

HOUSE BILL 159

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2003 Regular Session
(3r0862)

ENROLLED BILL

-- Economic Matters/Education, Health, and Environmental Affairs --

Introduced by **Delegates Cadden, Amedori, Mandel, and Owings**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Licensing - Cosmetology - Examination Requirements**

3 FOR the purpose of requiring an applicant for a cosmetology license to pass an
4 examination consisting of written and practical parts; ~~requiring the State Board~~
5 ~~of Cosmetologists to offer an examination consisting of written and practical~~
6 ~~parts;~~ authorizing an applicant to take the written examination after
7 completing a certain minimum number of hours of certain required training;
8 ~~requiring an applicant to pass the written examination before qualifying for the~~
9 ~~practical examination~~ authorizing an applicant to take the written and practical
10 parts of an examination during one administration of the examination; providing
11 for a delayed effective date; and generally relating to examination requirements
12 for the licensing of cosmetologists.

13 BY repealing and reenacting, with amendments,
14 Article - Business Occupations and Professions
15 Section 5-304(a) and 5-307
16 Annotated Code of Maryland

1 (2000 Replacement Volume and 2002 Supplement)

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

4 **Article - Business Occupations and Professions**

5 5-304.

6 (a) (1) To qualify for a license to practice as a cosmetologist, an applicant
7 shall be an individual who meets the requirements of this section.

8 (2) The applicant shall be at least 17 years old.

9 (3) The applicant shall have completed successfully a 9th grade
10 education or the equivalent.

11 (4) (i) Except as otherwise provided in this subsection, an applicant
12 shall have received training by:

13 1. serving as a registered apprentice as provided under §§
14 5-404 and 5-405(d) of this title; or

15 2. successfully completing a required program of at least
16 1,500 hours of training in a cosmetology school that is approved by the State Board of
17 Education or the Maryland Higher Education Commission in consultation with the
18 Board.

19 (ii) If an applicant is a barber or master barber currently licensed
20 in this State, the Board shall:

21 1. credit the applicant with having met one-half of the
22 training requirements of subparagraph (i) of this paragraph; and

23 2. determine the manner in which the credit will be applied.

24 (iii) An applicant meets the requirements of this subsection if:

25 1. the applicant has held a cosmetologist license in another
26 state or foreign country and has actively practiced cosmetology in the other state or
27 foreign country for a period of 6 months; or

28 2. the applicant has been trained in a cosmetology school in
29 another state or foreign country that has standards substantially equivalent to or
30 more stringent than the standards of a school that is approved by the State Board of
31 Education or the Maryland Higher Education Commission in consultation with the
32 Board.

33 (5) Except as otherwise provided in this subtitle, the applicant shall pass
34 [an] A WRITTEN AND PRACTICAL examination given by the Board under this subtitle.

1 5-307.

2 (a) Except as otherwise provided in § 5-307.1 of this subtitle, an applicant is
3 entitled to be examined as provided in this section if the applicant:

4 (1) otherwise qualifies for a license under this title; and

5 (2) pays an examination fee, as established by the Board in accordance
6 with §§ 5-205 and 5-306 of this title, to the Board or the Board's designee.

7 (b) The Board periodically shall give examinations to applicants at the times
8 and places that the Board determines.

9 (c) The Board shall give each qualified applicant notice of the time and place
10 of examination.

11 (d) (1) [The] EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION,
12 THE Board shall determine the subjects, scope, and form of and the passing score for
13 examinations given under this subtitle.

14 (2) (I) An examination ~~{may}~~ ~~SHALL~~ consist of written and practical
15 parts.

16 (II) AN APPLICANT MAY TAKE A WRITTEN EXAMINATION WHEN
17 THE APPLICANT HAS COMPLETED AT LEAST 1,380 HOURS OF THE 1,500 HOURS OF
18 TRAINING IN A COSMETOLOGY SCHOOL REQUIRED UNDER § 5-304(A)(4)~~(2)~~2 OF THIS
19 SUBTITLE.

20 (III) AN APPLICANT ~~IS REQUIRED TO PASS THE WRITTEN~~
21 ~~EXAMINATION BEFORE THE APPLICANT IS QUALIFIED TO TAKE THE PRACTICAL~~ WHO
22 HAS COMPLETED 1,500 HOURS OF TRAINING AS SPECIFIED IN SUBPARAGRAPH (II) OF
23 THIS PARAGRAPH MAY TAKE THE WRITTEN AND PRACTICAL PARTS OF AN
24 EXAMINATION DURING ONE ADMINISTRATION OF THE EXAMINATION.

25 (e) The Board or the Board's designee shall mail to each applicant notice of the
26 applicant's examination result.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 ~~October 1, 2003~~ January 1, 2004.