

# SENATE BILL 679

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6lr2016  
CF HB 700

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By: **Senators Astle, Benson, Hershey, Jennings, and Klausmeier**

Introduced and read first time: February 5, 2016

Assigned to: Finance

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 18, 2016

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Unemployment Insurance – Exemption From Covered Employment – Nail**  
3 **Technicians**

4 FOR the purpose of providing that, under certain circumstances, work is not covered  
5 employment under the unemployment insurance law when performed by certain  
6 individuals who hold a limited license to provide nail technician services; and  
7 generally relating to an exemption from covered employment under the  
8 unemployment insurance law.

9 BY adding to

10 Article – Labor and Employment

11 Section 8–206(a–1)

12 Annotated Code of Maryland

13 (2008 Replacement Volume and 2015 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

15 That the Laws of Maryland read as follows:

16 **Article – Labor and Employment**

17 8–206.

18 **(A–1) WORK IS NOT COVERED EMPLOYMENT WHEN PERFORMED BY A HOLDER**  
19 **OF A LIMITED LICENSE TO PROVIDE NAIL TECHNICIAN SERVICES WHO LEASES OR**  
20 **OTHERWISE AGREES TO THE USE OF A CHAIR, BOOTH, OR SPACE FROM A HOLDER OF**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

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



1 A BARBERSHOP PERMIT, A BEAUTY SALON PERMIT, OR AN OWNER-MANAGER  
 2 PERMIT WHO OPERATES A BARBERSHOP OR BEAUTY SALON IF THE SECRETARY IS  
 3 SATISFIED THAT:

4 (1) THE HOLDER OF A LIMITED LICENSE TO PROVIDE NAIL  
 5 TECHNICIAN SERVICES AND THE PERMIT HOLDER HAVE ENTERED INTO A WRITTEN  
 6 LEASE OR OTHER WRITTEN AGREEMENT THAT IS IN EFFECT;

7 (2) THE HOLDER OF A LIMITED LICENSE TO PROVIDE NAIL  
 8 TECHNICIAN SERVICES:

9 (I) PAYS A STIPULATED AMOUNT OR COMMISSION FOR USE OF  
 10 THE CHAIR, BOOTH, OR SPACE;

11 (II) IS NOT REQUIRED TO MAKE ANY FURTHER ACCOUNTING OF  
 12 INCOME TO THE PERMIT HOLDER; AND

13 (III) HAS ACCESS TO THE PREMISES AT ALL HOURS AND MAY SET  
 14 PERSONAL WORK HOURS AND PRICES; AND

15 (3) THE LEASE OR OTHER WRITTEN AGREEMENT EXPRESSLY STATES  
 16 THAT THE HOLDER OF A LIMITED LICENSE TO PROVIDE NAIL TECHNICIAN SERVICES  
 17 KNOWS:

18 (I) OF THE RESPONSIBILITY TO PAY STATE AND FEDERAL  
 19 INCOME TAXES AND MAKE CONTRIBUTIONS TO SOCIAL SECURITY FOR  
 20 SELF-EMPLOYMENT; AND

21 (II) THAT THE WORK IS NOT COVERED EMPLOYMENT.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 23 October 1, 2016.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.