

SENATE BILL 678

C2

6lr2106

By: **Senator Eckardt**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Cosmetologists – Pets on Premises of Beauty Salons – Authorized**

3 FOR the purpose of authorizing a beauty salon permit holder to allow dogs and other pets
4 on the premises of the beauty salon in accordance with regulations adopted by the
5 State Board of Cosmetologists; prohibiting a Board inspector from issuing a certain
6 citation for the presence of an animal in a beauty salon unless the beauty salon
7 permit holder violates certain regulations; authorizing the Board to establish a
8 certain civil penalty only in accordance with certain regulations; requiring the Board
9 to adopt certain regulations on or before a certain date; and generally relating to the
10 presence of pets in beauty salons.

11 BY adding to

12 Article – Business Occupations and Professions
13 Section 5–507
14 Annotated Code of Maryland
15 (2010 Replacement Volume and 2015 Supplement)

16 BY repealing and reenacting, with amendments,

17 Article – Business Occupations and Professions
18 Section 5–610
19 Annotated Code of Maryland
20 (2010 Replacement Volume and 2015 Supplement)

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

23 **Article – Business Occupations and Professions**

24 **5–507.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **A BEAUTY SALON PERMIT HOLDER MAY ALLOW DOGS AND OTHER PETS ON**
2 **THE PREMISES OF THE BEAUTY SALON IN ACCORDANCE WITH REGULATIONS**
3 **ADOPTED BY THE BOARD.**

4 5–610.

5 (a) **(1)** [Following] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,**
6 **FOLLOWING** an inspection of a beauty salon, if a Board inspector determines that a licensee
7 or permit holder has violated this title or a regulation adopted by the Board, the inspector
8 may issue a citation to the licensee or permit holder.

9 **(2)** **A BOARD INSPECTOR MAY NOT ISSUE A CITATION TO A BEAUTY**
10 **SALON PERMIT HOLDER FOR THE PRESENCE OF AN ANIMAL ON THE PREMISES OF**
11 **THE BEAUTY SALON UNLESS THE BEAUTY SALON PERMIT HOLDER VIOLATES**
12 **REGULATIONS ADOPTED BY THE BOARD UNDER § 5–507 OF THIS TITLE.**

13 (b) A citation issued by a Board inspector shall be in writing and shall state:

14 (1) a brief description of each violation;

15 (2) the amount of a civil penalty, as prescribed by regulation, for each
16 violation; and

17 (3) as provided in this section:

18 (i) the time within which the civil penalty is to be paid;

19 (ii) the opportunity to contest the citation; and

20 (iii) the finality of the citation if it is not contested.

21 (c) The citation shall be served on the licensee or permit holder alleged to have
22 committed the violation by:

23 (1) hand–delivery; or

24 (2) certified mail to the last known address of the licensee or permit holder.

25 (d) Subject to subsections (e) and (f) of this section, the civil penalty set forth in a
26 citation shall be paid within 60 days of its receipt.

27 (e) A citation and the applicable civil penalty shall be considered a final order of
28 the Board unless, within 60 days of being served with the citation, the licensee or permit
29 holder notifies the Board in writing of an intent to contest the citation.

1 (f) (1) Upon the receipt of a written notice of a licensee or permit holder's
2 intent to contest a citation, the Board shall hold a hearing, in accordance with § 5-315 or §
3 5-523 of this title, regarding the cited violations.

4 (2) A hearing held in accordance with paragraph (1) of this subsection may
5 not be delegated to the Office of Administrative Hearings under Title 10, Subtitle 2 of the
6 State Government Article.

7 (g) (1) **[The] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE**
8 Board shall establish by regulation a schedule of civil penalties for violations of this title
9 and regulations adopted by the Board.

10 (2) The civil penalties imposed under this subsection may not exceed \$300
11 for all violations cited on a single day.

12 **(3) THE BOARD MAY ESTABLISH BY REGULATION A CIVIL PENALTY**
13 **FOR THE PRESENCE OF AN ANIMAL IN A BEAUTY SALON ONLY IN ACCORDANCE WITH**
14 **REGULATIONS ADOPTED BY THE BOARD UNDER § 5-507 OF THIS TITLE.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of
16 Cosmetology shall adopt regulations to implement this Act on or before October 1, 2017.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2016.