the Legislative Budget Office. If  
38 the agency's Fiscal Year 2025 projected cost exceeds the  
39 annualized costs, no salary actions shall be processed by the  
40 State Personnel Board except for new hires determined to be  
41 essential for the agency.

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



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

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

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

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

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



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

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

	FY2025
<u>Performance Measures</u>	<u>Target</u>
83 Examination & Licensure	
84 Number of Barber Examinations	425
85 Average Cost per Barber & Instructor License	55.00
86 Number of Cosmetology Examinations	1,500
87 Cost Per Cosmetology Licensing Examination	290.00
88 Number of School Permits	75
89 Cost Per School License	100.00
90 Number of Working Days Between	
91	
92	



93	Examination & Distribution of Results	1
94	Percentage of Candidates that Passed the	
95	Exam	85.00
96	Average Number of Workdays to Issue License	14
97	Average Number of Workdays to Issue Permit	3
98	Regulation	
99	Number of Inspections Conducted (Annually)	2,879
100	Number of Formal Complaints Received	
101	(Annually)	11
102	Number of Disciplinary Actions Taken	10
103	Average Number of Days to Resolve Valid	
104	Complaints	30
105	Percentage of Documented Complaints	
106	Resolved Within Six Months	95.00
107	Percentage of Deficiencies Noted During	
108	Inspections are Addressed Within the	
109	Allotted Timeframe	90.00

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

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



118           **SECTION 6.** It is the intention of the Legislature that the  
119 State Board of Cosmetology and Barbering shall maintain complete  
120 accounting and personnel records related to the expenditure of all  
121 funds appropriated under this act and that such records shall be  
122 in the same format and level of detail as maintained for Fiscal  
123 Year 2024. It is further the intention of the Legislature that  
124 the agency's budget request for Fiscal Year 2026 shall be  
125 submitted to the Joint Legislative Budget Committee in a format  
126 and level of detail comparable to the format and level of detail  
127 provided during the Fiscal Year 2025 budget request process.

128           **SECTION 7.** It is the intention of the Legislature that until  
129 the board members of the State Board of Cosmetology and Barbering  
130 are appointed and executive director is hired:

131           (1) A Twenty-five percent (25%) share of the funds  
132 appropriated in Section 1 of this act is provided for the expenses  
133 associated with the former State Board of Barbering; and

134           (2) A Seventy-five percent (75%) share of the funds  
135 appropriated in Section 1 of this act is provided for the expenses  
136 associated with the former State Board of Cosmetology.

137           **SECTION 8.** It is the intention of the Legislature that  
138 whenever two (2) or more bids are received by this agency for the  
139 purchase of commodities or equipment, and whenever all things  
140 stated in such received bids are equal with respect to price,  
141 quality and service, the Mississippi Industries for the Blind  
142 shall be given preference. A similar preference shall be given to



143 the Mississippi Industries for the Blind whenever purchases are  
144 made without competitive bids.

145         **SECTION 9.** It is the intention of the Legislature that the  
146 funds herein appropriated shall be expended in compliance with  
147 Section 27-104-25, Mississippi Code of 1972, that no state agency  
148 shall incur obligations or indebtedness in excess of their  
149 appropriation and that the responsible officers, either personally  
150 or upon their official bonds, shall be held responsible for  
151 actions contrary to this provision.

152         **SECTION 10.** The money herein appropriated shall be paid by  
153 the State Treasurer out of any money in the State Treasury to the  
154 credit of the proper fund or funds as set forth in this act, upon  
155 warrants issued by the State Fiscal Officer; and the State Fiscal  
156 Officer shall issue his warrants upon requisitions signed by the  
157 proper person, officer or officers, in the manner provided by law.

158         **SECTION 11.** This act shall take effect and be in force from  
159 and after July 1, 2024.

