

Senate Amendments to House Bill No. 1740

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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, 2025, and ending June 30, 2026.....
10\$ 1,459,164.00.

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 2027 do not exceed Fiscal Year 2026 funds
19 appropriated for that purpose unless programs or positions are
20 added to the agency's Fiscal Year 2026 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 2026 that may be utilized to fill vacant Fiscal Year 2025
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 2026 do
37 not exceed the data provided by the Legislative Budget Office. If
38 the agency's Fiscal Year 2026 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,

and provides that any such person will be eligible to receive a certificate of registration issued by the board.

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

	FY2026
<u>Performance Measures</u>	<u>Target</u>
Examination & Licensure	
Number of Barber Examinations	1,008
Average Cost per Barber & Instructor License	65.00
Number of Cosmetology Examinations	3,120
Cost Per Cosmetology Licensing Examination	190.00
Number of School Permits	75
Cost Per School License	300.00
Number of Working Days Between	
Examination & Distribution of Results	7
Percentage of Candidates that Passed the	
Exam	78.00
Average Number of Workdays to Issue License	14.00
Average Number of Workdays to Issue Permit	14.00
Regulation	
Number of Inspections Conducted (Annually)	6,000

100	Number of Formal Complaints Received	
101	(Annually)	15
102	Number of Disciplinary Actions Taken	30
103	Average Number of Days to Resolve Valid	
104	Complaints	90.00
105	Percentage of Documented Complaints	
106	Resolved Within Six Months	100.00
107	Percentage of Deficiencies Noted During	
108	Inspections are Addressed Within the	
109	Allotted Timeframe	85.00

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 2027.

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 2025. It is further the intention of the Legislature that
124 the agency's budget request for Fiscal Year 2027 shall be
125 submitted to the Joint Legislative Budget Committee in a format

and level of detail comparable to the format and level of detail provided during the Fiscal Year 2026 budget request process.

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

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

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

SECTION 10. This act shall take effect and be in force from and after July 1, 2025, and shall stand repealed from and after June 30, 2025.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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 2026.

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Amanda White
Secretary of the Senate