HOUSE BILL 1291

C2 6lr3704 CF SB 830

By: Delegates Davis and Delegate Kelly

Introduced and read first time: February 12, 2016

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2016

CHAPTER

1 AN ACT concerning

2 State Board of Cosmetologists - Limited License - Hair Services - Blow Drying

- 3 FOR the purpose of establishing a limited license to provide hair services – blow drying; requiring the State Board of Cosmetologists to establish by regulation certain 4 5 curriculum standards for providing hair services – blow drying for use by certain 6 entities for a certain purpose; establishing qualifications for a limited license to 7 provide hair services - blow drying; providing that a certain limited license 8 authorizes the licensee to provide only certain services; authorizing the 9 establishment of a limited practice beauty salon for providing hair services – blow 10 drying; prohibiting a person from providing hair services – blow drying in certain 11 places subject to certain exceptions; defining certain terms; altering the definitions 12 of certain terms; and generally relating to a limited license to provide hair services 13 - blow drying.
- 14 BY repealing and reenacting, with amendments,
- 15 Article Business Occupations and Professions
- 16 Section 5–101, 5–205(c), 5–301, 5–305, 5–310, 5–501, and 5–605
- 17 Annotated Code of Maryland

21

- 18 (2010 Replacement Volume and 2015 Supplement)
- 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 20 That the Laws of Maryland read as follows:

Article – Business Occupations and Professions

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

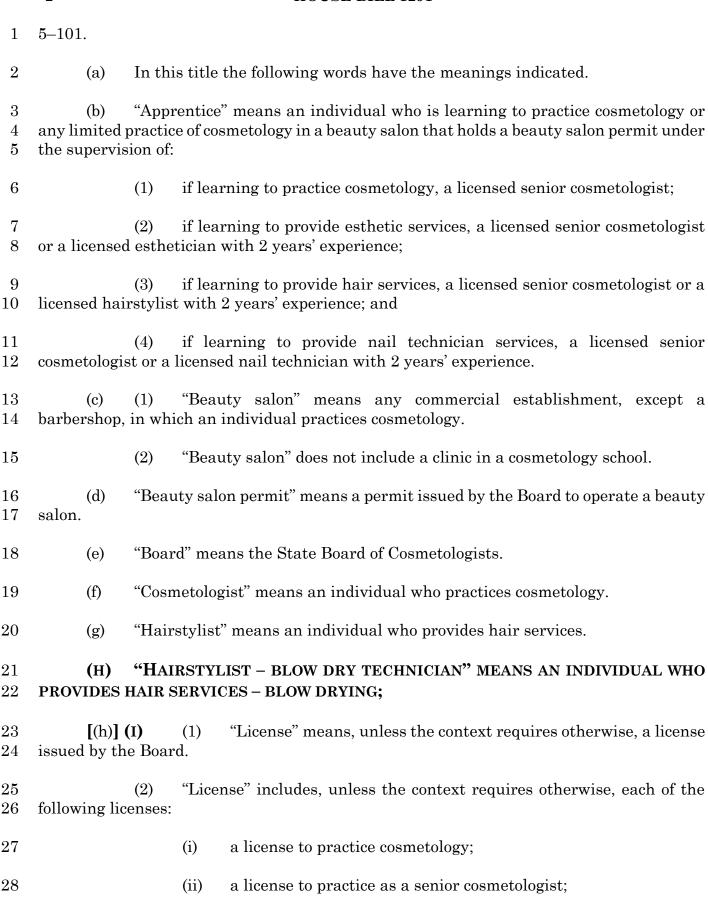
<u>Underlining</u> indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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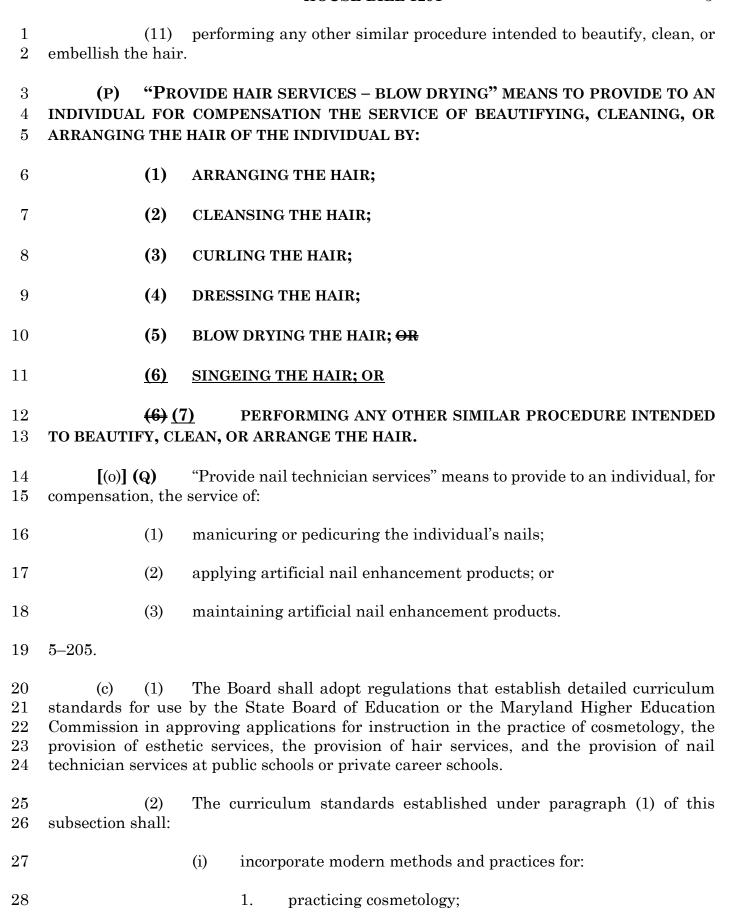
(iii)



