

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

To: Appropriations A

## HOUSE BILL NO. 18

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.

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, 2025, and ending June 30, 2026.....  
10 .....\$ 1,759,626.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of  
12 this act, not more than the following amount of funds, with the  
13 exception of the provisions in this section, shall be expended  
14 only for "Personal Services," which includes "Vacancy Funding,"  
15 for the following authorized number of employment headcount:

16 FUNDING:

17	General Funds:	\$ 0.00
18	Special Funds:	\$ 983,084.00



19	Total Funds:	\$ 983,084.00
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20 PERSONAL SERVICES:

21 Employee Salaries, Wages, and

22	Fringe Benefits:	\$ 646,563.00
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23	Progressions:	\$	0.00
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24	Vacancy Funding:	\$ 336,521.00
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25	Total Personal Services:	\$ 983,084.00
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26 AUTHORIZED HEADCOUNT:

27 Permanent: 17

28 Time-Limited: 0

29           As used in this section, the term "Personal Services" shall  
30   mean funds provided under the major object of expenditure category  
31   Personal Services for Salaries, Wages, and Fringe Benefits. Funds  
32   in this category shall not be transferred to any other category.

33           It is the intention of the Legislature to ensure compliance  
34   with the Variable Compensation Plan, as outlined in Section  
35   25-9-147, Mississippi Code of 1972. Payment from these funds shall  
36   be in accordance with the Variable Compensation Plan promulgated  
37   by the Mississippi State Personnel Board. It is the Legislature's  
38   intention that no employee's salary falls below the minimum salary  
39   established by the Mississippi State Personnel Board.

40       The State Personnel Board shall determine and publish the  
41       projected annual cost of "Personal Services" based on monthly and  
42       year-to-date payroll expenditures in compliance with the  
43       provisions of this act.



44       With the funds herein appropriated, it shall be the agency's  
45 responsibility to ensure that no single personnel action or  
46 combination of personnel actions, when annualized, exceeds the  
47 Fiscal Year 2026 appropriation for "Personal Services" with the  
48 exception of escalated funds. Further, it shall be the agency's  
49 responsibility to ensure that funds required to be appropriated  
50 for "Personal Services" for Fiscal Year 2027 do not exceed Fiscal  
51 Year 2026 funds appropriated for that purpose unless programs or  
52 positions are added to the agency's Fiscal Year 2026 budget by the  
53 Mississippi Legislature.

54       If, at the time the agency takes any action to change  
55 "Personal Services," the State Personnel Board determines that the  
56 agency has taken or will take an action that would cause the  
57 agency to exceed the funds appropriated in this act when  
58 annualized for Fiscal Year 2026 or increase the need for "Personal  
59 Services" for Fiscal Year 2027, when annualized, the State  
60 Personnel Board shall process no salary actions until such time as  
61 the requirements of the provisions of this section are met with  
62 the exception of new hires determined to be essential for the  
63 agency.

64       When used in this section, "Vacancy Funding" shall mean funds  
65 included in the Total Personal Services amount listed above and  
66 designated for approved vacancies in Fiscal Year 2026. These funds  
67 are to be utilized to increase the number of filled headcounts  
68 that were authorized but unfilled as of the last day of Fiscal



69 Year 2025. If the agency fills additional headcounts after May 1,  
70 2025, until the end of Fiscal Year 2025, the amount of available  
71 Vacancy Funding may be proportionally reduced to reflect the  
72 updated number of filled headcounts. The agency shall be  
73 responsible for ensuring that "Vacancy Funding" is used to  
74 increase headcounts and not for promotions, title changes,  
75 in-range salary adjustments, or any other mechanism for increasing  
76 salaries for current employees.

77 Any transfers or escalations shall be made in accordance with  
78 the terms, conditions, and procedures established by law or  
79 allowable under the terms set forth within this act. The State  
80 Personnel Board shall not escalate positions without written  
81 approval from the Department of Finance and Administration. The  
82 Department of Finance and Administration shall not provide written  
83 approval to escalate any funds for salaries and/or headcounts  
84 without proof of availability of new or additional funds above the  
85 appropriated level. Unless specifically noted, all Fiscal Year  
86 2025 escalated headcounts have been accounted for and shall be  
87 converted to authorized time-limited headcounts.

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

92 None of the funds herein appropriated shall be used in  
93 violation of the Internal Revenue Service's Publication 15-A



relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

If the agency's total authorized headcount decreases from Fiscal Year 2025 to Fiscal Year 2026, it will be the agency's discretion as to what headcounts are removed.

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

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

(b) A policy that allows any person who holds a wig specialist license issued by the board before July 1, 2014, to continue his or her practice as it existed before July 1, 2014, and allows any person who holds a wig salon license issued by the board before July 1, 2014, to continue operating a wig salon under 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



119 in the most efficient and effective manner possible to achieve the  
120 intended mission of this agency. Based on the funding authorized,  
121 this agency shall make every effort to attain the targeted  
122 performance measures provided below:

123		FY2026
124	<u>Performance Measures</u>	<u>Target</u>
125	Examination & Licensure	
126	Number of Barber Examinations	1,008
127	Average Cost per Barber & Instructor License	65.00
128	Number of Cosmetology Examinations	3,120
129	Cost Per Cosmetology Licensing Examination	190.00
130	Number of School Permits	75
131	Cost Per School License	300.00
132	Number of Working Days Between	
133	Examination & Distribution of Results	7
134	Percentage of Candidates that Passed the	
135	Exam	78.00
136	Average Number of Workdays to Issue License	14.00
137	Average Number of Workdays to Issue Permit	14.00
138	Regulation	
139	Number of Inspections Conducted (Annually)	6,000
140	Number of Formal Complaints Received	
141	(Annually)	15
142	Number of Disciplinary Actions Taken	30
143	Average Number of Days to Resolve Valid	



144	Complaints	90.00
145	Percentage of Documented Complaints	
146	Resolved Within Six Months	100.00
147	Percentage of Deficiencies Noted During	
148	Inspections are Addressed Within the	
149	Allotted Timeframe	85.00

150 A reporting of the degree to which the performance targets  
151 set above have been or are being achieved shall be provided in the  
152 agency's budget request submitted to the Joint Legislative Budget  
153 Committee for Fiscal Year 2027.

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

158 **SECTION 6.** It is the intention of the Legislature that the  
159 State Board of Cosmetology and Barbering shall maintain complete  
160 accounting and personnel records related to the expenditure of all  
161 funds appropriated under this act and that such records shall be  
162 in the same format and level of detail as maintained for Fiscal  
163 Year 2025. It is further the intention of the Legislature that  
164 the agency's budget request for Fiscal Year 2027 shall be  
165 submitted to the Joint Legislative Budget Committee in a format  
166 and level of detail comparable to the format and level of detail  
167 provided during the Fiscal Year 2026 budget request process.



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

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

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

189           **SECTION 10.** This act shall take effect and be in force from  
190 and after July 1, 2025.

