

**Department of Legislative Services**  
Maryland General Assembly  
2019 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

Senate Bill 440

(The President)(By Request - Department of Legislative Services)

Education, Health, and Environmental Affairs

Economic Matters

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**State Board of Cosmetologists - Sunset Extension**

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This bill extends the termination date for the State Board of Cosmetologists by three years to July 1, 2024, and requires the Department of Legislative Services (DLS) to conduct a preliminary evaluation of the board by December 15, 2021.

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**Fiscal Summary**

**State Effect:** Special fund revenues and expenditures for the State Barbers and Cosmetologists Boards' Fund are maintained beyond FY 2021.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law/Background:** The State Board of Cosmetologists in the Department of Labor, Licensing, and Regulation (DLLR) issues two full-service licenses (cosmetologist and senior cosmetologist) and four limited licenses (hairstylist, blow-drying, nail technician, and esthetician). A cosmetologist or senior cosmetologist license authorizes the licensee to provide hair, nail, and esthetic services. The other licenses authorize the licensee to provide just that service. The board also registers apprentices. Applicants for licensure must pass a written and a practical exam and meet specified experience (apprenticeship) or education (specified hours of instruction at an approved cosmetology school) requirements.

Chapter 256 of 2017 (effective July 1, 2018), established the State Barbers and Cosmetologists Boards' Fund in DLLR and redirected licensing revenue associated with the boards from the general fund to the new special fund. The Act also repealed statutory fees and instead authorized the boards to set fees by regulation.

*Maryland Program Evaluation Act*

The State Board of Cosmetologists is 1 of approximately 70 regulatory entities and activities currently subject to periodic evaluation under the Maryland Program Evaluation Act. The Act establishes a process better known as "sunset review" as most entities evaluated are also subject to termination, including the board, which is scheduled to terminate July 1, 2021. The sunset review process traditionally begins with a preliminary evaluation conducted by DLS on behalf of the Legislative Policy Committee (LPC), although a few entities are subject to direct full evaluation. LPC decides whether to waive an entity from further (or full) evaluation. If waived, legislation to reauthorize the entity typically is enacted. Otherwise, a full evaluation usually is undertaken the following year. LPC waived the board from full evaluation, but also approved a DLS recommendation that another preliminary evaluation be conducted in three years to assess the implementation progress of the new special fund.

The board was evaluated concurrently with the State Board of Barbers. A copy of the DLS sunset report on the boards can be found on the DLS [website](#).

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 13, 2019  
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