

By: Senator(s) King, Albritton, Brown,  
 Burton, Butler, Carmichael, Chassaniol,  
 Davis, Doxey, Fillingane, Flowers, Frazier,  
 Gollott, Gordon, Harden, Horhn, Hyde-Smith,  
 Jackson (11th), Jackson (15th), Jordan,  
 Kirby, Lee (47th), Little, Mettetal, Moffatt,  
 Morgan, Pickering, Ross, Thomas, Tollison,  
 Walley, Walls, White, Wilemon, Williamson,  
 Lee (35th), Simmons, Hewes

To: Business and Financial  
 Institutions

SENATE BILL NO. 2117

1 AN ACT TO PROVIDE THAT A PROFESSIONAL LICENSE ISSUED IN THE  
 2 STATE OF MISSISSIPPI TO ANY MEMBER OF THE MISSISSIPPI NATIONAL  
 3 GUARD OR UNITED STATES ARMED FORCES RESERVES SHALL NOT EXPIRE  
 4 WHILE THE MEMBER IS SERVING ON FEDERAL ACTIVE DUTY AND SHALL BE  
 5 EXTENDED FOR 90 DAYS AFTER HIS RETURN; TO AMEND SECTIONS 73-1-27,  
 6 73-2-15, 73-3-123, 73-4-17, 73-5-37, 73-6-17, 73-7-19, 73-9-19,  
 7 73-10-21, 73-11-51, 73-13-31, 73-14-31, 73-15-27, 73-17-11,  
 8 73-19-21, 73-21-91, 73-23-57, 73-24-27, 73-25-14, 73-26-5,  
 9 73-27-12, 73-29-29, 73-30-29, 73-31-9, 73-33-7, 73-34-25,  
 10 73-35-17, 73-36-29, 73-38-29, 73-39-75, 73-42-11, 73-53-15,  
 11 73-54-27, 73-55-13, 73-57-27, 73-59-3, 73-60-21, 73-61-3,  
 12 73-63-35, 73-65-9 AND 73-67-15, MISSISSIPPI CODE OF 1972, IN  
 13 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

15 **SECTION 1.** A professional license issued pursuant to any  
 16 provision of Title 73 to any member of the Mississippi National  
 17 Guard or the United States Armed Forces Reserves shall not expire  
 18 while the member is serving on federal active duty and shall be  
 19 extended for a period not to exceed ninety (90) days after his  
 20 return from federal active duty. If the license is renewed during  
 21 the ninety-day period after his return from federal active duty,  
 22 the member shall only be responsible for normal fees and  
 23 activities relating to renewal of the license and shall not be  
 24 charged any additional costs such as, but not limited to, late  
 25 fees or delinquency fees. The member shall present to the  
 26 authority issuing the professional license a copy of his official  
 27 military orders or a written verification from the member's  
 28 commanding officer before the end of the ninety-day period in  
 29 order to qualify for the extension.

30 **SECTION 2.** Section 73-1-27, Mississippi Code of 1972, is  
 31 amended as follows:

32           73-1-27. Except as provided in Section 1 of Senate Bill No.  
33 2117, 2007 Regular Session, every registered architect who resides  
34 in this state and desires to continue to practice his profession  
35 in this state shall, during the time he shall continue to  
36 practice, pay biennially to the secretary of said board during the  
37 month of November, a fee of not to exceed Four Hundred Dollars  
38 (\$400.00) and every registered architect residing out of this  
39 state who desires to continue to practice his profession in this  
40 state shall, during the time he shall continue to practice, pay  
41 biennially to the secretary of said board during the month of  
42 November, a fee of not to exceed Four Hundred Dollars (\$400.00),  
43 and the secretary shall thereupon issue to such registered  
44 architect a certificate of renewal of his registration for a term  
45 of two (2) years. Upon failure to have his certificate renewed  
46 during the month of November as provided by this section, the  
47 holder thereof shall have his certificate revoked, but the failure  
48 to renew said registration in ample time shall not deprive him of  
49 the right to renewal upon payment of said fee, provided his  
50 application for reinstatement is made within two (2) years after  
51 the expiration of his certificate. On all applications for  
52 reinstatement made after January 1 of the year immediately  
53 succeeding the year in which the fee is due, there shall be a late  
54 charge of Five Dollars (\$5.00) per month charged for the  
55 processing of such application.

56           **SECTION 3.** Section 73-2-15, Mississippi Code of 1972, is  
57 amended as follows:

58           73-2-15. Except as provided in Section 1 of Senate Bill No.  
59 2117, 2007 Regular Session, the board shall require that every  
60 landscape architect shall pay a biennial license renewal fee set  
61 by the board not in excess of Two Hundred Dollars (\$200.00). The  
62 renewal fee shall be due and payable on the first day of January  
63 of each year in which the fee is required to be paid and shall  
64 become delinquent after the thirty-first day of January of such

65 year, and if the renewal fee is not paid before it becomes  
66 delinquent, a penalty fee of Five Dollars (\$5.00) shall be added  
67 to the amount thereof per month. If the renewal fee and penalty  
68 are not paid before the first day of June in the year in which  
69 they become due, the landscape architect's certificate shall be  
70 suspended. The certificate may be reinstated upon the payment of  
71 the renewal fee, the penalty fees and a reinstatement fee of Fifty  
72 Dollars (\$50.00), and provision of such proof of the landscape  
73 architect's qualifications as may be required in the sound  
74 discretion of the board.

75 The board shall send a receipt to each landscape architect  
76 promptly upon payment of the renewal fee.

77 The board may recognize, prepare or administer continuing  
78 education programs for landscape architects as a basis for license  
79 renewal.

80 The board shall adopt an appropriate seal for use by licensed  
81 landscape architects.

82 **SECTION 4.** Section 73-3-123, Mississippi Code of 1972, is  
83 amended as follows:

84 73-3-123. (1) Each member of the bar shall, unless exempt  
85 by virtue of Section 73-3-125 and Section 1 of Senate Bill No.  
86 2117, 2007 Regular Session, pay enrollment fees each year in an  
87 amount as established by the board of commissioners, but not to  
88 exceed the sum of Four Hundred Dollars (\$400.00) for those members  
89 admitted to practice law for three (3) years or more; and Two  
90 Hundred Sixty Dollars (\$260.00) for those members admitted to  
91 practice law for one (1) year, but less than three (3) years; and  
92 Two Hundred Dollars (\$200.00) for those members admitted to  
93 practice law less than one (1) year; and Fifty Dollars (\$50.00)  
94 for those members on inactive status. All enrollment fees shall  
95 be paid for the same period, that is, for the period of one (1)  
96 year beginning on the day and month to be determined as provided

97 in Section 73-3-127. The enrollment fees shall be paid to the  
98 secretary of the bar.

99 (2) The Board of Bar Commissioners shall increase enrollment  
100 fees within the limitations imposed by subsection (1) of this  
101 section by not more than the minimum increment necessary to cover  
102 the annual expenses of The Mississippi Bar.

103 **SECTION 5.** Section 73-4-17, Mississippi Code of 1972, is  
104 amended as follows:

105 73-4-17. There shall be three (3) classes of auctioneers'  
106 licenses, which shall be livestock auctioneer, auctioneer and  
107 auction gallery. All applicants for a license under this chapter  
108 shall possess the following minimum qualifications:

109 (a) Applicants shall have attained the age of eighteen  
110 (18) years by the issuance date of the license.

111 (b) Applicants shall have obtained at a minimum a high  
112 school diploma or G.E.D. equivalent and shall be graduates of an  
113 auctioneering school approved by the commission.

114 (c) Each applicant for a license under this chapter  
115 shall demonstrate to the commission that he is of good moral  
116 character and worthy of public trust through background  
117 information to be provided on his application form and two (2)  
118 letters of reference from persons not related to the applicant who  
119 have known the applicant at least three (3) years. The commission  
120 may require additional information or a personal interview with  
121 the applicant to determine if such applicant should be granted a  
122 license.

123 (d) Each applicant for a license under this chapter  
124 shall take and successfully complete an examination as prescribed  
125 by the commission. The examination shall include questions on  
126 ethics, reading comprehension, writing, spelling, elementary  
127 arithmetic, elementary principals of land economics, general  
128 knowledge of bulk sales law, contracts of sale, agency, leases,  
129 brokerage, knowledge of various goods commonly sold at auction,

130 ability to call bids, knowledge of sale preparation and proper  
131 sale advertising and sale summary, and knowledge of the provisions  
132 of this chapter and the commission's rules and regulations. There  
133 shall be separate examinations for auctioneer and auction gallery  
134 each based upon relevant subject matter appropriate to the license  
135 classification as set forth herein. Examinations shall be  
136 administered at least once a year and may be administered  
137 quarterly at the commission's discretion provided there are at  
138 least twenty-five (25) examinees. The commission shall ensure  
139 that the various forms of the test remain secure.

140 (e) In order to defray the cost of administration of  
141 the examinations, applicants for the examination shall pay fees as  
142 follows:

- 143 (i) Auctioneer-\$100.00.
- 144 (ii) Auction gallery-\$100.00.
- 145 (iii) Livestock auctioneer-\$100.00.

146 (f) Each applicant desiring to sit for the examination  
147 for any license required under this chapter shall be required to  
148 furnish to the commission at least thirty (30) days prior to the  
149 examination evidence of a surety bond in the following minimum  
150 amounts:

- 151 (i) Auctioneer-\$10,000.00.
- 152 (ii) Auction gallery-\$10,000.00.
- 153 (iii) Livestock auctioneer-\$10,000.00.

154 (g) In addition to the bond required herein, applicants  
155 for the auction gallery license shall furnish the commission with  
156 all relevant information concerning the premises to be licensed,  
157 to include location, whether the premises are owned or leased, and  
158 an affidavit that the proposed use of the premises as an auction  
159 gallery does not violate zoning or any other use restrictions. A  
160 separate license shall be required for each business location of  
161 the owner of multiple auction galleries.

162           (h) Except as provided in Section 1 of Senate Bill No.  
163 2117, 2007 Regular Session, all licenses granted pursuant to this  
164 chapter shall be for a term of two (2) years and shall expire on  
165 the first day of March at the end of such two-year term. Biannual  
166 license fees shall be set from time to time by the commission with  
167 a maximum fee of Two Hundred Dollars (\$200.00). Individuals  
168 failing to submit license renewal fees on or before March 1 of the  
169 year for renewal shall be required to successfully pass the next  
170 administration of the examination in order to renew a license.

171           Each application or filing made under this section shall  
172 include the social security number(s) of the applicant in  
173 accordance with Section 93-11-64, Mississippi Code of 1972.

174           **SECTION 6.** Section 73-5-37, Mississippi Code of 1972, is  
175 amended as follows:

176           73-5-37. Except as provided in Section 1 of Senate Bill No.  
177 2117, 2007 Regular Session, every registered barber and barber  
178 instructor who continues in active practice or service shall  
179 annually on or before the anniversary date of the issuance of his  
180 certificate of registration renew the certificate by paying the  
181 required fee and meeting all applicable requirements of the State  
182 Board of Health. Every certificate of registration which has not  
183 been renewed within thirty (30) days of its anniversary date shall  
184 expire. A registered barber or barber instructors whose  
185 certificate of registration has expired may have his certificate  
186 restored immediately upon payment of the renewal fee plus the  
187 required restoration fee.

188           **SECTION 7.** Section 73-6-17, Mississippi Code of 1972, is  
189 amended as follows:

190           73-6-17. The State Board of Chiropractic Examiners shall  
191 charge the following fees for application, examination and  
192 issuance of certificates: application, One Hundred Dollars  
193 (\$100.00); examination and issuance of certificate, Two Hundred  
194 Dollars (\$200.00) for all applicants; provided, however, that

195 resident and nonresident applicants shall have first successfully  
196 completed parts 1, 2, 3 and 4 and the physical modality section of  
197 the examination prepared by the National Board of Chiropractic  
198 Examiners.

199 Except as provided in Section 1 of Senate Bill No. 2117, 2007  
200 Regular Session, every registered chiropractor in order to  
201 continue the practice of chiropractic shall pay annually to the  
202 secretary of the board a registration renewal fee of not more than  
203 Three Hundred Dollars (\$300.00) and, in addition to such renewal  
204 fee, shall be required to file with the secretary of the board a  
205 certificate, certified by a state board and state association,  
206 verifying his attendance at a course of study approved by the  
207 board consisting of not less than twelve (12) hours of instruction  
208 in the latest developments in the practice of chiropractic of  
209 which at least three (3) hours shall be instruction in the subject  
210 of risk management. Provided, that any chiropractor who has  
211 reached the age of seventy-five (75) years and is not  
212 participating in an active practice shall not be required to pay  
213 said renewal fee or submit the twelve (12) hours of continuing  
214 education. Any chiropractor who has received a certificate of  
215 licensure in this state under the provisions of Section 73-6-21  
216 shall be in good standing in the state of his original licensure  
217 in order to renew his certificate in this state, and the board  
218 shall refuse to renew the certificate of any such chiropractor  
219 whose license has been suspended or revoked for cause in the state  
220 of his original licensure. In case of failure to pay the renewal  
221 fee, the board may revoke such certificate after giving sixty (60)  
222 days' notice to the holder who, within such period, may renew such  
223 certificate upon payment of the delinquent fee with a special  
224 processing charge of not more than Three Hundred Dollars  
225 (\$300.00). Lack of participation in active practice for a period  
226 of less than two (2) years, except when a doctor is in active  
227 military duty, shall not deprive the holder of the right to renew

228 such certificate, without examination, upon the payment of all  
229 lapsed fees and proof of required continuing education hours.

