

SENATE BILL 423

C3

3lr1819

By: **Senator Beidle**

Introduced and read first time: February 2, 2023

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Cosmetologists – Licensing – Eyelash Extensions**

3 FOR the purpose of authorizing the State Board of Cosmetologists to issue a limited license
4 to provide eyelash extension services; and generally relating to licensing and the
5 State Board of Cosmetologists.

6 BY repealing and reenacting, without amendments,
7 Article – Business Occupations and Professions
8 Section 5–101(a)
9 Annotated Code of Maryland
10 (2018 Replacement Volume and 2022 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Business Occupations and Professions
13 Section 5–101(i), (l), (n), and (p) through (r), 5–205(b) and (c), 5–301, 5–305, 5–310,
14 5–404, 5–501, and 5–605
15 Annotated Code of Maryland
16 (2018 Replacement Volume and 2022 Supplement)

17 BY adding to
18 Article – Business Occupations and Professions
19 Section 5–101(p)
20 Annotated Code of Maryland
21 (2018 Replacement Volume and 2022 Supplement)

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

24 **Article – Business Occupations and Professions**

25 5–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

2 (i) (1) "License" means, unless the context requires otherwise, a license issued
3 by the Board.

4 (2) "License" includes, unless the context requires otherwise, each of the
5 following licenses:

6 (i) a license to practice cosmetology;

7 (ii) a license to practice as a senior cosmetologist;

8 (iii) a limited license to provide esthetic services;

9 (iv) a limited license to provide hair services;

10 (v) a limited license to provide hair services – blow drying; [and]

11 (vi) a limited license to provide nail technician services; AND

12 (VII) A LIMITED LICENSE TO PROVIDE EYELASH EXTENSION
13 SERVICES.

14 (l) (1) "Limited license" means a license issued by the Board to practice
15 cosmetology as limited in § 5–301 of this title.

16 (2) "Limited license" includes, unless the context requires otherwise, each
17 of the following licenses:

18 (i) a limited license to provide esthetic services;

19 (ii) a limited license to provide hair services;

20 (iii) a limited license to provide hair services – blow drying; [and]

21 (iv) a limited license to provide nail technician services; AND

22 (V) A LIMITED LICENSE TO PROVIDE EYELASH EXTENSION
23 SERVICES.

24 (n) (1) "Practice cosmetology" means to engage in any of the following for
25 compensation:

26 (i) providing hair services;

- 1 (ii) arching or dyeing eyebrows;
- 2 (iii) dyeing eyelashes;
- 3 (iv) providing esthetic services; [or]
- 4 (v) providing nail technician services; OR

5 **(IV) PROVIDING EYELASH EXTENSION SERVICES.**

6 (2) The practice of cosmetology does not include:

- 7 (i) the mere sale, fitting, or styling of wigs or hairpieces;
- 8 (ii) the mere shampooing of hair; or
- 9 (iii) a service that results in tension on hair strands or roots by
- 10 twisting, wrapping, weaving, extending, locking, or braiding by hand or mechanical device,
- 11 provided that the service does not include the application of dyes, reactive chemicals, or
- 12 other preparations to alter the color of the hair or to straighten, curl, or alter the structure
- 13 of the hair.

14 **(P) “PROVIDE EYELASH EXTENSION SERVICES” MEANS TO PROVIDE TO AN**

15 **INDIVIDUAL, FOR COMPENSATION, THE SERVICE OF:**

- 16 **(1) CLEANING THE EYE AREA;**
- 17 **(2) APPLYING:**
 - 18 **(I) EYELASH PRIMERS AND ADHESIVES;**
 - 19 **(II) EYELASH EXTENSIONS; AND**
 - 20 **(III) SEALANT; OR**
- 21 **(3) DRYING THE EYE AREA FOR EYELASH EXTENSIONS.**

22 **[(p)] (Q) “Provide hair services” means to provide to an individual for**

23 **compensation the service of beautifying, cleaning, or embellishing the hair of the individual**

24 **by:**

- 25 (1) arranging the hair;
- 26 (2) bleaching the hair;

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

11 **[(q)] (R)** “Provide hair services – blow drying” means to provide to an individual
12 for compensation the service of beautifying, cleaning, or arranging the hair of the individual
13 by:

- 14 (1) arranging the hair;
- 15 (2) cleansing the hair;
- 16 (3) curling the hair;
- 17 (4) dressing the hair;
- 18 (5) blow drying the hair;
- 19 (6) singeing the hair; or
- 20 (7) performing any other similar procedure intended to beautify, clean, or
21 arrange the hair.

