**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4581**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. McDaniel

Companion/Similar bill(s): 1132

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Introduced in the House on January 9, 2024

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Blow-dry styling services

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/16/2023 House Prefiled

11/16/2023 House Referred to Committee on **Labor, Commerce and Industry**

1/9/2024 House Introduced and read first time ([House Journal‑page 88](h:\hj\20240109.docx))

1/9/2024 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 88](h:\hj\20240109.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4581&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[11/16/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4581_20231116.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-7-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF BARBERING, SO AS TO DEFINE “BLOW-DRY STYLING”; BY AMENDING SECTION 40-7-390, RELATING TO PERSONS EXEMPT FROM REGULATION BY THE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRY STYLING SERVICES; BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF COSMETOLOGY, SO AS TO DEFINE “BLOW-DRY STYLING”; AND BY AMENDING SECTION 40-13-360, RELATING TO EXEMPTIONS FROM REGULATION BY THE BOARD OF COSMETOLOGY, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRY STYLING SERVICES.

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 by adding:

(3) “Blow-dry styling” means the practice of shampooing, conditioning, drying, arranging, curling, straightening, or styling hair using only mechanical devices, hair sprays and topical agents, such as balms, oils, and serums. It includes the use and styling of hair extensions, hair pieces, and wigs. It excludes cutting hair or the application of dyes, bleach, reactive chemicals, keratin treatments, or other preparations to color or alter the structure of hair. It is distinct from the practice of barbering as defined in item (1) and cosmetology as defined in Section 40-13-20.

SECTION 2. Section 40-7-390(6) of the S.C. Code is amended to read:

(6) 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 or Chapter 13.

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.

(2) “Blow-dry styling” means the practice of shampooing, conditioning, drying, arranging, curling, straightening, or styling hair using only mechanical devices, hair sprays and topical agents, such as balms, oils, and serums. It includes the use and styling of hair extensions, hair pieces, and wigs. It excludes cutting hair or the application of dyes, bleach, reactive chemicals, keratin treatments or other preparations to color or alter the structure of hair. It is distinct from the practice of barbering, as defined in section 40-7-20, and cosmetology.

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

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

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

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

(8)(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)(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)(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(4) of the S.C. Code is amended to read:

(4) an unlicensed person employed in a cosmetology salon whose duties are expressly confined to shampooing hair under the direct supervision of a cosmetologistengaged in blow-dry styling but no other services requiring a license under this chapter or Chapter 7.

SECTION 5. This act takes effect upon approval by the Governor.

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