

# HOUSE BILL 1321

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71r0126

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By: **Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

Introduced and read first time: February 28, 2007

Assigned to: Rules and Executive Nominations

Re-referred to: Economic Matters, March 2, 2007

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Committee Report: Favorable

House action: Adopted

Read second time: March 21, 2007

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Licensed Cosmetologists – Practice Allowed in Specified Places**

3 FOR the purpose of allowing licensed estheticians and nail technicians to provide  
4 services outside a beauty salon under certain circumstances; allowing licensed  
5 cosmetologists, estheticians, and nail technicians to practice and provide  
6 services in certain medical services facilities under certain circumstances; and  
7 generally relating to licensed cosmetologists, estheticians, and nail technicians.

8 BY repealing and reenacting, with amendments,  
9 Article – Business Occupations and Professions  
10 Section 5–605  
11 Annotated Code of Maryland  
12 (2004 Replacement Volume and 2006 Supplement)

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

15 **Article – Business Occupations and Professions**

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**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.



1 5-605.

2 (a) Except as provided in §§ 5-302 and 5-303 of this title and subsection (b)  
3 of this section, a person may not practice cosmetology, **PROVIDE ESTHETIC**  
4 **SERVICES, OR PROVIDE NAIL TECHNICIAN SERVICES** in any place other than:

5 (1) a beauty salon that holds a beauty salon permit; or

6 (2) a barbershop that holds a barbershop permit issued under Title 4  
7 of this article.

8 (b) (1) A licensed cosmetologist, **ESTHETICIAN, OR NAIL TECHNICIAN**  
9 may practice cosmetology **AND PROVIDE SERVICES** in:

10 (I) **A FACILITY IN WHICH BEAUTIFICATION-ORIENTED**  
11 **MEDICAL SERVICES, AUTHORIZED BY THE DEPARTMENT OF HEALTH AND**  
12 **MENTAL HYGIENE, ARE PROVIDED;**

13 (II) the residence of an individual confined to the residence by  
14 reason of a physical or mental infirmity[,];

15 (III) [in] an assisted living facility as defined in § 19-1801 of the  
16 Health – General Article[,];

17 (IV) [ in] a hospice facility defined in § 19-901(c) of the Health –  
18 General Article[,];

19 (V) [in] a nursing home as defined in § 19-1401(e) of the Health  
20 – General Article[,]; or

21 (VI) [in] a hospital as defined in § 19-301 of the Health –  
22 General Article or a similar institution[, by appointment, if:

23 (i) the licensed cosmetologist is sponsored by a beauty salon  
24 that holds a beauty salon permit; and

25 (ii) the patron is a customer of the beauty salon.

26 (2) An individual who holds a limited license to provide nail technician  
27 services may provide nail technician services in a barbershop].

1                   **(2) TO PRACTICE IN ANY OF THE LOCATIONS SPECIFIED IN THIS**  
2 **SUBSECTION:**

3                   **(I) THE LICENSED COSMETOLOGIST, ESTHETICIAN, OR NAIL**  
4 **TECHNICIAN SHALL BE SPONSORED BY A BEAUTY SALON IN WHICH THE**  
5 **COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN IS AUTHORIZED TO**  
6 **PRACTICE;**

7                   **(II) THE PATRON TO WHOM THE SERVICES ARE RENDERED**  
8 **SHALL BE A CUSTOMER OF THE BEAUTY SALON; AND**

9                   **(III) THE SERVICES SHALL BE RENDERED BY APPOINTMENT**  
10 **THROUGH THE BEAUTY SALON.**

11                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2007.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.