**South Carolina General Assembly**

125th Session, 2023-2024

**S. 1132**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Davis, Climer and Senn

Companion/Similar bill(s): 4581

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Introduced in the Senate on March 5, 2024

Introduced in the House on April 9, 2024

Last Amended on April 3, 2024

Currently residing in the House Committee on **Medical, Military, Public and Municipal Affairs**

Summary: Barbers and Cosmetologists

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/5/2024 Senate Introduced and read first time (Senate Journal‑page 4)

 3/5/2024 Senate Referred to Committee on **Labor, Commerce and Industry** (Senate Journal‑page 4)

 3/6/2024 Scrivener's error corrected

 3/19/2024 Senate Committee report: Favorable with amendment **Labor, Commerce and Industry** (Senate Journal‑page 8)

 3/20/2024 Scrivener's error corrected

 3/26/2024 Senate Committee Amendment Adopted (Senate Journal‑page 28)

 3/27/2024 Scrivener's error corrected

 4/3/2024 Senate Amended (Senate Journal‑page 65)

 4/3/2024 Senate Read second time (Senate Journal‑page 65)

 4/3/2024 Senate Roll call Ayes-39 Nays-4 (Senate Journal‑page 65)

 4/4/2024 Scrivener's error corrected

 4/4/2024 Senate Read third time and sent to House (Senate Journal‑page 10)

 4/9/2024 House Introduced and read first time (House Journal‑page 22)

 4/9/2024 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** (House Journal‑page 22)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=1132&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[03/05/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1132_20240305.docx)

[03/06/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1132_20240306.docx)

[03/19/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1132_20240319.docx)

[03/20/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1132_20240320.docx)

[03/26/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1132_20240326.docx)

[03/27/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1132_20240327.docx)

[04/03/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1132_20240403.docx)

[04/04/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1132_20240404.docx)

Indicates Matter Stricken

Indicates New Matter

Amended

04/03/24

S. 1132

Introduced by Senators Davis, Climer and Senn

S. Printed 04/03/24--S. [SEC 4/4/2024 1:26 PM]

Read the first time March 05, 2024

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40‑7‑20, RELATING TO DEFINITIONS CONCERNING BARBERS AND BARBERING, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40‑7‑390, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW‑DRYING OR HAIR‑BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; BY AMENDING SECTION 40‑13‑20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGISTS AND COSMETOLOGY, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40‑13‑360, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW‑DRYING OR HAIR‑BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; AND BY REPEALING SECTION 40‑7‑255 RELATING TO THE REGULATION OF HAIR‑BRAIDING PRACTITIONERS.

 Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑7‑20 of the S.C. Code is amended to read:

 Section 40‑7‑20. As used in this chapter:

 (1) “Practice of barbering” means any one or a combination of:

 (a) shaving or trimming a beard, cutting the hair, or hairstyling;

 (b) giving facial or scalp massages or treatments with oils, creams, lotions, or other preparations, either by hand or mechanical appliances;

 (c) singeing, shampooing, or dyeing the hair or applying hair tonics or chemicals to wave, relax, straighten, or bleach the hair;

 (d) applying cosmetic preparations, antiseptics, powders, oils, clays, and lotions to the scalp, neck, or face;

 (e) cutting, shaping, fitting, styling, and servicing hairpieces, toupees, and wigs.

 (2) “Hair braiding” means the weaving or interweaving of natural human hair for compensation without cutting, coloring, permanent waving, relaxing, removing, or chemical treatment. Hair braiding also includes the use of hair extensions, except when used in public places including, but not limited to, beaches, parks, and sidewalks. Hair braiding is distinct from the practice of barbering as defined in item (1).

SECTION 2. Section 40‑7‑390 of the S.C. Code is amended to read:

 Section 40‑7‑390. These persons are exempt from this chapter while engaged in the proper discharge of their professional duties:

 (1) persons authorized under the laws of this State to practice medicine and surgery;

 (2) commissioned medical or surgical officers of the United States Army, Navy, or Marine hospital service;

 (3) registered nurses;

 (4) students in schools, colleges, and universities who practice barbering only upon students in the school, college, or university premises for the purpose of earning part of their school expenses;

 (5) undertakers;

 (6) unless otherwise prescribed by law, persons authorized by state law to practice cosmetology only when they are practicing in salons or schools of cosmetology and persons providing blow‑dry styling but no other services requiring a license under this chapter; and

 (7) persons providing hair braiding but no other services requiring a license under this chapter.

