

By: Senator(s) Thames

To: Public Health and Welfare

SENATE BILL NO. 2323
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 73-5-8, MISSISSIPPI CODE OF 1972, TO
2 PRESCRIBE CERTAIN QUALIFICATIONS FOR REGISTRATION AS A BARBER
3 INSTRUCTOR; TO AMEND SECTION 73-5-12, MISSISSIPPI CODE OF 1972, TO
4 PRESCRIBE CERTAIN QUALIFICATIONS FOR A COSMETOLOGIST TO APPLY FOR
5 A CERTIFICATE OF REGISTRATION AS A BARBER; TO AMEND SECTION
6 73-5-25, MISSISSIPPI CODE OF 1972, TO CLARIFY THE DISCIPLINARY
7 AUTHORITY OF THE STATE BOARD OF BARBER EXAMINERS; AND FOR RELATED
8 PURPOSES.

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

10 SECTION 1. Section 73-5-8, Mississippi Code of 1972, is
11 amended as follows:

12 73-5-8. Any person is qualified to receive a certificate of
13 registration as a barber instructor who:

14 (a) Is twenty-one (21) years of age or older;

15 (b) Is of good moral and temperate habits;

16 (c) Is able to read, write and speak English;

17 (d) Possesses a high school education or its
18 equivalent;

19 (e) Has successfully completed not less than fifteen
20 hundred (1500) hours at a barbering school approved by the State
21 Board of Barber Examiners and holds a valid certificate of
22 registration to practice barbering;

23 (f) Has (i) not less than two (2) years of active
24 experience as a registered barber and has successfully completed
25 not less than six hundred (600) hours of barber instructor
26 training at a school approved by the board, or (ii) less than two
27 (2) years of active experience as a registered barber and has
28 successfully completed not less than one thousand (1,000) hours of
29 barber instructor training at a school approved by the board; and

30 (g) Has passed a satisfactory examination conducted by
31 the board to determine his fitness to practice as a barber
32 instructor. * * *

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34 All persons who have received a certificate of registration
35 as a barber instructor from the board before July 1, 2002, shall
36 be considered to have met the requirements of this section, and
37 all those certificates of registration shall be renewable as
38 otherwise provided in this chapter.

39 The board will implement an active and inactive instructor
40 license. In order to renew an active license, instructors holding
41 an active license shall be required to submit proof of twelve (12)
42 hours of continuing education each year to the Board of Barber
43 Examiners. That education shall be acquired in classes or trade
44 shows teaching materials that are approved by the board.
45 Instructors holding an inactive license shall be required to
46 submit proof of twelve (12) hours continuing education before
47 upgrading to an active status.

48 **SECTION 2.** Section 73-5-12, Mississippi Code of 1972, is
49 amended as follows:

50 73-5-12. Any cosmetologist who can read, write and speak
51 English and has successfully completed not less than fifteen
52 hundred (1500) hours in an accredited school of cosmetology, and
53 holds a valid, current license, shall be eligible to take the
54 barber examination to secure a certificate of registration as a
55 barber upon successfully completing six hundred (600) hours in a
56 barber school approved by the Board of Barber Examiners.

57 All fees for application, examination, registration and
58 renewal thereof shall be the same as provided for in this chapter.

59 **SECTION 3.** Section 73-5-25, Mississippi Code of 1972, is
60 amended as follows:

61 73-5-25. (1) The Board of Barber Examiners may refuse to
62 issue, or may suspend definitely or indefinitely, or revoke any

63 certificate of registration or license for any one or a
64 combination of the following causes:

65 (a) Conviction of a felony shown by a certified copy of
66 the judgment of court in which such conviction is had, unless upon
67 a full and unconditional pardon of such convict, and upon
68 satisfactory showing that such convict will in the future conduct
69 himself in a law-abiding way.

70 (b) Gross malpractice or gross incompetency.

71 (c) Continued practice by a person knowingly having an
72 infectious or contagious disease.

73 (d) Advertising, practicing or attempting to practice
74 under a trade name or name other than one's own.

75 (e) Habitual drunkenness or habitual addiction to the
76 use of morphine, cocaine or habit forming drug.

77 (f) Immoral or unprofessional conduct.

78 (g) Violation of regulations that may be prescribed as
79 provided for in Section 73-5-7 and the commission of any of the
80 offenses set forth in Section 73-5-43.

81 (2) In addition to the causes specified in subsection (1) of
82 this section, the board shall be authorized to suspend the
83 certificate of registration of any person for being out of
84 compliance with an order for support, as defined in Section
85 93-11-153. The procedure for suspension of a certificate for
86 being out of compliance with an order for support, and the
87 procedure for the reissuance or reinstatement of a certificate
88 suspended for that purpose, and the payment of any fees for the
89 reissuance or reinstatement of a certificate suspended for that
90 purpose, shall be governed by Section 93-11-157 or 93-11-163. If
91 there is any conflict between any provision of Section 93-11-157
92 or 93-11-163 and any provision of this chapter, the provisions of
93 Section 93-11-157 or 93-11-163, as the case may be, shall control.

94 **SECTION 4.** This act shall take effect and be in force from
95 and after July 1, 2005.