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**By: Delegates Busch and Gordon**

Introduced and read first time: February 19, 1997

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Business Occupations and Professions - Fees for Licensure and Renewal of Licensure**  
3 **and Certification**

4 FOR the purpose of altering certain license fees, certain license renewal fees, certain  
5 certificate fees, and certain certificate renewals under the Business Regulation  
6 Article and the Business Occupations and Professions Article; and generally  
7 relating to license fees, license renewal fees, certificate fees, and certificate renewal  
8 fees.

9 BY repealing and reenacting, with amendments,  
10 Article - Business Occupations and Professions  
11 Section 2-309, 2-311, 2-313, 5-205, 6-309, 6-310, 12-306, 12-308, 15-312, and  
12 15-314  
13 Annotated Code of Maryland  
14 (1995 Replacement Volume and 1996 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article - Business Regulation  
17 Section 4-305, 9A-207, 12-202, and 12-207  
18 Annotated Code of Maryland  
19 (1992 Volume and 1996 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Business Occupations and Professions**

23 2-309.

24 (a) If an applicant qualifies for a license under this subtitle, the Board shall send  
25 the applicant a notice that states that:

26 (1) the applicant has qualified for a license; and

27 (2) on receipt of a [\$25] \$15 license fee, the Board will issue a license to the  
28 applicant.

2

1 (b) On payment of the license fee, the Board shall issue a license to each  
2 applicant who meets the requirements of this subtitle.

3 2-311.

4 (a) Unless a license is renewed for a 2-year term as provided in this section, the  
5 license expires on the first December 31 that comes:

6 (1) after the effective date of the license; and

7 (2) in an even-numbered year.

8 (b) At least 1 month before a license expires, the Board shall mail to the licensee,  
9 at the last known address of the licensee:

10 (1) a renewal application form; and

11 (2) a notice that states:

12 (i) the date on which the current license expires;

13 (ii) the date by which the Board must receive the renewal application  
14 for the renewal to be issued and mailed before the license expires; and

15 (iii) the amount of the renewal fee.

16 (c) Before a license expires, the licensee periodically may renew it for an  
17 additional 2-year term, if the licensee:

18 (1) otherwise is entitled to be licensed;

19 (2) pays to the Board a renewal fee not exceeding [\$80] \$40, as set by the  
20 Board; and

21 (3) submits to the Board:

22 (i) a renewal application on the form that the Board provides; and

23 (ii) satisfactory evidence of compliance with the continuing education  
24 requirements set under this subtitle for license renewal.

25 (d) The Board shall renew the license of each licensee who meets the  
26 requirements of this section.

27 2-313.

28 (a) The Board shall place a licensee on inactive status and issue an inactive status  
29 certificate to the licensee, if the licensee:

30 (1) submits to the Board an application for inactive status on the form that  
31 the Board provides;

32 (2) pays to the Board an inactive status application fee not exceeding [\$40]  
33 \$20, as set by the Board; and

34 (3) except for the continuing education requirements set under § 2-312 of  
35 this subtitle, qualifies for an active license.

3

1 (b) A licensee on inactive status may not practice certified public accountancy in  
2 the State.

3 (c) (1) Unless a licensee on inactive status renews it as provided in this section,  
4 the licensee loses that status on the first December 31 that comes:

5 (i) after the inactive status certificate is issued to the licensee; and

6 (ii) in an even-numbered year.

7 (2) At least 1 month before the inactive status of a licensee expires, the  
8 Board shall mail to the licensee, at the last known address of the licensee:

9 (i) a renewal application form; and

10 (ii) a notice that states:

11 1. the date on which the inactive status expires;

12 2. the date by which the Board must receive the renewal  
13 application for the renewal to be mailed before the inactive status expires; and

14 3. the amount of the renewal fee.