SECTION 3. Section 40‑13‑20 of the S.C. Code is amended to read:

 Section 40‑13‑20. As used in this chapter:

 (1) “Beauty salon” or “salon” means a building or any place, or part of a place or building including, but not limited to, a rental booth, in which cosmetology is performed on the general public for compensation.

 (3) (2)“Cosmetology” means engaging in any of these practices or a combination of these practices when done for compensation either directly or indirectly:

 (a) arranging, styling, thermal curling, chemical waving, pressing, shampooing, cutting, shaping, chemical bleaching, chemical coloring, chemical relaxing, or similar work, upon the hair, wig, or hairpiece of any person, by any means, with hands or mechanical or electrical apparatus or appliances;

 (b) using cosmetic preparations, makeup, antiseptics, lotions, creams, chemical preparations on, or otherwise, or waxing, tweezing, cleansing, stimulating, manipulating, beautifying, or similar work on the scalp, legs, feet, face, neck, arms, hands; or

 (c) manicuring or pedicuring the nails of a person or similar work.

 (3)(4)(3) “Cosmetologist” means a person including, but not limited to, an independent contractor, not a student, who is licensed to practice cosmetology.

 (4)(5)(4) “Cosmetology school”, “beauty school”, or “school” means a place or part of a place in which cosmetology or any of its practices are taught.

 (5)(6)(5) “Esthetician” means a person including, but not limited to, an independent contractor, who is licensed to practice skin care, makeup, or similar work. Skin care is for the sole purpose of beautifying the skin.

 (6)(7)(6) “Independent contractor” means a licensed practitioner who rents or leases a place or part of a place in a beauty salon.

 (7)(8)(7) “Instructor” means a person who is licensed to teach cosmetology or any practices of cosmetology in accordance with this chapter.

 (9)(8) “Makeup artistry” means the application of a cosmetic to enhance the appearance of the face or skin, including powder, foundation, rouge, eyeshadow, eyeliner, mascara, and lipstick. It includes the application of makeup applied using an airbrush. It excludes the application of permanent makeup or tattooing. It is distinct from the practice of cosmetology.

 (8)(10)(9) “Nail technician” means a person including, but not limited to, an independent contractor, who is licensed to practice manicuring or pedicuring the nails or similar work.

 (9)(11)(10) “Student” means a person who is engaged in learning or acquiring the practices of cosmetology and, while learning, performs or assists in any of the practices of cosmetology in a school licensed under this chapter and under the instruction or immediate supervision of an instructor licensed under this chapter.

 (10)(12)(11) “Approved school” means a cosmetology, esthetician, or nail technician school licensed by the Board of Cosmetology or the board’s equivalent in the jurisdiction in which it is physically located. In states where licensure of a school is not required, a license may be issued, upon application and approval by the board.

SECTION 4. Section 40‑13‑360 of the S.C. Code is amended to read:

 Section 40‑13‑360. The following are exempt from this chapter while engaged in the proper discharge of their professional duties:

 (1) a manufacturer’s representative or sales person who demonstrates a product or technique for a promotional purpose;

 (2) an educational activity conducted in connection with a monthly, annual, or other special program from which the general public is excluded, provided this exemption applies only to the specific days of the special program;

 (3) a demonstration conducted by a manufacturer or a wholesaler for the purpose of exhibiting the technical application and use of a product; and

 (4) an unlicensed person employed in a cosmetology salon whose duties are expressly confined to shampooing hair under the direct supervision of a cosmetologist

 (5)(4) a person providing makeup artistry but no other services requiring a license under this chapter.

SECTION 5. Section 40‑7‑255 of the S.C. Code is repealed.

SECTION 6. This act takes effect upon approval by the Governor.

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