a limited license to provide esthetic services;

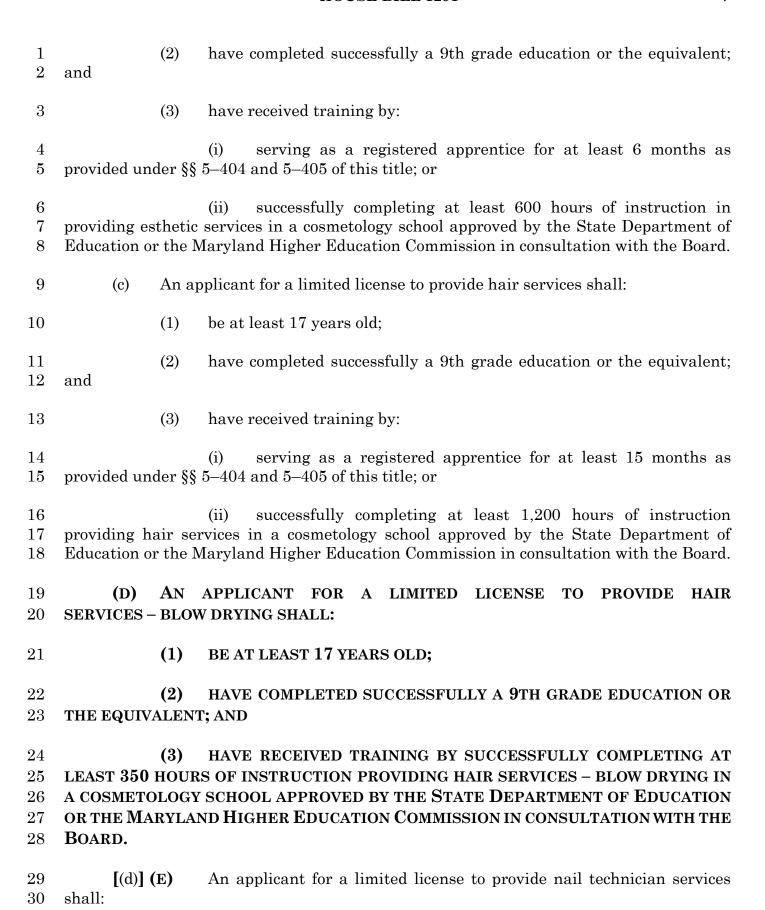
1		(iv)	a limited license to provide hair services; [and]	
2 3	DRYING; AND	(v)	A LIMITED LICENSE TO PROVIDE HAIR SERVICES – BLOW	
4		[(v)]	(VI) a limited license to provide nail technician services.	
5 6	[(i)] (J) a cosmetologist wh		nsed cosmetologist" means, unless the context requires otherwise, ensed by the Board to practice cosmetology.	
7	[(j)] (K)	"Lice	nsed senior cosmetologist" means a person who:	
8	(1)) has at least 2 years of experience as a licensed cosmetologist; and		
9	(2) has passed a test approved by the Board.			
10 11	[(k)] (L) cosmetology as lim	(1) ited in	"Limited license" means a license issued by the Board to practice § 5–301 of this title.	
$\frac{12}{3}$	(2) of the following lice	(2) "Limited license" includes, unless the context requires otherwise, each ne following licenses:		
4		(i)	a limited license to provide esthetic services;	
5		(ii)	a limited license to provide hair services; [and]	
16 17	DRYING; AND	(III)	A LIMITED LICENSE TO PROVIDE HAIR SERVICES – BLOW	
18		[(iii)]	(IV) a limited license to provide nail technician services.	
19 20	[(l)] (M) for compensation:	(1)	"Practice cosmetology" means to engage in any of the following	
21		(i)	providing hair services;	
22		(ii)	arching or dyeing eyebrows;	
23		(iii)	dyeing eyelashes;	
24		(iv)	providing esthetic services; or	
25		(v)	providing nail technician services.	
26	(2)	Then	ractice of cosmetology does not include:	