15 (3) Before an inactive status expires, the licensee periodically may renew it  
16 for an additional 2-year term, if the licensee:

17 (i) otherwise is entitled to be placed on inactive status;

18 (ii) pays to the Board a renewal fee not exceeding [\$40,] \$20, as set by  
19 the Board; and

20 (iii) submits to the Board a renewal application on the form that the  
21 Board provides.

22 (4) After an inactive status expires, the former licensee may reapply for  
23 inactive status without meeting the continuing education requirements to qualify for an  
24 active license under § 2-312 of this subtitle, only if the former licensee:

25 (i) otherwise is entitled to be placed on inactive status;

26 (ii) pays to the Board a reapplication fee not exceeding [\$80,] \$40, as  
27 set by the Board; and

28 (iii) reapplies to the Board for inactive status within 2 years after initial  
29 expiration of inactive status on a form that the Board provides.

30 (5) The Board shall renew the inactive status of each licensee or grant the  
31 reapplication for inactive status of each former licensee who meets the requirements of  
32 this subsection.

33 (d) The Board shall reactivate the license of a licensee who is on inactive status, if  
34 the licensee:

35 (1) complies with each continuing education requirement that the Board  
36 sets for this purpose;

4

1 (2) submits to the Board an application for reactivation; and

2 (3) pays to the Board a reactivation fee that is equal to the license renewal  
3 fee set by the Board under § 2-311 of this subtitle.

4 5-205.

5 (a) In addition to any duties set forth elsewhere, the Board shall adopt:

6 (1) bylaws for the conduct of its proceedings;

7 (2) regulations for qualification and examination of applicants for licenses,  
8 registration, and permits and issuance of licenses, certificates of registration, and permits;

9 (3) regulations to govern the conduct of persons regulated under this title;

10 (4) regulations to govern sanitation and safety in practicing cosmetology,  
11 including regulations that establish precautions to prevent the spread of infectious and  
12 contagious diseases; and

13 (5) regulations to govern the direct supervision of the operation of limited  
14 practice beauty salons.

15 (b) (1) [The] SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE Board  
16 shall establish reasonable fees for [licensing, licensing renewals,] reinstatements,  
17 certifications, applications, preopening inspections, per diem fees for Board members,  
18 compensation for inspectors appointed by the Board, and for any other service performed  
19 by the Board necessary to carry out the provisions of this title.

20 (2) The fees established by the Board shall be set in a manner that will  
21 produce funds sufficient to cover the actual direct and indirect costs of regulating the  
22 cosmetology industry in the State in accordance with the provisions of this title.

23 (3) The total cost of regulating the cosmetology industry in the State in  
24 accordance with the provisions of this title may not be more than the revenues generated  
25 by the fees established under paragraph (1) of this subsection.

26 (4) THE BOARD SHALL REQUIRE A \$25 FEE FOR THE LICENSURE OR  
27 RENEWAL OF LICENSURE OF COSMETOLOGISTS, SENIOR COSMETOLOGISTS,  
28 ESTHETICIANS, MANICURISTS, AND MAKEUP ARTISTS.

29 6-309.

30 (a) If an applicant qualifies for a State license under this subtitle, the State Board  
31 shall send the applicant a notice that states that:

32 (1) the applicant has qualified for a State license; and

33 (2) the State Board will issue a State license to the applicant on receipt of:

34 (i) [\$75] \$20; and

35 (ii) proof of general liability and property damage insurance as  
36 required under § 6-604 of this title.

5

1 (b) (1) If, at the time of application, an applicant intends to assign to another  
2 person a local license that is obtained by use of a State license, the applicant shall identify  
3 on the application the person to whom the applicant is assigning the local license.

4 (2) On payment of the State license fee and receipt of the proof of  
5 insurance required under § 6-604 of this title, the State Board shall issue a State license  
6 to each applicant who meets the requirements of this title.

