
By: Delegates Busch and Gordon

Introduced and read first time: February 19, 1997

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 1997

CHAPTER ____

1 AN ACT concerning

2 **Business Occupations and Professions - Fees for Licensure and Renewal of Licensure**
3 **and Certification**

4 FOR the purpose of altering certain license fees, certain license renewal fees, certain
5 certificate fees, and certain certificate ~~renewals~~ renewal fees under the Business
6 Regulation Article and the Business Occupations and Professions Article; providing
7 for a delayed effective date; and generally relating to license fees, license renewal
8 fees, certificate fees, and certificate renewal fees.

9 BY repealing and reenacting, with amendments,
10 Article - Business Occupations and Professions
11 Section 2-309, 2-311, 2-313, 5-205, 6-309, 6-310, 12-306, 12-308, 15-312, and
12 15-314
13 Annotated Code of Maryland
14 (1995 Replacement Volume and 1996 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article - Business Regulation
17 Section 4-305, 9A-207, 12-202, and 12-207
18 Annotated Code of Maryland
19 (1992 Volume and 1996 Supplement)

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

2

1 **Article - Business Occupations and Professions**

2 2-309.

3 (a) If an applicant qualifies for a license under this subtitle, the Board shall send
4 the applicant a notice that states that:

5 (1) the applicant has qualified for a license; and

6 (2) on receipt of a [\$25] \$15 license fee, the Board will issue a license to the
7 applicant.

8 (b) On payment of the license fee, the Board shall issue a license to each
9 applicant who meets the requirements of this subtitle.

10 2-311.

11 (a) Unless a license is renewed for a 2-year term as provided in this section, the
12 license expires on the first December 31 that comes:

13 (1) after the effective date of the license; and

14 (2) in an even-numbered year.

15 (b) At least 1 month before a license expires, the Board shall mail to the licensee,
16 at the last known address of the licensee:

17 (1) a renewal application form; and

18 (2) a notice that states:

19 (i) the date on which the current license expires;

20 (ii) the date by which the Board must receive the renewal application
21 for the renewal to be issued and mailed before the license expires; and

22 (iii) the amount of the renewal fee.

23 (c) Before a license expires, the licensee periodically may renew it for an
24 additional 2-year term, if the licensee:

25 (1) otherwise is entitled to be licensed;

26 (2) pays to the Board a renewal fee not exceeding [\$80] \$40, as set by the
27 Board; and

28 (3) submits to the Board:

29 (i) a renewal application on the form that the Board provides; and

30 (ii) satisfactory evidence of compliance with the continuing education
31 requirements set under this subtitle for license renewal.

32 (d) The Board shall renew the license of each licensee who meets the
33 requirements of this section.

3

1 2-313.

2 (a) The Board shall place a licensee on inactive status and issue an inactive status
3 certificate to the licensee, if the licensee:

4 (1) submits to the Board an application for inactive status on the form that
5 the Board provides;

6 (2) pays to the Board an inactive status application fee not exceeding [\$40]
7 \$20, as set by the Board; and

8 (3) except for the continuing education requirements set under § 2-312 of
9 this subtitle, qualifies for an active license.

10 (b) A licensee on inactive status may not practice certified public accountancy in
11 the State.

12 (c) (1) Unless a licensee on inactive status renews it as provided in this section,
13 the licensee loses that status on the first December 31 that comes:

14 (i) after the inactive status certificate is issued to the licensee; and

15 (ii) in an even-numbered year.

16 (2) At least 1 month before the inactive status of a licensee expires, the
17 Board shall mail to the licensee, at the last known address of the licensee:

18 (i) a renewal application form; and

19 (ii) a notice that states:

20 1. the date on which the inactive status expires;

21 2. the date by which the Board must receive the renewal
22 application for the renewal to be mailed before the inactive status expires; and

23 3. the amount of the renewal fee.

24 (3) Before an inactive status expires, the licensee periodically may renew it
25 for an additional 2-year term, if the licensee:

26 (i) otherwise is entitled to be placed on inactive status;

27 (ii) pays to the Board a renewal fee not exceeding [\$40,] \$20, as set by
28 the Board; and

29 (iii) submits to the Board a renewal application on the form that the
30 Board provides.

31 (4) After an inactive status expires, the former licensee may reapply for
32 inactive status without meeting the continuing education requirements to qualify for an
33 active license under § 2-312 of this subtitle, only if the former licensee:

34 (i) otherwise is entitled to be placed on inactive status;

4

1 (ii) pays to the Board a reapplication fee not exceeding [\$80,] \$40, as
2 set by the Board; and

3 (iii) reapplies to the Board for inactive status within 2 years after initial
4 expiration of inactive status on a form that the Board provides.

5 (5) The Board shall renew the inactive status of each licensee or grant the
6 reapplication for inactive status of each former licensee who meets the requirements of
7 this subsection.

