

Mississippi State Board of Cosmetology  
Location for Public Access Monday, November 28, 2022:  
Robert E. Lee Building, Suite 301, 239 N. Lamar Street, Jackson, MS 39202

**Regular Scheduled Board Meeting Minutes of November 28, 2022**

**I. Welcome and Call to Order**

Warren Rossi, Chairman of the Mississippi State Board of Cosmetology called the meeting to order at 9:02 a.m. on November 28, 2022. Debbie Coker performed the roll call. May the record reflect that there was a quorum present for voting purposes with the following members of the Mississippi State Board of Cosmetology present:

Debbie Coker, Secretary  
Warren Rossi, Chairman  
Jewel Stewart, Vice-Chairman

Members absent due to illness:

Hilda Bills, Member  
Dorothy Ennis, Member

Also present were:

Pete Cajoleas, Special Assistant Attorney General / Counsel for the Board  
Denise DeRossette, Fiscal Agent  
Ruby Lowery, Interim Executive Director  
Porsha Welch, Senior Licensing Agent  
Yvonne Laird, Contractor/Consultant

Members of the general public present:

Melvin Calton

Chairman Rossi requested an addition to the Agenda, as follows:

New Business: 2023 Meeting Schedule

**II. Hearings / Hearing Update**

No update

**III. Executive Session**

**CLOSED DETERMINATION/EXECUTIVE SESSION**

Upon motion made by Debbie Coker the Board voted to go into a closed determination session to establish the need for an Executive Session. The motion carried with the following members voting for: Debbie Coker, Jewel Stewart and Warren Rossi; voting against none; recusal: none; absent: Hilda Bills and Dorothy Ennis.

In the determination session, Jewel Stewart moved, seconded by Debbie Coker, that the Board had reason to go into Executive Session, namely for the transaction of business and discussions regarding personnel matters to discuss duties of the Executive Director. The Board determined that facts presented constituted the need for Executive Session under § 25-41-7 (k), Miss. Code Ann., as revised. The motion carried with the following members voting for: Debbie Coker, Jewel Stewart, and Warren Rossi; voting against none; recusal: none; absent: Hilda Bills and Dorothy Ennis.

The Board announced to the public the aforesaid reasons as the Board's purpose for entering an Executive Session.

Upon the conclusion of business of Executive Session, the Board voted, upon motion made by Jewel Stewart to come out of Executive Session. The motion carried with the following members voting for: Debbie Coker, Jewel Stewart and Warren Rossi; voting against: none; recusal: none; absent: Hilda Bills and Dorothy Ennis.

The Board resumed in open meeting by announcing the following actions and votes taken in Executive Session.

#### RETURN TO REGULAR SESSION

Within the Executive Session, the Board took the following actions:

The motion was made by Jewel Stewart to offer applicant 1 the position of Executive Director and to issue an official letter of offering which details the starting salary of \$65,000, confirmation of her start date and advising her that the person in this position serves at the will and pleasure of the Board. Debbie Coker provided a second. The vote was, as follows:

Absent – Hilda Bills	Aye – Debbie Coker
Absent – Dorothy Ennis	Aye - Warren Rossi
Aye – Jewel Stewart	

At 10:07 a.m. on Monday, November 28, 2022, Debbie Coker made the motion to take a short recess until 10:15 a.m. Jewel Stewart provided a second. The vote was, as follows:

Absent – Hilda Bills	Aye – Debbie Coker
Absent – Dorothy Ennis	Aye – Warren Rossi
Aye – Jewel Stewart	

The motion was made by Jewel Stewart to return from recess at 10:15 a.m. on Monday, November 28, 2022. A second was provided by Debbie Coker. The vote was, as follows:

Absent – Hilda Bills	Aye – Debbie Coker
Absent – Dorothy Ennis	Aye – Warren Rossi
Aye – Jewel Stewart	