7 (c) The State Board shall include on each State license that the State Board  
8 issues:

9 (1) the name of the licensee; and

10 (2) if the licensee assigns a local license to another person who engages in  
11 the business of providing electrical services, the name of the person.

12 6-310.

13 (a) Unless a State license is renewed for a 2-year term as provided in this section,  
14 the State license expires on the first June 30 that comes:

15 (1) after the effective date of the State license; and

16 (2) in an odd-numbered year.

17 (b) At least 1 month before a State license expires, the State Board shall mail to  
18 the State licensee, at the last known address of the State licensee:

19 (1) a renewal application form; and

20 (2) a notice that states:

21 (i) the date on which the current State license expires;

22 (ii) the date by which the State Board must receive the renewal  
23 application for the renewal to be issued and mailed before the State license expires; and

24 (iii) the amount of the renewal fee.

25 (c) Before a State license expires, the State licensee periodically may renew it for  
26 an additional 2-year term, if the State licensee:

27 (1) otherwise is entitled to be licensed;

28 (2) pays to the State Board a renewal fee of [\$100] \$25; and

29 (3) submits to the State Board a renewal application on the form that the  
30 State Board provides.

31 (d) The State Board shall renew the State license of each State licensee who  
32 meets the requirements of this section.

33 (e) A State license to provide electrical services is not transferable.

6

1 12-306.

2 (a) If an applicant qualifies for a journey plumber license, a master plumber  
3 license, a limited license, or a propane gas fitter certificate under this subtitle, the Board  
4 shall send the applicant a notice that states that:

5 (1) the applicant has qualified for a license; and

6 (2) the Board will issue a license to the applicant on receipt of:

7 (i) if contracting in the name of the applicant or another person to  
8 provide plumbing services, proof of the liability insurance as required under § 12-501 of  
9 this title; and

10 (ii) a license fee of:

11 1. [\$100] \$70 for a master plumber license or a limited master  
12 plumber license;

13 2. [\$50] \$35 for a journey plumber license or a limited journey  
14 plumber license; or

15 3. [\$50] \$35 for a propane gas fitter certificate.

16 (b) On payment of the appropriate license fee and, if applicable, receipt of the  
17 proof of the insurance required under § 12-501 of this title, the Board shall issue a license  
18 to each applicant who meets the requirements of this subtitle.

19 12-308.

20 (a) Unless a license is renewed for a 2-year term as provided in this section, the  
21 license expires on the first May 1 that comes:

22 (1) after the effective date of the license; and

23 (2) in an odd-numbered year.

24 (b) At least 1 month before a license expires, the Board shall mail to the licensee,  
25 at the last known address of the licensee:

26 (1) a renewal application form; and

27 (2) a notice that states:

28 (i) the date on which the current license expires;

29 (ii) the date by which the Board must receive the renewal application  
30 for the renewal to be issued and mailed before the license expires; and

31 (iii) the amount of the renewal fee.

32 (c) Before a license expires, the licensee may renew it for an additional 2-year  
33 term, if the licensee:

34 (1) otherwise is entitled to be licensed;

7

1 (2) pays to the Board a renewal fee of:

2 (i) [\$100] \$70 for a master plumber license or a limited master  
3 plumber license;

4 (ii) [\$50] \$35 for a journey plumber license or a limited journey  
5 plumber license;

6 (iii) \$15 for an apprentice plumber license; or

7 (iv) [\$50] \$35 for a propane gas fitter certificate; and

8 (3) submits to the Board:

9 (i) if contracting in the name of the licensee or another person to  
10 provide plumbing services, proof of the liability insurance required under § 12-501 of this  
11 title; and

12 (ii) a renewal application on the form that the Board provides.

13 (d) The Board shall renew the license of and issue a renewal certificate to each  
14 licensee who meets the requirements of this section.

15 15-312.

