

HOUSE BILL 843

A2

6lr1987
CF SB 695

By: **Frederick County Delegation**

Introduced and read first time: February 8, 2016

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2016

CHAPTER _____

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 renumbering

13 Article – Alcoholic Beverages

14 Section 20-1002 through 20-1014, respectively

15 to be Section 20-1003 through 20-1015, respectively

16 Annotated Code of Maryland

17 (As enacted by Chapter _____ (S.B. 724) of the Acts of the General Assembly of
18 2016)

19 BY adding to

20 Article – Alcoholic Beverages

21 Section ~~20-1001.1~~ 20-1002

22 Annotated Code of Maryland

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.



~~(As enacted by Chapter _____ (S.B. _____)(6hr1406) of the Acts of the General Assembly of 2016)~~

(As enacted by Chapter _____ (S.B. 724) of the Acts of the General Assembly of 2016);

BY repealing and reenacting, without amendments,
 Article – Business Occupations and Professions
 Section 5–101(a), (c), (d), (l), (m), (n), and (o) and 5–501
 Annotated Code of Maryland
 (2010 Replacement Volume and 2015 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 20–1002 through 20–1014, respectively, of Article – Alcoholic Beverages of the Annotated Code of Maryland be renumbered to be Section(s) 20–1003 through 20–1015, respectively.

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

Article – Alcoholic Beverages

~~20–1001.1.~~ 20–1002.

(A) THERE IS A BEAUTY SALON BEER AND WINE LICENSE.

~~(A) (B) THE BOARD MAY ISSUE A SPECIAL BEAUTY SALON BEER AND WINE~~
THE LICENSE TO A HOLDER OF A BEAUTY SALON PERMIT UNDER § 5–501 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

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

(1) WHEN THE CUSTOMER IS PROVIDED A COSMETOLOGY SERVICE UNDER § 5–101(L) DESCRIBED IN § 5–101(L)(1) OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE; OR

(2) WHILE THE CUSTOMER IS ATTENDING A FUND–RAISING EVENT AT THE BEAUTY SALON FOR WHICH THE DEPARTMENT OF PERMITS AND INSPECTIONS, IF REQUIRED, HAS ISSUED A PERMIT.

~~(C) (D) A BEAUTY SALON~~ **THE LICENSE MAY NOT BE TRANSFERRED TO ANOTHER LOCATION.**

1 (iii) a service that results in tension on hair strands or roots by
2 twisting, wrapping, weaving, extending, locking, or braiding by hand or mechanical device,
3 provided that the service does not include the application of dyes, reactive chemicals, or
4 other preparations to alter the color of the hair or to straighten, curl, or alter the structure
5 of the hair.

6 (m) "Provide esthetic services" means to provide to an individual, for
7 compensation, the service of:

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

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

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

13 (n) "Provide hair services" means to provide to an individual for compensation the
14 service of beautifying, cleaning, or embellishing the hair of the individual by:

15 (1) arranging the hair;

16 (2) bleaching the hair;

17 (3) cleansing the hair;

18 (4) coloring the hair;

19 (5) curling the hair;

20 (6) cutting the hair;

21 (7) dressing the hair;

22 (8) singeing the hair;

23 (9) permanent waving the hair;

24 (10) waving the hair; or

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

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

29 (1) manicuring or pedicuring the individual's nails;

1 (2) applying artificial nail enhancement products; or

2 (3) maintaining artificial nail enhancement products.

3 5-501.

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

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

8 (1) providing esthetic services;

9 (2) providing hair services; or

10 (3) providing nail technician services.

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

13 SECTION ~~2~~ 3 AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.