

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL NO. 727

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Citations” insert “- Special Fund”; and in line 16, after “Act;” insert “establishing the State Board of Barbers and State Board of Cosmetologists Inspection Fund as a special, nonlapsing fund in the Department of Labor, Licensing, and Regulation; requiring the Boards to pay certain revenue to the Comptroller; requiring the Comptroller to distribute certain revenue to the Fund; requiring that the Fund be used for a certain purpose; requiring the Secretary of Labor, Licensing, and Regulation or a designee of the Secretary to administer the Fund; providing for an audit of the Fund;”.

On page 2, after line 4, insert:

“BY adding to

Article - Business Regulation  
Section 2-106.3  
Annotated Code of Maryland  
(2004 Replacement Volume)”.

AMENDMENT NO. 2

On page 7, in line 1, after “(IV)” insert “NOTWITHSTANDING § 4-314(A)(2)(I) OF THIS TITLE,”; and after line 25, insert:

“(H) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE BOARD SHALL PAY ALL REVENUE FROM CIVIL PENALTIES COLLECTED UNDER THIS SECTION TO THE COMPTROLLER.

(2) THE COMPTROLLER SHALL DISTRIBUTE THE REVENUE TO THE STATE BOARD OF BARBERS AND THE STATE BOARD OF COSMETOLOGISTS

(Over)

INSPECTION FUND ESTABLISHED IN § 2-106.3 OF THE BUSINESS REGULATION ARTICLE.”.

On page 12, after line 32, insert:

“(H) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE BOARD SHALL PAY ALL REVENUE FROM CIVIL PENALTIES COLLECTED UNDER THIS SECTION TO THE COMPTROLLER.

(2) THE COMPTROLLER SHALL DISTRIBUTE THE REVENUE TO THE STATE BOARD OF BARBERS AND THE STATE BOARD OF COSMETOLOGISTS INSPECTION FUND ESTABLISHED IN § 2-106.3 OF THE BUSINESS REGULATION ARTICLE.

Article - Business Regulation

2-106.3.

(A) IN THIS SECTION, “FUND” MEANS THE STATE BOARD OF BARBERS AND STATE BOARD OF COSMETOLOGISTS INSPECTION FUND.

(B) THERE IS A STATE BOARD OF BARBERS AND STATE BOARD OF COSMETOLOGISTS INSPECTION FUND IN THE DEPARTMENT.

(C) THE SECRETARY OR A DESIGNEE OF THE SECRETARY SHALL ADMINISTER THE FUND.

(D) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(E) THE FUND CONSISTS OF REVENUE DISTRIBUTED TO THE FUND UNDER §§ 4-608 AND 5-610 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

(F) THE FUND MAY BE USED ONLY TO SUPPLEMENT THE ACTUAL

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DOCUMENTED DIRECT COSTS OF THE INSPECTIONS CONDUCTED BY THE STATE BOARD OF BARBERS AND THE STATE BOARD OF COSMETOLOGISTS.

(G) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.”.

(Over)