

# HOUSE BILL 499

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By: **Delegate Davis**

Introduced and read first time: February 11, 2015

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Cosmetologists – Licensing – Hair Braiders, Cosmetology**  
3 **Assistants, and Microdermabrasion**

4 FOR the purpose of establishing a license endorsement to provide microdermabrasion  
5 services and a limited license to provide certain hair–braiding services and certain  
6 limited cosmetology services; repealing certain provisions relating to a limited  
7 license to provide hair services; establishing qualifications for a senior esthetician;  
8 requiring the State Board of Cosmetologists to adopt regulations to establish certain  
9 standards for use by the State Board of Education or the Maryland Higher Education  
10 Commission in approving applications for instruction in the provision of certain  
11 hair–braiding and microdermabrasion services at certain schools; establishing the  
12 scope of certain limited licenses and a certain license endorsement; establishing the  
13 qualifications of applicants for a limited license to provide hair–braiding services or  
14 limited cosmetology services; authorizing certain applicants who hold a certain  
15 license in another state or foreign country to qualify for a certain license under  
16 certain circumstances; establishing the qualifications of applicants for a license  
17 endorsement to provide microdermabrasion services; establishing the application  
18 requirements for a certain license endorsement; requiring the Board to issue a  
19 certain license with a certain endorsement under certain circumstances; requiring  
20 licensees to submit certain evidence of compliance with certain continuing education  
21 requirements as a condition of license renewal; requiring the Board to establish  
22 certain continuing education requirements; requiring a certain beauty salon that  
23 provides hair–braiding services to obtain a certain permit issued by the Board;  
24 prohibiting a person from providing hair–braiding services, limited cosmetology  
25 services, or microdermabrasion services, or in certain locations; authorizing certain  
26 licensees to practice cosmetology and provide certain services in certain locations;  
27 requiring a certain licensee to be sponsored by a certain beauty salon in which the  
28 licensee is authorized to practice under certain circumstances; prohibiting a person  
29 from tattooing another individual in a beauty salon; adding and altering certain  
30 defined terms; making stylistic and conforming changes; and generally relating to

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 limited licenses and a license endorsement issued by the State Board of  
2 Cosmetologists.

3 BY repealing and reenacting, with amendments,  
4 Article – Business Occupations and Professions  
5 Section 5–101, 5–205, 5–301, 5–305, 5–306, 5–309, 5–310, 5–311, 5–501, and  
6 5–605  
7 Annotated Code of Maryland  
8 (2010 Replacement Volume and 2013 Supplement)

9 BY adding to  
10 Article – Business Occupations and Professions  
11 Section 5–305.1 and 5–608.3  
12 Annotated Code of Maryland  
13 (2010 Replacement Volume and 2013 Supplement)

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

16 **Article – Business Occupations and Professions**

17 5–101.

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

19 (b) “Apprentice” means an individual who is learning to practice cosmetology or  
20 any limited practice of cosmetology in a beauty salon that holds a beauty salon permit under  
21 the supervision of:

22 (1) if learning to practice cosmetology, a licensed senior cosmetologist;

23 (2) if learning to provide esthetic services, a licensed senior cosmetologist  
24 or a licensed esthetician with 2 years’ experience;

25 (3) if learning to provide hair services, a licensed senior cosmetologist or a  
26 licensed hairstylist with 2 years’ experience; and

27 (4) if learning to provide nail technician services, a licensed senior  
28 cosmetologist or a licensed nail technician with 2 years’ experience.

29 (c) (1) “Beauty salon” means any commercial establishment, except a  
30 barbershop, in which an individual practices cosmetology.

31 (2) “Beauty salon” does not include a clinic in a cosmetology school.

32 (d) “Beauty salon permit” means a permit issued by the Board to operate a beauty  
33 salon.

1 (e) “Board” means the State Board of Cosmetologists.

2 (f) “Cosmetologist” means an individual who practices cosmetology.

3 [(g) “Hairstylist” means an individual who provides hair services.]

4 **(G) “COSMETOLOGIST ASSISTANT” MEANS AN INDIVIDUAL WHO PROVIDES**  
5 **LIMITED COSMETOLOGY SERVICES.**

6 (h) (1) “License” means, unless the context requires otherwise, a license issued  
7 by the Board.

