

SENATE BILL 695

A2

6lr1363
CF HB 843

By: **Senators Young and Hough**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2016

CHAPTER _____

1 AN ACT concerning

2 **Frederick County – Alcoholic Beverages – Beauty Salon License**

3 FOR the purpose of establishing in Frederick County a beauty salon beer and wine license;
4 requiring that a recipient of the license be a holder of a beauty salon permit;
5 authorizing a holder of the license to provide beer and wine by the glass for
6 consumption by a certain customer when a certain cosmetology service is provided
7 or a certain fund-raising event is held; prohibiting the license from being transferred
8 to another location; specifying the hours that the license privilege may be exercised;
9 specifying an annual license fee; providing that an establishment for which the
10 license is issued is subject to certain alcohol awareness training requirements; and
11 generally relating to alcoholic beverages licenses in Frederick County.

12 BY renumbering

13 Article – Alcoholic Beverages

14 Section 20–1002 through 20–1014, respectively

15 to be Section 20–1003 through 20–1015, respectively

16 Annotated Code of Maryland

17 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
18 Assembly of 2016)

19 BY adding to

20 Article – Alcoholic Beverages

21 Section 20–1002

22 Annotated Code of Maryland

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.



(As enacted by Chapter ___ (S.B. ___)(6LR1406) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, without amendments,
 Article – Business Occupations and Professions
 Section 5–101(a), (c), (d), (l), (m), (n), and (o) and 5–501
 Annotated Code of Maryland
 (2010 Replacement Volume and 2015 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That Sections 20–1002 through 20–1014, respectively, of the Alcoholic Beverages Article of the Annotated Code of Maryland be renumbered to be Sections 20–1003 through 20–1015, respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

20–1002.

(A) **THERE IS A BEAUTY SALON BEER AND WINE LICENSE.**

(B) **THE BOARD MAY ISSUE THE LICENSE TO A HOLDER OF A BEAUTY SALON PERMIT UNDER § 5–501 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.**

(C) **THE LICENSE AUTHORIZES THE LICENSE HOLDER TO PROVIDE NO MORE THAN 5 OUNCES OF BEER OR WINE BY THE GLASS FOR ON–PREMISES CONSUMPTION BY A BEAUTY SALON CUSTOMER:**

(1) **WHEN THE CUSTOMER IS PROVIDED A COSMETOLOGY SERVICE ~~UNDER § 5–101(L)~~ DESCRIBED IN § 5–101(L)(1) OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE; OR**

(2) **WHILE THE CUSTOMER IS ATTENDING A FUND–RAISING EVENT AT THE BEAUTY SALON FOR WHICH THE DEPARTMENT OF PERMITS AND INSPECTIONS, IF REQUIRED, HAS ISSUED A PERMIT.**

(D) **THE LICENSE MAY NOT BE TRANSFERRED TO ANOTHER LOCATION.**

(E) **THE LICENSE HOLDER MAY PROVIDE BEER AND WINE FOR ON–PREMISES CONSUMPTION DURING NORMAL BUSINESS HOURS BUT NOT LATER THAN 9 P.M.**

1 **(F) THE ESTABLISHMENT FOR WHICH A BEAUTY SALON LICENSE IS ISSUED**
2 **IS SUBJECT TO THE ALCOHOL AWARENESS TRAINING REQUIREMENTS UNDER §**
3 **4-505 OF THIS ARTICLE, SUBJECT TO § 20-1903 OF THIS TITLE.**

4 **(G) THE ANNUAL LICENSE FEE IS \$100.**

5 **Article – Business Occupations and Professions**

6 5-101.

7 (a) In this title the following words have the meanings indicated.

8 (c) (1) “Beauty salon” means any commercial establishment, except a
9 barbershop, in which an individual practices cosmetology.

10 (2) “Beauty salon” does not include a clinic in a cosmetology school.

11 (d) “Beauty salon permit” means a permit issued by the Board to operate a beauty
12 salon.

13 (l) (1) “Practice cosmetology” means to engage in any of the following for
14 compensation:

15 (i) providing hair services;

16 (ii) arching or dyeing eyebrows;

17 (iii) dyeing eyelashes;

18 (iv) providing esthetic services; or

19 (v) providing nail technician services.

20 (2) The practice of cosmetology does not include:

21 (i) the mere sale, fitting, or styling of wigs or hairpieces;

22 (ii) the mere shampooing of hair; or

23 (iii) a service that results in tension on hair strands or roots by
24 twisting, wrapping, weaving, extending, locking, or braiding by hand or mechanical device,
25 provided that the service does not include the application of dyes, reactive chemicals, or
26 other preparations to alter the color of the hair or to straighten, curl, or alter the structure
27 of the hair.

28 (m) “Provide esthetic services” means to provide to an individual, for
29 compensation, the service of:

1 (1) cleansing, exercising, massaging, stimulating, or performing any other
2 similar procedure on the skin or scalp by electrical, mechanical, or any other means;

3 (2) applying to the face an alcohol, cream, lotion, astringent, or cosmetic
4 preparation; or

5 (3) removing superfluous hair by the use of a depilatory, tweezers, or wax.

6 (n) "Provide hair services" means to provide to an individual for compensation the
7 service of beautifying, cleaning, or embellishing the hair of the individual by:

8 (1) arranging the hair;

9 (2) bleaching the hair;

10 (3) cleansing the hair;

11 (4) coloring the hair;

12 (5) curling the hair;

13 (6) cutting the hair;

14 (7) dressing the hair;

15 (8) singeing the hair;

16 (9) permanent waving the hair;

17 (10) waving the hair; or

18 (11) performing any other similar procedure intended to beautify, clean, or
19 embellish the hair.

20 (o) "Provide nail technician services" means to provide to an individual, for
21 compensation, the service of:

22 (1) manicuring or pedicuring the individual's nails;

23 (2) applying artificial nail enhancement products; or

24 (3) maintaining artificial nail enhancement products.

25 5-501.

1 (a) A person shall hold a beauty salon permit issued by the Board before the
2 person may operate a beauty salon in the State.

3 (b) A beauty salon may operate as a limited practice beauty salon by offering
4 cosmetology services limited to:

5 (1) providing esthetic services;

6 (2) providing hair services; or

7 (3) providing nail technician services.

8 (c) A separate beauty salon permit is required for each beauty salon that a person
9 operates.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.