

Department of Legislative Services
 Maryland General Assembly
 2015 Session

FISCAL AND POLICY NOTE

House Bill 587
 Economic Matters

(Delegate Davis)
 Education, Health, and Environmental Affairs

State Board of Barbers - Limited License - Barber-Stylist

This bill establishes a limited license issued by the State Board of Barbers to provide “barber-stylist services” under specified conditions.

Fiscal Summary

State Effect: General fund expenditures for the Department of Labor, Licensing, and Regulation (DLLR) increase by \$15,000 in FY 2016 for one-time programming and exam development costs. General fund revenues increase minimally beginning in FY 2017 from additional limited licenses issued by the board.

(in dollars)	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
GF Revenue	\$0	-	-	-	-
GF Expenditure	\$15,000	\$0	\$0	\$0	\$0
Net Effect	(\$15,000)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: Meaningful for small businesses that provide barber and/or barber-stylist services that benefit from additional individuals licensed to provide barber-stylist services under the bill.

Analysis

Bill Summary: While a limited license is in effect, it authorizes the licensee to provide *only* barber-stylist services. “Provide barber-stylist services” means to provide to an individual for compensation the service of (1) cutting, razor cutting, or styling the hair;

(2) shaving or trimming the beard; (3) massaging the face; or (4) performing any other similar procedure on the hair, beard, or face of the individual.

Subject to specified exceptions in current law, a person may not provide barber-stylist services in any place other than a beauty salon or barbershop that holds an applicable permit.

Generally, an applicant for a limited license to provide barber-stylist services must have completed successfully either a required program of at least 900 hours of training in an approved barber school or an apprenticeship of at least 1,650 hours within 18 months in a barbershop that holds a barbershop permit under the supervision of a master barber. An applicant for a limited license to provide barber-stylist services must pass an examination given by the board. The bill specifies licensing requirements under other circumstances, such as for an applicant who is a licensed cosmetologist, who is licensed in another State, or who received training in a correctional institution.

The board must adopt regulations that establish detailed curriculum standards for use by the State Board of Education or the Maryland Higher Education Commission (MHEC) in approving applications for instruction in the provision of barber-stylist services at public schools or private career schools.

The bill further generally integrates the limited license to provide barber-stylist services into the existing regulatory structure for barbers and master barbers.

Current Law: The practice of barbering includes:

- cutting, razor cutting, styling, relaxing, body waving, shampooing, or coloring the hair;
- shaving or trimming the beard;
- massaging the face;
- designing, fitting, or cutting a hairpiece; or
- performing any other similar procedure on the hair, beard, face, or hairpiece of the individual.

It does not include (1) the mere sale of wigs or hairpieces or (2) the services performed by an employee under the supervision of a master barber in a barbershop that holds a barbershop permit that are restricted to shampooing, removal of a hair solution, sterilization of equipment, or similar activities.

While a barber or master barber license is in effect, it authorizes the licensee to practice barbering, and a master barber license also authorizes the licensee to supervise an

apprentice barber. A master barber is a barber who has at least 15 months experience as a barber and who has passed an examination given by the board.

Generally, an applicant for a license to practice barbering must have completed successfully either a required program of at least 1,200 hours of training in an approved barber school or an apprenticeship of at least 2,250 hours within two years in a barbershop that holds a barbershop permit under the supervision of a master barber. An applicant for a license to practice barbering also must pass an examination given by the board. The board may waive the examination requirement for an individual who is licensed to practice barbering in another state.

The board must adopt regulations that establish detailed curriculum standards for use by the State Board of Education or MHEC in approving applications for instruction in the practice of barbering at public schools or private career schools.

The fee for licensure as a master barber or barber is \$50 and the examination fee is \$100 for both categories. The apprentice registration fee is \$10.

Background: The State Board of Barbers regulates and licenses barbers, and the State Board of Cosmetologists regulates and licenses cosmetologists. Each board must ensure that the fees of their board are reasonable and cover the actual documented direct and indirect costs of operating the respective board; these funds are deposited in the general fund. In fiscal 2013, the State Board of Barbers issued 6,395 licenses, and the State Board of Cosmetologists issued 48,992 licenses.

Chapter 412 of 2013 established a limited license issued by the State Board of Cosmetologists to provide hair services under conditions similar to the limited license for barber-stylists established under the bill. The State Board of Cosmetologists also issues limited licenses for esthetic services and nail technician services.

State Fiscal Effect: General fund expenditures for DLLR increase in total by \$15,000 in fiscal 2016 for one-time programming (\$10,000) and exam development (\$5,000) costs. Any additional licenses issued can likely be handled with existing resources. General fund revenues increase minimally from additional limited licenses issued to individuals who would otherwise not become licensed; the amount cannot be reliably estimated at this time. Examination fees are paid directly to the exam vendor and, therefore, have no effect on State revenues.

Given the bill's October 1, 2015 effective date, and the time needed for programming and exam development, general fund revenues likely increase beginning in fiscal 2017. To the extent that programming and exam development occur more quickly, general fund revenues increase minimally beginning in fiscal 2016.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Labor, Licensing, and Regulation; Maryland State Department of Education; Maryland Higher Education Commission; Department of Legislative Services

Fiscal Note History: First Reader - February 25, 2015
mar/mcr

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