

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 678 (Senator Eckardt)
Education, Health, and Environmental Affairs

State Board of Cosmetologists - Pets on Premises of Beauty Salons - Authorized

This bill authorizes a beauty salon permit holder to allow dogs and other pets on the premises of the beauty salon in accordance with regulations that must be adopted by the State Board of Cosmetologists by October 1, 2017. A board inspector may not issue a citation to a beauty salon for the presence of an animal on the premises, unless the permit holder violates the regulations adopted by the board.

Fiscal Summary

State Effect: The Department of Labor, Licensing, and Regulation (DLLR) can likely *initially* implement the bill with existing budgeted resources; however, DLLR likely needs additional staff for inspections, as discussed below. General fund revenues are not materially affected.

Local Effect: The bill does not affect local governmental finances or operations.

Small Business Effect: Minimal.

Analysis

Current Law: Generally, a person may not practice, attempt to practice, or offer to practice cosmetology in the State unless licensed by the State Board of Cosmetologists in DLLR. A person may not operate a beauty salon in the State unless the person holds a beauty salon permit issued by the board. Unless an establishment holds a beauty salon permit, a person may not represent to the public that the establishment is a beauty salon and generally may not practice cosmetology or provide hair, esthetic, or nail services at the establishment.

The holder of the beauty salon permit is responsible for the condition and operation of the salon in compliance with the laws and regulations governing the practice of beauty culture, among other responsibilities. Beauty salons must also meet specified sanitation requirements. Certain activities, such as chemical peels and cosmetic tattooing, are prohibited.

The civil penalty for the presence of an animal, established in regulation, is \$100.

Background: The State Board of Cosmetologists was created by Chapter 282 of 1935. Its functions include (1) establishing qualifications for and providing approval of apprenticeships, licenses, and permits for services under the board's authority; (2) regulating the examination process; (3) disciplining licensees who have violated laws or regulations; (4) establishing fees to recover the cost of the board's services; and (5) regulating sanitary conditions in schools and salons.

There are currently 4,095 full-service salons and 677 limited-service salons permitted by DLLR.

State Expenditures: DLLR can likely initially implement the bill – adopt regulations and handle a minimal number of additional complaints – with existing budgeted resources. However, as more beauty salons begin to take advantage of the opportunity to allow pets on salon premises, DLLR expects an increase in the number of sanitation complaints from patrons. If the number of complaints increases significantly, DLLR needs to hire additional staff to conduct those inspections. The timing and extent of any general fund expenditures for additional staff cannot be reliably estimated at this time – but likely does not occur until fiscal 2018 or 2019.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Labor, Licensing, and Regulation; Department of Legislative Services

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