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

10 (i) a license to practice cosmetology;

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

12 (iii) a limited license to provide esthetic services;

13 [(iv) a limited license to provide hair services; and]

14 **(IV) A LIMITED LICENSE TO PROVIDE HAIR-BRAIDING SERVICES;**

15 **(V) A LIMITED LICENSE TO PROVIDE LIMITED COSMETOLOGY**  
16 **SERVICES; AND**

17 [(v)] **(VI)** a limited license to provide nail technician services.

18 (i) “Licensed cosmetologist” means, unless the context requires otherwise, a  
19 cosmetologist who is licensed by the Board to practice cosmetology.

20 (j) “Licensed senior cosmetologist” means a person who:

21 (1) has at least 2 years of experience as a licensed cosmetologist; and

22 (2) has passed a test approved by the Board.

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

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

- 1 (i) a limited license to provide esthetic services;
- 2 [(ii) a limited license to provide hair services; and]
- 3 **(II) A LIMITED LICENSE TO PROVIDE HAIR-BRAIDING SERVICES;**
- 4 **(III) A LIMITED LICENSE TO PROVIDE LIMITED COSMETOLOGY**  
 5 **SERVICES; AND**
- 6 [(iii)] **(IV)** a limited license to provide nail technician services.

7 **(L) “MICRODERMABRASION SERVICES” MEANS TO ENGAGE IN, FOR**  
 8 **COMPENSATION, A COSMETIC PROCEDURE DURING WHICH A MACHINE RAPIDLY**  
 9 **DISCHARGES SUPER-FINE CRYSTALS ON THE SURFACE OF THE SKIN TO REMOVE**  
 10 **THE OUTERMOST LAYER OF SKIN AND VACUUMS AWAY THE CRYSTALS AND DEAD**  
 11 **SKIN.**

12 **[(l)] (M)** (1) “Practice cosmetology” means to engage in any of the following  
 13 for compensation:

- 14 (i) providing hair services;
- 15 (ii) arching or dyeing eyebrows;
- 16 (iii) dyeing eyelashes;
- 17 (iv) providing esthetic services; [or]
- 18 **(V) PROVIDING HAIR-BRAIDING SERVICES;**
- 19 **(VI) PROVIDING LIMITED COSMETOLOGY SERVICES;**
- 20 **(VII) PROVIDING MICRODERMABRASION SERVICES; OR**
- 21 **[(v)] (VIII)** providing nail technician services.
- 22 (2) The practice of cosmetology does not include:
- 23 (i) the mere sale, fitting, or styling of wigs or hairpieces; **OR**
- 24 (ii) the mere shampooing of hair[; or
- 25 (iii) a service that results in tension on hair strands or roots by
- 26 twisting, wrapping, weaving, extending, locking, or braiding by hand or mechanical device,
- 27 provided that the service does not include the application of dyes, reactive chemicals, or

1 other preparations to alter the color of the hair or to straighten, curl, or alter the structure  
2 of the hair].

3 [(m)] (N) "Provide esthetic services" means to provide to an individual, for  
4 compensation, the service of:

5 (1) cleansing, exercising, massaging, stimulating, or performing any other  
6 similar procedure on the skin or scalp by electrical, mechanical, or any other means;

7 (2) applying to the face an alcohol, cream, lotion, astringent, or cosmetic  
8 preparation; or

9 (3) removing superfluous hair by the use of a depilatory, tweezers, or wax.

10 (O) "PROVIDE HAIR-BRAIDING SERVICES" MEANS TO PROVIDE TO AN  
11 INDIVIDUAL, FOR COMPENSATION, THE SERVICE OF BRAIDING THE HAIR OF THE  
12 INDIVIDUAL BY:

13 (1) CLEANING THE HAIR;

14 (2) COMBING OR BRUSHING THE HAIR; AND

15 (3) PROVIDING A SERVICE THAT RESULTS IN TENSION ON HAIR  
16 STRANDS OR ROOTS BY TWISTING, WRAPPING, WEAVING, EXTENDING, LOCKING, OR  
17 BRAIDING BY HAND OR MECHANICAL DEVICE, PROVIDED THAT THE SERVICE DOES  
18 NOT INCLUDE THE APPLICATION OF DYES, REACTIVE CHEMICALS, OR OTHER  
19 PREPARATIONS TO ALTER THE COLOR OF THE HAIR OR TO STRAIGHTEN, CURL, OR  
20 ALTER THE STRUCTURE OF THE HAIR.

