
By: **Delegates Cadden, Amedori, Mandel, and Owings**
Introduced and read first time: January 27, 2003
Assigned to: Economic Matters

A BILL ENTITLED

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; and generally relating to examination requirements for
10 the licensing of cosmetologists.

11 BY repealing and reenacting, with amendments,
12 Article - Business Occupations and Professions
13 Section 5-304(a) and 5-307
14 Annotated Code of Maryland
15 (2000 Replacement Volume and 2002 Supplement)

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

18 **Article - Business Occupations and Professions**

19 5-304.

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

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

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

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

1 1. serving as a registered apprentice as provided under §§
2 5-404 and 5-405(d) of this title; or

3 2. successfully completing a required program of at least
4 1,500 hours of training in a cosmetology school that is approved by the State Board of
5 Education or the Maryland Higher Education Commission in consultation with the
6 Board.

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

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

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

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

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

16 2. the applicant has been trained in a cosmetology school in
17 another state or foreign country that has standards substantially equivalent to or
18 more stringent than the standards of a school that is approved by the State Board of
19 Education or the Maryland Higher Education Commission in consultation with the
20 Board.

21 (5) Except as otherwise provided in this subtitle, the applicant shall pass
22 [an] A WRITTEN AND PRACTICAL examination given by the Board under this subtitle.
23 5-307.

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

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

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

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

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

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

1 (2) (I) An examination [may] SHALL consist of written and practical
2 parts.

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

7 (III) AN APPLICANT IS REQUIRED TO PASS THE WRITTEN
8 EXAMINATION BEFORE THE APPLICANT IS QUALIFIED TO TAKE THE PRACTICAL
9 EXAMINATION.

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

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2003.