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By: ~~Delegates Mandel and Cadden, Cadden, Donoghue, Harrison, and Hurson~~

Introduced and read first time: February 8, 2001  
Assigned to: Economic Matters

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 6, 2001

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CHAPTER 264

1 AN ACT concerning

2 **Cosmetologists - Temporary License**

3 FOR the purpose of creating a temporary license under the State Board of  
4 Cosmetology; requiring the Board to issue a temporary license under certain  
5 circumstances; authorizing the holder of a temporary license to practice  
6 cosmetology under certain circumstances; providing for the expiration of a  
7 temporary license; requiring the Board to credit a certain fee toward a certain  
8 initial license fee; providing for the termination of this Act; and generally  
9 relating to temporary licenses and the State Board of Cosmetology.

10 BY repealing and reenacting, with amendments,  
11 Article - Business Occupations and Professions  
12 Section 5-101(g) and 5-205(b)  
13 Annotated Code of Maryland  
14 (2000 Replacement Volume and 2000 Supplement)

15 BY adding to  
16 Article - Business Occupations and Professions  
17 Section 5-318  
18 Annotated Code of Maryland  
19 (2000 Replacement Volume and 2000 Supplement)

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

1 **Article - Business Occupations and Professions**

2 5-101.

3 (g) (1) "License" means, unless the context requires otherwise, a license  
4 issued by the Board.5 (2) "License" includes, unless the context requires otherwise, each of the  
6 following licenses:

7 (i) a license to practice cosmetology;

8 (ii) a license to practice as a senior cosmetologist;

9 (iii) a limited license to provide makeup artist services;

10 (iv) a limited license to provide esthetic services; [and]

11 (v) a limited license to provide nail technician services; AND

12 (VI) A TEMPORARY LICENSE.

13 5-205.14 (b) (1) Subject to paragraph (4) of this subsection, the Board shall establish  
15 reasonable fees for examinations, reinstatements, certifications, applications,  
16 preopening inspections, per diem fees for Board members, compensation for  
17 inspectors appointed by the Board, and for any other service performed by the Board  
18 necessary to carry out the provisions of this title.19 (2) Except for the examination fees which the Board shall establish in  
20 amounts not to exceed the costs of the examinations, the fees established by the Board  
21 shall be set in a manner that will produce funds sufficient to cover the actual direct  
22 and indirect costs of regulating the cosmetology industry in the State in accordance  
23 with the provisions of this title.24 (3) The total cost of regulating the cosmetology industry in the State in  
25 accordance with the provisions of this title may not be more than the revenues  
26 generated by the fees established under paragraph (1) of this subsection.27 (4) [The] SUBJECT TO § 5-318(F) OF THIS TITLE, THE Board shall require  
28 a \$25 fee for the licensure or renewal of licensure of cosmetologists, senior  
29 cosmetologists, estheticians, nail technicians, and makeup artists.

30 5-318.

31 (A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD SHALL ISSUE  
32 A TEMPORARY LICENSE TO PRACTICE COSMETOLOGY TO AN INDIVIDUAL WHO IS  
33 WAITING TO TAKE A LICENSING EXAMINATION UNDER THIS SUBTITLE.

1 (B) THE BOARD SHALL ISSUE A TEMPORARY LICENSE ONLY TO AN  
2 INDIVIDUAL WHO:

3 (1) EXCEPT FOR TAKING AND PASSING AN EXAMINATION UNDER THIS  
4 SUBTITLE, OTHERWISE QUALIFIES FOR A LICENSE TO PRACTICE COSMETOLOGY;

5 (2) SUBMITS TO THE BOARD AN APPLICATION ON THE FORM THAT THE  
6 BOARD PROVIDES; AND

7 (3) PAYS TO THE BOARD AN APPLICATION FEE ~~ESTABLISHED BY THE~~  
8 ~~BOARD IN ACCORDANCE WITH § 5-205 OF THIS TITLE~~ OF \$10.

9 (C) THE BOARD SHALL ISSUE THE TEMPORARY LICENSE AT THE TIME THE  
10 APPLICANT RECEIVES NOTICE OF THE RELEVANT EXAMINATION DATE.

11 (D) WHILE A TEMPORARY LICENSE IS IN EFFECT, IT AUTHORIZES THE  
12 HOLDER TO PRACTICE COSMETOLOGY UNDER THE SUPERVISION OF A LICENSED  
13 SENIOR COSMETOLOGIST.

14 (E) A TEMPORARY LICENSE EXPIRES ON THE EARLIER OF:

15 (1) 120 DAYS AFTER THE ISSUANCE OF THE TEMPORARY LICENSE;

16 (2) THE FAILURE OF THE HOLDER OF THE TEMPORARY LICENSE TO  
17 TAKE A SCHEDULED EXAMINATION WITHIN 60 DAYS AFTER THE ISSUANCE OF THE  
18 TEMPORARY LICENSE;

19 (3) NOTICE BY THE BOARD THAT THE APPLICANT HAS FAILED THE  
20 EXAMINATION; OR

21 (4) ISSUANCE UNDER THIS TITLE OF A LICENSE TO PRACTICE  
22 COSMETOLOGY ~~OR A LIMITED LICENSE.~~

23 (F) THE BOARD SHALL CREDIT THE AMOUNT OF THE APPLICATION FEE PAID  
24 BY AN APPLICANT UNDER THIS SECTION TOWARD THE INITIAL LICENSE FEE  
25 REQUIRED OF THE APPLICANT UNDER § 5-205(B) OF THIS TITLE.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2001. It shall remain effective for a period of 2 years and, at the end of  
28 September 30, 2003, with no further action required by the General Assembly, this  
29 Act shall be abrogated and of no further force and effect.