8 (d) The Board shall reactivate the license of a licensee who is on inactive status, if
9 the licensee:

10 (1) complies with each continuing education requirement that the Board
11 sets for this purpose;

12 (2) submits to the Board an application for reactivation; and

13 (3) pays to the Board a reactivation fee that is equal to the license renewal
14 fee set by the Board under § 2-311 of this subtitle.

15 5-205.

16 (a) In addition to any duties set forth elsewhere, the Board shall adopt:

17 (1) bylaws for the conduct of its proceedings;

18 (2) regulations for qualification and examination of applicants for licenses,
19 registration, and permits and issuance of licenses, certificates of registration, and permits;

20 (3) regulations to govern the conduct of persons regulated under this title;

21 (4) regulations to govern sanitation and safety in practicing cosmetology,
22 including regulations that establish precautions to prevent the spread of infectious and
23 contagious diseases; and

24 (5) regulations to govern the direct supervision of the operation of limited
25 practice beauty salons.

26 (b) (1) [The] SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE Board
27 shall establish reasonable fees for [licensing, licensing renewals,] reinstatements,
28 certifications, applications, preopening inspections, per diem fees for Board members,
29 compensation for inspectors appointed by the Board, and for any other service performed
30 by the Board necessary to carry out the provisions of this title.

31 (2) The fees established by the Board shall be set in a manner that will
32 produce funds sufficient to cover the actual direct and indirect costs of regulating the
33 cosmetology industry in the State in accordance with the provisions of this title.

34 (3) The total cost of regulating the cosmetology industry in the State in
35 accordance with the provisions of this title may not be more than the revenues generated
36 by the fees established under paragraph (1) of this subsection.

5

1 (4) THE BOARD SHALL REQUIRE A \$25 FEE FOR THE LICENSURE OR
2 RENEWAL OF LICENSURE OF COSMETOLOGISTS, SENIOR COSMETOLOGISTS,
3 ESTHETICIANS, MANICURISTS, AND MAKEUP ARTISTS.

4 6-309.

5 (a) If an applicant qualifies for a State license under this subtitle, the State Board
6 shall send the applicant a notice that states that:

7 (1) the applicant has qualified for a State license; and

8 (2) the State Board will issue a State license to the applicant on receipt of:

9 (i) [\$75] \$20; and

10 (ii) proof of general liability and property damage insurance as
11 required under § 6-604 of this title.

12 (b) (1) If, at the time of application, an applicant intends to assign to another
13 person a local license that is obtained by use of a State license, the applicant shall identify
14 on the application the person to whom the applicant is assigning the local license.

15 (2) On payment of the State license fee and receipt of the proof of
16 insurance required under § 6-604 of this title, the State Board shall issue a State license
17 to each applicant who meets the requirements of this title.

18 (c) The State Board shall include on each State license that the State Board
19 issues:

20 (1) the name of the licensee; and

21 (2) if the licensee assigns a local license to another person who engages in
22 the business of providing electrical services, the name of the person.

23 6-310.

24 (a) Unless a State license is renewed for a 2-year term as provided in this section,
25 the State license expires on the first June 30 that comes:

26 (1) after the effective date of the State license; and

27 (2) in an odd-numbered year.

28 (b) At least 1 month before a State license expires, the State Board shall mail to
29 the State licensee, at the last known address of the State licensee:

30 (1) a renewal application form; and

31 (2) a notice that states:

32 (i) the date on which the current State license expires;

33 (ii) the date by which the State Board must receive the renewal
34 application for the renewal to be issued and mailed before the State license expires; and

35 (iii) the amount of the renewal fee.

6

1 (c) Before a State license expires, the State licensee periodically may renew it for
2 an additional 2-year term, if the State licensee:

3 (1) otherwise is entitled to be licensed;

4 (2) pays to the State Board a renewal fee of [\$100] \$25; and

5 (3) submits to the State Board a renewal application on the form that the
6 State Board provides.

7 (d) The State Board shall renew the State license of each State licensee who
8 meets the requirements of this section.

9 (e) A State license to provide electrical services is not transferable.

10 12-306.

11 (a) If an applicant qualifies for a journey plumber license, a master plumber
12 license, a limited license, or a propane gas fitter certificate under this subtitle, the Board
13 shall send the applicant a notice that states that:

14 (1) the applicant has qualified for a license; and

15 (2) the Board will issue a license to the applicant on receipt of:

16 (i) if contracting in the name of the applicant or another person to
17 provide plumbing services, proof of the liability insurance as required under § 12-501 of
18 this title; and

19 (ii) a license fee of:

20 1. [\$100] \$70 for a master plumber license or a limited master
21 plumber license;

22 2. [\$50] \$35 for a journey plumber license or a limited journey
23 plumber license; or

24 3. [\$50] \$35 for a propane gas fitter certificate.

