

# SENATE BILL 144

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By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)**

Introduced and read first time: January 18, 2008

Rules suspended

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 19, 2008

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

1 AN ACT concerning

2 **State Board of Cosmetologists – Makeup Artist Services**

3 FOR the purpose of repealing provisions relating to the licensure and regulation of  
4 makeup artist services by the State Board of Cosmetologists; and generally  
5 relating to the State Board of Cosmetologists.

6 BY repealing and reenacting, without amendments,  
7 Article – Business Occupations and Professions  
8 Section 5–101(a)  
9 Annotated Code of Maryland  
10 (2004 Replacement Volume and 2007 Supplement)

11 BY repealing and reenacting, with amendments,  
12 Article – Business Occupations and Professions  
13 Section 5–101(g), (j), (k)(1)(iv), (v), and (vi), (m), and (n), 5–205(b)(4), 5–301(b),  
14 5–305, 5–306, 5–310, 5–313, and 5–501  
15 Annotated Code of Maryland  
16 (2004 Replacement Volume and 2007 Supplement)

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

19 **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 5–101.

2 (a) In this title the following words have the meanings indicated.

3 (g) (1) “License” means, unless the context requires otherwise, a license  
4 issued by the Board.

5 (2) “License” includes, unless the context requires otherwise, each of  
6 the following licenses:

7 (i) a license to practice cosmetology;

8 (ii) a license to practice as a senior cosmetologist;

9 (iii) [a limited license to provide makeup artist services;

10 (iv)] a limited license to provide esthetic services; and

11 [(v)](IV) a limited license to provide nail technician services.

12 (j) (1) “Limited license” means a license issued by the Board to practice  
13 cosmetology as limited in § 5–301 of this title.

14 (2) “Limited license” includes, unless the context requires otherwise,  
15 each of the following licenses:

16 (i) [a limited license to provide makeup artist services;

17 (ii)] a limited license to provide esthetic services; and

18 [(iii)](II) a limited license to provide nail technician services.

19 (k) (1) “Practice cosmetology” means to engage in any of the following for  
20 compensation:

21 (iv) [providing makeup artist services;

22 (v)] providing esthetic services; or

23 [(vi)](V) providing nail technician services.

24 (m) [“Provide makeup artist services” means to apply creams, lotions,  
25 cosmetic preparations, and cleansing solutions to an individual’s face for  
26 compensation.

27 (n) [“Provide nail technician services” means to provide to an individual, for  
28 compensation, the service of:

- 1 (1) manicuring or pedicuring the individual's nails;  
2 (2) applying artificial nail enhancement products; or  
3 (3) maintaining artificial nail enhancement products.

4 5-205.

5 (b) (4) The Board shall require a \$25 fee for the licensure or renewal of  
6 licensure of cosmetologists, senior cosmetologists, estheticians, **AND** nail technicians[,  
7 and makeup artists].

8 5-301.

9 (b) If an individual holds the appropriate limited license, the individual may  
10 practice cosmetology in a manner limited to:

- 11 (1) [providing makeup artist services;  
12 (2)] providing esthetic services; or  
13 [(3)](2) providing nail technician services.

14 5-305.

15 (a) To qualify for a limited license to practice cosmetology, an applicant shall  
16 be an individual who meets the requirements of this section.

17 (b) [An applicant for a limited license to provide makeup artist services  
18 shall:

- 19 (1) be at least 17 years old;  
20 (2) have successfully completed a 9th grade education or the  
21 equivalent; and  
22 (3) have successfully completed a course or program in makeup artist  
23 services approved by the State Department of Education or the Maryland Higher  
24 Education Commission in consultation with the Board.

25 (c)] An applicant for a limited license to provide esthetic services shall:

- 26 (1) be at least 17 years old;  
27 (2) have completed successfully a 9th grade education or the  
28 equivalent; and

1 (3) have received training by:

2 (i) serving as a registered apprentice for at least 6 months as  
3 provided under §§ 5–404 and 5–405 of this title; or

4 (ii) successfully completing at least 600 hours of instruction in  
5 providing esthetic services in a cosmetology school approved by the State Department  
6 of Education or the Maryland Higher Education Commission in consultation with the  
7 Board.

8 [(d)](C) An applicant for a limited license to provide nail technician  
9 services shall:

10 (1) be at least 17 years old;

11 (2) have successfully completed a 9th grade education or the  
12 equivalent; and

13 (3) have received training by:

14 (i) serving as a registered apprentice for at least 3 months as  
15 provided under §§ 5–404 and 5–405 of this title; or

16 (ii) successfully completing at least 250 hours of instruction in  
17 providing nail technician services in a cosmetology school approved by the State  
18 Department of Education or the Maryland Higher Education Commission in  
19 consultation with the Board.

20 [(e)](D) If an applicant is licensed to practice as [a makeup artist,  
21 esthetician,] **AN ESTHETICIAN** or nail technician in another state or foreign country,  
22 the applicant meets the training requirements of this section if the applicant has held  
23 a limited license in the other state or foreign country and has actively practiced in the  
24 other state or foreign country for a period of 6 months.

25 [(f)](E) [Except for an applicant for a limited license to provide makeup  
26 artist services, an] **AN** applicant for a limited license shall pass an examination given  
27 by the Board under this subtitle.

28 5–306.

29 [(a)] An applicant for a license:

30 (1) shall submit to the Board an application on the form that the  
31 Board provides; and



1                    [(3)](2)        providing nail technician services.

2                    (c)     A separate beauty salon permit is required for each beauty salon that a  
3 person operates.

4                    SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2008.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.