IV. Agenda Request

A. Out of Country (Russia) Applicant

The motion was made by Debbie Coker with a second by Jewel Stewart to accept the credentials submitted by the applicant in lieu of an official transcript for an in-state resident who was educated in Yoshkar-Ola Russia and allow the applicant to proceed with theory and practicum testing as required for licensing in Mississippi. The vote was, as follows:

Absent – Hilda Bills	Aye – Debbie Coker
Absent – Dorothy Ennis	Aye - Warren Rossi
Aye – Jewel Stewart	

B. Special Candidate (Felony)

The motion was made by Debbie Coker with a second by Jewel Stewart to approve a student candidate with a felony conviction as the conviction is not directly related to the profession of cosmetology in accordance with the Fresh Start Act of 2019. The vote was, as follows:

Absent – Hilda Bills	Aye – Debbie Coker
Absent – Dorothy Ennis	Aye– Warren Rossi
Aye – Jewel Stewart	

C. Out of State Candidate (Felony)

The motion was made by Jewel Stewart with a second by Debbie Coker to approve a student candidate with a felony conviction as the conviction is not directly related to the profession of cosmetology in accordance with the Fresh Start Act of 2019. The vote was, as follows:

Absent – Hilda Bills	Aye – Debbie Coker
Absent– Dorothy Ennis	Aye – Warren Rossi
Aye – Jewel Stewart	

D. Melvin Calton – School Enrollments

Mr. Calton advised that he and Ruby had worked out the challenges of the school enrollment form submittals. No further action required by the Board at this time.

E. Andrea Calton – Testing Reports

Ms. Calton could not be present; however, Mr. Calton addressed the challenges he is having with inaccurate reports received from NIC. Ruby Lower explained the current procedures and advised that she will continue to work on fine-tuning these procedures to eliminate erroneous reporting. No action required by the Board at this time.

- V. Discussion of the Prior Board Meeting Minutes  
The motion was made by Debbie Coker to approve the Board Meeting Minutes of October 31, 2022 Minutes, as corrected. A second was provided by Jewel Stewart. The vote was, as follows:

Absent – Hilda Bills	Aye – Debbie Coker
Absent – Dorothy Ennis	Aye – Warren Rossi
Aye – Jewel Stewart	

VI. Report of Officers

- A. Chairman  
No special business to come before the Board.
- B. Vice-President  
Jewel Stewart had no special business to come before the Board.
- C. Secretary/Treasurer  
No current financial reports were available for distribution at this time and will be made available with the December 12, 2022 agenda.

- VII. MS Cosmetology Council 73-7-7 (1)  
Melvin Calton advised that the next MS Cosmetology Council meeting will be held on February 26, 2023. More information to follow at a later date.

VIII. Legislative Committee Update

- A. Presentation of Proposed Amendments to Certain MSBC Code Sections for Board Approval  
The motion was made by Debbie Coker to approved the proposed amendments to §§ 73-7-9; 73-7-16; 73-7-23; and 73-7-27 as presented and detailed in the attached. Jewel Stewart provided a second. The vote was, as follows:
- |                        |                    |
|------------------------|--------------------|
| Absent – Hilda Bills   | Aye – Debbie Coker |
| Absent – Dorothy Ennis | Aye – Warren Rossi |
| Aye – Jewel Stewart    |                    |

- IX Report of Counsel  
No report

- X. Executive Director's Report  
A. Practical Testing

No reports were presented for informational purposes and will be available at the December 12, 2022 meeting.

B. Theory Testing

No reports were presented for informational purposes and will be available at the December 12, 2022 meeting.

C. Out of State Testing (UROLA)

The Sanitation and Law Examinations were conducted on November 1 and November 8, 2022 for those individuals who hold a temporary practice permits under UROLA. Porsha Welch provided the following report:

TOTAL	69	Cancelled	3	Permits collected due to expiration	30
Passed	24	No Show	8		
Failed	34	Rescheduled	0		

D. Approval/Permit

No reports were presented for informational purposes and will be available at the December 12, 2022 meeting.