1		(i)	the mere sale, fitting, or styling of wigs or hairpieces;			
2		(ii)	the mere shampooing of hair; or			
3 4 5 6 7	(iii) a service that results in tension on hair strands or roots by twisting, wrapping, weaving, extending, locking, or braiding by hand or mechanical device, provided that the service does not include the application of dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl, or alter the structure of the hair.					
8	[(m)] (N) compensation, the	· ·				
10 11	(1) cleansing, exercising, massaging, stimulating, or performing any other similar procedure on the skin or scalp by electrical, mechanical, or any other means;					
12 13	(2) preparation; or	apply	ying to the face an alcohol, cream, lotion, astringent, or cosmetic			
14	(3)	remo	ving superfluous hair by the use of a depilatory, tweezers, or wax.			
15 16 17	[(n)] (O) compensation the by:		vide hair services" means to provide to an individual for e of beautifying, cleaning, or embellishing the hair of the individual			
18	(1)	arrai	nging the hair;			
19	(2)	bleac	ching the hair;			
20	(3)	clean	asing the hair;			
21	(4)	color	ing the hair;			
22	(5)	curli	ng the hair;			
23	(6)	cutti	ng the hair;			
24	(7)	dress	sing the hair;			
25	(8)	singe	eing the hair;			
26	(9)	perm	anent waving the hair;			
27	(10)	wavi	ng the hair; or			