230 **SECTION 8.** Section 73-7-19, Mississippi Code of 1972, is  
231 amended as follows:

232 73-7-19. Except as provided in Section 1 of Senate Bill No.  
233 2117, 2007 Regular Session, all licenses shall be renewed  
234 biennially under the fee schedule in Section 73-7-29.

235 Applications for renewal of licenses for cosmetologists,  
236 estheticians, manicurists, wig specialists and instructors must be  
237 accompanied by the required renewal fee. A grace period of sixty  
238 (60) days will be given in which to renew the license; and upon  
239 the expiration of the grace period of sixty (60) days, any  
240 applicant for the renewal of a license will be required to pay the  
241 required renewal fee and a delinquent fee in addition to the  
242 renewal fee. The fees may be paid by either personal or certified  
243 check, cash or money order, under such safeguards, rules and  
244 regulations as the board may prescribe. Checks returned to the  
245 board because of insufficient funds shall result in nonrenewal of  
246 the license, which will require the penalty fee for insufficient  
247 fund checks plus all other amounts due for renewal of the license  
248 before the license may be renewed. After one (1) year has passed  
249 from the expiration date of the license, a delinquent fee must be  
250 paid for each year up to three (3) years, after which the required  
251 examination must be taken. All applications for examination  
252 required by this chapter shall expire ninety (90) days from the  
253 date thereof.

254 Each application or filing made under this section shall  
255 include the social security number(s) of the applicant in  
256 accordance with Section 93-11-64.

257 **SECTION 9.** Section 73-9-19, Mississippi Code of 1972, is  
258 amended as follows:

259 73-9-19. The State Board of Dental Examiners shall maintain  
260 a compiled list of the names and post office addresses of all



261 licensees registered with the board, arranged alphabetically by  
262 name and also by the municipalities where their offices are  
263 situated. Every licensee shall notify the board within thirty  
264 (30) days of any change in address of his or her office or  
265 residence. Failure to keep the board apprised of any change of  
266 address may result in an administrative penalty to the licensee,  
267 the amount of which shall not exceed the amount stipulated in  
268 Section 73-9-43. Every licensee shall prominently display his or  
269 her current registration, either the original or a notarized copy,  
270 in his or her place(s) of business. As used in this section, the  
271 word "licensee" shall include all dental and dental hygiene  
272 license holders, as well as all holders of permits duly issued by  
273 the board.

274 Except as provided in Section 1 of Senate Bill No. 2117, 2007  
275 Regular Session, every licensee shall, in accordance with the laws  
276 and rules and regulations of the board, together with appropriate  
277 required information and renewal fee, apply for renewal for such  
278 period as set by the board, and the board shall issue the  
279 registration certificate to any licensee in good standing with the  
280 board. The board shall have the specific authority to adopt such  
281 rules and regulations setting the dates and deadlines for  
282 license/permit renewal and establishing the penalty for failure to  
283 renew same.

284 Any licensee performing acts within the scope of this chapter  
285 without legally having in his or her custody a valid active  
286 registration certificate or duly issued duplicate therefor in  
287 accordance with provisions elsewhere set out may be found guilty  
288 and punished or prosecuted therefor in accordance with law;  
289 however, the filing of the application, the payment of the fee,  
290 and the issuance of the certificate therefor, shall not entitle  
291 the holder thereof to lawfully practice within the State of  
292 Mississippi unless he or she has in fact been previously licensed  
293 by the State Board of Dental Examiners as provided by this

294 chapter, and unless the license/permit is in full force and  
295 effect; in addition, in any prosecution for the unlicensed  
296 practice, the receipt showing payment of the renewal fee required  
297 by this chapter shall not be treated as evidence that the holder  
298 thereof is lawfully entitled to practice according to his or her  
299 license/permit.

300 Any licensee who is registered but not actively practicing in  
301 the State of Mississippi at the time of making application for  
302 renewal, shall be registered on the inactive list and shall not be  
303 authorized to practice his or her profession in this state. The  
304 inactive list shall be maintained by the board and shall set out  
305 the names and post office addresses of all licensees registered  
306 but not actively practicing in this state, arranged alphabetically  
307 by name and also by the municipalities and states of their last  
308 known professional or residential address. However, licensed  
309 dentists or dental hygienists actively practicing at a veterans  
310 hospital, federal government facility or residency graduate school  
311 program at the time of renewal shall not be registered on the  
312 inactive list.

313 Only the licensees registered on the appropriate list as  
314 actively practicing in the State of Mississippi shall be  
315 authorized to practice their profession. For the purpose of this  
316 section, any licensed dentist or dental hygienist who has actively  
317 practiced his or her profession for at least three (3) months of  
318 the immediately preceding license renewal period shall be  
319 considered in active practice.

320 No licensee shall be registered on the inactive list until  
321 the licensee has been furnished a statement of intent to take that  
322 action by the board. The board shall notify the licensee by mail  
323 that on the day fixed for hearing he or she may appear and show  
324 cause, if any, why his or her license/permit to practice dentistry  
325 or dental hygiene should remain active. The licensee may be  
326 present at the hearing in person, by counsel, or both. For the

327 purpose of the hearing the board may require the attendance of  
328 witnesses, administer oaths and hear testimony, either oral or  
329 documentary, for and against the licensee, and if after the  
330 hearing, the board is satisfied that the licensee should be  
331 registered on the inactive list, it shall thereupon without  
332 further notice take that action.

333 Any licensed dentist or dental hygienist registered on the  
334 inactive list shall not be eligible for registration on the active  
335 list until either of the following conditions have been satisfied:

336 (a) Written application shall be submitted to the State  
337 Board of Dental Examiners stating the reasons for the inactivity  
338 and setting forth such other information as the board may require  
339 on an individual basis; or

340 (b) Evidence to the satisfaction of the board shall be  
341 submitted that they have actively practiced their profession in  
342 good standing in another state and have not been guilty of conduct  
343 that would warrant suspension or revocation as provided by  
344 applicable law.

345 **SECTION 10.** Section 73-10-21, Mississippi Code of 1972, is  
346 amended as follows:

347 73-10-21. (1) Rules, regulations and standards.

348 (a) The board is hereby empowered, authorized and  
349 directed to adopt, amend, promulgate and enforce such rules,  
350 regulations and standards governing dietitians as may be necessary  
351 to further the accomplishment of the purpose of the governing law,  
352 and in so doing shall utilize as the basis thereof the  
353 corresponding recommendations of the advisory council. The rules,  
354 regulations and minimum standards for licensing of dietitians may  
355 be amended by the board as deemed necessary. In so doing, the  
356 board shall utilize as the basis thereof the corresponding  
357 recommendations of the advisory council.

358 (b) The board shall publish and disseminate to all  
359 licensees, in appropriate manner, the licensure standards

360 prescribed by this chapter, any amendments thereto, and such rules  
361 and regulations as the board may adopt under the authority vested  
362 by Section 73-38-13, within sixty (60) days of their adoption.

363 (2) The board shall adopt a code of ethics for dietitians  
364 using as the basis thereof the ADA "Code of Ethics for the  
365 Profession of Dietetics."

366 (3) Issuance and renewal of licenses.

367 (a) The board shall issue a license to any person who  
368 meets the requirements of this chapter upon payment of the license  
369 fee prescribed.

370 (b) Except as provided in Section 1 of Senate Bill No.  
371 2117, 2007 Regular Session, licenses under this chapter shall be  
372 valid for two (2) calendar years and shall be subject to renewal  
373 and shall expire unless renewed in the manner prescribed by the  
374 rules and regulations of the board, upon the payment of a biennial  
375 renewal fee to be set at the discretion of the board, but not to  
376 exceed One Hundred Dollars (\$100.00), and the presentation of  
377 evidence satisfactory to the board that the licensee has met such  
378 continuing education requirements as the board may require. An  
379 applicant for license renewal shall demonstrate to the board  
380 evidence of satisfactory completion of the continuing education  
381 requirements established by the American Dietetic Association  
382 and/or other continuing education requirements as may be required  
383 by the board.

384 (c) The board may provide for the late renewal of a  
385 license upon the payment of a late fee in accordance with its  
386 rules and regulations, but no such late renewal of a license may  
387 be granted more than one (1) year after its expiration.

388 (d) A suspended license shall be subject to expiration  
389 and may be renewed as provided in this section, but such renewal  
390 shall not entitle the licensee, while the license remains  
391 suspended and until it is reinstated, to engage in the licensed  
392 activity, or in any other conduct or activity in violation of the

393 order of judgment by which the license was suspended. If a  
394 license revoked on disciplinary grounds is reinstated, the  
395 licensee, as a condition of reinstatement, shall pay the renewal  
396 fee and any late fee that may be applicable.

397 (4) Denial or revocation of license.

398 (a) The board may deny or refuse to renew a license, or  
399 suspend or revoke a license, or issue orders to cease or desist  
400 from certain conduct, or issue warnings or reprimands where the  
401 licensee or applicant for license has been convicted of unlawful  
402 conduct or has demonstrated unprofessional conduct which has  
403 endangered or is likely to endanger the health, welfare or safety  
404 of the public. Such conduct includes:

405 (i) Obtaining a license by means of fraud,  
406 misrepresentation or concealment of material facts;

407 (ii) Being guilty of unprofessional conduct as  
408 defined by the rules and established by the board or violating the  
409 Code of Ethics of the American Dietetic Association;

410 (iii) Being convicted of a crime in any court  
411 other than a misdemeanor;

412 (iv) Violating any lawful order, rule or  
413 regulation rendered or adopted by the board; or

414 (v) Violating any provision of this chapter.

415 (b) Such denial, refusal to renew, suspension,  
416 revocation, order to cease and desist from designated conduct, or  
417 warning or reprimand may be ordered by the board in a decision  
418 made after a hearing in the manner provided by the rules and  
419 regulations adopted by the board. One (1) year from the date of  
420 the revocation of a license, application may be made to the board  
421 for reinstatement. The board shall have discretion to accept or  
422 reject an application for reinstatement and may, but shall not be  
423 required to, hold a hearing to consider such reinstatement.

424 (c) In addition to the reasons specified in paragraph  
425 (a) of this subsection (4), the board shall be authorized to

426 suspend the license of any licensee for being out of compliance  
427 with an order for support, as defined in Section 93-11-153. The  
428 procedure for suspension of a license for being out of compliance  
429 with an order for support, and the procedure for the reissuance or  
430 reinstatement of a license suspended for that purpose, and the  
431 payment of any fees for the reissuance or reinstatement of a  
432 license suspended for that purpose, shall be governed by Section  
433 93-11-157 or 93-11-163, as the case may be. If there is any  
434 conflict between any provision of Section 93-11-157 or 93-11-163  
435 and any provision of this chapter, the provisions of Section  
436 93-11-157 or 93-11-163, as the case may be, shall control.

437 (5) Establish fees.

438 (a) A person licensed under this chapter shall pay to  
439 the board a fee, not to exceed One Hundred Dollars (\$100.00), to  
440 be set by the board for the issuance of a license.

441 (b) Such fees shall be set in such an amount as to  
442 reimburse the state to the extent feasible for the cost of the  
443 services rendered.

444 (6) Collect funds.

445 (a) The administration of the provisions of this  
446 chapter shall be financed from income accruing from fees, licenses  
447 and other charges assessed and collected by the board in  
448 administering this chapter.

449 (b) The board shall receive and account for all funds  
450 received and shall keep such funds in a separate fund.

451 (c) Funds collected under the provisions of this  
452 chapter shall be used solely for the expenses of the advisory  
453 council and the board to administer the provisions of this  
454 chapter. Such funds shall be subject to audit by the State  
455 Auditor.

456 (d) Members of the advisory council shall receive no  
457 compensation for services performed on the council, but may be  
458 reimbursed for necessary and actual expenses incurred in

459 connection with attendance at meetings of the council or for  
460 authorized business of the council from funds made available for  
461 such purpose, as provided in Section 25-3-41.

462 (7) Receive and process complaints.

463 (a) The board shall have full authority to investigate  
464 and evaluate each and every applicant applying for a license to  
465 practice dietetics, with the advice of the advisory council.

