**South Carolina General Assembly**

124th Session, 2021-2022

**A65, R81, H3024**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Henegan, Robinson, Thigpen, Pendarvis, Yow, Bryant, D.C. Moss, Matthews, Brawley and Stavrinakis

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Introduced in the House on January 12, 2021

Introduced in the Senate on March 10, 2021

Last Amended on May 11, 2021

Passed by the General Assembly on May 12, 2021

Governor's Action: May 17, 2021, Signed

Summary: Barber Examiners Board

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 House Prefiled

12/9/2020 House Referred to Committee on **Medical, Military, Public and Municipal Affairs**

1/12/2021 House Introduced and read first time ([House Journal‑page 41](file:///h:\hj\20210112.docx))

1/12/2021 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 41](file:///h:\hj\20210112.docx))

1/13/2021 House Member(s) request name added as sponsor: Pendarvis

2/17/2021 House Member(s) request name added as sponsor: Yow, Bryant, D.C.Moss

3/4/2021 House Member(s) request name added as sponsor: Matthews

3/4/2021 House Committee report: Favorable with amendment **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 26](file:///h:\hj\20210304.docx))

3/9/2021 House Member(s) request name added as sponsor: Brawley, Stavrinakis

3/9/2021 House Amended ([House Journal‑page 21](file:///h:\hj\20210309.docx))

3/9/2021 House Read second time ([House Journal‑page 21](file:///h:\hj\20210309.docx))

3/9/2021 House Roll call Yeas‑85 Nays‑29 ([House Journal‑page 22](file:///h:\hj\20210309.docx))

3/10/2021 Scrivener's error corrected

3/10/2021 House Read third time and sent to Senate ([House Journal‑page 12](file:///h:\hj\20210310.docx))

3/10/2021 Senate Introduced and read first time ([Senate Journal‑page 3](file:///h:\sj\20210310.docx))

3/10/2021 Senate Referred to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 3](file:///h:\sj\20210310.docx))

4/8/2021 Senate Committee report: Favorable with amendment **Labor, Commerce and Industry** ([Senate Journal‑page 13](file:///h:\sj\20210408.docx))

5/6/2021 Senate Committee Amendment Adopted ([Senate Journal‑page 20](file:///h:\sj\20210506.docx))

5/11/2021 Senate Amended ([Senate Journal‑page 18](file:///h:\sj\20210511.docx))

5/11/2021 Senate Roll call Ayes‑32 Nays‑12 ([Senate Journal‑page 18](file:///h:\sj\20210511.docx))

5/11/2021 Senate Read second time ([Senate Journal‑page 18](file:///h:\sj\20210511.docx))

5/11/2021 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 18](file:///h:\sj\20210511.docx))

5/12/2021 Senate Read third time and returned to House with amendments ([Senate Journal‑page 33](file:///h:\sj\20210512.docx))

5/12/2021 House Concurred in Senate amendment and enrolled ([House Journal‑page 79](file:///h:\hj\20210512.docx))

5/12/2021 House Roll call Yeas‑106 Nays‑4 ([House Journal‑page 79](file:///h:\hj\20210512.docx))

5/13/2021 Ratified R 81

5/17/2021 Signed By Governor

6/1/2021 Effective date 05/17/21

6/1/2021 Act No.  65

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**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\3024_20201209.docx)

[3/4/2021](file:///p:\pprever\2021-22\3024_20210304.docx)

[3/9/2021](file:///p:\pprever\2021-22\3024_20210309.docx)

[3/10/2021](file:///p:\pprever\2021-22\3024_20210310.docx)

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[5/6/2021](file:///p:\pprever\2021-22\3024_20210506.docx)

[5/11/2021](file:///p:\pprever\2021-22\3024_20210511.docx)

(A65, R81, H3024)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑7‑355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.**

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

**Mobile barbershops authorized, regulation**

SECTION 1. Chapter 7, Title 40 of the 1976 Code is amended by adding:

“Section 40‑7‑355. (A) As used in this section:

(1) ‘Mobile barbershop’ means a self‑contained unit in which the practice of barbering is conducted, which may be moved, towed, or transported from one location to another. A ‘mobile barbershop’ includes a portable barber operation.