22 **[(r)] (S)** “Provide nail technician services” means to provide to an individual, for
23 compensation, the service of:

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

1 5–205.

2 (b) (1) The Board shall adopt regulations that establish detailed
3 curriculum standards for use by the State Board of Education or the Maryland Higher
4 Education Commission in approving applications for instruction in the practice of
5 cosmetology, the provision of esthetic services, **THE PROVISION OF EYELASH EXTENSION**
6 **SERVICES**, the provision of hair services, and the provision of nail technician services at
7 public schools or private career schools.

8 (2) The curriculum standards established under paragraph (1) of this
9 subsection shall:

10 (i) incorporate modern methods and practices for:

11 1. practicing cosmetology;

12 2. providing esthetic services;

13 **3. PROVIDING EYELASH EXTENSION SERVICES;**

14 **[3.] 4.** providing hair services;

15 **[4.] 5.** providing hair services – blow drying; and

16 **[5.] 6.** providing nail technician services;

17 (ii) include a reference to each topic and the emphasis of each topic
18 required of a comprehensive curriculum in the appropriate licensing area; and

19 (iii) be reviewed and updated periodically as determined by the
20 Board.

21 (c) (1) **[Beginning October 1, 2018, the] THE** Board shall require a licensee
22 renewing a license to complete at least six credit hours of continuing education approved
23 by the Board.

24 (2) The Board shall adopt regulations that set standards for continuing
25 education courses that, at a minimum, require:

26 (i) two hours of training in health, safety, and welfare subjects; and

27 (ii) four hours of training in general elective courses.

28 5–301.

1 (a) Except as otherwise provided in this title, an individual shall be licensed by
2 the Board to practice cosmetology before the individual may practice cosmetology in the
3 State.

4 (b) If an individual holds the appropriate limited license, the individual may
5 practice cosmetology in a manner limited to:

6 (1) providing esthetic services;

7 **(2) PROVIDING EYELASH EXTENSION SERVICES;**

8 ~~[(2)]~~ **(3)** providing hair services;

9 ~~[(3)]~~ **(4)** providing hair services – blow drying; or

10 ~~[(4)]~~ **(5)** providing nail technician services.

11 (c) Subsection (a) of this section does not apply to:

12 (1) a student while the student practices cosmetology in accordance with §
13 5–302 or § 5–303 of this subtitle; or

14 (2) a registered apprentice.

15 5–305.

16 (a) To qualify for a limited license to practice cosmetology, an applicant shall be
17 an individual who meets the requirements of this section.

18 (b) An applicant for a limited license to provide esthetic services shall:

19 (1) be at least 17 years old;

20 (2) have completed successfully a 9th grade education or the equivalent;

21 and

22 (3) have received training by:

23 (i) serving as a registered apprentice for at least 6 months as
24 provided under §§ 5–404 and 5–405 of this title; or

25 (ii) successfully completing at least 600 hours of instruction in
26 providing esthetic services in a cosmetology school approved by the State Department of
27 Education or the Maryland Higher Education Commission in consultation with the Board.