466 (b) The board shall have the authority to issue  
467 subpoenas, examine witnesses and administer oaths, and shall, at  
468 its discretion, investigate allegations or practices violating the  
469 provisions of this chapter, and in so doing shall have power to  
470 seek injunctive relief to prohibit any person from providing  
471 professional dietetic services as defined in Section 73-10-3(1)(j)  
472 without being licensed as provided herein.

473 (8) A license certificate issued by the board is the  
474 property of the board and must be surrendered on demand.

475 **SECTION 11.** Section 73-11-51, Mississippi Code of 1972, is  
476 amended as follows:

477 73-11-51. (1) No person shall engage in the business or  
478 practice of funeral service, including embalming, and/or funeral  
479 directing or hold himself out as transacting or practicing or  
480 being entitled to transact or practice funeral service, including  
481 embalming, and/or funeral directing in this state unless duly  
482 licensed under the provisions of this chapter.

483 (2) The board is authorized and empowered to examine  
484 applicants for licenses for the practice of funeral service and  
485 funeral directing and shall issue the proper license to those  
486 persons who successfully pass the applicable examination and  
487 otherwise comply with the provisions of this chapter.

488 (3) To be licensed for the practice of funeral directing  
489 under this chapter, a person must:

490 (a) Be at least eighteen (18) years of age;

491                   (b) Have a high school diploma or the equivalent  
492 thereof;

493                   (c) Have served as a resident trainee for not less than  
494 twenty-four (24) months under the supervision of a person licensed  
495 for the practice of funeral service or funeral directing in this  
496 state;

497                   (d) Have successfully passed a written and/or oral  
498 examination as prepared or approved by the board; and

499                   (e) Be of good moral character.

500                   (4) To be licensed for the practice of funeral service under  
501 this chapter, a person must:

502                   (a) Be at least eighteen (18) years of age;

503                   (b) Have a high school diploma or the equivalent  
504 thereof;

505                   (c) Have successfully completed twelve (12) months or  
506 more of academic and professional instruction from an institution  
507 accredited by the United States Department of Education for  
508 funeral service education and have a certificate of completion  
509 from an institution accredited by the American Board of Funeral  
510 Service Education or any other successor recognized by the United  
511 States Department of Education for funeral service education;

512                   (d) Have served as a resident trainee for not less than  
513 twelve (12) months, either before or after graduation from an  
514 accredited institution mentioned above, under the supervision of a  
515 person licensed for the practice of funeral service in this state  
516 and in an establishment licensed in this state;

517                   (e) Have successfully passed the National Conference of  
518 Funeral Examiners examination as approved by the board; and

519                   (f) Be of good moral character.

520                   (5) All applications for examination and license for the  
521 practice of funeral service or funeral directing shall be upon  
522 forms furnished by the board and shall be accompanied by an  
523 examination fee, a licensing fee and a nonrefundable application



524 fee in amounts fixed by the board in accordance with Section  
525 73-11-56. The fee for an initial license, however, may be  
526 prorated in proportion to the period of time from the date of  
527 issuance to the date of biennial license renewal prescribed in  
528 subsection (8) of this section. All applications for examination  
529 shall be filed with the board office at least sixty (60) days  
530 before the date of examination. A candidate shall be deemed to  
531 have abandoned the application for examination if he does not  
532 appear on the scheduled date of examination unless such failure to  
533 appear has been approved by the board.

534 (6) The practice of funeral service or funeral directing  
535 must be engaged in at a licensed funeral establishment, at least  
536 one (1) of which is listed as the licensee's place of business;  
537 and no person, partnership, corporation, association or other  
538 organization shall open or maintain a funeral establishment at  
539 which to engage in or conduct or hold himself or itself out as  
540 engaging in the practice of funeral service or funeral directing  
541 until such establishment has complied with the licensing  
542 requirements of this chapter. A license for the practice of  
543 funeral service or funeral directing shall be used only at  
544 licensed funeral establishments; however, this provision shall not  
545 prevent a person licensed for the practice of funeral service or  
546 funeral directing from conducting a funeral service at a church, a  
547 residence, public hall, lodge room or cemetery chapel, if such  
548 person maintains a fixed licensed funeral establishment of his own  
549 or is in the employ of or an agent of a licensed funeral  
550 establishment.

551 (7) Any person holding a valid, unrevoked and unexpired  
552 nonreciprocal license in another state or territory having  
553 requirements greater than or equal to those of this state as  
554 determined by the board may apply for a license to practice in  
555 this state by filing with the board a certified statement from the  
556 secretary of the licensing board of the state or territory in

557 which the applicant holds his license certifying to his  
558 qualifications and good standing with that board by having  
559 successfully passed a written and/or oral examination on the  
560 Mississippi Funeral Service licensing law and rules and  
561 regulations as prepared or approved by the board, and by paying a  
562 nonrefundable application fee set by the board under Section  
563 73-11-56. If the board finds that the applicant has fulfilled  
564 substantially similar requirements, the board shall grant such  
565 license upon receipt of a fee in an amount equal to the renewal  
566 fee set by the board for a license for the practice of funeral  
567 service or funeral directing, as the case may be, in this state.  
568 The board may issue a temporary funeral service or funeral  
569 directing work permit before a license is granted, before the next  
570 regular meeting of the board, if the applicant for a reciprocal  
571 license has complied with all requirements, rules and regulations  
572 of the board. The temporary permit will expire at the next  
573 regular meeting of the board.

574 (8) (a) Except as provided in Section 1 of Senate Bill No.  
575 2117, 2007 Regular Session, any person holding a license for the  
576 practice of funeral service or funeral directing may have the same  
577 renewed for a period of two (2) years by making and filing with  
578 the board an application on or before the due date. Payment of  
579 the renewal fee shall be in an amount set by the board in  
580 accordance with Section 73-11-56. The board shall mail the notice  
581 of renewal and the due date for the payment of the renewal fee to  
582 the last known address of each licensee at least thirty (30) days  
583 before that date. It is the responsibility of the licensee to  
584 notify the board in writing of any change of address. An  
585 application will be considered late if the application and proper  
586 fees are not in the board's office or postmarked by the due date.

587 (b) If the renewal fee is not paid on or postmarked by  
588 the due date, the license of such person shall by operation of law  
589 automatically expire and become void without further action of the

590 board. The board may reinstate such license if application for  
591 licensure is made within a period of five (5) years, upon payment  
592 of the renewal fee for the current year, all renewal fees in  
593 arrears, and a reinstatement fee. After a period of five (5)  
594 years, the licensee must make application, pay the current renewal  
595 fee, all fees in arrears, and pass a written and/or oral  
596 examination as prepared or approved by the board.

597 (9) No license shall be assignable or valid for any person  
598 other than the original licensee.

599 (10) The board may, in its discretion, if there is a major  
600 disaster or emergency where human death is likely to occur,  
601 temporarily authorize the practice of funeral directing and  
602 funeral service by persons licensed to practice in another state  
603 but not licensed to practice in this state, provided that such  
604 services are only rendered by members of disaster mortuary teams  
605 authorized by federal or appropriate local authorities to provide  
606 such services. Only persons licensed in this state, however, may  
607 sign death certificates.

608 (11) A person who is licensed for the practice of funeral  
609 service by another state is authorized to make a removal of a  
610 deceased person, embalm a deceased person or conduct a funeral or  
611 burial service in this state, and a funeral director who is  
612 licensed by another state is authorized to conduct a funeral or  
613 burial service in this state, in the same manner and to the same  
614 extent as provided by the laws of that state to persons licensed  
615 by the State of Mississippi for the practice of funeral service or  
616 for the practice of funeral directing. The board is authorized to  
617 enter into written agreements with those states detailing the  
618 manner and extent to which persons licensed by the State of  
619 Mississippi may practice funeral service or directing in that  
620 state.

621 (12) Any funeral service technology or mortuary science  
622 program accredited by the American Board of Funeral Service

623 Education in the State of Mississippi, as well as students  
624 enrolled in such a program, shall be exempt from licensing under  
625 this chapter when embalming or otherwise preparing a deceased  
626 human body for disposition as part of a student practicum  
627 experience, when the student is directly supervised by an  
628 instructor or preceptor who holds a current funeral service  
629 license. This exemption shall apply to practicum experiences  
630 performed at an accredited institution of funeral service  
631 technology or mortuary science program or at a duly licensed  
632 funeral establishment or commercial mortuary service. Nothing in  
633 this subsection shall be construed to allow any funeral service  
634 technology or mortuary science program, or those students enrolled  
635 in such a program, to engage in practicum experiences for  
636 remuneration.

637 (13) Each application or filing made under this section  
638 shall include the social security number(s) of the applicant in  
639 accordance with Section 93-11-64.

640 **SECTION 12.** Section 73-13-31, Mississippi Code of 1972, is  
641 amended as follows:

642 73-13-31. Except as provided in Section 1 of Senate Bill No.  
643 2117, 2007 Regular Session, certificates of licensure shall expire  
644 on the last day of the month of December following their issuance  
645 or renewal and shall become invalid on that date unless renewed.  
646 It shall be the duty of the board to notify every person licensed  
647 under this chapter of the date of the expiration of his  
648 certificate and the amount of the fee that shall be required for  
649 its renewal for one (1) year. Such notice shall be sent by  
650 first-class mail to the last known address of the licensee at  
651 least one (1) month in advance of the date of the expiration of  
652 said certificate. Renewal may be effected at any time during the  
653 month of December by the payment of a fee, as determined by the  
654 board, not to exceed Fifty Dollars (\$50.00). A person who is  
655 licensed as a professional engineer and as a professional surveyor

656 may effect both renewals by the payment of a fee not to exceed  
657 Seventy-five Dollars (\$75.00). The failure on the part of any  
658 licensee to renew his certificate annually in the month of  
659 December as required above, shall not deprive such person of the  
660 right of renewal, but the fee to be paid for the renewal of a  
661 certificate after the month of December shall be increased ten  
662 percent (10%) for each month, or fraction of a month that payment  
663 of renewal is delayed; provided, however, that the maximum fee for  
664 delayed renewal shall not exceed five (5) times the normal renewal  
665 fee. A state agency or any of the state's political subdivisions,  
666 such as a county or municipality, may pay the renewal fee of any  
667 licensee who is a full-time employee; provided, however, that any  
668 licensee who permits his/her renewal fee to be paid from any  
669 public funds shall not perform engineering or surveying services  
670 for a fee or other emoluments for the public or for any other  
671 public entity. If a certificate has expired for six (6) months or  
672 more, the licensee shall be required to submit a new application,  
673 paying back fees and submitting proof of continuing professional  
674 competency compliance. If the certificate has expired for five  
675 (5) years or more, in addition to submitting a new application and  
676 proof of continuing professional competency compliance,  
677 reexamination in the principles and practice may be required. The  
678 reexamination requirement may be waived by the board provided the  
679 applicant has continued to practice in another jurisdiction from  
680 the date of expiration of his certificate.

681       **SECTION 13.** Section 73-14-31, Mississippi Code of 1972, is  
682 amended as follows:

683       73-14-31. Except as provided in Section 1 of Senate Bill No.  
684 2117, 2007 Regular Session, a person who practices the fitting and  
685 dispensing of hearing aids shall biennially pay to the board a fee  
686 of Two Hundred Dollars (\$200.00) for a renewal of his license. A  
687 grace period of thirty (30) days shall be allowed after the  
688 expiration of a license, during which the same may be renewed on

689 payment of a fee of Two Hundred Dollars (\$200.00) to the board.  
690 The license of any person who fails to have his license renewed by  
691 the expiration of the grace period of thirty (30) days shall be  
692 considered to have lapsed. After the expiration of the grace  
693 period, the board may reinstate a license upon payment of a fee of  
694 Two Hundred Fifty Dollars (\$250.00) to the board. No person who  
695 applies for reinstatement, whose license was suspended for the  
696 sole reason of failure to renew, shall be required to submit to  
697 any examination as a condition of reinstatement, provided such  
698 person applies for reinstatement within one (1) year from the date  
699 of lapse of the license.

700 The board shall require the applicant for license renewal to  
701 present evidence of the satisfactory completion of continuing  
702 education requirements as determined by the board.

703 In the event that any licensee shall fail to meet the annual  
704 educational requirement, his license shall not be renewed by the  
705 board, but the board may renew the license upon the presentation  
706 of satisfactory evidence of educational study of a standard  
707 approved by the board and upon the payment of all fees due. No  
708 governmental entity or agency shall be required to pay the fee or  
709 fees set forth in this section.

710 **SECTION 14.** Section 73-15-27, Mississippi Code of 1972, is  
711 amended as follows:

712 73-15-27. The license of every person licensed under the  
713 provisions of this chapter shall be renewed biennially except as  
714 hereinafter provided:

715 (a) Registered nurses:

716 (i) Except as provided in Section 1 of Senate Bill  
717 No. 2117, 2007 Regular Session, the license to practice as a  
718 registered nurse shall be valid for two (2) calendar years,  
719 beginning January 1 of each uneven-numbered year and expiring  
720 December 31 in each even-numbered year of the biennial period and  
721 subject to renewal for each period of two (2) years thereafter.

