~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 24, 2010

**H. 3815**

Introduced by Rep. Haley

S. Printed 3/24/10--H.

Read the first time March 31, 2009.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 3815) to amend Section 40‑13‑20, as amended, Code of Laws of South Carolina, 1976, relating to the definition of terms pertaining to the licensure and regulation, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The Department of Labor, Licensing and Regulation indicates there would be no additional expenditures or savings associated with this bill. However, the Cosmetology Board estimates other funds revenue would decline by about $203,000 annually. There is no direct fiscal impact on the General Fund of the State.

**SPECIAL NOTES:**

The Board of Economic Advisors is the appropriate entity to address any revenue impact associated with this or any other bill.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND SECTION 40‑13‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS PERTAINING TO THE LICENSURE AND REGULATION OF COSMETOLOGISTS, SO AS TO SPECIFICALLY EXCLUDE FROM THE DEFINITION OF “SALON” A RENTAL BOOTH AND THE SPACE IN A SALON OCCUPIED BY AN INDEPENDENT CONTRACTOR; AND BY ADDING SECTION 40‑13‑255 SO AS TO PROVIDE THAT A PERSON PRACTICING UNDER AN INDIVIDUAL COSMETOLOGY LICENSE IN A BOOTH RENTAL OR AS AN INDEPENDENT CONTRACTOR MAY NOT BE CHARGED A LICENSURE OR LICENSURE RENEWAL FEE OTHER THAN THE FEE CHARGED FOR INDIVIDUAL LICENSURE OR LICENSURE RENEWAL.

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

SECTION 1. Section 40‑13‑20(1) of the 1976 Code is amended to read:

“(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. This term does not include a rental booth or a part of a salon in which an independent contractor practices under an individual license.”

SECTION 2. Chapter 13, Title 40 of the 1976 Code is amended by adding:

“Section 40‑13‑255. A holder of an individual license issued pursuant to this chapter who practices in a booth rental or as an independent contractor may not be charged a license fee or license renewal fee other than the fee charged for individual licensure or licensure renewal.”

SECTION 3. This act takes effect upon approval by the Governor.

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