SENATE BILL 144

C2 8lr0090

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

Committee Report: Favorable

Senate action: Adopted

Read second time: February 19, 2008

CHAPTER _____

1	AN	ACT	concerning
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State Board of Cosmetologists - Makeup Artist Services

- FOR the purpose of repealing provisions relating to the licensure and regulation of makeup artist services by the State Board of Cosmetologists; and generally 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:

Article - Business Occupations and Professions

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.

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compensation, the service of:

1	5–101.								
2	(a) In th	is title the following words have the meanings indicated.							
3 4	(g) (1) issued by the Boar	"License" means, unless the context requires otherwise, a license							
5 6	(2) "License" includes, unless the context requires otherwise, each of 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 13	(j) (1) cosmetology as lin	"Limited license" means a license issued by the Board to practice nited in § 5–301 of this title.							
14 15	(2) each of the followi	"Limited license" includes, unless the context requires otherwise, ng 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 20	(k) (1) compensation:	"Practice cosmetology" means to engage in any of the following for							
21		(iv) [providing makeup artist services;							
22		(v)] providing esthetic services; or							
23		[(vi)](V) providing nail technician services.							
24 25 26		wide makeup artist services" means to apply creams, lotions, ations, and cleansing solutions to an individual's face for							

"Provide nail technician services" means to provide to an individual, for

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 6 7	(b) licensure of and makeu	(4) The Board shall require a \$25 fee for the licensure or renewal of cosmetologists, senior cosmetologists, estheticians, AND nail technicians[, p artists].
8	5–301.	
9 10	(b) practice cos	If an individual holds the appropriate limited license, the individual may metology in a manner limited to:
1		(1) [providing makeup artist services;
12		(2)] providing esthetic services; or
13		[(3)](2) providing nail technician services.
L4	5-305.	
15 16	(a) be an indiv	To qualify for a limited license to practice cosmetology, an applicant shall dual who meets the requirements of this section.
17 18	(b) shall:	[An applicant for a limited license to provide makeup artist services
19		(1) be at least 17 years old;
20 21	equivalent;	(2) have successfully completed a 9th grade education or the and
22 23 24	_	(3) have successfully completed a course or program in makeup artist proved by the State Department of Education or the Maryland Higher 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;
7		(2) have completed successfully a 9th grade education or the

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equivalent; and

1	(3)	have received training by:							
$\frac{2}{3}$	provided under §§	(i) serving as a registered apprentice for at least 6 months as 5–404 and 5–405 of this title; or							
4 5 6 7	(ii) successfully completing at least 600 hours of instruction is providing esthetic services in a cosmetology school approved by the State Department of Education or the Maryland Higher Education Commission in consultation with the Board.								
8 9	[(d)](C) services shall:	An applicant for a limited license to provide nail technician							
10	(1)	be at least 17 years old;							
11 12	(2) equivalent; and	have successfully completed a 9th grade education or the							
13	(3)	have received training by:							
14 15	provided under §§	(i) serving as a registered apprentice for at least 3 months as 5–404 and 5–405 of this title; or							
16 17 18 19	_	(ii) successfully completing at least 250 hours of instruction in chnician services in a cosmetology school approved by the State Education or the Maryland Higher Education Commission in the Board.							
20 21 22 23 24	the applicant mee a limited license in	If an applicant is licensed to practice as [a makeup artist, STHETICIAN or nail technician in another state or foreign country, ts the training requirements of this section if the applicant has held in the other state or foreign country and has actively practiced in the ign country for a period of 6 months.							
25 26 27	[(f)](E) artist services, and by the Board under	[Except for an applicant for a limited license to provide makeup AN applicant for a limited license shall pass an examination given or this subtitle.							
28	5–306.								
29	[(a)] An a ₁	oplicant for a license:							
30 31	(1) Board provides; ar	shall submit to the Board an application on the form that the							

1 except as provided in § 5–308 of this subtitle, shall pay to the 2 Board or the Board's designee the appropriate examination fee established by the 3 Board in accordance with § 5-205 of this title in an amount not to exceed the cost of 4 the required examination. 5 In addition to the other requirements of this section, an applicant for a (b)6 license to provide makeup artist services shall submit to the Board credentials that 7 certify sufficient training.] 8 5-310. 9 Subject to subsections (b) through (d) of this section and while a license to (a) 10 practice cosmetology is in effect, it authorizes the licensee to practice cosmetology. 11 (b) [While a limited license to provide makeup artist services is in effect, it 12 authorizes the licensee to provide only makeup artist services. 13 While a limited license to provide esthetic services is in effect, it (c)14 authorizes the licensee to provide only esthetic services. 15 I(q)I(C)While a limited license to provide nail technician services is in effect, it authorizes the licensee to provide only nail technician services. 16 17 5-313. 18 Except as provided in subsection (b) of this section, each **EACH** license issued under this subtitle shall be displayed conspicuously by the licensee in the office 19 20 or place of employment of the licensee. 21During hours of employment, the holder of a limited license to provide 22 makeup artist services: 23 (1) shall carry the limited license; and 24 (2)on request, shall show the limited license. 25 5-501. 26 A person shall hold a beauty salon permit issued by the Board before the person may operate a beauty salon in the State. 27 28 A beauty salon may operate as a limited practice beauty salon by offering 29 cosmetology services limited to:

[providing makeup artist services;

providing esthetic services; or

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(1)

(2)

	[(3)] (2)	provid	ling nai	l techn	ician se	ervices	•			
(c) person opera	A separate ates.	beauty	salon p	permit	is requ	ired fo	r each	beauty	salon t	that a
SECT October 1, 2	TION 2. AND 008.	BE IT	FURT	HER E	NACTE	ED, Th	at this	Act sha	ıll take	effect
Approved:										
								Go	vernor.	
						Pr	esiden	t of the	Senate.	
					Speake	er of th	e Hous	se of De	legates.	