722                   (ii) A notice for renewal of licensure will be  
723 mailed by the board on or before November 1 of the year the  
724 license expires to every person to whom a license was issued or  
725 renewed during the biennial period. An application shall be  
726 completed and returned to the board by December 31 of that year  
727 with the biennial renewal fee to be set at the discretion of the  
728 board, but not to exceed Fifty Dollars (\$50.00).

729                   (iii) Upon receipt of the application and fee, the  
730 board shall verify the accuracy of the application and issue to  
731 the applicant a certificate of renewal for the ensuing period of  
732 two (2) years. Such renewal shall render the holder thereof the  
733 right to practice as a registered nurse.

734                   (iv) A registered nurse may request in writing to  
735 the board that his or her license be placed on inactive status.  
736 The board may grant such request and shall have authority, in its  
737 discretion, to attach conditions to the licensure of such  
738 registered nurse while on inactive status. A biennial renewal fee  
739 for inactive registered nurses shall be set at the discretion of  
740 the board, not to exceed Fifty Dollars (\$50.00).

741                   (v) Any registered nurse applying for a license,  
742 renewal of an active license, reinstatement of a lapsed license,  
743 or change from inactive to active status may be required to  
744 provide evidence of continuing basic nursing competencies when  
745 such nurse has not practiced nursing for compensation or performed  
746 the function of a registered nurse in a voluntary capacity with or  
747 without compensation within the five-year period immediately prior  
748 to such application for a license, renewal, reinstatement or  
749 change of status.

750                   (vi) Any registered nurse who permits his or her  
751 license to lapse by failing to renew the license as provided above  
752 may be reinstated by the board on satisfactory explanation for  
753 such failure to renew his or her license, by compliance with all  
754 other applicable provisions of this chapter, by completion of a

755 reinstatement form, and upon payment of a reinstatement fee not to  
756 exceed One Hundred Dollars (\$100.00), which shall not include the  
757 renewal fee for the current biennial period. Any registered nurse  
758 who permits his or her license to lapse shall be notified by the  
759 board within fifteen (15) days of such lapse.

760 (vii) Any person practicing as a registered nurse  
761 during the time his or her license has lapsed shall be considered  
762 in violation of this chapter and shall be subject to the penalties  
763 provided for violation of this chapter, provided the registered  
764 nurse has not submitted the required reinstatement form and fees  
765 within fifteen (15) days after notification by the board of such  
766 lapse.

767 (b) Licensed practical nurses:

768 (i) Except as provided in Section 1 of Senate Bill  
769 No. 2117, 2007 Regular Session, the license to practice as a  
770 licensed practical nurse shall be valid for two (2) calendar  
771 years, beginning January 1 of each even-numbered year and expiring  
772 December 31 in each uneven-numbered year of the biennial period  
773 and subject to renewal for each period of two (2) years  
774 thereafter.

775 (ii) A notice for renewal of licensure will be  
776 mailed by the board on or before November 1 of the year the  
777 license expires to every person to whom a license was issued or  
778 renewed during the biennial period. An application shall be  
779 completed and returned to the board by December 31 of that year  
780 with the biennial renewal fee to be set at the discretion of the  
781 board, but not to exceed Fifty Dollars (\$50.00).

782 (iii) Upon receipt of the application and fee, the  
783 board shall verify the accuracy of the application and issue to  
784 the applicant a certificate of renewal for the ensuing period of  
785 two (2) years. Such renewal shall render the holder thereof the  
786 right to practice as a licensed practical nurse.



787                   (iv) A licensed practical nurse may request in  
788 writing to the board that his or her license be placed on inactive  
789 status. The board may grant such request and shall have  
790 authority, in its discretion, to attach conditions to the  
791 licensure of such licensed practical nurse while on inactive  
792 status. A biennial renewal fee for inactive licensed practical  
793 nurses shall be set at the discretion of the board, not to exceed  
794 Fifty Dollars (\$50.00).

795                   (v) Any licensed practical nurse applying for a  
796 license, renewal of an active license, reinstatement of a lapsed  
797 license, or change from inactive to active status may be required  
798 to provide evidence of continuing basic nursing competencies when  
799 such nurse has not practiced nursing for compensation or performed  
800 the function of a licensed practical nurse in a voluntary capacity  
801 with or without compensation within the five-year period  
802 immediately prior to such application for a license, renewal,  
803 reinstatement or change of status.

804                   (vi) Any licensed practical nurse who permits his  
805 or her license to lapse by failing to renew the license as  
806 provided above may be reinstated by the board upon satisfactory  
807 explanation for such failure to renew his or her license, by  
808 compliance with all other applicable provisions of this chapter,  
809 by completion of a reinstatement form, and upon payment of the  
810 reinstatement fee not to exceed One Hundred Dollars (\$100.00),  
811 which shall not include the renewal fee for the current biennial  
812 period. Any licensed practical nurse who permits his or her  
813 license to lapse shall be notified by the board within fifteen  
814 (15) days of such lapse.

815                   (vii) Any person practicing as a licensed  
816 practical nurse during the time his or her license has lapsed  
817 shall be considered an illegal practitioner and shall be subject  
818 to the penalties provided for violation of this chapter, provided  
819 the licensed practical nurse has not submitted the required

820 reinstatement form and fees within fifteen (15) days after  
821 notification by the board of such lapse.

822         **SECTION 15.** Section 73-17-11, Mississippi Code of 1972, is  
823 amended as follows:

824         73-17-11. (1) From and after July 1, 1983, in order to be  
825 eligible to be licensed as a nursing home administrator an  
826 individual must submit evidence satisfactory to the board that he  
827 or she:

828                 (a) Is at least twenty-one (21) years of age;

829                 (b) Is of good moral character;

830                 (c) Is in good health;

831                 (d) Is a high school graduate or the equivalent;

832                 (e) For initial licensure on or after July 1, 1988, has  
833 an associate degree from an accredited institution, or at least  
834 sixty-four (64) semester hours of college work from an accredited  
835 institution, or at least one (1) year of supervisory or  
836 administrative responsibilities in a licensed sub-acute or  
837 long-term health care facility in Mississippi within the twelve  
838 (12) months before making application; and

839                 (f) Has successfully passed examinations administered  
840 by the board to test his or her proficiency and basic knowledge in  
841 the area of nursing home administration.

842         The board may establish the frequency of the offering of  
843 those examinations and the contents thereof.

844         (2) Reciprocity shall be extended to individuals holding  
845 licenses as nursing home administrators in other states, upon  
846 proper application and a finding on the part of the board that (a)  
847 the applicant possesses the basic qualifications listed in this  
848 chapter, and (b) that the standards and requirements of the  
849 licensing jurisdiction under which he or she holds a license are  
850 no less stringent than those of the State of Mississippi, and (c)  
851 that the licensing jurisdiction extends reciprocity to licensees  
852 of the State of Mississippi under reasonable terms and conditions.

853 (3) The board may prescribe appropriate fees for the taking  
854 of examinations and for the issuance of licenses. Those fees  
855 shall be not more than Four Hundred Dollars (\$400.00) for taking  
856 the examinations and Four Hundred Fifty Dollars (\$450.00) for the  
857 issuance of a license. However, the fee for an initial license  
858 may be prorated in proportion to the period of time from the date  
859 of issuance and the date of biennial license renewal prescribed in  
860 subsection (4). All licenses issued under this chapter shall be  
861 for a maximum period of two (2) years.

862 (4) Except as provided in Section 1 of Senate Bill No. 2117,  
863 2007 Regular Session, the board may renew licenses \* \* \*  
864 biennially \* \* \* upon the payment of a fee to be established by  
865 the board, which shall be not more than Four Hundred Fifty Dollars  
866 (\$450.00), plus any administrative costs for late payment.

867 (5) Each application or filing made under this section shall  
868 include the social security number(s) of the applicant in  
869 accordance with Section 93-11-64.

870 **SECTION 16.** Section 73-19-21, Mississippi Code of 1972, is  
871 amended as follows:

872 73-19-21. Except as provided in Section 1 of Senate Bill No.  
873 2117, 2007 Regular Session, the board shall charge the following  
874 fees for examination, registrations and renewals of certificates:  
875 The sum of not more than Two Hundred Dollars (\$200.00) for an  
876 examination of an applicant who is a resident of Mississippi and  
877 not more than Three Hundred Dollars (\$300.00) for a nonresident of  
878 Mississippi to cover the additional expenses of checking  
879 references, character and other statements contained in the  
880 application. Every registered optometrist who desires to continue  
881 the practice of optometry shall, biennially, on or before January  
882 1, pay to the secretary of the board a renewal registration fee of  
883 not more than Four Hundred Dollars (\$400.00) for which he shall  
884 receive a renewal of his certificate. The board, in its  
885 discretion, may set the renewal registration fee at different

886 amounts for registered optometrists, for registered optometrists  
887 certified to use diagnostic pharmaceutical agents, and for  
888 registered optometrists certified to use diagnostic and  
889 therapeutic pharmaceutical agents, not to exceed the maximum  
890 amount prescribed in this section.

891 In case of neglect to pay the renewal registration fee herein  
892 specified, the board may revoke such certificate and the holder  
893 thereof may be reinstated by complying with the conditions  
894 specified in this chapter. But no certificate or permit shall be  
895 revoked without giving sixty (60) days' notice to the delinquent,  
896 who, within such period shall have the right of renewal of such  
897 certificate on payment of the renewal fee with a penalty of not  
898 more than Fifteen Dollars (\$15.00), provided, that retirement from  
899 practice for a period not exceeding five (5) years shall not  
900 deprive the holder of said certificate of the right to renew his  
901 certificate on the payment of all lapsed fees. The board shall  
902 adopt a seal and certificate of suitable design and shall conduct  
903 its examination at Jackson, in this state. Its permanent records  
904 shall be kept in the office of the secretary, which records shall  
905 be open to public inspection.

906 **SECTION 17.** Section 73-21-91, Mississippi Code of 1972, is  
907 amended as follows:

908 73-21-91. (1) Except as provided in Section 1 of Senate  
909 Bill No. 2117, 2007 Regular Session, every pharmacist shall renew  
910 his license annually. To renew his license, a pharmacist shall:

911 (a) Submit an application for renewal on the form  
912 prescribed by the board;

913 (b) Submit satisfactory evidence of the completion in  
914 the last licensure period of such continuing education units as  
915 shall be required by the board, but in no case less than two (2)  
916 continuing education units in the last licensure period;

917 (c) Pay such renewal fees as required by the board, not  
918 to exceed One Hundred Dollars (\$100.00) for each annual licensing

919 period, provided that the board may add a surcharge of not more  
920 than Five Dollars (\$5.00) to a license renewal fee to fund a  
921 program to aid impaired pharmacists or pharmacy students. Any  
922 pharmacist license renewal received postmarked after December 31  
923 of the renewal period will be returned and a Fifty Dollar (\$50.00)  
924 late renewal fee will be assessed prior to renewal.

925 (2) Any pharmacist who has defaulted in license renewal may  
926 be reinstated within two (2) years upon payment of renewal fees in  
927 arrears and presentation of evidence of the required continuing  
928 education. Any pharmacist defaulting in license renewal for a  
929 period in excess of two (2) years shall be required to  
930 successfully complete the examination given by the board pursuant  
931 to Section 73-21-85 before being eligible for reinstatement as a  
932 pharmacist in Mississippi, or shall be required to appear before  
933 the board to be examined for his competence and knowledge of the  
934 practice of pharmacy, and may be required to submit evidence of  
935 continuing education. If such person is found fit by the board to  
936 practice pharmacy in this state, the board may reinstate his  
937 license to practice pharmacy upon payment of all renewal fees in  
938 arrears.

939 (3) Each application or filing made under this section shall  
940 include the social security number(s) of the applicant in  
941 accordance with Section 93-11-64, Mississippi Code of 1972.

942 **SECTION 18.** Section 73-23-57, Mississippi Code of 1972, is  
943 amended as follows:

944 73-23-57. (1) Except as provided in Section 1 of Senate  
945 Bill No. 2117, 2007 Regular Session, every licensed physical  
946 therapist and physical therapist assistant shall apply to the  
947 board for a renewal of licensure in a manner prescribed by the  
948 rules and regulations of the board, and pay the prescribed fee,  
949 not to exceed Seventy-five Dollars (\$75.00) per year, or One  
950 Hundred Fifty Dollars (\$150.00) every two (2) years. Licenses  
951 that are not so renewed shall automatically lapse.

952           (2) The manner in which lapsed licenses shall be revived or  
953 extended shall be established by the board.

