

HOUSE BILL 1261

C2

7lr0589

By: **Delegates Wilkins, Barron, Carr, Fennell, Frick, Luedtke, Moon, and M. Washington**

Introduced and read first time: February 10, 2017

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 11, 2017

CHAPTER _____

1 AN ACT concerning

2 **Barbers – Criminal Penalties for Violations of Barbering Law – Repeal**

3 FOR the purpose of repealing certain criminal penalties for violations of the barbering law;
4 making stylistic changes; and generally relating to practicing barbering.

5 BY repealing and reenacting, without amendments,
6 Article – Business Occupations and Professions
7 Section 4–601
8 Annotated Code of Maryland
9 (2010 Replacement Volume and 2016 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article – Business Occupations and Professions
12 Section 4–607
13 Annotated Code of Maryland
14 (2010 Replacement Volume and 2016 Supplement)

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

17 **Article – Business Occupations and Professions**

18 4–601.

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.



1 (a) Except as otherwise provided in this title, a person may not practice, attempt
2 to practice, or offer to practice barbering in the State unless licensed by the Board to
3 practice barbering.

4 (b) Except as otherwise provided in this title, a person may not provide, attempt
5 to provide, or offer to provide barber–stylist services in the State unless licensed by the
6 Board to provide barber–stylist services.

7 4–607.

8 (a) [A person who violates any provision of this title is guilty of a misdemeanor
9 and on conviction is subject to a fine not exceeding \$100 or imprisonment not exceeding 30
10 days or both.

11 (b) (1) Except as otherwise provided by this title, the Board may impose on a
12 person who violates any provision of this title a penalty not exceeding \$1,000 for all
13 violations cited on a single day.

14 [(2)] (B) In setting the amount of the penalty, the Board shall consider:

15 [(i)] (1) the seriousness of the violation;

16 [(ii)] (2) the harm caused by the violation;

17 [(iii)] (3) the good faith of the violator;

18 [(iv)] (4) any history of previous violations by the violator; and

19 [(v)] (5) any other relevant factors.

20 [(3)] (C) The Board shall pay any penalty collected under this
21 [subsection] SECTION into the General Fund of the State.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.