**South Carolina General Assembly**

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**H. 4186**

**STATUS INFORMATION**

General Bill

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Currently residing in the House Committee on **Medical, Military, Public and Municipal Affairs**

Summary: Barbers and cosmetologists

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/20/2025 House Introduced and read first time (House Journal‑page 14)

 3/20/2025 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** (House Journal‑page 14)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4186&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[03/20/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4186_20250320.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40‑13‑365 SO AS TO AUTHORIZE PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATIONS BY CERTAIN PERSONS LICENSED BY THE STATE BOARD OF COSMETOLOGY, AND TO PROVIDE REQUIREMENTS FOR PERMITTING AND OPERATING SUCH PORTABLE OPERATIONS; BY AMENDING SECTION 40‑7‑20, RELATING TO DEFINITIONS CONCERNING PERSONS AND PRACTICES REGULATED BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO ADD A NECESSARY DEFINITION; BY AMENDING SECTION 40‑7‑390, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PORTABLE OPERATIONS AND PERSONS PROVIDING EXPRESS StYLING SERVICES BUT NO SERVICES REQUIRING LICENSURE BY THE BOARD; BY AMENDING SECTION 40‑13‑20, RELATING TO DEFINITIONS CONCERNING PERSONS AND PRACTICES REGULATED BY THE STATE BOARD OF COSMETOLOGY, SO AS TO ADD NECESSARY DEFINITIONS; BY AMENDING SECTION 40‑13‑110, RELATING TO GROUNDS FOR REVOCATION, SUSPENSION, OR RESTRICTION OF LICENSES ISSUED BY THE STATE BOARD OF COSMETOLOGY, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 40‑13‑360, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF COSMETOLOGY, SO AS TO EXEMPT PERSONS PROVIDING MAKEUP ARTISTRY OR PERSONS PROVIDING EXPRESS STYLING SERVICES BUT NO SERVICES REQUIRING LICENSURE BY THE BOARD; AND BY AMENDING SECTION 40‑13‑230, RELATING TO QUALIFICATIONS FOR LICENSURE AS AN ESTHETICIAN, SO AS TO INCREASE THE REQUIRED NUMBER OF CLASS HOURS IN SKIN CARE AND TO EXEMPT STUDENTS ENROLLED IN ESTHETICIAN PROGRAMS BEFORE JULY 1, 2024 FROM THIS INCREASED REQUIREMENT.

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

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

 Section 40‑13‑365. (A)(1) An individual may operate a portable operation if the individual:

 (a) is licensed pursuant to this chapter to engage in cosmetologist, esthetician, or nail technician services; and

 (b) has been issued a current portable operation permit.

 (2) An individual may apply to the board for a portable cosmetologist, esthetician, or nail technician operation permit by submitting an application on a form prescribed by the board and paying the initial permit fee. The application shall include:

 (a) the home address of the applicant, provided that including the applicant’s home address on the application does not authorize the applicant to conduct business at his home address; and

 (b) the portable operation’s business telephone number. If other telephones are used in the operation of the portable operation, then the numbers for those telephones must also be included.

 (3) Upon application approval, the board shall issue a permit card to be carried by the cosmetologist, esthetician, or nail technician when practicing cosmetology pursuant to his permit.

 (4) A portable cosmetologist, esthetician, or nail technician operation permit must be biennially renewed by submitting a renewal application on a form prescribed by the board and paying a permit renewal fee.

 (5) The temporary location at which the portable operation permitee is providing services must have sufficient facilities to allow for the services provided to be performed in a safe and sanitary manner in accordance with applicable statutes and regulations.

 (B) A cosmetologist, esthetician, or nail technician may provide only those services in a portable operation within the scope of his credential type.

 (C) A portable operation permittee shall comply with all applicable federal, state, and local laws, regulations, and ordinances pertaining to the practice of cosmetology 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 portable operation.

 (D) A portable operation permittee shall maintain a written or an electronic record of the street addresses where cosmetologist, esthetician, or nail technician services are provided during any two‑week period.

 (E) A permit issued pursuant to this section is not transferable.

 (F) A cosmetologist, esthetician, or nail technician who violates a provision of this section or a regulation promulgated by the board pursuant to this section is subject to disciplinary action as may be determined by the board.

SECTION 2. Section 40‑7‑20 of the S.C. Code is amended to read:

 Section 40‑7‑20. As used in this chapter:

 (1) “Practice of barbering” means any one or a combination of:

 (a) shaving or trimming a beard, cutting the hair, or hairstyling;

 (b) giving facial or scalp massages or treatments with oils, creams, lotions, or other preparations, either by hand or mechanical appliances;

 (c) singeing, shampooing, or dyeing the hair or applying hair tonics or chemicals to wave, relax, straighten, or bleach the hair;

 (d) applying cosmetic preparations, antiseptics, powders, oils, clays, and lotions to the scalp, neck, or face;

 (e) cutting, shaping, fitting, styling, and servicing hair pieces, toupees, and wigs.