E. Inspection Report

No reports were presented for informational purposes and will be available at the December 12, 2022 meeting.

F. Out of State Permit Report

No reports were presented for informational purposes and will be available at the December 12, 2022 meeting.

At 12:09 p.m. on Monday, November 28, 2022, Debbie Coker made the motion to recess for lunch until 1:15 p.m. Jewel Stewart provided a second. The vote was, as follows:

Absent – Hilda Bills                      Aye – Debbie Coker  
Absent – Dorothy Ennis                  Aye – Warren Rossi  
Aye – Jewel Stewart

The motion was made by Jewel Stewart to return from recess at 1:09 p.m. on Monday, November 28, 2022. A second was provided by Debbie Coker. The vote was, as follows:

Absent – Hilda Bills                      Aye – Debbie Coker  
Absent – Dorothy Ennis                  Aye – Warren Rossi  
Aye – Jewel Stewart

X. Old Business

A. Waiting period for UROLA test applicants

The motion was made by Jewel Stewart to set forth in policy that any individual who fails to pass or was a “no show” for their scheduled Sanitation Law

Examination would not be allowed to re-take and/or schedule for another examination for a 14-day waiting period. Debbie Coker provided a second. The vote was, as follows:

Absent – Hilda Bills	Aye – Debbie Coker
Absent – Dorothy Ennis	Aye – Warren Rossi
Aye – Jewel Stewart	

This information will also be placed on the website for informational purposes.

**B. Electric Nail File Course**

The Board determined that the Ruby Lowery, Deputy Director, could proceed to contact an in-state trainer for the nail class tentatively scheduled biannually with MSBC covering the cost of training, location expense and equipment requirements. The cost to the attendees would be based on the expense incurred by the agency. No vote required.

**XI. New Business**

**A. 2023 Board Meeting Schedule**

The Board meeting schedule was determined and will be placed on the transparency website as well as the MSBC website for informational purposes. No further action required by the Board.

**XII. Adjournment**

There being no further business to come before the Board, the motion was made by Jewel Stewart to adjourn the meeting at 3:07 p.m. A second was provided by Debbie Coker. The vote was, as follows:

Absent – Hilda Bills	Aye – Debbie Coker
Absent – Dorothy Ennis	Aye – Warren Rossi
Aye – Jewel Stewart	

APPROVED: \_\_\_\_\_

Warren Rossi, Chairman



Debbie Coker, Secretary

### **Proposed amendments to Miss. Code Ann, Section 73-7-1**

There is hereby continued and reconstituted a State Board of Cosmetology composed of five (5) members to be appointed by the Governor, with the advice and consent of the Senate and whose term of office shall be four (4) years with no member serving more than three (3) consecutive terms. Any member(s) appointed from the First Supreme Court District shall be two (2) years and thereafter shall be four (4) years; any member(s) appointed from the Second Supreme Court District shall be three (3) years and thereafter shall be four (4) years; and any member(s) appointed from the Third Supreme Court District shall be four (4) years and thereafter shall be four (4) years. There shall be a president of the board and such other officers as deemed necessary by the board elected by and from its membership, provided that the member elected as president shall have at least one (1) year of experience on the board. Any member appointed by the Governor and confirmed by the Senate for a term to begin on or after July 1, 1997, who was designated by the Governor to serve as president of the board, shall be fully qualified to serve on the board for a full term of office, but shall not serve as president of the board unless elected by the membership of the board as provided under this paragraph.

To be eligible for appointment as a member of the State Board of Cosmetology person applying shall have been a citizen of this state for a minimum of five (5) years immediately prior to appointment. Such person shall be at least thirty (30) years of age, possess a high school education or its equivalent, and shall have been a licensed cosmetologist with not less than ten (10) years' active practice in cosmetology regulated by this board. No member of the board shall be connected in any way with any school wherein cosmetology is taught.