21 [(n)] (P) "Provide hair services" means to provide to an individual for  
22 compensation the service of beautifying, cleaning, or embellishing the hair of the individual  
23 by:

24 (1) arranging the hair;

25 (2) bleaching the hair;

26 (3) cleansing the hair;

27 (4) coloring the hair;

28 (5) curling the hair;

29 (6) cutting the hair;

30 (7) dressing the hair;

1 (8) singeing the hair;

2 (9) permanent waving the hair;

3 (10) waving the hair; or

4 (11) performing any other similar procedure intended to beautify, clean, or  
5 embellish the hair.

6 **(Q) “PROVIDE LIMITED COSMETOLOGY SERVICES” MEANS TO PROVIDE TO**  
7 **AN INDIVIDUAL, FOR COMPENSATION, THE SERVICE OF:**

8 **(1) ARRANGING THE HAIR;**

9 **(2) CLEANSING THE HAIR;**

10 **(3) CURLING THE HAIR;**

11 **(4) DRESSING THE HAIR;**

12 **(5) FINISHING THE HAIR;**

13 **(6) SETTING THE HAIR; OR**

14 **(7) SINGEING THE HAIR.**

15 **[(o)] (R) “Provide nail technician services” means to provide to an individual, for**  
16 **compensation, the service of:**

17 (1) manicuring or pedicuring the individual’s nails;

18 (2) applying artificial nail enhancement products; or

19 (3) maintaining artificial nail enhancement products.

20 **(S) “SENIOR ESTHETICIAN” MEANS AN INDIVIDUAL WHO:**

21 **(1) HAS AT LEAST 2 YEARS’ EXPERIENCE PROVIDING ESTHETIC**  
22 **SERVICES; AND**

23 **(2) HAS PASSED A TEST APPROVED BY THE BOARD.**

- 1 (a) In addition to any duties set forth elsewhere, the Board shall adopt:
- 2 (1) bylaws for the conduct of its proceedings;
- 3 (2) regulations for qualification and examination of applicants for licenses,  
4 registration, and permits and issuance of licenses, certificates of registration, and permits;
- 5 (3) regulations to govern the conduct of persons regulated under this title;
- 6 (4) regulations to govern sanitation and safety in practicing cosmetology,  
7 including regulations that establish precautions to prevent the spread of infectious and  
8 contagious diseases; and
- 9 (5) regulations to govern the direct supervision of the operation of limited  
10 practice beauty salons.
- 11 (b) (1) The Board shall establish reasonable fees for licensing, licensing  
12 renewal, examinations, reinstatements, certifications, applications, preopening  
13 inspections, per diem fees for Board members, compensation for inspectors appointed by  
14 the Board, and for any other service performed by the Board necessary to carry out the  
15 provisions of this title.
- 16 (2) (i) Except for the examination fees which the Board shall establish  
17 in amounts not to exceed the costs of the examinations and subject to subparagraph (ii) of  
18 this paragraph, the fees established by the Board shall be set in a manner that will produce  
19 funds sufficient to cover the actual direct and indirect costs of regulating the cosmetology  
20 industry in the State in accordance with the provisions of this title.
- 21 (ii) The Board may not set fees for licensing and license renewals  
22 that exceed \$50.
- 23 (3) The total cost of regulating the cosmetology industry in the State in  
24 accordance with the provisions of this title may not be more than the revenues generated  
25 by the fees established under paragraph (1) of this subsection.
- 26 (c) (1) The Board shall adopt regulations that establish detailed curriculum  
27 standards for use by the State Board of Education or the Maryland Higher Education  
28 Commission in approving applications for instruction in the practice of cosmetology, the  
29 provision of esthetic services, **THE PROVISION OF HAIR-BRAIDING SERVICES**, the  
30 provision of hair services, [and] **THE PROVISION OF MICRODERMABRASION SERVICES**,  
31 **AND** the provision of nail technician services at public schools or private career schools.
- 32 (2) The curriculum standards established under paragraph (1) of this  
33 subsection shall:
- 34 (i) incorporate modern methods and practices for:

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- 1 1. practicing cosmetology;
- 2 2. providing esthetic services;
- 3 **3. PROVIDING HAIR-BRAIDING SERVICES;**
- 4 ~~[3.]~~ 4. providing hair services; [and]
- 5 **5. PROVIDING MICRODERMABRASION SERVICES; AND**
- 6 ~~[4.]~~ **6.** providing nail technician services;

7 (ii) include a reference to each topic and the emphasis of each topic  
8 required of a comprehensive curriculum in the appropriate licensing area; and

9 (iii) be reviewed and updated periodically as determined by the  
10 Board.

11 5-301.

12 (a) Except as otherwise provided in this title, an individual shall be licensed by  
13 the Board to practice cosmetology before the individual may practice cosmetology in the  
14 State.

15 (b) **(1)** If an individual holds the appropriate limited license, the individual  
16 may practice cosmetology in a manner limited to:

17 ~~[(1)]~~ **(I)** providing esthetic services;

18 **(II) PROVIDING HAIR-BRAIDING SERVICES;**

19 ~~[(2)]~~ **(III)** providing hair services; [or]

20 **(IV) PROVIDING LIMITED COSMETOLOGY SERVICES; OR**

21 ~~[(3)]~~ **(V)** providing nail technician services.

22 **(2) IF AN INDIVIDUAL HOLDS THE APPROPRIATE ENDORSEMENT BY**  
23 **THE BOARD, THE INDIVIDUAL MAY PRACTICE COSMETOLOGY AND PROVIDE**  
24 **MICRODERMABRASION SERVICES.**

25 (c) Subsection (a) of this section does not apply to:

26 (1) a student while the student practices cosmetology in accordance with §  
27 5-302 or § 5-303 of this subtitle; or



1 (2) a registered apprentice.

2 5-305.

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

5 (b) An applicant for a limited license to provide esthetic services shall:

6 (1) be at least 17 years old;

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

9 (3) have received training by:

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

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

15 [(c) An applicant for a limited license to provide hair services shall:

16 (1) be at least 17 years old;

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

19 (3) have received training by:

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

22 (ii) successfully completing at least 1,200 hours of instruction  
23 providing hair services in a cosmetology school approved by the State Department of  
24 Education or the Maryland Higher Education Commission in consultation with the Board.]

25 (C) AN APPLICANT FOR A LIMITED LICENSE TO PROVIDE HAIR-BRAIDING  
26 SERVICES SHALL:

27 (1) BE AT LEAST 17 YEARS OLD;

28 (2) HAVE SUCCESSFULLY COMPLETED A 9TH GRADE EDUCATION OR  
29 THE EQUIVALENT; AND

1           **(3) HAVE RECEIVED TRAINING BY SUCCESSFULLY COMPLETING THE**  
2 **COURSES OF INSTRUCTION IN SAFETY AND SANITATION AND, AT MINIMUM, THE**  
3 **DISEASES OF THE HAIR AND SCALP AT A COSMETOLOGY SCHOOL APPROVED BY THE**  
4 **STATE DEPARTMENT OF EDUCATION OR THE MARYLAND HIGHER EDUCATION**  
5 **COMMISSION IN CONSULTATION WITH THE BOARD.**

6           **(D) AN APPLICANT FOR A LIMITED LICENSE TO PROVIDE LIMITED**  
7 **COSMETOLOGY SERVICES SHALL:**

8           **(1) BE AT LEAST 17 YEARS OLD;**

9           **(2) HAVE SUCCESSFULLY COMPLETED A 9TH GRADE EDUCATION OR**  
10 **THE EQUIVALENT;**

11           **(3) HAVE RECEIVED TRAINING BY SERVING AS A REGISTERED**  
12 **APPRENTICE UNDER THE SUPERVISION OF A LICENSED SENIOR COSMETOLOGIST**  
13 **FOR AT LEAST 12 MONTHS AS PROVIDED UNDER §§ 5-404 AND**  
14 **5-405 OF THIS TITLE; AND**