(2) ‘Portable barber operation’ means equipment used in the practice of barbering that is in a mobile barbershop or transported from a barbershop and used on a temporary basis at a location including, but not limited to:

(a) a client’s home; or

(b) another institution or location as may be authorized by the board in regulation.

(B) An individual may operate a mobile barbershop if the individual:

(1) is licensed pursuant to this chapter to engage in the practice of barbering; and

(2) does not have a physically stationary office at the location where the barbering services are provided.

(C) In order to operate a mobile barbershop, a registered barber shall apply to the board for a mobile barbershop permit. The registered barber shall submit a permit application and fee in the form and manner prescribed by the board in regulation.

(D)(1) Before a mobile barbershop permit may be issued, an inspection of the mobile barbershop must be conducted by a representative of the board pursuant to Sections 40‑7‑320 and 40‑7‑330. Upon a satisfactory inspection, the board shall issue the applicant a mobile barbershop biennial permit to be affixed within the mobile barbershop as prescribed by the board. The board shall also issue a permit card to be carried by the registered barber when practicing barbering through a portable barber operation.

(2) A mobile barbershop permit must be annually renewed, and a renewal fee paid, as prescribed by the board in regulation.

(3) A mobile barbershop is subject to unannounced inspections and must be annually inspected before a permit may be renewed.

(E)(1) A mobile barbershop permittee shall maintain an official business address, which must be indicated on the permit application and which must not be a post office box. If an address different from the official business address is used for official business, then that address must also be provided. Permit applications must also include the home address of the applicant. The inclusion of the applicant’s home address on the application does authorize the applicant to conduct business at his home address if the applicant is issued a license.

(2) A mobile barbershop permittee shall maintain an official telephone number, which must be indicated on the application. If other phones are used for official business, then those phone numbers must also be provided.

(3) The board must be notified within thirty days of any change in the official business address or telephone number as indicated on the permit application or as otherwise provided to the board.

(F) A mobile barbershop permittee shall comply with all applicable federal, state, and local laws, regulations, and ordinances pertaining to the practice of barbering and with all applicable flammability, construction, sanitation, zoning, or infectious waste management guidelines; Occupational Safety and Health Administration guidelines; and federal Centers for Disease Control and Prevention guidelines. The permittee shall maintain any applicable county and city licenses or permits, including business licenses, to operate the mobile barbershop at the location where barbering services will be provided.

(G) A mobile barbershop permittee shall maintain a written or an electronic record of the street addresses where barbering services will be provided during any two‑week period.

(H) A licensed barber at all times must be in charge and present during the operation of a mobile barbershop and is responsible for all barbering services provided at the mobile barbershop.

(I)(1) A mobile barbershop permittee shall notify the board in writing within thirty days of the last day of operations when a mobile barbershop ceases to operate.

(2) A mobile barbershop permit is not transferable. If a mobile barbershop is sold, the new owner shall apply to the board for a permit before providing barbering services through the mobile barbershop.

(J) The board shall promulgate regulations to carry out the provisions of this section including, but not limited to, establishing permit application and renewal fees.

(K) A barber who violates a provision of this chapter or a regulation promulgated by the board pursuant to this chapter is subject to disciplinary action as may be determined by the board.

(L) The provisions of this section do not apply to a master haircare specialist or registered barber while providing barbering services in a nursing home or community residential care facility setting equipped and maintained in compliance with regulations and other requirements concerning the equipping and maintenance of barbershops.”

**Operation within eyesight of nearest registered barbershop prohibited**

SECTION 2. A mobile barbershop is prohibited from operating within eyesight of the nearest registered barbershop.

**Time effective**

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

Ratified the 13th day of May, 2021.

Approved the 17th day of May, 2021.

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