Agency Name: Board of Cosmetology

Statutory Authority: 40-1-70 and 40-13-80

Document Number: 4278

Proposed in State Register Volume and Issue: 36/1

House Committee: Medical, Military, Public and Municipal Affairs Committee

Senate Committee: Labor, Commerce and Industry Committee

Status: Withdrawn due to end of two-year session

Subject: Examinations; Reexaminations

History: 4278

By Date Action Description Jt. Res. No. Expiration Date

- 01/27/2012 Proposed Reg Published in SR

- 03/09/2012 Received by Lt. Gov & Speaker 02/06/2013

H 03/12/2012 Referred to Committee

S 03/13/2012 Referred to Committee

H 04/18/2012 Resolution Introduced to Disapprove, 5139

120 Day Period Tolled

- 06/08/2012 Withdrawn due to end of two-year session

Document No. 4278

**BOARD OF COSMETOLOGY**

CHAPTER 35

Statutory Authority: 1976 Code Sections 40-1-70 and 40-13-80

35-5. Examinations; Reexaminations

**Synopsis:**

To satisfy the requirements of licensure in the field of cosmetology, Regulation 35-5 must be updated in conformance with the current Board of Cosmetology Practice Act.

The Notice of Drafting was published in the *State Register* on December 23, 2011.

**Instructions:**

Regulation 35-5 is modified as provided below.

~~Indicates Matter Stricken~~

Indicates New Matter

**Text:**

35-5. Examinations; Reexaminations.

(A) Upon determining that an applicant is eligible for examination, the board or authorized provider shall notify the applicant at least ten (10) days before the examination.

(B) If an applicant fails to appear for a scheduled examination, the examination fee shall be forfeited.

(C) The board may subscribe to the National Interstate Council of State Boards of Cosmetology Testing Service or such other national testing service as selected by the board for the ~~theory portion of the~~ entire examination.

(D) The examination shall be administered in two (2) separate parts.

(1) One part shall be the theory examination with a minimum passing score of 75.

(2) One part shall be the practical examination with a minimum passing score of 75.

(E) An applicant who fails either part of the examination must retake only the part of the examination failed.

(F) An applicant desiring to be reexamined shall apply to the board or authorized provider on a form prescribed by the board and pay the prescribed reexamination fee.

(G) An applicant applying for comity licensure~~,~~ shall also pass a South Carolina state law exam as designated by the South Carolina Board of Cosmetology.

(H) An applicant shall submit to the board fingerprint and photographic identification with initial application for licensure.

(I) If any part of the examination (cosmetology, esthetics, or nail technology) is failed more than twice, the applicant must receive fifty (50) additional hours of education before applying to retake the examination. If any part of the examination is failed more than five (5) times, the applicant must repeat the entire course.

**Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions.

**Statement of Rationale:**

This regulation is updated in conformance with the current Board of Cosmetology Practice Act.