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Indicates New Matter

COMMITTEE REPORT

April 5, 2022

**H. 4519**

Introduced by Reps. Huggins, Dabney, Forrest, Bustos, Wooten and McGarry

S. Printed 4/5/22--H.

Read the first time January 11, 2022.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 4519) to amend the Code of Laws of South Carolina, 1976, by adding Section 40‑13‑40 so as to provide that a registered barber may practice barbering in a, etc., respectfully

**REPORT:**

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

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Chapter 13, Title 40 of the 1976 Code is amended by adding:

“Section 40‑13‑40. (A) A person registered as a barber or master hair care specialist pursuant to the requirements of Chapter 7 of this title may practice within the scope authorized by the person’s license in a salon registered in accordance with this chapter.

(B) The provisions of this section apply notwithstanding the provisions of Section 40‑13‑20(1) or another provision of law.

(C) The department shall promulgate regulations to carry out the provisions of this section.” /

Renumber sections to conform.

Amend title to conform.

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**State Expenditure**

This bill allows for a barber registered under the Board of Barber Examiners to practice barbering in a beauty salon licensed under the Board of Cosmetology. Both boards are under the regulation of LLR. The bill further authorizes LLR to promulgate regulations related to the bill.

The expenditure impact of this bill on LLR, the Board of Cosmetology, and the Board of Barber Examiners is undetermined. LLR and the boards are unable to estimate how many licensed registered barbers or master haircare specialists may choose to work in a cosmetology salon as a result of this bill. LLR indicates that the expansion of the definition of a salon to include the practice of barbering would subject licensed registered barbers and master hair care specialists to potential complaints, investigations, and discipline by both the Board of Cosmetology and the Board of Barber Examiners. If a significant number of licensed registered barbers or master haircare specialists choose to work in a cosmetology salon, then the boards may potentially see an increased workload due to investigations and disciplinary actions. At the end of FY 2020-21, LLR reported 6,514 salons licensed under the Board of Cosmetology, as well as 426 complaints received and 408 investigations undertaken by the board during the fiscal year. For the same timeframe, LLR reported 1,837 registered barbers and 2,198 master haircare specialists licensed under the Board of Barber Examiners, as well as 202 complaints received and 208 investigations undertaken by the board.

While the expenditure impact is undetermined at this time, LLR indicates that the agency and the boards would likely be able to absorb any changes in investigative workload for a short time until enough data is gathered to make a more informed estimate at a later date. *This portion of the fiscal impact statement has been updated for an additional response from LLR.*

**Prefiled on November 10, 2021**

**State Expenditure**

This bill allows for a barber registered under the Board of Barber Examiners to practice barbering in a beauty salon licensed under the Board of Cosmetology. Both boards are under the regulation of LLR. The bill further authorizes LLR to promulgate regulations related to the bill. The expenditure impact of this bill on LLR is pending, contingent upon a response from LLR.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑13‑40 SO AS TO PROVIDE THAT A REGISTERED BARBER MAY PRACTICE BARBERING IN A BEAUTY SALON; AND TO AMEND SECTION 40‑13‑20, RELATING TO THE DEFINITION OF “BEAUTY SALON”, SO AS INCLUDE BARBERING WITHIN THE SCOPE OF PROFESSIONAL SERVICES THAT MAY BE PERFORMED IN A BEAUTY SALON IN ADDITION TO COSMETOLOGY.

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

SECTION 1. Chapter 13, Title 40 of the 1976 Code is amended by adding:

“Section 40‑13‑40. (A) A person registered as a barber pursuant to the requirements of Chapter 7 of this title may practice barbering in a beauty salon.

(B) The provisions of this section apply notwithstanding another provision of law.

(C) The department shall promulgate regulations to carry out the provisions of this section.”

SECTION 2. 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~~, barbering, or both, are performed on the general public for compensation.”

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

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