

Chapter 127

(House Bill 843)

AN ACT concerning

Frederick County – Alcoholic Beverages – Beauty Salon License

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

BY renumbering

Article – Alcoholic Beverages

Section 20-1002 through 20-1014, respectively

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

Annotated Code of Maryland

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

BY adding to

Article – Alcoholic Beverages

Section ~~20-1001.1~~ 20-1002

Annotated Code of Maryland

~~(As enacted by Chapter _____ (S.B. _____) (Ch 1406) 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 1-2. 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.

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

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

~~(F)~~ **AN THE ESTABLISHMENT FOR WHICH A BEAUTY SALON LICENSE IS**
ISSUED IS SUBJECT TO THE ALCOHOL AWARENESS TRAINING REQUIREMENTS
UNDER § 4-505 OF THIS ARTICLE, SUBJECT TO § 20-1903 OF THIS TITLE.

(G) THE ANNUAL LICENSE FEE IS \$100.

Article – Business Occupations and Professions

5-101.

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

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

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

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

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

(i) providing hair services;

(ii) arching or dyeing eyebrows;

(iii) dyeing eyelashes;

(iv) providing esthetic services; or

(v) providing nail technician services.

(2) The practice of cosmetology does not include:

(i) the mere sale, fitting, or styling of wigs or hairpieces;

(ii) the mere shampooing of hair; or

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

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

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

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

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

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

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

(o) “Provide nail technician services” means to provide to an individual, for compensation, the service of:

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

5-501.

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

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

- (1) providing esthetic services;
- (2) providing hair services; or

(3) providing nail technician services.

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

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

Approved by the Governor, April 12, 2016.