25 (b) On payment of the appropriate license fee and, if applicable, receipt of the
26 proof of the insurance required under § 12-501 of this title, the Board shall issue a license
27 to each applicant who meets the requirements of this subtitle.

28 12-308.

29 (a) Unless a license is renewed for a 2-year term as provided in this section, the
30 license expires on the first May 1 that comes:

31 (1) after the effective date of the license; and

32 (2) in an odd-numbered year.

33 (b) At least 1 month before a license expires, the Board shall mail to the licensee,
34 at the last known address of the licensee:

35 (1) a renewal application form; and

7

1 (2) a notice that states:

2 (i) the date on which the current license expires;

3 (ii) the date by which the Board must receive the renewal application
4 for the renewal to be issued and mailed before the license expires; and

5 (iii) the amount of the renewal fee.

6 (c) Before a license expires, the licensee may renew it for an additional 2-year
7 term, if the licensee:

8 (1) otherwise is entitled to be licensed;

9 (2) pays to the Board a renewal fee of:

10 (i) [~~\$100~~] \$70 for a master plumber license or a limited master
11 plumber license;

12 (ii) [~~\$50~~] \$35 for a journey plumber license or a limited journey
13 plumber license;

14 (iii) \$15 for an apprentice plumber license; or

15 (iv) [~~\$50~~] \$35 for a propane gas fitter certificate; and

16 (3) submits to the Board:

17 (i) if contracting in the name of the licensee or another person to
18 provide plumbing services, proof of the liability insurance required under § 12-501 of this
19 title; and

20 (ii) a renewal application on the form that the Board provides.

21 (d) The Board shall renew the license of and issue a renewal certificate to each
22 licensee who meets the requirements of this section.

23 15-312.

24 (a) If an applicant qualifies for a license under this subtitle, the Board shall send
25 the applicant a notice that states that:

26 (1) the applicant has qualified for a license; and

27 (2) the Board will issue a license to the applicant, on receipt of a license fee
28 of:

29 (i) [~~\$150~~] \$60 for a license to practice land surveying; and

30 (ii) \$20 for a license to practice property line surveying.

31 (b) On payment of the appropriate license fee, the Board shall issue a license to
32 each applicant who meets the requirements of this subtitle.

33 (c) The Board shall include on each license that the Board issues:

34 (1) the full name of the licensee;

8

1 (2) the registration number assigned by the Board to the licensee; and

2 (3) the signatures of the chairman and secretary of the Board, under seal of
3 the Board.

4 (d) Subject to any regulation that the Board adopts, it shall replace any lost,
5 mutilated, or destroyed license certificate on:

6 (1) request of the licensee; and

7 (2) payment of the replacement fee set by the Board, not exceeding \$35.

8 15-314.

9 (a) Unless a license is renewed for a 2-year term as provided in this section, the
10 license expires on the first June 30 that comes:

11 (1) after the effective date of the license; and

12 (2) in an odd-numbered year.

13 (b) (1) At least 1 month before a license expires, the Board shall mail to the
14 licensee, at the last known address of the licensee:

15 (i) a renewal application form; and

16 (ii) a notice that states:

17 1. the date on which the current license expires;

18 2. the date by which the Board must receive the renewal
19 application for the renewal to be issued and mailed before the license expires; and

20 3. the amount of the renewal fee.

21 (2) The failure of a licensee to receive the notice for which this subsection
22 provides does not prevent the license from expiring as specified under subsection (a) of
23 this section.

24 (c) Before a license expires, the licensee periodically may renew it for an
25 additional 2-year term, if the licensee:

26 (1) otherwise is entitled to be licensed;

27 (2) pays to the Board a renewal fee of:

28 (i) [\$150] \$60 for a license to practice land surveying; or

29 (ii) [\$100] \$40 for a license to practice property line surveying; and

30 (3) submits to the Board a renewal application on the form that the Board
31 provides.

32 (d) (1) The Board shall renew the license of and issue a renewal certificate to
33 each licensee who meets the requirements of this section.

9

1 (2) The Board shall include on each renewal certificate that the Board
2 issues:

3 (i) the date on which the current license expires; and

4 (ii) the signatures of the chairman and secretary of the Board, under
5 seal of the Board.

6 **Article - Business Regulation**

7 4-305.

8 (a) An applicant for a license shall:

9 (1) submit to the Commission an application on the form that the
10 Commission provides; and

11 (2) pay to the Commission an application fee of:

12 (i) [\$20] \$10 for a license to participate as a boxer, kick boxer, or
13 wrestler in a contest or to act as a second in a contest;

14 (ii) [\$25] \$15 for a license to act as a referee or judge in a contest;

15 (iii) [\$50] \$25 for a license to act as a manager of a boxer or kick
16 boxer;

17 (iv) [\$50] \$25 for a license to act as a matchmaker of a contest; or

18 (v) [\$300] \$150 for a license to act as a promoter of a contest.