954           **SECTION 19.** Section 73-24-27, Mississippi Code of 1972, is  
955 amended as follows:

956           73-24-27. (1) Except as provided in Section 1 of Senate  
957 Bill No. 2117, 2007 Regular Session, any license issued under this  
958 chapter shall be subject to renewal and shall expire unless  
959 renewed in the manner prescribed by the rules and regulations of  
960 the board, upon the payment of a renewal fee and demonstration of  
961 completion of continuing professional education. The board may  
962 provide for the late renewal of a license upon the payment of a  
963 late fee in accordance with its rules and regulations, but no late  
964 renewal of a license may be granted more than two (2) years after  
965 its expiration.

966           (2) Upon request and payment of the license fee required,  
967 the board shall grant inactive status to a licensee who: (a) does  
968 not practice as an occupational therapist or an occupational  
969 therapy assistant, (b) does not hold himself or herself out as an  
970 occupational therapist or an occupational therapy assistant, and  
971 (c) does not maintain any continuing education requirements.

972           (3) A suspended license is subject to expiration and may be  
973 renewed as provided in this section, but such renewal shall not  
974 entitle the suspended licensee to engage in the licensed activity  
975 or in any other conduct or activity in violation of the order of  
976 judgment by which the license was suspended. If a license revoked  
977 on disciplinary grounds is reinstated, the licensee, as a  
978 condition of reinstatement, shall pay the renewal fee and any late  
979 fee that may be applicable. The procedure for the reinstatement  
980 of a license that is suspended for being out of compliance with an  
981 order for support, as defined in Section 93-11-153, shall be  
982 governed by Section 93-11-157 or 93-11-163, as the case may be.

983           **SECTION 20.** Section 73-25-14, Mississippi Code of 1972, is  
984 amended as follows:

985           73-25-14. (1) Except as provided in Section 1 of Senate  
986 Bill No. 2117, 2007 Regular Session, the license of every person  
987 licensed to practice medicine or osteopathy in the State of  
988 Mississippi shall be renewed annually.

989           On or before May 1 of each year, the State Board of Medical  
990 Licensure shall mail a notice of renewal of license to every  
991 physician or osteopath to whom a license was issued or renewed  
992 during the current licensing year. The notice shall provide  
993 instructions for obtaining and submitting applications for  
994 renewal. The State Board of Medical Licensure is authorized to  
995 make applications for renewal available via electronic means. The  
996 applicant shall obtain and complete the application and submit it  
997 to the board in the manner prescribed by the board in the notice  
998 before June 30 with the renewal fee of an amount established by  
999 the board, but not to exceed Two Hundred Dollars (\$200.00), a  
1000 portion of which fee shall be used to support a program to aid  
1001 impaired physicians and osteopaths. The payment of the annual  
1002 license renewal fee shall be optional with all physicians over the  
1003 age of seventy (70) years. Upon receipt of the application and  
1004 fee, the board shall verify the accuracy of the application and  
1005 issue to applicant a certificate of renewal for the ensuing year,  
1006 beginning July 1 and expiring June 30 of the succeeding calendar  
1007 year. That renewal shall render the holder thereof a legal  
1008 practitioner as stated on the renewal form.

1009           (2) Any physician or osteopath practicing in Mississippi who  
1010 allows his or her license to lapse by failing to renew the license  
1011 as provided in subsection (1) may be reinstated by the board on  
1012 satisfactory explanation for the failure to renew, by completion  
1013 of a reinstatement form, and upon payment of the renewal fee for  
1014 the current year, and shall be assessed a fine of Twenty-five  
1015 Dollars (\$25.00) plus an additional fine of Five Dollars (\$5.00)  
1016 for each month thereafter that the license renewal remains  
1017 delinquent.

1018           (3) Any physician or osteopath not practicing in Mississippi  
1019 who allows his or her license to lapse by failing to renew the  
1020 license as provided in subsection (1) may be reinstated by the  
1021 board on satisfactory explanation for the failure to renew, by  
1022 completion of a reinstatement form and upon payment of the  
1023 arrearages for the previous five (5) years and the renewal fee for  
1024 the current year.

1025           (4) Any physician or osteopath who allows his or her license  
1026 to lapse shall be notified by the board within thirty (30) days of  
1027 that lapse.

1028           (5) Any person practicing as a licensed physician or  
1029 osteopath during the time his or her license has lapsed shall be  
1030 considered an illegal practitioner and shall be subject to  
1031 penalties provided for violation of the Medical Practice Act,  
1032 provided that he or she had not submitted the required  
1033 reinstatement form and fee within fifteen (15) days after  
1034 notification by the board of the lapse.

1035           (6) Any physician or osteopath practicing in the State of  
1036 Mississippi whose license has lapsed and is deemed an illegal  
1037 practitioner under subsection (5) of this section may petition the  
1038 board for reinstatement of his or her license on a retroactive  
1039 basis, if the physician or osteopath was unable to meet the June  
1040 30 deadline due to extraordinary or other legitimate reasons, and  
1041 retroactive reinstatement of licensure shall be granted or may be  
1042 denied by the board only for good cause. Failure to advise the  
1043 board of change of address shall not be considered a basis of  
1044 reinstatement.

1045           (7) None of the fees or fines provided for in this section  
1046 shall be applicable to the renewal of a special volunteer medical  
1047 license authorized under Section 73-25-18.

1048           (8) Fees collected under the provisions of this section  
1049 shall be used by the board to defray expenses of administering the  
1050 licensure provisions of the Medical Practice Act (Title 73,



1051 Chapter 25, Mississippi Code of 1972) and to support a program to  
1052 aid impaired physicians and osteopaths in an amount determined by  
1053 the board.

1054 **SECTION 21.** Section 73-26-5, Mississippi Code of 1972, is  
1055 amended as follows:

1056 73-26-5. (1) The board shall promulgate and publish  
1057 reasonable rules and regulations necessary to enable it to  
1058 discharge its functions and to enforce the provisions of law  
1059 regulating the practice of physician assistants. Those rules  
1060 shall include, but are not limited to: qualifications for  
1061 licensure for physician assistants; scope of practice of physician  
1062 assistants; supervision of physician assistants; identification of  
1063 physician assistants; grounds for disciplinary actions and  
1064 discipline of physician assistants; and setting and charging  
1065 reasonable fees for licensure and license renewals for physician  
1066 assistants. However, nothing in this chapter or in rules adopted  
1067 by the board shall authorize physician assistants to administer or  
1068 monitor general inhaled anesthesia, epidural anesthesia, spinal  
1069 anesthesia or monitored anesthesia as utilized in surgical  
1070 procedures. The board shall promulgate rules for licensure and  
1071 license renewals in accordance with Section 1 of Senate Bill No.  
1072 2117, 2007 Regular Session.

1073 (2) If the board appoints a task force or committee to  
1074 address physician assistant regulation, at least one (1) member of  
1075 the task force shall be a nurse practitioner who is a member of  
1076 the Mississippi Board of Nursing or a nurse practitioner appointee  
1077 selected by the board from a list of three (3) recommendations  
1078 submitted by the Mississippi Nurses Association, and at least one  
1079 (1) member shall be a physician assistant selected by the board  
1080 from a list of three (3) recommendations submitted by the  
1081 Mississippi Academy of Physician Assistants.

1082 **SECTION 22.** Section 73-27-12, Mississippi Code of 1972, is  
1083 amended as follows:

1084           73-27-12. (1) Except as provided in Section 1 of Senate  
1085 Bill No. 2117, 2007 Regular Session, the license of every person  
1086 licensed to practice podiatry in the State of Mississippi shall be  
1087 renewed annually.

1088           On or before May 1 of each year, the board shall mail a  
1089 notice of renewal of license to every podiatrist to whom a license  
1090 was issued or renewed during the current licensing year. The  
1091 notice shall provide instructions for obtaining and submitting  
1092 applications for renewal. The State Board of Medical Licensure is  
1093 authorized to make applications for renewal available via  
1094 electronic means. The applicant shall obtain and complete the  
1095 application and submit it to the board in the manner prescribed by  
1096 the board in the notice before June 30 with the renewal fee of an  
1097 amount established by the board, but not to exceed Two Hundred  
1098 Dollars (\$200.00), a portion of which fee shall be used to support  
1099 a program to aid impaired podiatrists. Upon receipt of the  
1100 application and fee, the board shall verify the accuracy of the  
1101 application and issue to applicant a certificate of renewal for  
1102 the ensuing year, beginning July 1 and expiring June 30 of the  
1103 succeeding calendar year. That renewal shall render the holder  
1104 thereof a legal practitioner as stated on the renewal form.

1105           (2) Any podiatrist practicing in Mississippi who allows his  
1106 or her license to lapse by failing to renew the license as  
1107 provided in subsection (1) may be reinstated by the board on  
1108 satisfactory explanation for the failure to renew, by completion  
1109 of a reinstatement form, and upon payment of the renewal fee for  
1110 the current year, and shall be assessed a fine of Twenty-five  
1111 Dollars (\$25.00) plus an additional fine of Five Dollars (\$5.00)  
1112 for each month thereafter that the license renewal remains  
1113 delinquent.

1114           (3) Any podiatrist not practicing in Mississippi who allows  
1115 his or her license to lapse by failing to renew the license as  
1116 provided in subsection (1) may be reinstated by the board on

1117 satisfactory explanation for the failure to renew, by completion  
1118 of a reinstatement form and upon payment of the arrearages for the  
1119 previous five (5) years and the renewal fee for the current year.

1120 (4) Any podiatrist who allows his or her license to lapse  
1121 shall be notified by the board within thirty (30) days of that  
1122 lapse.

1123 (5) Any person practicing as a licensed podiatrist during  
1124 the time his or her license has lapsed shall be considered an  
1125 illegal practitioner and shall be subject to penalties set forth  
1126 in Section 73-27-17, provided that he or she has not submitted the  
1127 required reinstatement form and fee within fifteen (15) days after  
1128 notification by the board of the lapse.

1129 (6) Any podiatrist practicing in the State of Mississippi  
1130 whose license has lapsed and is deemed an illegal practitioner  
1131 under subsection (5) of this section may petition the board for  
1132 reinstatement of his or her license on a retroactive basis, if the  
1133 podiatrist was unable to meet the June 30 deadline due to  
1134 extraordinary or other legitimate reasons, and retroactive  
1135 reinstatement of licensure shall be granted or may be denied by  
1136 the board only for good cause. Failure to advise the board of  
1137 change of address shall not be considered a basis for  
1138 reinstatement.

1139 (7) Fees collected under the provisions of this section  
1140 shall be used by the board to defray expenses of administering the  
1141 licensure provisions of Title 73, Chapter 27, Mississippi Code of  
1142 1972, and to support a program to aid impaired podiatrists in an  
1143 amount determined by the board.

1144 **SECTION 23.** Section 73-29-29, Mississippi Code of 1972, is  
1145 amended as follows:

1146 73-29-29. Except as provided in Section 1 of Senate Bill No.  
1147 2117, 2007 Regular Session, each polygraph examiner's license  
1148 shall be issued for the term of one (1) year and shall, unless  
1149 suspended or revoked, be renewed annually as prescribed by the

1150 board; provided, however, that licenses issued from and after July  
1151 1, 1994, shall be issued for terms of two (2) years and shall,  
1152 unless suspended or revoked, be renewed as prescribed by the  
1153 board. No license shall be renewed unless the board receives  
1154 satisfactory proof of such continuing education as it by  
1155 regulation requires.

1156 **SECTION 24.** Section 73-30-29, Mississippi Code of 1972, is  
1157 amended as follows:

1158 73-30-29. (1) Except as provided in Section 1 of Senate  
1159 Bill No. 2117, 2007 Regular Session, the annual renewal of license  
1160 fee under this chapter shall be Fifty Dollars (\$50.00) per year.  
1161 License renewal fees may be increased by the board as deemed  
1162 necessary, but may not be increased by more than ten percent (10%)  
1163 of the previous year's fee.

1164 (2) From and after January 1, 2004, a licensed professional  
1165 counselor must complete twelve (12) hours of continuing education  
1166 before a license may be renewed. Continuing education courses  
1167 must be in the field in which the counselor practices. A minimum  
1168 of three (3) hours of continuing education must be in the field of  
1169 professional ethics. The board may determine which continuing  
1170 education courses are admissible, and the decisions of the board  
1171 are final. Courses submitted for other certification processes  
1172 will be admissible. The board must adhere to the guidelines as  
1173 provided by the National Board of Certified Counselors with regard  
1174 to credit for teaching courses, workshops and serving on boards.

1175 **SECTION 25.** Section 73-31-9, Mississippi Code of 1972, is  
1176 amended as follows:

1177 73-31-9. (1) All fees from applicants seeking licensing  
1178 under this chapter and all license renewal fees received under  
1179 this chapter shall be nonrefundable.

1180 (2) The board shall charge an application fee to be  
1181 determined by the board but not to exceed Three Hundred Dollars  
1182 (\$300.00) to applicants for licensing, and shall charge the

1183 applicant for the expenses incurred by the board for examination  
1184 of the applicant.

