

SENATE BILL 679

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6lr2016
CF HB 700

By: **Senators Astle, Benson, Hershey, Jennings, and Klausmeier**

Introduced and read first time: February 5, 2016

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Unemployment Insurance – Exemption From Covered Employment – Nail**
3 **Technicians**

4 FOR the purpose of providing that, under certain circumstances, work is not covered
5 employment under the unemployment insurance law when performed by certain
6 individuals who hold a limited license to provide nail technician services; and
7 generally relating to an exemption from covered employment under the
8 unemployment insurance law.

9 BY adding to

10 Article – Labor and Employment

11 Section 8–206(a–1)

12 Annotated Code of Maryland

13 (2008 Replacement Volume and 2015 Supplement)

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

15 That the Laws of Maryland read as follows:

16 **Article – Labor and Employment**

17 8–206.

18 **(A–1) WORK IS NOT COVERED EMPLOYMENT WHEN PERFORMED BY A HOLDER**
19 **OF A LIMITED LICENSE TO PROVIDE NAIL TECHNICIAN SERVICES WHO LEASES OR**
20 **OTHERWISE AGREES TO THE USE OF A CHAIR, BOOTH, OR SPACE FROM A HOLDER OF**
21 **A BARBERSHOP PERMIT, A BEAUTY SALON PERMIT, OR AN OWNER–MANAGER**
22 **PERMIT WHO OPERATES A BARBERSHOP OR BEAUTY SALON IF THE SECRETARY IS**
23 **SATISFIED THAT:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) THE HOLDER OF A LIMITED LICENSE TO PROVIDE NAIL**
2 **TECHNICIAN SERVICES AND THE PERMIT HOLDER HAVE ENTERED INTO A WRITTEN**
3 **LEASE OR OTHER WRITTEN AGREEMENT THAT IS IN EFFECT;**

4 **(2) THE HOLDER OF A LIMITED LICENSE TO PROVIDE NAIL**
5 **TECHNICIAN SERVICES:**

6 **(I) PAYS A STIPULATED AMOUNT OR COMMISSION FOR USE OF**
7 **THE CHAIR, BOOTH, OR SPACE;**

8 **(II) IS NOT REQUIRED TO MAKE ANY FURTHER ACCOUNTING OF**
9 **INCOME TO THE PERMIT HOLDER; AND**

10 **(III) HAS ACCESS TO THE PREMISES AT ALL HOURS AND MAY SET**
11 **PERSONAL WORK HOURS AND PRICES; AND**

12 **(3) THE LEASE OR OTHER WRITTEN AGREEMENT EXPRESSLY STATES**
13 **THAT THE HOLDER OF A LIMITED LICENSE TO PROVIDE NAIL TECHNICIAN SERVICES**
14 **KNOWS:**

15 **(I) OF THE RESPONSIBILITY TO PAY STATE AND FEDERAL**
16 **INCOME TAXES AND MAKE CONTRIBUTIONS TO SOCIAL SECURITY FOR**
17 **SELF-EMPLOYMENT; AND**

18 **(II) THAT THE WORK IS NOT COVERED EMPLOYMENT.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2016.