However, in the event of vacancy by death or resignation of any member of the board, the Governor shall, within thirty (30) days, appoint a person possessing all qualifications required to serve the remainder of the term. Any member who shall not attend two (2) consecutive meetings of the board for reasons other than illness of such member shall be subject to removal by the Governor. The president of the board shall notify the Governor in writing when any such member has failed to attend two (2) consecutive regular meetings.

In addition to any powers conferred upon the board in other provisions of law, the State Board of Cosmetology shall appoint an individual to serve as the Executive Director of the State Board of Cosmetology. The executive director shall possess the qualifications established by the board, which shall be based on national best practices. The executive director shall be considered a full-time position. The executive director shall serve at the will and pleasure of the board and shall devote his or her time to the proper administration of the board and the duties assigned to him or her by the board. The executive director shall be paid a salary established by the board, subject to the approval of the State Personnel Board. Subject to the availability of funding, the executive director may employ such administrative staff as may be necessary to assist the director and the board in carrying out the duties and directives of the State Board of Cosmetology. The salaries of all paid employees of the board shall be paid out of funds in the board's special fund in the State Treasury. Each member of the board, excepting the inspectors provided for herein, shall receive per diem as authorized by Section 25-3-69, and shall be

reimbursed for such other expenses at the same rate and under the same conditions as other state employees as provided for in Section 25-3-41. The board shall give reasonable public notice of all board meetings not less than ten (10) days prior to such meetings.

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**Proposed amendments to Miss. Code Ann, Section 73-7-2 (f)**

(f) "Esthetics" means any one (1) or a combination of the following practices:

(i) Massaging the face or neck of a person.

(ii) Arching eyebrows to include trimming, tweezing, waxing, threading or any other method of epilation. ~~(Removed or tinting eyebrows and eyelashes as it is duplicated in (iii) below)~~

(iii) Tinting eyelashes or eyebrows.

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**Proposed amendments to Miss. Code Ann, Section 73-7-7 (l)**

Remove "wigology" within the definition of "Salon" as it was legislatively removed during the 2021 session; however, failed to be removed from this section.

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**Proposed amendments to Miss. Code Ann, Section 73-7-9**

§ 73-7-9 Certificate of registration or temporary permit required

No person required by this chapter to have a license or temporary permit shall conduct a beauty salon or school of cosmetology, or practice cosmetology, esthetics, manicuring and pedicuring, or practice as an instructor, unless such person has received a registration or temporary permit therefor from the board. Anyone determined to have violated any of these rules or regulations prior to being licensed by the board shall be subject to the same discipline by the board as licensees. They may be disciplined and fined accordingly.

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**Proposed amendments to Miss. Code Ann, Section 73-7-12**

Effective January 1, 2020, the State Board of Cosmetology shall terminate its student testing contract with proper notice and shall conduct examinations for cosmetologists, estheticians, manicurists and instructors at such times and locations as determined by the board. The members of the board shall not personally administer or monitor the examinations, but the board shall contract for administrators of the examinations. A member of the board shall not receive any per diem compensation for any day that the member is present at the location where the examinations are being administered.

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**Proposed amendments to Miss. Code Ann, Section 73-7-13 (1)(c)**

Any barber who has successfully completed no less than fifteen (1500) hours in a licensed barber school and who holds a current valid certificate of registration to practice barbering and who holds a current valid license, is eligible to take the cosmetology examination to secure a cosmetology license upon successfully completing **six hundred (600) hours** in a licensed school of cosmetology. All fees for application, examination, registration, and renewal thereof shall be the same as provided for cosmetologists.

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**Proposed amendments to Miss. Code Ann, Section 73-7-15(1)(b); (2)(b); and (3)(b)**

Remove requirement for an in-state applicant to **read, write and speak English** as this is not a requirement for UROLA applicants

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**Proposed amendments to Miss. Code Ann, Section 73-7-17 (1)**

(1) All schools of cosmetology or school owners shall have a school license and shall pay to the board the required license fee. The board is hereby authorized and empowered to promulgate necessary and reasonable rules and regulations for the issuance of school licensees.

