

Department of Legislative Services  
Maryland General Assembly  
2019 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

Senate Bill 428

(Senator Hershey)

Education, Health, and Environmental Affairs

Economic Matters

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**Queen Anne's County - Alcoholic Beverages - Beauty Salon and Barbershop  
License**

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This bill establishes a beauty salon and barbershop beer and wine (BW) alcoholic beverages license in Queen Anne's County. The bill authorizes the Queen Anne's County Board of License Commissioners to issue the license to the holders of specified beauty salon or barbershop permits. A license holder may provide a specified amount of beer or wine by the glass for on-premises consumption only while performing activities generally relating to beauty salons or barbershops. The license may not be transferred to another location. The license holder may provide beer and wine during normal business hours but not after 9:00 p.m. A holder of a beauty salon and barbershop BW license is subject to specified existing alcohol awareness training requirements. The annual fee for the license is \$100. **The bill takes effect July 1, 2019.**

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Queen Anne's County license revenues increase minimally due to additional license fees. Queen Anne's County can monitor licenses with existing resources.

**Small Business Effect:** Potential meaningful. Beauty salons and barbershops serving alcohol under the licenses may experience an increase in sales.

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## Analysis

### Bill Summary/Current Law:

#### *Limitations on Alcohol Service*

The bill limits the circumstances under which beer and wine may be provided. A customer must be receiving services relating to either cosmetology or barbering in order for the establishment to sell beer or wine to a patron. A customer may consume not more than 5 ounces of wine or 12 ounces of beer during any one visit.

Under the Business Occupations and Professions Article, a “beauty salon” is any commercial establishment, excluding barbershops, where cosmetology is practiced. Cosmetology includes (1) providing hair services; (2) arching or dyeing eyebrows; (3) dyeing eyelashes; (4) providing esthetic services; or (5) providing nail technician services. Cosmetology does not include merely shampooing hair or fitting, styling, and selling wigs or hairpieces, and services generally relating to hair braiding without the use of dyes and chemicals.

The Business Occupations and Professions Article also defines “barbering service” to include (1) cutting, razor cutting, styling, relaxing, body waving, shampooing, or coloring the hair; (2) shaving or trimming the beard; (3) massaging the face; (4) designing, fitting, or cutting a hairpiece; or (5) performing any other similar procedure on the hair, beard, face, or hairpiece of the individual. Barbering does not include the mere sale of wigs or hairpieces, or specified services performed by an employee under the supervision of a master barber.

#### *Alcohol Awareness Training*

Generally, for a premises that is licensed to sell alcoholic beverages with an off-sale privilege, or a premises that is licensed with on-sale privileges and sells alcoholic beverages directly to a customer from a bar or service bar, the license holder or specified employees must complete training in an approved alcohol awareness program in order to obtain and retain their alcoholic beverages license. The training program must be approved and certified by the Comptroller and it must provide information on how alcohol affects a person’s body and behavior, the dangers of drinking and driving, refusing service before a customer becomes intoxicated, and determining if a customer is old enough to legally consume alcohol. The training is valid for four years.

**Background:** In fiscal 2018, there were 87 alcoholic beverage licenses in Queen Anne’s County. As of February 2019, there were 46 beauty salons and 9 barbershops in Queen Anne’s County.

**Local Fiscal Effect:** Queen Anne’s County revenues increase by \$100 annually for each beauty salon and barbershop BW license issued under the bill. As the number of individuals that will seek to obtain a license as a result of the bill is unknown, any corresponding revenue increase cannot be reliably estimated at this time. However, any increase in revenues is not anticipated to be significant and any increase in inspections and enforcement activity can likely be absorbed with existing resources.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 476 (Queen Anne's County Delegation) - Economic Matters.

**Information Source(s):** Queen Anne’s County; Department of Labor, Licensing, and Regulation; Comptroller’s Office; Department of Legislative Services

**Fiscal Note History:** First Reader - February 8, 2019  
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