15           **(4) PASS ONLY A PRACTICAL EXAMINATION.**

16           **[(d)] (E) An applicant for a limited license to provide nail technician services**  
17 **shall:**

18           **(1) be at least 17 years old;**

19           **(2) have successfully completed a 9th grade education or the equivalent;**  
20 **and**

21           **(3) have received training by:**

22                   **(i) serving as a registered apprentice for at least 3 months as**  
23 **provided under §§ 5-404 and 5-405 of this title; or**

24                   **(ii) successfully completing at least 250 hours of instruction in**  
25 **providing nail technician services in a cosmetology school approved by the State**  
26 **Department of Education or the Maryland Higher Education Commission in consultation**  
27 **with the Board.**

28           **[(e)] (F) If an applicant is licensed to practice as [hairstylist, or] A**  
29 **COSMETOLOGY ASSISTANT, an esthetician, A SENIOR ESTHETICIAN, A HAIR BRAIDER,**  
30 **A MICRODERMABRASION TECHNICIAN, OR A nail technician in another state or foreign**  
31 **country, the applicant meets the training requirements of this section if the applicant has**

1 held a limited license in the other state or foreign country and has actively practiced in the  
2 other state or foreign country for a period of 6 months.

3 ~~[(f)]~~ **(G)** An applicant for a limited license shall pass an examination given by  
4 the Board under this subtitle.

5 **5-305.1.**

6 **TO QUALIFY TO PROVIDE MICRODERMABRASION SERVICES AND OBTAIN AN**  
7 **ENDORSEMENT ON A LICENSE ISSUED BY THE BOARD, AN APPLICANT SHALL BE AN**  
8 **INDIVIDUAL WHO:**

9 **(1) (I) IS A LICENSED SENIOR COSMETOLOGIST; OR**

10 **(II) IS A SENIOR ESTHETICIAN;**

11 **(2) HAS RECEIVED TRAINING BY SUCCESSFULLY COMPLETING**  
12 **INSTRUCTION IN A COURSE ON MICRODERMABRASION APPROVED BY THE BOARD;**

13 **(3) HAS AT LEAST 5 YEARS OF EXPERIENCE AS A**  
14 **MICRODERMABRASION OPERATOR UNDER THE SUPERVISION OF A LICENSED**  
15 **PHYSICIAN; AND**

16 **(4) PASSES AN EXAMINATION REQUIRED BY THE BOARD.**

17 **5-306.**

18 **(A)** An applicant for a license:

19 **(1)** shall submit to the Board an application on the form that the Board  
20 provides; and

21 **(2)** except as provided in § 5-308 of this subtitle, shall pay to the Board or  
22 the Board's designee the appropriate examination fee established by the Board in  
23 accordance with § 5-205 of this title in an amount not to exceed the cost of the required  
24 examination.

25 **(B) AN APPLICANT FOR AN ENDORSEMENT ON A LICENSE SHALL:**

26 **(1) SUBMIT TO THE BOARD AN APPLICATION ON THE FORM THAT THE**  
27 **BOARD PROVIDES; AND**

28 **(2) PAY TO THE BOARD OR THE BOARD'S DESIGNEE THE**  
29 **APPROPRIATE EXAMINATION FEE ESTABLISHED BY THE BOARD IN AN AMOUNT NOT**  
30 **TO EXCEED THE COST OF THE REQUIRED EXAMINATION.**

1 5-309.

2 (A) If an applicant qualifies for a license under this subtitle, the Board shall send  
3 the applicant a notice that states that:

4 (1) the applicant has qualified for the license; and

5 (2) the Board will issue the license to the applicant on receipt of a license  
6 fee established by the Board in accordance with § 5-205 of this title.

7 (B) IF AN APPLICANT QUALIFIES FOR AN ENDORSEMENT ON A LICENSE  
8 UNDER § 5-305.1 OF THIS SUBTITLE, THE BOARD SHALL SEND THE APPLICANT A  
9 NOTICE THAT STATES THAT:

10 (1) THE APPLICANT HAS QUALIFIED FOR THE ENDORSEMENT; AND

11 (2) THE BOARD WILL ISSUE THE LICENSE WITH THE ENDORSEMENT  
12 TO THE APPLICANT ON RECEIPT OF A LICENSE FEE ESTABLISHED BY THE BOARD IN  
13 ACCORDANCE WITH § 5-205 OF THIS TITLE.