(a) Any school making application for a license under this Act shall not be transferable for any cause and shall include a **surety bond in the penal sum of fifty Thousand Dollars (\$50,000)** in favor of the Mississippi State Board of Cosmetology on a bond form completed by the insurance company or agency. The applicant may file in lieu of the bond, cash, or a certificate of deposit or government bonds in the amount of **Fifty Thousand Dollars (\$50,000)**.

(b) The school applicant shall **maintain a professional liability insurance policy covering any aspect of the facility, personnel and/or students.**

(c) The school shall meet all applicable **health and safety standards that may be required by local, state and federal agencies.**

(d) Private business and vocational schools that have obtained **national accreditation from an accrediting agency designated by the United States Department of Education must submit evidence of current accreditation.** All licensed schools not yet accredited may receive a temporary license annually for a period not to exceed **five (5) years** until which time accreditation has been granted by an accrediting body recognized by the U. S. Department of Education.

(e) The course content and length of instruction shall be of such nature and quality as to assure that the students will adequately develop the **job skills and knowledge necessary for passing any and all examinations required for licensure.**

(f) Schools shall provide favorable conditions for effective classroom instruction. A total pattern of successful instruction includes (i) well defined instructional objectives, (ii) systematic planning, (iii) selection and use of varied types of learning materials and experiences, (iv) adaptation of organization and instructional procedures to student needs, (v) use of varied evaluation instruments and procedures, and (vi) good student and teacher morale.

(f) Each Board approved school of cosmetology, esthetics, or manicuring must provide proof to the Board of an annual pass rate that meets or exceeds the current minimum standard as established by the Board.

(g) The Board of Cosmetology will evaluate school curriculum for conformance with educational requirements set forth by the Mississippi Cosmetology Act.

(h) There shall be no automatic renewal of school licenses and each licensee shall be audited for conformity prior to the issuance of any a new license.

(i) The licensee shall notify the board at least thirty (30) days in advance of closure and provide a teach-out plan for existing students which must be approved by the board.

(j) In the event that a school closes a facility, the licensee must notify the board within sixty (60) days prior to closing and provide proof of the reason for the closure; proof of method developed to assist students with the completion of their program of study and individual courses; proof of notice sent to all currently enrolled students, notifying them of the closure; proof of notice given to students indicating where they may obtain any of their records; proof of disposition of student records, with a contact person, complete address, and telephone number and how students' information may be obtained; proof of notice sent to all students who have paid for any tuition and/or fees for future enrollment in a program of study or individual course informing them of the closure, and refund information; proof of certified transcripts for each currently-enrolled student who has paid for and completed coursework in lieu of receiving a full or partial refund. In the event a school files a bankruptcy petition, a certified copy must be filed with the Board of Cosmetology.

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**Proposed amendments to Miss. Code Ann, Section 73-7-18 (1)(b)**

Remove requirement for an in-state applicant to read, write and speak English as this is not a requirement for UROLA applicants

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**Proposed amendments to Miss. Code Ann, Section 73-7-21 (1)(b)**

Remove requirement for an in-state applicant to read, write and speak English as this is not a requirement for UROLA applicants

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**Proposed amendments to Miss. Code Ann, Section 73-7-23 (1)(2)**

(1) The board may, upon application, issue a license by reciprocity to any cosmetologist, esthetician, manicurist, or barber over the age of seventeen (17) years from any other state who has satisfactorily completed the required number of accredited hours in that state, provided the state board from which the applicant comes issues to cosmetologists, estheticians, or manicurists, as the case may be, from the State of Mississippi a license under the same conditions and the other state has entered into a written reciprocal agreement between participating states. Applications must be accompanied by (a) proof satisfactory to the board that the required hours have been completed, and (b) the required reciprocity fee, which shall be paid to the board.