1185       (3) Except as provided in Section 1 of Senate Bill No. 2117,  
1186 2007 Regular Session, every licensed psychologist in this state  
1187 shall annually pay to the board a fee determined by the board but  
1188 not to exceed Three Hundred Dollars (\$300.00); and the executive  
1189 secretary shall thereupon issue a renewal of the license for a  
1190 term of one (1) year. The license of any psychologist who shall  
1191 fail to renew during the month of July in each and every year  
1192 shall lapse; the failure to renew the license, however, shall not  
1193 deprive said psychologist of the right of renewal thereafter.  
1194 Such lapsed license may be renewed within a period of two (2)  
1195 years after such lapse upon payment of all fees in arrears. A  
1196 psychologist wishing to renew a license which has been lapsed for  
1197 more than two (2) years shall be required to reapply for  
1198 licensure.

1199       (4) On July 1, 1993, and every odd numbered year thereafter,  
1200 no psychologist license shall be renewed unless the psychologist  
1201 shows evidence of a minimum of twenty (20) clock hours of  
1202 continuing education activities approved by the board.

1203       (5) All fees and any other monies received by the board  
1204 shall be deposited in a special fund that is created in the State  
1205 Treasury and shall be used for the implementation and  
1206 administration of this chapter when appropriated by the  
1207 Legislature for such purpose. The monies in the special fund  
1208 shall be subject to all provisions of the state budget laws that  
1209 are applicable to special fund agencies, and disbursements from  
1210 the special fund shall be made by the State Treasurer only upon  
1211 warrants issued by the State Fiscal Officer upon requisitions  
1212 signed by the chairman or executive secretary of the board. Any  
1213 interest earned on this special fund shall be credited by the  
1214 State Treasurer to the fund and shall not be paid into the State  
1215 General Fund. Any unexpended monies remaining in the special fund

1216 at the end of a fiscal year shall not lapse into the State General  
1217 Fund. The State Auditor shall audit the financial affairs of the  
1218 board and the transactions involving the special fund at least  
1219 once a year in the same manner as for other special fund agencies.

1220 This section shall stand repealed from and after July 1,  
1221 2011.

1222 **SECTION 26.** Section 73-33-7, Mississippi Code of 1972, is  
1223 amended as follows:

1224 73-33-7. The Mississippi State Board of Public Accountancy  
1225 is authorized to charge each applicant a fee for a certified  
1226 public accountant license. However, a firm permit to practice  
1227 public accounting shall be issued without the assessment of a fee  
1228 by the board. All fees shall be in such amounts as to be  
1229 determined by the board and paid when the application is filed.

1230 Except as provided in Section 1 of Senate Bill No. 2117, 2007  
1231 Regular Session, on or before January 1 of each year, each holder  
1232 of a certified public accountant license issued by the Mississippi  
1233 State Board of Public Accountancy shall register and pay a  
1234 reasonable annual registration fee in such amount as to be  
1235 determined by the board. If any certified public accountant fails  
1236 to register and pay the annual registration fee on or before  
1237 January 1, notice of such default shall be sent to the certified  
1238 public accountant by certified mail to the delinquent registrant's  
1239 last known address as shown by the records of the board. The  
1240 license of any certified public accountant who fails to register  
1241 and pay the annual registration fee within ten (10) days after  
1242 notice is given shall be automatically cancelled, and the board  
1243 shall enter the cancellation on its records.

1244 On or before January 1 of each year, each certified public  
1245 accountant firm holding a permit to practice public accounting  
1246 shall register with the board without the assessment of a  
1247 registration fee. If any firm fails to register on or before  
1248 January 1, notice of such default shall be sent to the firm by

1249 certified mail to the firm's last known address as shown by the  
1250 records of the board. The permit to practice of any firm who  
1251 fails to register within ten (10) days after notice is given shall  
1252 be automatically cancelled, and the board shall enter the  
1253 cancellation on its records.

1254 Any person who has lost a certified public accountant license  
1255 or a firm which has lost a permit to practice in this state by  
1256 failure to register or failure to pay the annual registration fee  
1257 if so required under this section, or who voluntarily cancels or  
1258 surrenders such license or permit, may be again licensed or have a  
1259 firm permit reinstated by the board without reexamination,  
1260 provided such person or firm shall again comply with the  
1261 requirements of this chapter and the rules and regulations of the  
1262 board; file application for registration; and, if required to pay  
1263 a fee under this section, pay all fees in arrears, late fees and a  
1264 reinstatement fee as set by the board.

1265 Out of the funds collected under this chapter shall be paid  
1266 the expenses of the members of the board, including mileage, hotel  
1267 expenses and per diem compensation as provided in Section 25-3-69,  
1268 for the time expended in carrying out the duties of the office;  
1269 provided, however, no expense incurred by the board shall ever be  
1270 charged against the funds of the state in excess of amounts  
1271 collected under this section.

1272 **SECTION 27.** Section 73-34-25, Mississippi Code of 1972, is  
1273 amended as follows:

1274 73-34-25. Except as provided in Section 1 of Senate Bill No.  
1275 2117, 2007 Regular Session, a license issued under the authority  
1276 of this chapter shall expire two (2) years from the last day of  
1277 the month of issuance.

1278 **SECTION 28.** Section 73-35-17, Mississippi Code of 1972, is  
1279 amended as follows:

1280 73-35-17. (1) A fee not to exceed One Hundred Fifty Dollars  
1281 (\$150.00) shall accompany an application for a real estate

1282 broker's license, and in the event that the applicant successfully  
1283 passes the examination, no additional fee shall be required for  
1284 the issuance of a license for a one-year period; provided, that if  
1285 an applicant fails to pass the examination, he may be eligible to  
1286 take the next or succeeding examination without the payment of an  
1287 additional fee. In the event a contract testing service is  
1288 utilized, the application fee along with the additional testing  
1289 fee as incurred by the commission in contracting the cost of the  
1290 examination shall accompany such application.

1291 (2) For each license as a real estate broker issued to a  
1292 member of a partnership, association or officer of a corporation  
1293 other than the member or officer named in the license issued to  
1294 such partnership, association or corporation, a fee not to exceed  
1295 Seventy-five Dollars (\$75.00) shall be charged.

1296 (3) A fee not to exceed One Hundred Twenty Dollars (\$120.00)  
1297 shall accompany an application for a real estate salesperson's  
1298 license, and in the event that the applicant successfully passes  
1299 the examination, no additional fee shall be required for the  
1300 issuance of a license for a one-year period; provided, that if an  
1301 applicant fails to pass the examination, he may be eligible to  
1302 take the next or succeeding examination without the payment of an  
1303 additional fee. In the event a contract testing service is  
1304 utilized, the applicable fee along with the prevailing cost  
1305 incurred by the commission in contracting the cost of the  
1306 examination shall accompany such application.

1307 (4) Except as provided in Section 1 of Senate Bill No. 2117,  
1308 2007 Regular Session, it shall be the duty of all persons,  
1309 partnerships, associations, companies or corporations licensed to  
1310 practice as a real estate broker or salesperson to register with  
1311 the commission annually or biennially, in the discretion of the  
1312 commission, according to rules promulgated by it and to pay the  
1313 proper registration fee. An application for renewal of license  
1314 shall be made to the commission annually no later than December 31



1315 of each year, or biennially on a date set by the commission. A  
1316 licensee failing to pay his renewal fee after the same becomes due  
1317 and after two (2) months' written notice of his delinquency mailed  
1318 to him by United States certified mail addressed to his address of  
1319 record with the commission shall thereby have his license  
1320 automatically cancelled. Any licensee renewing in this grace  
1321 period shall pay a penalty in the amount of one hundred percent  
1322 (100%) of the renewal fee. The renewal fee shall not exceed  
1323 Seventy-five Dollars (\$75.00) per year for real estate brokers,  
1324 partnerships, associations and corporations. The renewal fee for  
1325 a real estate salesperson's license shall not exceed Sixty Dollars  
1326 (\$60.00) per year.

1327 (5) For each additional office or place of business, an  
1328 annual fee not to exceed Fifty Dollars (\$50.00) shall be charged.

1329 (6) For each change of office or place of business, a fee  
1330 not to exceed Fifty Dollars (\$50.00) shall be charged.

1331 (7) For each duplicate or transfer of salesperson's license,  
1332 a fee not to exceed Fifty Dollars (\$50.00) shall be charged.

1333 (8) For each duplicate license, where the original license  
1334 is lost or destroyed, and affidavit made thereof, a fee not to  
1335 exceed Fifty Dollars (\$50.00) shall be charged.

1336 (9) To change status as a licensee from active to inactive  
1337 status, a fee not to exceed Twenty-five Dollars (\$25.00) shall be  
1338 charged. To change status as a licensee from inactive to active  
1339 status, a fee not to exceed Fifty Dollars (\$50.00) shall be  
1340 charged.

1341 (10) For each bad check received by the commission, a fee  
1342 not to exceed Twenty-five Dollars (\$25.00) shall be charged.

1343 (11) A fee not to exceed Five Dollars (\$5.00) per hour of  
1344 instruction may be charged to allay costs of seminars for  
1345 educational purposes provided by the commission.

1346 (12) A fee not to exceed Twenty-five Dollars (\$25.00) may be  
1347 charged for furnishing any person a copy of a real estate license,

1348 a notarized certificate of licensure or other official record of  
1349 the commission.

1350 (13) A fee not to exceed One Hundred Dollars (\$100.00) shall  
1351 be charged to review and process the application and instructional  
1352 materials for each curriculum seeking acceptance as a real estate  
1353 continuing education course developed to satisfy the mandatory  
1354 continuing education requirements for this chapter, with the  
1355 period of approval expiring after one (1) year. A fee not to  
1356 exceed Fifty Dollars (\$50.00) shall be charged for each renewal of  
1357 a previously approved course, with the period of renewal expiring  
1358 after one (1) year.

1359 (14) Fees, up to the limits specified herein, shall be  
1360 established by the Mississippi Real Estate Commission.

1361 **SECTION 29.** Section 73-36-29, Mississippi Code of 1972, is  
1362 amended as follows:

1363 73-36-29. Except as provided in Section 1 of Senate Bill No.  
1364 2117, 2007 Regular Session, all licenses issued under the  
1365 provisions of this chapter shall expire after December 31 of odd  
1366 numbered years and shall become invalid after that date unless  
1367 renewed. The secretary of the board shall mail a notice to every  
1368 person registered under this chapter notifying the person of the  
1369 date of the expiration of his license and the amount of fee  
1370 required for its renewal for two (2) years. The notice shall be  
1371 mailed to the latest known address, according to the board's  
1372 records, at least one (1) month in advance of the date of the  
1373 expiration of the license. The board shall from time to time fix  
1374 the fee for renewal of licenses, provided the fee shall not exceed  
1375 the amount of One Hundred Dollars (\$100.00) for two (2) years'  
1376 renewal. Any registrant failing to renew his license and applying  
1377 for a license shall be required to pay a fee as set by the board  
1378 not to exceed twice the total amount of the license fees had his  
1379 license been continued in effect, and also to comply with such

1380 other reasonable requirements as may be established by rules and  
1381 regulations of the board.

1382         **SECTION 30.** Section 73-38-29, Mississippi Code of 1972, is  
1383 amended as follows:

1384         73-38-29. (1) Except as provided in Section 1 of Senate  
1385 Bill No. 2117, 2007 Regular Session, licenses issued under this  
1386 chapter shall expire and become invalid at midnight of the  
1387 expiration date.

1388         (2) Every person licensed under this chapter shall, on or  
1389 before the license expiration date, pay a fee for the biennial  
1390 renewal of license to the board. The board may suspend the  
1391 license of any person who fails to have his license renewed by the  
1392 expiration date. After the expiration date, the board may renew a  
1393 license upon payment of a fee to the board. No person who  
1394 requests renewal of license, whose license has expired, shall be  
1395 required to submit to examination as a condition to renewal, if  
1396 such renewal application is made within two (2) years from the  
1397 date of such expiration.

1398         (3) A suspended license is subject to expiration and may be  
1399 renewed as provided in this section, but such renewal shall not  
1400 entitle the licensee, while the license remains suspended and  
1401 until it is reinstated, to engage in the licensed activity, or in  
1402 any other conduct or activity in violation of the order or  
1403 judgment by which the license was suspended.

1404         (4) A license revoked on disciplinary grounds is subject to  
1405 expiration as provided in subsection (1) of this section, but it  
1406 may not be renewed. If such license is reinstated after its  
1407 expiration, the licensee, as a condition of reinstatement, shall  
1408 pay a reinstatement fee in an amount equal to the fee for a  
1409 license issued after the expiration date which is in effect on the  
1410 last preceding regular renewal date before the date on which it is  
1411 reinstated. The procedure for the reinstatement of a license that  
1412 is suspended for being out of compliance with an order for

1413 support, as defined in Section 93-11-153, shall be governed by  
1414 Section 93-11-157 or 93-11-163, as the case may be.

