

By: Senator(s) Canon

To: Public Health and  
Welfare

## SENATE BILL NO. 2355

1 AN ACT TO AMEND SECTION 73-5-1, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT AT LEAST ONE MEMBER OF THE STATE BOARD OF BARBER  
3 EXAMINERS SHALL BE A BARBER INSTRUCTOR; TO AMEND SECTION 73-5-17,  
4 MISSISSIPPI CODE OF 1972, TO REQUIRE THAT BARBERING TESTS BE BASED  
5 ON STANDARDS OF THE COUNCIL ON LICENSURE, ENFORCEMENT AND  
6 REGULATION AFFILIATED WITH THE COUNCIL OF STATE GOVERNMENTS, AND  
7 TO REQUIRE THAT NO PERSON INTERESTED IN A BARBERING COLLEGE BE  
8 INVOLVED IN THE GRADING OF EXAMINATIONS; AND FOR RELATED PURPOSES.  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10  
11 SECTION 1. Section 73-5-1, Mississippi Code of 1972, is  
12 amended as follows:

13 73-5-1. The State Board of Barber Examiners is hereby  
14 continued and reconstituted as follows: The Board of Barber  
15 Examiners shall consist of five (5) members, to be appointed by  
16 the Governor, with the advice and consent of the Senate, one (1)  
17 member to be appointed from each of the congressional districts as  
18 existing on January 1, 1991. Each member shall be a practical  
19 barber and a qualified elector of this state. He shall have been  
20 engaged in the practice of barbering in the State of Mississippi  
21 for at least five (5) years immediately prior to the time of his  
22 appointment and shall be a person of good moral character. From  
23 and after July 1, 1983, the appointments to the board shall be  
24 made in the manner hereinafter provided, and the present members  
25 of the State Board of Barber Examiners whose terms have not  
26 expired by July 1, 1983, shall continue to serve until their  
27 successors shall have been appointed and qualified. The Governor  
28 shall appoint, with the advice and consent of the Senate, five (5)  
29 members from the congressional districts as follows: The member  
30 from the First Congressional District shall be appointed for a

term of two (2) years to commence on July 1, 1983; the member from the Second Congressional District shall be appointed for a term of four (4) years to commence on July 1, 1984; the member from the Third Congressional District shall be appointed for a term of two (2) years to commence on July 1, 1983; the member from the Fourth Congressional District shall be appointed for a term of four (4) years to commence on July 1, 1984; and the member from the Fifth Congressional District shall be appointed for a term of one (1) year to commence on July 1, 1983. In making appointments after July 1, 1999, the Governor shall ensure that at least one (1), but not more than two (2), of the foregoing five (5) appointees is currently active as a barber instructor who has been actively engaged in the practice of barbering or instructing at a barbering school for at least five (5) years prior to appointment to the board.

Upon the expiration of the foregoing terms, all members of the board shall be appointed by the Governor, with the advice and consent of the Senate, for terms of four (4) years each from the expiration date of the previous term, until their successors shall have been appointed and qualified. No member of the board shall hold any elected office. Appointments made to fill a vacancy of a term shall be made by the Governor within sixty (60) days after the vacancy occurs.

The Governor may remove any one or more members of said board for just cause. Members appointed to fill vacancies caused by death, resignation or removal of any member or members shall serve only for the unexpired term of their predecessors. Any member who shall not attend two (2) consecutive meetings of the board for reasons other than illness of such member shall be subject to removal by the Governor. The president of the board shall notify the Governor in writing when any such member has failed to attend two (2) consecutive regular meetings.

SECTION 2. Section 73-5-17, Mississippi Code of 1972, is amended as follows:

73-5-17. The Board of Barber Examiners shall conduct examinations of applicants for certificates of registration to

68 practice as registered barbers not less than three (3) times a  
69 year, which examination shall be had in some town or city selected  
70 by the examining board. Examinations of applicants for  
71 certificates of registration as barber instructors shall be  
72 conducted at a time and place selected by the examining board.

73 The board shall administer a barber examination or  
74 examinations for barber and barber instructor candidates which  
75 measure the professional competency of such candidates. These  
76 examinations shall be in compliance with the professional testing  
77 standards developed by the Council on Licensure, Enforcement and  
78 Regulation, affiliated with the Council of State Governments. No  
79 member of the board who is involved in the ownership, management,  
80 or operation of a barbering school shall participate in the  
81 development or grading of barbering examinations.

82 SECTION 3. This act shall take effect and be in force from  
83 and after July 1, 1999.