**(2)** An instructor from any other state may be qualified for a Mississippi instructor's license upon presenting a valid instructor's license and proof of a high school education or its equivalent, provided that the instructor (a) is not less than twenty-one (21) years of age, (b) has completed training equivalent to the State of Mississippi's training as provided in Section 73-7-15 or has three (3) years or more of experience as a licensed instructor prior to application, (c) has completed six (6) semester hours in college courses approved by the board, and (d) has completed a minimum of five (5) continuing education hours in Mississippi board laws, rules and regulations. Such application must be accompanied by two (2) recent passport photographs of the applicant. Applicants shall pay the required license fee.

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**Proposed amendments to Miss. Code Ann, Section 73-7-27 (1), (2), (3), (4), (8) and (10)**

**(1)** Any complaint may be filed with the board by a member or agent of the board or by any person charging any licensee of the board with the commission of any of the offenses enumerated in subsection (2) of this section. Such complaint shall be in writing, signed by the accuser or accusers, and verified under oath, and such complaints shall be investigated as set forth in Section 73-7-7. If, after the investigation, the board through its administrative review agents determines that there is not substantial justification to believe that the accused licensee has committed any of the offenses enumerated, it may dismiss the complaint or may prepare a formal complaint proceeding against the licensee as hereinafter provided. When used with reference to any complaint filed against a licensee herein, the term "not substantial justification" means a complaint that is frivolous, groundless in fact or law, or vexatious, as determined by unanimous vote of the board. In the event of a dismissal, the person filing the accusation and the accused licensee shall be given written notice of the board's determination. If the board determines there is reasonable cause to believe the accused has committed any of those offenses, the secretary of the board or the Executive Director shall give written notice of such determination to the accused licensee and set a day for a hearing as provided in subsection (3) of this section.

**(2)** The board shall have the power to revoke, suspend or refuse to issue or renew any license or certificate provided for in this chapter, and to fine, place on probation and/or otherwise discipline a student or licensee or holder of a certificate, upon proof that such person: (a) has not complied with an order, decision or ruling of the board or has violated any of the rules and regulations promulgated by the board; (b) has not complied with or has violated any of the sections of this chapter; (c) has committed fraud or dishonest conduct in the taking of the examination herein provided for; (d) has been convicted of a felony; (e) has committed grossly unprofessional or dishonest conduct; (f) is addicted to the excessive use of intoxicating liquors or to the use of drugs to such an extent as to render him or her unfit to practice in any of the practices or occupations set forth in this chapter; (g) has advertised by means of knowingly false or deceptive statements; or (h) has failed to display the license or certificate issued to him or her as provided for in this chapter; or (i) has been convicted of violating any of the

provisions of this chapter. A conviction of violating any of the provisions of this chapter shall be grounds for automatic suspension of the license or certificate of such person.

**(3) (a)** Any civil penalty or fine imposed by the board under this chapter shall become due and payable when the person incurring the penalty receives a notice in writing from the board of the penalty. The notice shall be sent by registered or certified mail. The person to whom the notice is addressed shall have thirty (30) days from the date of mailing of the notice in which to make written application for a hearing. Any person who makes that application shall be entitled to a hearing. The hearing shall be conducted as a contested case hearing. When an order assessing a civil penalty under this section becomes final by operation of law or on appeal, unless the amount of penalty is paid within ten (10) days after the order becomes final, it may be recorded with the circuit clerk in any county of this state. The clerk shall then record the name of the person incurring the penalty and the amount of the penalty in his lien record book

**(3) (b)** The board shall not revoke, suspend or refuse to issue or renew any license or certificate in a disciplinary matter except after a hearing of which the applicant or licensee or holder of the certificate affected shall be given at least twenty (20) days' notice in writing, specifying the reason or reasons for denying the applicant a license or certificate of registration, or in the case of any other disciplinary action, the offense or offenses of which the licensee or holder of a certificate of registration is charged. Such notice may be served by mailing a copy thereof by United States first-class certified mail, postage prepaid, to the last-known residence or business address of such applicant, licensee or holder of a certificate. The hearing on such charges shall be at such time and place as the board may prescribe. The provisions of this subsection (b) shall not apply to the board's collection of a civil penalty or fine imposed by the board under subsection (a) above.