16 (a) If an applicant qualifies for a license under this subtitle, the Board shall send  
17 the applicant a notice that states that:

18 (1) the applicant has qualified for a license; and

19 (2) the Board will issue a license to the applicant, on receipt of a license fee  
20 of:

21 (i) [\$150] \$60 for a license to practice land surveying; and

22 (ii) \$20 for a license to practice property line surveying.

23 (b) On payment of the appropriate license fee, the Board shall issue a license to  
24 each applicant who meets the requirements of this subtitle.

25 (c) The Board shall include on each license that the Board issues:

26 (1) the full name of the licensee;

27 (2) the registration number assigned by the Board to the licensee; and

28 (3) the signatures of the chairman and secretary of the Board, under seal of  
29 the Board.

30 (d) Subject to any regulation that the Board adopts, it shall replace any lost,  
31 mutilated, or destroyed license certificate on:

32 (1) request of the licensee; and

33 (2) payment of the replacement fee set by the Board, not exceeding \$35.

8

1 15-314.

2 (a) Unless a license is renewed for a 2-year term as provided in this section, the  
3 license expires on the first June 30 that comes:

4 (1) after the effective date of the license; and

5 (2) in an odd-numbered year.

6 (b) (1) At least 1 month before a license expires, the Board shall mail to the  
7 licensee, at the last known address of the licensee:

8 (i) a renewal application form; and

9 (ii) a notice that states:

10 1. the date on which the current license expires;

11 2. the date by which the Board must receive the renewal  
12 application for the renewal to be issued and mailed before the license expires; and

13 3. the amount of the renewal fee.

14 (2) The failure of a licensee to receive the notice for which this subsection  
15 provides does not prevent the license from expiring as specified under subsection (a) of  
16 this section.

17 (c) Before a license expires, the licensee periodically may renew it for an  
18 additional 2-year term, if the licensee:

19 (1) otherwise is entitled to be licensed;

20 (2) pays to the Board a renewal fee of:

21 (i) [~~\$150~~] \$60 for a license to practice land surveying; or

22 (ii) [~~\$100~~] \$40 for a license to practice property line surveying; and

23 (3) submits to the Board a renewal application on the form that the Board  
24 provides.

25 (d) (1) The Board shall renew the license of and issue a renewal certificate to  
26 each licensee who meets the requirements of this section.

27 (2) The Board shall include on each renewal certificate that the Board  
28 issues:

29 (i) the date on which the current license expires; and

30 (ii) the signatures of the chairman and secretary of the Board, under  
31 seal of the Board.

32 **Article - Business Regulation**

33 4-305.

34 (a) An applicant for a license shall:

9

1 (1) submit to the Commission an application on the form that the  
2 Commission provides; and

3 (2) pay to the Commission an application fee of:

4 (i) [\$20] \$10 for a license to participate as a boxer, kick boxer, or  
5 wrestler in a contest or to act as a second in a contest;

6 (ii) [\$25] \$15 for a license to act as a referee or judge in a contest;

7 (iii) [\$50] \$25 for a license to act as a manager of a boxer or kick  
8 boxer;

9 (iv) [\$50] \$25 for a license to act as a matchmaker of a contest; or

10 (v) [\$300] \$150 for a license to act as a promoter of a contest.

11 (b) The application shall contain the information that the Commission requires by  
12 regulation.

13 9A-207.

14 (a) Subject to [subsection (b)] SUBSECTIONS (B) AND (C) of this section, the  
15 Board may set reasonable fees[, including application fees, for the issuance and renewal  
16 of licenses and] FOR its [other] services.

17 (b) [Revenues] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION,  
18 REVENUES generated by the Board shall be at least equal to expenses incurred by the  
19 Board.

20 (C) THE BOARD SHALL REQUIRE THE FOLLOWING FEES FOR THE ISSUANCE  
21 OR RENEWAL OF THE FOLLOWING LICENSES:

22 (1) MASTER LICENSE - \$75;

23 (2) MASTER RESTRICTED LICENSE - \$25 FOR EACH AREA LICENSED;

24 (3) LIMITED LICENSE - \$75;

25 (4) JOURNEYMAN LICENSE - \$20; AND

26 (5) APPRENTICE LICENSE - \$10.

