

HOUSE BILL 843

A2

6lr1987
CF SB 695

By: **Frederick County Delegation**

Introduced and read first time: February 8, 2016

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County – Alcoholic Beverages – Beauty Salon License**

3 FOR the purpose of establishing in Frederick County a beauty salon beer and wine license;
4 requiring that a recipient of the license be a holder of a beauty salon permit;
5 authorizing a holder of the license to provide beer and wine by the glass for
6 consumption by a certain customer when a certain cosmetology service is provided
7 or a certain fund-raising event is held; prohibiting the license from being transferred
8 to another location; specifying the hours that the license privilege may be exercised;
9 specifying an annual license fee; providing that an establishment for which the
10 license is issued is subject to certain alcohol awareness training requirements; and
11 generally relating to alcoholic beverages licenses in Frederick County.

12 BY adding to

13 Article – Alcoholic Beverages

14 Section 20–1001.1

15 Annotated Code of Maryland

16 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General
17 Assembly of 2016)

18 BY repealing and reenacting, without amendments,

19 Article – Business Occupations and Professions

20 Section 5–101(a), (c), (d), (l), (m), (n), and (o) and 5–501

21 Annotated Code of Maryland

22 (2010 Replacement Volume and 2015 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

24 That the Laws of Maryland read as follows:

25 **Article – Alcoholic Beverages**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **20-1001.1.**

2 (A) THE BOARD MAY ISSUE A SPECIAL BEAUTY SALON BEER AND WINE
3 LICENSE TO A HOLDER OF A BEAUTY SALON PERMIT UNDER § 5-501 OF THE
4 BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

5 (B) A BEAUTY SALON LICENSE AUTHORIZES THE LICENSE HOLDER TO
6 PROVIDE NO MORE THAN 5 OUNCES OF BEER OR WINE BY THE GLASS FOR
7 ON-PREMISES CONSUMPTION BY A BEAUTY SALON CUSTOMER:

8 (1) WHEN THE CUSTOMER IS PROVIDED A COSMETOLOGY SERVICE
9 UNDER § 5-101(L) OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;
10 OR

11 (2) WHILE THE CUSTOMER IS ATTENDING A FUND-RAISING EVENT AT
12 THE BEAUTY SALON FOR WHICH THE DEPARTMENT OF PERMITS AND INSPECTIONS
13 HAS ISSUED A PERMIT.

14 (C) A BEAUTY SALON LICENSE MAY NOT BE TRANSFERRED TO ANOTHER
15 LOCATION.

16 (D) A HOLDER OF THE LICENSE MAY PROVIDE BEER AND WINE FOR
17 ON-PREMISES CONSUMPTION DURING NORMAL BUSINESS HOURS BUT NOT LATER
18 THAN 9 P.M.

19 (E) THE ANNUAL LICENSE FEE IS \$100.

20 (F) AN ESTABLISHMENT FOR WHICH A BEAUTY SALON LICENSE IS ISSUED IS
21 SUBJECT TO THE ALCOHOL AWARENESS TRAINING REQUIREMENTS UNDER § 4-505
22 OF THIS ARTICLE.

23 **Article – Business Occupations and Professions**

24 5-101.

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

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

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

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

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

- 3 (i) providing hair services;
- 4 (ii) arching or dyeing eyebrows;
- 5 (iii) dyeing eyelashes;
- 6 (iv) providing esthetic services; or
- 7 (v) providing nail technician services.

8 (2) The practice of cosmetology does not include:

- 9 (i) the mere sale, fitting, or styling of wigs or hairpieces;
- 10 (ii) the mere shampooing of hair; or
- 11 (iii) a service that results in tension on hair strands or roots by
12 twisting, wrapping, weaving, extending, locking, or braiding by hand or mechanical device,
13 provided that the service does not include the application of dyes, reactive chemicals, or
14 other preparations to alter the color of the hair or to straighten, curl, or alter the structure
15 of the hair.

16 (m) “Provide esthetic services” means to provide to an individual, for
17 compensation, the service of:

- 18 (1) cleansing, exercising, massaging, stimulating, or performing any other
19 similar procedure on the skin or scalp by electrical, mechanical, or any other means;
- 20 (2) applying to the face an alcohol, cream, lotion, astringent, or cosmetic
21 preparation; or
- 22 (3) removing superfluous hair by the use of a depilatory, tweezers, or wax.

23 (n) “Provide hair services” means to provide to an individual for compensation the
24 service of beautifying, cleaning, or embellishing the hair of the individual by:

- 25 (1) arranging the hair;
- 26 (2) bleaching the hair;
- 27 (3) cleansing the hair;
- 28 (4) coloring the hair;

- 1 (5) curling the hair;
- 2 (6) cutting the hair;
- 3 (7) dressing the hair;
- 4 (8) singeing the hair;
- 5 (9) permanent waving the hair;
- 6 (10) waving the hair; or
- 7 (11) performing any other similar procedure intended to beautify, clean, or
8 embellish the hair.

9 (o) "Provide nail technician services" means to provide to an individual, for
10 compensation, the service of:

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

14 5-501.

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

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

- 19 (1) providing esthetic services;
- 20 (2) providing hair services; or
- 21 (3) providing nail technician services.

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

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2016.