**(4)** At such hearings, all witnesses shall be sworn by a member of the board or court reporter and stenographic notes of the proceedings shall be taken. Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes upon payment to the board of such fees as it shall prescribe, not exceeding, however, the actual costs of transcription.

**(8)** The appellant shall, together with the notice of appeal, first pay the costs for the transcription of the record of the hearing(s) and proceeding(s) before the board in which the adverse ruling, order or decision of the board was made.

**(10)** Any fine imposed by the board upon a licensee or holder of a license shall be in accordance with the following class designation of fines:

(a) Class A - Class A violations shall be set at no less than Five Hundred (\$500.00) nor more than One Thousand Dollars (\$1,000.00).

Class A violations are specific to the following:

(i) Unlicensed practice or the use of fraudulent statements to obtain any benefits or privileges under this chapter or practicing one of the professions without a license.

These violations will be handled in accordance with the requirements of § 73-7-27, Miss. Code Ann. (2021) or § 73-7-37, Miss. Code Ann. (2021), when applicable.

(ii) Extremely dangerous to the health and safety of the general public.

(b) Class B - Class B violations shall be set at no more than Two Hundred Fifty Dollars (\$250.00) nor more than Seven Hundred Fifty Dollars (\$750.00).

Class B violations are major health and safety concerns that are detrimental to public safety and welfare.

(c) Class C - Class C violations shall be set at no more than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00). Class C violations are minor health and safety violations that are detrimental to public safety and welfare.

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### **Proposed Amendments to Miss. Code Ann. Section 73-7-29 (a) Fees**

Remove “wig specialist” which is no longer under the jurisdiction of MSBC

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### **Proposed Amendments to Miss. Code Ann. Section 73-7-37**

(1) The violation of any of the provisions of this chapter, including the use of fraudulent statements to obtain any benefits or privileges under this chapter or practicing one (1) of these professions without a license, shall constitute a misdemeanor, punishable in any court of competent jurisdiction at the seat of government, and any person or firm convicted of the violation of any of the provisions of this chapter shall be fined not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1000.00). The court shall not be authorized to suspend or suspend the execution of the fine required under this section.

(2) If any person, salon, school or other type of business entity engaged in the practice or teaching of the professions governed by this chapter violates any of the provisions of this chapter, the secretary of the board, upon direction of a majority of the board and in the name of the board, acting through the Attorney General or an attorney employed by the board, shall apply in the chancery court of the county in Mississippi in which the person or licensee resides or in the county which the person or licensee practices, or the county in which the salon, school or other type of business entity is located, for an order enjoining such violation or for an order enforcing compliance with the provisions of this chapter. Upon the filing of a verified petition in the chancery court and after notice as provided under the Mississippi Rules of Civil Procedure, such court, if satisfied by the sworn petition, by affidavit or otherwise, that such person or entity has violated any of the provisions of this chapter, may issue an injunction without notice or bond, enjoining such continued violation and such injunction shall remain in force and effect until a final hearing. If at such hearing it is established that such person or entity has violated or is violating any of the provisions of this chapter, the court may enter a decree permanently enjoining such violation or enforcing compliance with this chapter. In addition, the court may enter a judgment against such person or entity for attorney’s fees, court costs and the actual costs incurred by the board in investigating the actions of

such person or entity for which the board brought the suit for an injunction. In case of violation of any decree issued in compliance with this subsection, the court may punish the offender for contempt of court and the court shall proceed as in other cases.

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