27 [(c)] (D) The Board shall pay all money collected under this title into the General  
28 Fund of the State.

29 12-202.

30 (a) (1) An applicant for a license shall:

31 (i) submit to the Secretary an application on the form that the  
32 Secretary provides; and

33 (ii) pay to the Secretary an application fee of [\$300] \$75.

34 (2) The application fee is nonrefundable.

10

1 (b) The applicant shall sign the application under oath.

2 (c) (1) The application form shall be based on the application form for a  
3 trader's license under Title 17 of this article.

4 (2) In addition to any other information that the Secretary requires, the  
5 application shall state:

6 (i) the name, date of birth, and residence address of the applicant;

7 (ii) the fixed address of the business of the applicant;

8 (iii) the fixed address in the State where precious metal objects will be  
9 stored, if different from the business address;

10 (iv) a telephone number at which the applicant can be reached during  
11 normal business hours;

12 (v) each address where the applicant has conducted any business  
13 during the 36 months before application;

14 (vi) the driver's license number, if any, of the applicant; and

15 (vii) the name and permanent address of each employee who will work  
16 with the applicant in the business of the applicant.

17 (d) The application form shall contain, immediately above the signature line, the  
18 following:

19 "If issued a license, I agree to allow a municipal, county, or State police officer  
20 acting in the course of a stolen property investigation to inspect and photograph all  
21 precious metal objects and records at my business or storage locations."

22 12-207.

23 (a) Unless a license is renewed for a 2-year term as provided in this section, the  
24 license expires on the first April 30 that comes:

25 (1) after the effective date of the license; and

26 (2) in an even-numbered year.

27 (b) At least 1 month before a license expires, the Secretary shall mail to the  
28 licensee, at the last known address of the licensee:

29 (1) a renewal application form; and

30 (2) a notice that states:

31 (i) the date on which the current license expires;

32 (ii) the date by which the Secretary must receive the renewal  
33 application for the renewal to be issued and mailed before the license expires; and

34 (iii) the amount of the renewal fee.

11

1 (c) Before a license expires, the licensee periodically may renew it for an  
2 additional 2-year term, if the licensee:

3 (1) submits to the Secretary a renewal application on the form that the  
4 Secretary provides;

5 (2) signs the renewal application under oath;

6 (3) updates the information submitted in the original application and states  
7 that the information is current;

8 (4) agrees to comply with each requirement applicable to the original  
9 application;

10 (5) states that the licensee:

11 (i) has not violated this title;

12 (ii) has not been convicted of an offense specified in § 12-209 of this  
13 subtitle; and

14 (iii) has not had a similar license denied, suspended, or revoked in  
15 another jurisdiction;

16 (6) otherwise is entitled to be licensed; and

17 (7) pays to the Secretary a renewal fee of [~~\$300~~] \$75.

18 (d) The Secretary shall renew the license of each licensee who meets the  
19 requirements of this section.

20 (e) A license is not transferable.

21 (f) (1) A licensee may change the place of business for which a license is issued  
22 only if the licensee:

23 (i) submits to the Secretary an application to transfer the license to a  
24 new business location on a form that the Secretary provides; and

25 (ii) receives the written approval of the Secretary.

26 (2) Within 45 days after the written notice is filed with the Secretary, the  
27 Secretary shall approve or disapprove the application and notify the licensee of the  
28 approval or disapproval, in writing.

29 (3) If the Secretary approves a proposed change of place of business, the  
30 licensee shall:

31 (i) submit to the Secretary a current list of names of each employee to  
32 be employed at the new location; and

33 (ii) attach the written approval of the Secretary to the license until an  
34 amended license is received by the licensee.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
36 October 1, 1997.