 (2) “Hair braiding” means the weaving or interweaving of natural human hair for compensation without cutting, coloring, permanent waving, relaxing, removing, or chemical treatment. Hair braiding also includes the use of hair extensions, except when used in public places including, but not limited to, beaches, parks, and sidewalks.

 (3) “Express styling services” means the practice of shampooing, conditioning, drying, or thermal styling hair, using hair sprays and topical agents such as balms, oils, and serums that have only a finishing effect. 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). Nothing in this section shall affect the inclusion of these services in curriculum requirements for barber schools.

SECTION 3. Section 40‑7‑390 of the S.C. Code is amended to read:

 Section 40‑7‑390. These persons are exempt from this chapter while engaged in the proper discharge of their professional duties:

 (1) persons authorized under the laws of this State to practice medicine and surgery;

 (2) commissioned medical or surgical officers of the United States Army, Navy, or Marine hospital service;

 (3) registered nurses;

 (4) students in schools, colleges, and universities who practice barbering only upon students in the school, college, or university premises for the purpose of earning part of their school expenses;

 (5) undertakers;

 (6) persons authorized by state law to practice cosmetology only when they are practicing in salons, portable operations as defined in 40‑13‑20(13), or schools of cosmetology.; and

 (7) persons providing express styling services but no other services requiring a license under this chapter.

SECTION 4. 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) “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) “Cosmetologist” means a person including, but not limited to, an independent contractor, not a student, who is licensed to practice cosmetology.

 (4) “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) “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) “Express styling services” means the practice of shampooing, conditioning, drying, or thermal styling hair, using hair sprays and topical agents such as balms, oils, and serums that have only a finishing effect. 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 cosmetology. Nothing in this chapter shall affect the inclusion of these services in curriculum requirements for cosmetology schools or programs.

 (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.

 (9) “Makeup artistry” means the application of a cosmetic to enhance the appearance of the face or skin, including powder, foundation, rouge, eyeshadow, eyeliner, mascara, and lipstick. It includes the application of makeup applied using an airbrush. It excludes the application of permanent makeup or tattooing.

 (8)(10) “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)(11) “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)(12) “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.

   (13) “Portable cosmetologist, esthetician, or nail technician operation” or “portable operation” means equipment used in the practice of cosmetology and is used on a temporary basis at a location including, but not limited to:

        (a) a client’s residence;

        (b) a client’s short‑term residence;

        (c) a place of business;

        (d) a special event venue; or

        (e) another institution or location as may be authorized by the board.

SECTION 5. Section 40‑13‑110(A)(6) of the S.C. Code is amended to read:

 (6) practiced or attempted to practice cosmetology in any place other than a licensed salon or portable operation, except in case of an emergency including, but not limited to, illness, invalidism, or death when a licensed operator may perform services for a person in another place by appointment only;

SECTION 6. Section 40‑13‑360 of the S.C. Code is amended to read:

 Section 40‑13‑360. The following are exempt from this chapter while engaged in the proper discharge of their professional duties:

 (1) a manufacturer’s representative or sales person who demonstrates a product or technique for a promotional purpose;

 (2) an educational activity conducted in connection with a monthly, annual, or other special program from which the general public is excluded, provided this exemption applies only to the specific days of the special program;

 (3) a demonstration conducted by a manufacturer or a wholesaler for the purpose of exhibiting the technical application and use of a product; and

 (4) an unlicensed person employed in a cosmetology salon whose duties are expressly confined to shampooing hair under the direct supervision of a cosmetologist.a person providing makeup artistry but no other services requiring a license under this chapter; and

 (5) a person providing express styling services but no other services requiring a license under this chapter.

SECTION 7. Section 40‑13‑230(B) of the S.C. Code is amended to read:

 (B) A license as an esthetician must be issued by the board to a person who:

 (1) is at least sixteen years of age and possesses at least a tenth grade education or the equivalent as established by tests used in the public schools or tests approved by the board;

 (2) has completed at least four hundred fiftysix hundred hours in classes in skin care in a reliable school approved by the board or comparable training approved by the board; and

 (3) has passed the examination prescribed by the board and pays the required fee.; and

  (4) students enrolled in esthetician programs prior to July 1, 2024, must be issued a license for completion of at least four hundred fifty hours in classes in skin care in a reliable school approved by the board or comparable training approved by the board so long as all other requirements for licensure are met.

SECTION 8. The Board of Cosmetology may promulgate regulations to carry out the provisions of this act.

SECTION 9. This act takes effect upon approval by the Governor.

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