19 (b) The application shall contain the information that the Commission requires by
20 regulation.

21 9A-207.

22 (a) Subject to [subsection (b)] SUBSECTIONS (B) AND (C) of this section, the
23 Board may set reasonable fees[, including application fees, for the issuance and renewal
24 of licenses and] FOR its [other] services.

25 (b) [Revenues] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION,
26 REVENUES generated by the Board shall be at least equal to expenses incurred by the
27 Board.

28 (C) THE BOARD SHALL REQUIRE THE FOLLOWING FEES FOR THE ISSUANCE
29 OR RENEWAL OF THE FOLLOWING LICENSES:

30 (1) MASTER LICENSE - \$75;

31 (2) MASTER RESTRICTED LICENSE - \$25 FOR EACH AREA LICENSED;

32 (3) LIMITED LICENSE - \$75;

33 (4) JOURNEYMAN LICENSE - \$20; AND

34 (5) APPRENTICE LICENSE - \$10.

10

1 [(c)] (D) The Board shall pay all money collected under this title into the General
2 Fund of the State.

3 12-202.

4 (a) (1) An applicant for a license shall:

5 (i) submit to the Secretary an application on the form that the
6 Secretary provides; and

7 (ii) pay to the Secretary an application fee of [\$300] \$75.

8 (2) The application fee is nonrefundable.

9 (b) The applicant shall sign the application under oath.

10 (c) (1) The application form shall be based on the application form for a
11 trader's license under Title 17 of this article.

12 (2) In addition to any other information that the Secretary requires, the
13 application shall state:

14 (i) the name, date of birth, and residence address of the applicant;

15 (ii) the fixed address of the business of the applicant;

16 (iii) the fixed address in the State where precious metal objects will be
17 stored, if different from the business address;

18 (iv) a telephone number at which the applicant can be reached during
19 normal business hours;

20 (v) each address where the applicant has conducted any business
21 during the 36 months before application;

22 (vi) the driver's license number, if any, of the applicant; and

23 (vii) the name and permanent address of each employee who will work
24 with the applicant in the business of the applicant.

25 (d) The application form shall contain, immediately above the signature line, the
26 following:

27 "If issued a license, I agree to allow a municipal, county, or State police officer
28 acting in the course of a stolen property investigation to inspect and photograph all
29 precious metal objects and records at my business or storage locations."

30 12-207.

31 (a) Unless a license is renewed for a 2-year term as provided in this section, the
32 license expires on the first April 30 that comes:

33 (1) after the effective date of the license; and

34 (2) in an even-numbered year.

11

1 (b) At least 1 month before a license expires, the Secretary shall mail to the
2 licensee, at the last known address of the licensee:

3 (1) a renewal application form; and

4 (2) a notice that states:

5 (i) the date on which the current license expires;

6 (ii) the date by which the Secretary must receive the renewal
7 application for the renewal to be issued and mailed before the license expires; and

8 (iii) the amount of the renewal fee.

9 (c) Before a license expires, the licensee periodically may renew it for an
10 additional 2-year term, if the licensee:

11 (1) submits to the Secretary a renewal application on the form that the
12 Secretary provides;

13 (2) signs the renewal application under oath;

14 (3) updates the information submitted in the original application and states
15 that the information is current;

16 (4) agrees to comply with each requirement applicable to the original
17 application;

18 (5) states that the licensee:

19 (i) has not violated this title;

20 (ii) has not been convicted of an offense specified in § 12-209 of this
21 subtitle; and

22 (iii) has not had a similar license denied, suspended, or revoked in
23 another jurisdiction;

24 (6) otherwise is entitled to be licensed; and

25 (7) pays to the Secretary a renewal fee of [~~\$300~~] \$75.

26 (d) The Secretary shall renew the license of each licensee who meets the
27 requirements of this section.

28 (e) A license is not transferable.

29 (f) (1) A licensee may change the place of business for which a license is issued
30 only if the licensee:

31 (i) submits to the Secretary an application to transfer the license to a
32 new business location on a form that the Secretary provides; and

33 (ii) receives the written approval of the Secretary.

12

1 (2) Within 45 days after the written notice is filed with the Secretary, the
2 Secretary shall approve or disapprove the application and notify the licensee of the
3 approval or disapproval, in writing.

4 (3) If the Secretary approves a proposed change of place of business, the
5 licensee shall:

6 (i) submit to the Secretary a current list of names of each employee to
7 be employed at the new location; and

8 (ii) attach the written approval of the Secretary to the license until an
9 amended license is received by the licensee.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 ~~October 1, 1997~~ July 1, 1998.