14 5-310.

15 (a) (1) Subject to subsections (b)[, (c), and (d)] THROUGH (E) of this section  
16 and while a license to practice cosmetology is in effect, it authorizes the licensee to practice  
17 cosmetology.

18 (2) WHILE A LICENSE TO PRACTICE COSMETOLOGY WITH AN  
19 ENDORSEMENT FOR MICRODERMABRASION SERVICES IS IN EFFECT, THE LICENSE  
20 AUTHORIZES THE LICENSEE TO PRACTICE COSMETOLOGY AND PROVIDE  
21 MICRODERMABRASION SERVICES.

22 (b) (1) While a limited license to provide esthetic services is in effect, it  
23 authorizes the licensee to provide only esthetic services.

24 (2) WHILE A LIMITED LICENSE TO PROVIDE ESTHETIC SERVICES  
25 WITH AN ENDORSEMENT FOR MICRODERMABRASION SERVICES IS IN EFFECT, THE  
26 LIMITED LICENSE AUTHORIZES THE LICENSEE TO PROVIDE ESTHETIC SERVICES  
27 AND PROVIDE MICRODERMABRASION SERVICES.

28 [(c) While a limited license to provide hair services is in effect, the license  
29 authorizes the licensee to provide only hair services.]

1           **(C) WHILE A LIMITED LICENSE TO PROVIDE HAIR-BRAIDING SERVICES IS IN**  
2 **EFFECT, THE LIMITED LICENSE AUTHORIZES THE LICENSEE TO PROVIDE ONLY**  
3 **HAIR-BRAIDING SERVICES.**

4           **(D) WHILE A LIMITED LICENSE TO PROVIDE LIMITED COSMETOLOGY**  
5 **SERVICES IS IN EFFECT, THE LIMITED LICENSE AUTHORIZES THE LICENSEE TO**  
6 **PROVIDE ONLY LIMITED COSMETOLOGY SERVICES.**

7           **[(d)] (E)** While a limited license to provide nail technician services is in effect, it  
8 authorizes the licensee to provide only nail technician services.

9 5-311.

10           (a) The initial term of a license is 2 years.

11           (b) A license expires on the date set by the Board unless the license is renewed  
12 for an additional term as provided in this section.

13           (c) At least 1 month before a license expires, the Board shall mail to the licensee,  
14 at the last known address of the licensee:

15                   (1) a renewal application form; and

16                   (2) a notice that states:

17                           (i) the date on which the current license expires;

18                           (ii) the date by which the Board must receive the renewal application  
19 for the renewal to be issued and mailed before the license expires; and

20                           (iii) the amount of the renewal fee.

21           (d) Before a license expires, the licensee periodically may renew it for an  
22 additional 2-year term, if the licensee:

23                   (1) otherwise is entitled to be licensed;

24                   (2) pays to the Board a renewal fee established by the Board in accordance  
25 with § 5-205 of this title; **[and]**

26                   **(3) SUBMITS TO THE BOARD SATISFACTORY EVIDENCE OF**  
27 **COMPLIANCE WITH THE CONTINUING EDUCATION REQUIREMENTS SET UNDER**  
28 **SUBSECTION (G) OF THIS SECTION FOR LICENSE RENEWAL; AND**

29                   **[(3)] (4)** submits to the Board a renewal application on the form that the  
30 Board provides.

1 (e) The Board shall renew the license of and issue a renewal certificate to each  
2 licensee who meets the requirements of this section.

3 (f) (1) If an individual who, on or before September 30, 1999, holds a limited  
4 license to provide esthetic services files an application to renew the license, the Board shall  
5 grant a waiver of the requirement for completion of hours of instruction under §  
6 5-305(b)(3)(ii) of this subtitle that are in addition to the hours of instruction required on or  
7 before that date.

8 (2) If an individual who, on or before September 30, 1999, holds a limited  
9 license to provide manicuring services files an application to renew the license, the Board  
10 shall grant a waiver of the requirement for completion of hours of instruction under §  
11 ~~5-305(d)(3)(ii)~~**5-305(E)(3)(II)** of this subtitle that are in addition to the hours of  
12 instruction required on or before that date.