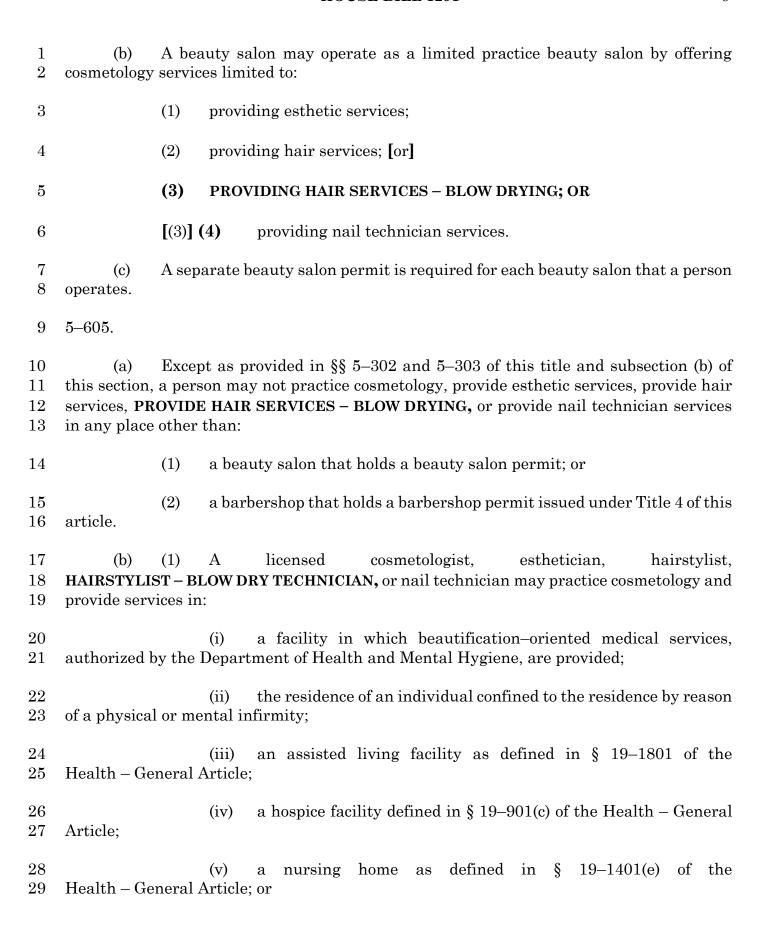


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1	1 2. providing	ng esthetic services;			
2	2 3. providing	ng hair services; [and]			
3	3 4. PROVII	DING HAIR SERVICES – BLOW DRYING; AND			
4	4 [4.] 5. p	roviding nail technician services;			
5 6	· ·	rence to each topic and the emphasis of each topic in the appropriate licensing area; and			
7 8	· /	and updated periodically as determined by the			
9	9 5–301.				
10 11 12	the Board to practice cosmetology before the individual may practice cosmetology in the				
13 14					
15	5 (1) providing esthetic se	rvices;			
16	6 (2) providing hair service	es; [or]			
17	7 (3) PROVIDING HAIR SI	ERVICES – BLOW DRYING; OR			
18	8 [(3)] (4) providing nail	technician services.			
19	9 (c) Subsection (a) of this section	n does not apply to:			
20 21					
22	(2) a registered apprent	ice.			
23	23 5–305.				
24 25		ense to practice cosmetology, an applicant shall be ats of this section.			
26	(b) An applicant for a limited l	icense to provide esthetic services shall:			
27	(1) be at least 17 years of	old;			



- 1 (1) be at least 17 years old;
- 2 (2) have successfully completed a 9th grade education or the equivalent;
- 3 and
- 4 (3) have received training by:
- 5 (i) serving as a registered apprentice for at least 3 months as 6 provided under §§ 5-404 and 5-405 of this title; or
- 7 (ii) successfully completing at least 250 hours of instruction in 8 providing nail technician services in a cosmetology school approved by the State 9 Department of Education or the Maryland Higher Education Commission in consultation with the Board.
- [(e)] (F) If an applicant is licensed to practice as an esthetician, hairstylist, HAIRSTYLIST BLOW DRYING TECHNICIAN, or nail technician in another state or foreign country, the applicant meets the training requirements of this section if the applicant has held a limited license in the other state or foreign country and has actively practiced in the other state or foreign country for a period of 6 months.
- 16 **[**(f)**] (G)** An applicant for a limited license shall pass an examination given by 17 the Board under this subtitle.
- 18 5–310.
- 19 (a) Subject to subsections (b), (c), [and] (d), AND (E) of this section and while a 20 license to practice cosmetology is in effect, it authorizes the licensee to practice cosmetology.
- 21 (b) While a limited license to provide esthetic services is in effect, it authorizes 22 the licensee to provide only esthetic services.
- 23 (c) While a limited license to provide hair services is in effect, the license 24 authorizes the licensee to provide only hair services.
- 25 (D) WHILE A LIMITED LICENSE TO PROVIDE HAIR SERVICES BLOW DRYING 26 IS IN EFFECT, THE LICENSE AUTHORIZES THE LICENSEE TO PROVIDE ONLY HAIR 27 SERVICES – BLOW DRYING.
- While a limited license to provide nail technician services is in effect, it authorizes the licensee to provide only nail technician services.
- 30 5–501.
- 31 (a) A person shall hold a beauty salon permit issued by the Board before the 32 person may operate a beauty salon in the State.



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$\frac{1}{2}$	(vi) a hospital as defined in § 19–301 of the Health – General Article or a similar institution.
3	(2) To practice in any of the locations specified in this subsection:
4 5 6 7	(i) the licensed cosmetologist, esthetician, hairstylist HAIRSTYLIST – BLOW DRY TECHNICIAN, or nail technician shall be sponsored by a beauty salon in which the cosmetologist, esthetician, hairstylist, HAIRSTYLIST – BLOW DRY TECHNICIAN, or nail technician is authorized to practice;
8 9	(ii) the patron to whom the services are rendered shall be a customer of the beauty salon; and
10 11	(iii) the services shall be rendered by appointment through the beauty salon.
12 13	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.
	Approved:
	Governor.
	Speaker of the House of Delegates.
	President of the Senate.