1415 (5) Any person who fails to renew his license within the two  
1416 (2) years after the date of its expiration may not renew it, and  
1417 it may not be restored, reissued or reinstated thereafter, but  
1418 such person may apply for and obtain a new license if he meets the  
1419 requirements of this chapter.

1420 **SECTION 31.** Section 73-39-75, Mississippi Code of 1972, is  
1421 amended as follows:

1422 73-39-75. (1) Except as provided in Section 1 of Senate  
1423 Bill No. 2117, 2007 Regular Session, all licenses shall expire  
1424 August 1 of each year but may be renewed by registration with the  
1425 board and payment of the license renewal fee. At least thirty  
1426 (30) days in advance, the board shall mail an expiration notice to  
1427 each licensed veterinarian and include a form for renewal.

1428 (2) The board shall establish the continuing education  
1429 requirements that must be met for license renewal.

1430 (3) Any person may renew an expired license within five (5)  
1431 years of the date of its expiration by making written application  
1432 for renewal, paying the current renewal fee and a reinstatement  
1433 fee of Five Hundred Dollars (\$500.00), plus all delinquent renewal  
1434 fees and complying with continuing education requirements.

1435 (4) The board may waive the payment of the registration  
1436 renewal fee of a licensed veterinarian during the period when he  
1437 is on active duty with any branch of the Armed Services of the  
1438 United States.

1439 (5) Any licensed veterinarian who is sixty-five (65) years  
1440 of age or older and who is employed as a veterinarian on a  
1441 part-time basis only shall be exempt from payment of such renewal  
1442 fee.

1443 (6) The payment of the annual license renewal fee shall be  
1444 optional for all veterinarians seventy (70) years and older.

1445           **SECTION 32.** Section 73-42-11, Mississippi Code of 1972, is  
1446 amended as follows:

1447           73-42-11. (1) Except as otherwise provided in subsection  
1448 (3), the Secretary of State shall issue a certificate of  
1449 registration to an individual who complies with Section  
1450 73-42-9(1).

1451           (2) Except as otherwise provided in subsection (3), the  
1452 Secretary of State shall issue a certificate of registration to an  
1453 individual whose application has been accepted under Section  
1454 73-42-9(2).

1455           (3) The Secretary of State may refuse to issue a certificate  
1456 of registration if the Secretary of State determines that the  
1457 applicant has engaged in conduct that has a significant adverse  
1458 effect on the applicant's fitness to serve as an athlete agent.  
1459 In making the determination, the Secretary of State may consider  
1460 whether the applicant has:

1461           (a) Been convicted of a crime that, if committed in  
1462 this state, would be a felony or other crime involving moral  
1463 turpitude;

1464           (b) Made a materially false, misleading, deceptive or  
1465 fraudulent representation as an athlete agent or in the  
1466 application;

1467           (c) Engaged in conduct that would disqualify the  
1468 applicant from serving in a fiduciary capacity;

1469           (d) Engaged in conduct prohibited by Section 73-42-27;

1470           (e) Had a registration or licensure as an athlete agent  
1471 suspended, revoked, or denied or been refused renewal of  
1472 registration or licensure in any state;

1473           (f) Engaged in conduct or failed to engage in conduct  
1474 the consequence of which was that a sanction, suspension or  
1475 declaration of ineligibility to participate in an interscholastic  
1476 or intercollegiate athletic event was imposed on a student-athlete  
1477 or educational institution; or

1478 (g) Engaged in conduct that significantly adversely  
1479 reflects on the applicant's credibility, honesty or integrity.

1480 (4) In making a determination under subsection (3), the  
1481 Secretary of State shall consider:

1482 (a) How recently the conduct occurred;

1483 (b) The nature of the conduct and the context in which  
1484 it occurred; and

1485 (c) Any other relevant conduct of the applicant.

1486 (5) An athlete agent may apply to renew a registration by  
1487 submitting an application for renewal in a form prescribed by the  
1488 Secretary of State. An application filed under this section is a  
1489 public record. The application for renewal must be signed by the  
1490 applicant under penalty of perjury and must contain current  
1491 information on all matters required in an original registration.

1492 (6) An individual who has submitted an application for  
1493 renewal of registration or licensure in another state, in lieu of  
1494 submitting an application for renewal in the form prescribed  
1495 pursuant to subsection (5), may file a copy of the application for  
1496 renewal and a valid certificate of registration from the other  
1497 state. The Secretary of State shall accept the application for  
1498 renewal from the other state as an application for renewal in this  
1499 state if the application to the other state:

1500 (a) Was submitted in the other state within the last  
1501 six (6) months and the applicant certifies the information  
1502 contained in the application for renewal is current;

1503 (b) Contains information substantially similar to or  
1504 more comprehensive than that required in an application for  
1505 renewal submitted in this state; and

1506 (c) Was signed by the applicant under penalty of  
1507 perjury.

1508 (7) Except as provided in Section 1 of Senate Bill No. 2117,  
1509 2007 Regular Session, a certificate of registration or a renewal  
1510 of a registration is valid for two (2) years.

1511           **SECTION 33.** Section 73-53-15, Mississippi Code of 1972, is  
1512 amended as follows:

1513           73-53-15. All original licenses shall be valid for one (1)  
1514 year, unless earlier suspended or revoked by the board, and each  
1515 person to whom a license is issued shall pay a fee of not more  
1516 than Fifty Dollars (\$50.00) therefor to the board. Except as  
1517 provided in Section 1 of Senate Bill No. 2117, 2007 Regular  
1518 Session, licenses shall be renewed biennially after initial  
1519 licensure upon payment of a fee of not more than One Hundred Fifty  
1520 Dollars (\$150.00) for licensed social workers, Two Hundred Dollars  
1521 (\$200.00) for licensed master social workers and Two Hundred  
1522 Dollars (\$200.00) for licensed certified social workers, and being  
1523 in compliance with such additional requirements as the board shall  
1524 promulgate.

1525           **SECTION 34.** Section 73-54-27, Mississippi Code of 1972, is  
1526 amended as follows:

1527           73-54-27. (1) Except as provided in Section 1 of Senate  
1528 Bill No. 2117, 2007 Regular Session, licenses issued under this  
1529 chapter shall be valid for two (2) years and must be renewed  
1530 biennially, in September, with the renewal fee being determined by  
1531 the board but not to exceed Two Hundred Dollars (\$200.00).

1532           (2) The license of any marriage and family therapist who  
1533 fails to renew biennially during the month of September shall  
1534 lapse; the failure to renew the license shall not deprive the  
1535 marriage and family therapist of the right of renewal thereafter.  
1536 Such lapsed license may be renewed within a period of two (2)  
1537 years after such lapse upon payment of all fees in arrears.

1538           (3) A marriage and family therapist wishing to renew a  
1539 license that has been lapsed for more than two (2) years shall be  
1540 required to reapply for licensure.

1541           (4) The board shall notify each license holder in writing of  
1542 the pending license expiration no later than the thirtieth day  
1543 before the date on which the license expires.

1544 (5) The board shall require each license holder to  
1545 participate in approved continuing education activities in order  
1546 to renew a license issued under this chapter.

1547 (6) Any person who notifies the board, in writing on forms  
1548 prescribed by the board, may place his license on inactive status  
1549 and shall be excused from the payment of renewal fees until the  
1550 person notifies the board in writing of the intention to resume  
1551 active practice. Any person requesting his license to be changed  
1552 from inactive to active status shall be required to pay the  
1553 current fee and shall also demonstrate compliance with continuing  
1554 education requirements as defined by the board.

1555 **SECTION 35.** Section 73-55-13, Mississippi Code of 1972, is  
1556 amended as follows:

1557 73-55-13. (1) Except as provided in Section 1 of Senate  
1558 Bill No. 2117, 2007 Regular Session, a person licensed as an  
1559 athletic trainer under this chapter shall pay to the board a fee  
1560 not to exceed Three Hundred Dollars (\$300.00) for every three-year  
1561 period for a renewal of his license.

1562 (2) Continuing education requirements for license renewal  
1563 shall be fulfilled during three-year periods running concurrently  
1564 with the requirement to maintain certification through the  
1565 National Athletic Trainers' Association Board of Certification,  
1566 Inc.

1567 (3) A licensee must complete sixty (60) hours of continuing  
1568 education during the three-year period as approved by the National  
1569 Athletic Trainers' Association Board of Certification, Inc. Proof  
1570 of the completion of continuing education as required by this  
1571 section shall be turned in to the board within thirty (30) days of  
1572 the completion or proof that the continuing education requirements  
1573 have been filed with the National Athletic Trainers' Association.

1574 **SECTION 36.** Section 73-57-27, Mississippi Code of 1972, is  
1575 amended as follows:



1576           73-57-27. (1) A license shall be renewed biennially except  
1577 as herein provided or as provided in Section 1 of Senate Bill No.  
1578 2117, 2007 Regular Session. The board shall mail notices at least  
1579 thirty (30) calendar days prior to expiration for renewal of  
1580 license to every person to whom a license was issued or renewed  
1581 during the preceding renewal period. The licensee shall complete  
1582 the notice of renewal and return it to the board with the renewal  
1583 fee before the date of expiration.

1584           (2) Upon receipt of the notice of renewal and the fee, the  
1585 board shall verify its contents and shall issue the licensee a  
1586 license for the current renewal period, which shall be valid for  
1587 the period stated thereon. The board, with the advice of the  
1588 council, shall establish continuing education requirements for  
1589 biennial renewal of the license, which shall include proof of  
1590 completion of at least fifteen (15) clock hours approved by the  
1591 board for continuing education credit.

1592           (3) A licensee who allows his license to lapse by failing to  
1593 renew it may be reinstated by the board upon payment of the  
1594 renewal fee and reinstatement fee provided that such request for  
1595 reinstatement is made within two (2) years of the end of the  
1596 renewal period.

1597           (4) A respiratory care practitioner who does not engage in  
1598 the practice of respiratory care during the succeeding renewal  
1599 period is not required to pay the renewal fee as long as he  
1600 remains inactive. If he desires to resume the practice of  
1601 respiratory care, he shall notify the board of his intent and  
1602 shall satisfy the current requirements of the board in addition to  
1603 remitting the renewal fee for the current renewal period of the  
1604 reinstatement fee. Requirements of the board shall include a  
1605 specific period of time of continuous inactivity after which  
1606 testing is required.

1607           (5) The board is authorized to establish fees for  
1608 replacement and duplicate licenses.

1609           **SECTION 37.** Section 73-59-3, Mississippi Code of 1972, is  
1610 amended as follows:

1611           73-59-3. (1) Except as otherwise provided in Section  
1612 73-59-15 or Section 1 of Senate Bill No. 2117, 2007 Regular  
1613 Session, persons who perform residential construction or  
1614 residential improvement shall be licensed by the board annually,  
1615 and, as a prerequisite to obtaining a license or renewal thereof,  
1616 each shall submit to the board:

1617           (a) Proof of workers' compensation insurance, if  
1618 applicable;

1619           (b) A federal employment identification number or  
1620 social security number.

1621           (2) The board shall not require liability insurance to be  
1622 licensed under this chapter but if a licensee has liability  
1623 insurance it shall be reflected on the certificate of licensure.

1624           (3) The board shall issue or renew a license to a  
1625 residential builder or remodeler upon payment to the board of the  
1626 license fee. The initial license fee shall be Fifty Dollars  
1627 (\$50.00). The license fee may thereafter be increased or  
1628 decreased by the board and cannot exceed One Hundred Dollars  
1629 (\$100.00); however, the receipts from fees collected by the board  
1630 shall be no greater than the amount required to pay all costs and  
1631 expenses incurred by the board in enforcing the provisions of this  
1632 chapter. Twenty-five Dollars (\$25.00) of the fee required by this  
1633 section which is assessed to residential builders licensed under  
1634 the provisions of Section 73-59-1 et seq. shall be deposited to  
1635 the Construction Education Fund created pursuant to Section  
1636 31-3-14 and shall be distributed to the Mississippi Housing  
1637 Institute. The remaining fees collected under this chapter shall  
1638 be deposited into the special fund in the State Treasury known as  
1639 the "State Board of Contractor's Fund" created pursuant to Section  
1640 31-3-17 and shall be used for the administration and enforcement  
1641 of this chapter and as provided in Section 31-3-14. Amounts in

1642 such fund shall not lapse into the State General Fund at the end  
1643 of a fiscal year. Interest accrued to such fund shall remain in  
1644 the fund. All expenditures from the special fund shall be by  
1645 requisition to the Department of Finance and Administration,  
1646 signed by the executive secretary of the board and countersigned  
1647 by the chairman or vice chairman of the board.