13 **(G) (1) IN ADDITION TO ANY OTHER QUALIFICATIONS AND**  
14 **REQUIREMENTS ESTABLISHED BY THE BOARD, THE BOARD SHALL ESTABLISH**  
15 **CONTINUING EDUCATION REQUIREMENTS AS A CONDITION OF THE RENEWAL OF**  
16 **LICENSES UNDER THIS TITLE.**

17 **(2) THE BOARD SHALL REQUIRE A MINIMUM OF 8 HOURS OF**  
18 **CONTINUING EDUCATION IN COURSES APPROVED BY THE BOARD.**

19 5-501.

20 (a) A person shall hold a beauty salon permit issued by the Board before the  
21 person may operate a beauty salon in the State.

22 (b) A beauty salon may operate as a limited practice beauty salon by offering  
23 cosmetology services limited to:

24 (1) providing esthetic services;

25 ~~[(2) providing hair services; or]~~

26 **(2) PROVIDING HAIR-BRAIDING SERVICES; OR**

27 (3) providing nail technician services.

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

30 5-605.

1 (a) Except as provided in §§ 5–302 and 5–303 of this title and subsection (b) of  
2 this section, a person may not practice cosmetology, provide esthetic services, **PROVIDE**  
3 **HAIR–BRAIDING SERVICES**, provide hair services, **[or] PROVIDE LIMITED**  
4 **COSMETOLOGY SERVICES, PROVIDE MICRODERMABRASION SERVICES, OR** provide  
5 nail technician services in any place other than:

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

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

9 (b) (1) A licensed cosmetologist, **[hairstylist, or] COSMETOLOGIST**  
10 **ASSISTANT**, esthetician, **HAIR BRAIDER, MICRODERMABRASION TECHNICIAN, OR** nail  
11 technician may practice cosmetology and provide services in:

12 (i) a facility in which beautification–oriented medical services,  
13 authorized by the Department of Health and Mental Hygiene, are provided;

14 (ii) the residence of an individual confined to the residence by reason  
15 of a physical or mental infirmity;

16 (iii) an assisted living facility as defined in § 19–1801 of the Health –  
17 General Article;

18 (iv) a hospice facility defined in § 19–901(c) of the Health – General  
19 Article;

20 (v) a nursing home as defined in § 19–1401(e) of the Health –  
21 General Article; or

22 (vi) a hospital as defined in § 19–301 of the Health – General Article  
23 or a similar institution.

24 (2) To practice in any of the locations specified in this subsection:

25 (i) the licensed cosmetologist, **LICENSED SENIOR**  
26 **COSMETOLOGIST, COSMETOLOGIST ASSISTANT**, esthetician, **[hairstylist, or] SENIOR**  
27 **ESTHETICIAN, HAIR BRAIDER, MICRODERMABRASION TECHNICIAN, OR** nail  
28 technician shall be sponsored by a beauty salon in which the cosmetologist, **SENIOR**  
29 **COSMETOLOGIST, COSMETOLOGIST ASSISTANT**, esthetician, **[hairstylist, or] SENIOR**  
30 **ESTHETICIAN, HAIR BRAIDER, MICRODERMABRASION TECHNICIAN, OR** nail  
31 technician is authorized to practice;

32 (ii) the patron to whom the services are rendered shall be a customer  
33 of the beauty salon; and

1 (iii) the services shall be rendered by appointment through the  
2 beauty salon.

3 **5-608.3.**

4 (A) (1) IN THIS SECTION, "TATTOO" MEANS TO MAKE AN INDELIBLE MARK  
5 OR DESIGN ON THE SKIN OF AN INDIVIDUAL:

6 (I) BY THE INSERTION OF A PIGMENT UNDER THE SKIN; OR

7 (II) BY THE PRODUCTION OF SCARS.

8 (2) "TATTOO" INCLUDES PERMANENT MAKEUP SERVICES.

9 (B) A PERSON MAY NOT TATTOO ANOTHER INDIVIDUAL IN A BEAUTY SALON  
10 IN THE STATE.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2015.