1648 (4) Except as provided in Section 1 of Senate Bill No. 2117,  
1649 2007 Regular Session, the license shall expire on the last day of  
1650 the twelfth month following its issuance or renewal and shall  
1651 become invalid unless renewed. The board shall notify by mail  
1652 every licensee under this chapter of the date of the expiration of  
1653 his license and the amount of the fee required for renewal of the  
1654 license for one (1) year. Such notice shall be mailed within  
1655 thirty (30) days prior to the expiration date of the license. The  
1656 failure on the part of any licensee to renew his license annually  
1657 in such twelfth month shall not deprive such licensee of the right  
1658 of renewal, provided that renewal is effected within one hundred  
1659 twenty (120) days after the expiration date of the license by  
1660 payment of the license fee plus a penalty of ten percent (10%) of  
1661 the license fee. A new license required to replace a revoked,  
1662 lost, mutilated or destroyed license may be issued, subject to the  
1663 rules of the board, for a charge of not more than Twenty-five  
1664 Dollars (\$25.00).

1665 (5) Any person who is not a resident of the State of  
1666 Mississippi who desires to perform residential construction or  
1667 residential improvement shall be licensed to perform such  
1668 construction or improvement as provided by this chapter.

1669 **SECTION 38.** Section 73-60-21, Mississippi Code of 1972, is  
1670 amended as follows:

1671 73-60-21. Except as provided in Section 1 of Senate Bill No.  
1672 2117, 2007 Regular Session, a license under this chapter shall  
1673 expire two (2) years after its date of issuance. The commission  
1674 may issue a renewal license without examination, on submission of

1675 a completed renewal application, payment of the required license  
1676 renewal fee, and successful completion of continuing education  
1677 requirements.

1678         **SECTION 39.** Section 73-61-3, Mississippi Code of 1972, is  
1679 amended as follows:

1680             73-61-3. (1) For the purposes of this section, the term  
1681 "body piercing" means the creation of an opening in any part of  
1682 the human body, other than the outer perimeter or lobe of the ear,  
1683 for the purpose of inserting jewelry or other decorative object,  
1684 or for some other nonmedical purpose.

1685             (2) No person shall perform body piercing upon any person  
1686 for compensation within the State of Mississippi without first  
1687 registering with the State Department of Health. The facility or  
1688 premises in which body piercing is to be performed shall be  
1689 specified in the registration, and the registered person shall be  
1690 authorized to perform body piercing only in the specified facility  
1691 or premises. Except as provided in Section 1 of Senate Bill No.  
1692 2117, 2007 Regular Session, registrations shall be valid for one  
1693 (1) year, and each person registered under this section shall pay  
1694 an annual registration fee to the department in an amount set by  
1695 the department, but not to exceed One Hundred Fifty Dollars  
1696 (\$150.00), which fee shall be uniform for all registered persons.

1697             (3) The State Board of Health shall promulgate rules and  
1698 regulations relating to:

1699                 (a) Health, cleanliness and general sanitation of the  
1700 facilities or premises in which body piercing is performed or to  
1701 be performed;

1702                 (b) Sterilization of body piercing apparatus and safe  
1703 disposal of body piercing apparatus;

1704                 (c) Procedures to prevent the transmission of disease  
1705 or infection during or relating to body piercing procedures,  
1706 specifically including, but not limited to, transmission of  
1707 Hepatitis B and the human immunodeficiency virus (HIV); and

1708           (d) Such other administrative provisions as may be  
1709 necessary to protect public health or properly administer the  
1710 requirements of this section.

1711           (4) Representatives of the department may visit any facility  
1712 or premises in which body piercing is performed at any time during  
1713 business hours to ensure compliance with the requirements of this  
1714 section and the rules and regulations promulgated under this  
1715 section. Representatives of the department shall visit each  
1716 facility or premises in which body piercing is performed not less  
1717 than once each year to inspect for such compliance. The  
1718 department may suspend or revoke the registration of any person  
1719 found to be violating any of the rules or regulations promulgated  
1720 under this section.

1721           (5) It shall be unlawful for any person to perform body  
1722 piercing upon any person under the age of eighteen (18) years.

1723           (6) Any person who performs body piercing for compensation  
1724 without first registering with the department or after his  
1725 registration has been suspended or revoked by the department, or  
1726 any person who performs body piercing upon any person in violation  
1727 of subsection (5) of this section, is guilty of a misdemeanor and,  
1728 upon conviction, shall be punished by a fine of not less than One  
1729 Hundred Dollars (\$100.00) nor more than Five Hundred Dollars  
1730 (\$500.00).

1731           (7) The department is authorized to bring an action for an  
1732 injunction under the provisions of Sections 73-51-1 through  
1733 73-51-5 to prohibit any person who is required to be registered  
1734 under this section from performing body piercing without first  
1735 registering with the department or after his registration has been  
1736 suspended or revoked by the department.

1737           (8) This section shall not apply to physicians licensed to  
1738 practice medicine in Mississippi in the performance of their  
1739 professional duties.

1740           **SECTION 40.** Section 73-63-35, Mississippi Code of 1972, is  
1741 amended as follows:

1742           73-63-35. (1) Except as provided in Section 1 of Senate  
1743 Bill No. 2117, 2007 Regular Session, certificates of registration  
1744 shall be valid for a period of two (2) years, and shall expire on  
1745 a date or dates established by the board. The board shall notify  
1746 every registered professional geologist of the date of expiration  
1747 of that person's certificate and the amount of the fee that shall  
1748 be required for its renewal at least sixty (60) days before the  
1749 expiration date. Upon expiration, a certificate shall be  
1750 cancelled and is invalid, and may not be renewed unless provided  
1751 in this chapter.

1752           (2) The board shall renew the certificate of registration or  
1753 certificate of enrollment of any registrant who, within sixty (60)  
1754 days following the expiration date:

1755                   (a) Submits a renewal application, the renewal fee and  
1756 any penalty for late renewal; and

1757                   (b) Meets the requirements for renewal established by  
1758 the board which may include requiring evidence of continued  
1759 competence in the practice of geology through a review of  
1760 qualifications and experience.

1761           (3) The board shall establish requirements and conditions  
1762 for the reissuance of certificates of registration and  
1763 certificates of enrollment which have lapsed, expired, or have  
1764 been suspended or revoked.

1765           (4) The board shall issue a new certificate to replace any  
1766 certificate of registration or certificate of enrollment which has  
1767 been lost, destroyed, or mutilated. The holder of the certificate  
1768 shall bear the cost of issuing a new certificate.

1769           **SECTION 41.** Section 73-65-9, Mississippi Code of 1972, is  
1770 amended as follows:

1771           73-65-9. (1) Except as provided in Section 1 of Senate Bill  
1772 No. 2117, 2007 Regular Session, each license holder shall renew

1773 the license to practice art therapy biennially by submitting a  
1774 renewal application on a form provided by the board, paying a  
1775 license renewal fee, and producing evidence of completion of  
1776 relevant professional continuing education experience satisfactory  
1777 to the board, not to exceed forty (40) hours per renewal cycle.

1778 (2) A ninety-day grace period shall be allowed for each  
1779 license holder after the licensure period, during which time the  
1780 license may be renewed upon payment of the renewal fee, the late  
1781 fee, and compliance with all renewal requirements.

1782 (3) Any license granted by the board shall be automatically  
1783 suspended if the holder fails to apply for the license renewal  
1784 pursuant to this section within a period of three (3) months after  
1785 the renewal deadline; however, any suspended license may be  
1786 restored by the board upon payment of a reinstatement fee not to  
1787 exceed One Hundred Dollars (\$100.00) in addition to any unpaid  
1788 renewal or late fees. Failure to renew a license within three (3)  
1789 months from the date of suspension as provided in this section  
1790 shall cause the license to be automatically revoked.

1791 Reinstatement of a revoked license shall require the license  
1792 holder to reapply and meet all current standards for licensure.

1793 (4) A person licensed under the provisions of Section  
1794 73-65-7 who intends to retire as a licensed professional art  
1795 therapist shall notify the board in writing before the expiration  
1796 of his current licensure. If, within a period of five (5) years  
1797 from the year of retirement, the license holder wishes to resume  
1798 practice as a licensed professional art therapist, he shall notify  
1799 the board in writing, and upon giving proof of completing the  
1800 required continuing education and the payment of an amount  
1801 equivalent to elapsed renewal fees, the license shall be restored  
1802 in full effect.

1803 **SECTION 42.** Section 73-67-15, Mississippi Code of 1972, is  
1804 amended as follows:

1805 73-67-15. (1) The board shall:

- 1806           (a) Adopt an official seal and keep a record of its  
1807 proceedings, persons registered as massage therapists, and a  
1808 record of the certificates of registration that have been revoked  
1809 or suspended;
- 1810           (b) Keep on file all appropriate records pertaining to  
1811 each certificate of registration;
- 1812           (c) Annually, on or before February 15, make a report  
1813 to the Governor and Legislature of all of its official acts during  
1814 the preceding year, its total receipts and disbursements, and a  
1815 full and complete report of relevant statistical and significantly  
1816 notable conditions of massage therapists in this state as  
1817 uniformly stipulated by the board;
- 1818           (d) Evaluate the qualifications of applicants for  
1819 registration under this chapter, and advise applicants as to the  
1820 acceptance or denial of registration with any reasons for denial  
1821 within forty-five (45) days;
- 1822           (e) Issue certificates of registration to applicants  
1823 who meet the requirements of this chapter;
- 1824           (f) Inspect, or have inspected, when required, the  
1825 business premises of any registered massage therapist during their  
1826 operating hours, so long as that inspection does not infringe on  
1827 the reasonable privacy of any therapist's clients;
- 1828           (g) Establish minimum training and educational  
1829 standards for obtaining a certificate of registration under this  
1830 chapter, provided that requirements do not decrease;
- 1831           (h) Establish a procedure for approval of educational  
1832 standards required by this chapter;
- 1833           (i) Investigate persons suspected of engaging in  
1834 practices that may violate provisions of this chapter;
- 1835           (j) Revoke, suspend or deny a certificate of  
1836 registration in accordance with the provisions of this chapter;
- 1837           (k) Adopt an annual budget;



1838                   (1) Establish policies with respect to continuing  
1839 education;

1840                   (m) Adopt rules:

1841                   (i) Specifying standards and procedures for  
1842 issuance of a provisional permit;

1843                   (ii) Specifying registration procedures for  
1844 practitioners desiring to be registered in this state who hold an  
1845 active license or credentials from another state board;

1846                   (iii) The board shall prescribe renewal  
1847 procedures, requirements, dates and fees for massage therapy  
1848 certificates of registration issued by the board and shall include  
1849 provisions for inactive and lapsed registrations; such rules shall  
1850 be in accordance with Section 1 of Senate Bill No. 2117, 2007  
1851 Regular Session;

1852                   (n) Make available all forms necessary for carrying out  
1853 all provisions of this chapter and any and all necessary business  
1854 of the board;

1855                   (o) Establish written duties of the executive director;

1856                   (p) Establish a set of reasonable and customary fines  
1857 and penalties for violations of this chapter, and fees, including  
1858 refund policies, which shall be standardized and not exceeded  
1859 unless amended with at least thirty (30) days' notice to those who  
1860 are registered;

1861                   (q) Establish, amend or repeal any rules or regulations  
1862 necessary to carry out the purposes of this chapter and the duties  
1863 and responsibilities of the board. Affected practitioners shall  
1864 be sent relevant changes no less than once per registration  
1865 renewal;

1866                   (r) The board shall maintain a current register listing  
1867 the name of every massage therapist registered to practice in this  
1868 state, his/her last known place of business and last known place  
1869 of residence, and the date and number of his/her certificate of  
1870 registration;

1871           (s) The board shall set up guidelines for the operation  
1872 of schools of massage therapy, and it is charged with that  
1873 regulation in this state. The board may prescribe reasonable  
1874 rules and regulations governing schools of massage therapy for the  
1875 guidance of persons registered under this chapter in the operation  
1876 of schools of massage therapy and in the practice of massage  
1877 therapy. When the board has reasons to believe that any of the  
1878 provisions of this chapter or the rules and regulations of the  
1879 board have been violated, either upon receipt of a written  
1880 complaint alleging those violations or upon the board's own  
1881 initiative, the board or any of its authorized agents shall  
1882 investigate same and may enter upon the premises of a school of  
1883 massage therapy at any time during regular business hours of that  
1884 school to conduct the investigation. The investigation may  
1885 include, but not be limited to, conducting oral interviews with  
1886 the complaining party, school or school owner(s) and/or students  
1887 of the school, and reviewing records of the school pertinent to  
1888 the complaint and related to an area subject to the authority of  
1889 the board.

1890           (2) Each board member shall be held accountable to the  
1891 Governor for the proper performance of all duties and obligations  
1892 of the member's office. Board members shall be immune from civil  
1893 liability pertaining to any legal functions involving the carrying  
1894 out of the activities and responsibilities of this chapter.

1895           **SECTION 43.** This act shall take effect and be in force from  
1896 and after its passage.