1 **(C) AN APPLICANT FOR A LIMITED LICENSE TO PROVIDE EYELASH**
 2 **EXTENSION SERVICES SHALL:**

3 **(1) BE AT LEAST 17 YEARS OLD;**

4 **(2) POSSESS A HIGH SCHOOL DIPLOMA OR GRADUATE EQUIVALENCE**
 5 **DIPLOMA;**

6 **(3) (I) HAVE RECEIVED TRAINING BY:**

7 **1. SERVING AS A REGISTERED APPRENTICE FOR AT**
 8 **LEAST 2 MONTHS AS PROVIDED UNDER §§ 5-404 AND 5-405 OF THIS TITLE; OR**

9 **2. SUCCESSFULLY COMPLETING AT LEAST 60 HOURS OF**
 10 **INSTRUCTION IN PROVIDING EYELASH EXTENSION SERVICES IN A COSMETOLOGY**
 11 **SCHOOL APPROVED BY THE STATE DEPARTMENT OF EDUCATION OR THE**
 12 **MARYLAND HIGHER EDUCATION COMMISSION IN CONSULTATION WITH THE**
 13 **BOARD; OR**

14 **(II) PASS A PRACTICAL EXAMINATION.**

15 **[(c)] (D)** An applicant for a limited license to provide hair services shall:

16 (1) be at least 17 years old;

17 (2) have completed successfully a 9th grade education or the equivalent;
 18 and

19 (3) have received training by:

20 (i) serving as a registered apprentice for at least 15 months as
 21 provided under §§ 5-404 and 5-405 of this title; or

22 (ii) successfully completing at least 1,200 hours of instruction
 23 providing hair services in a cosmetology school approved by the State Department of
 24 Education or the Maryland Higher Education Commission in consultation with the Board.

25 **[(d)] (E)** An applicant for a limited license to provide hair services – blow drying
 26 shall:

27 (1) be at least 17 years old;

28 (2) have completed successfully a 9th grade education or the equivalent;
 29 and

1 (3) have received training by successfully completing at least 350 hours of
2 instruction providing hair services – blow drying in a cosmetology school approved by the
3 State Department of Education or the Maryland Higher Education Commission in
4 consultation with the Board.

5 **[(e)] (F)** An applicant for a limited license to provide nail technician services
6 shall:

7 (1) be at least 17 years old;

8 (2) have successfully completed a 9th grade education or the equivalent;
9 and

10 (3) have received training by:

11 (i) serving as a registered apprentice for at least 3 months as
12 provided under §§ 5–404 and 5–405 of this title; or

13 (ii) successfully completing at least 250 hours of instruction in
14 providing nail technician services in a cosmetology school approved by the State
15 Department of Education or the Maryland Higher Education Commission in consultation
16 with the Board.

17 **[(f)] (G)** If an applicant is licensed to practice as an esthetician, **EYELASH**
18 **EXTENSION TECHNICIAN**, hairstylist, hairstylist – blow drying technician, or nail
19 technician in another state or foreign country, the applicant meets the training
20 requirements of this section if the applicant has held a limited license in the other state or
21 foreign country and has actively practiced in the other state or foreign country for a period
22 of 6 months.

23 **[(g)] (H)** An applicant for a limited license shall pass an examination given by
24 the Board under this subtitle.

25 5–310.

26 (a) Subject to subsections (b), (c), (d), **[and] (e), AND (F)** of this section and while
27 a license to practice cosmetology is in effect, it authorizes the licensee to practice
28 cosmetology.

29 (b) While a limited license to provide esthetic services is in effect, it authorizes
30 the licensee to provide only esthetic services.

31 **(C) WHILE A LIMITED LICENSE TO PROVIDE EYELASH EXTENSION SERVICES**
32 **IS IN EFFECT, IT AUTHORIZES THE LICENSEE TO PROVIDE ONLY EYELASH**
33 **EXTENSION SERVICES.**

1 **[(c)] (D)** While a limited license to provide hair services is in effect, the license
2 authorizes the licensee to provide only hair services.

3 **[(d)] (E)** While a limited license to provide hair services – blow drying is in effect,
4 the license authorizes the licensee to provide only hair services – blow drying.

5 **[(e)] (F)** While a limited license to provide nail technician services is in effect, it
6 authorizes the licensee to provide only nail technician services.

7 5–404.

8 (a) While registration as an apprentice is in effect, the registration authorizes the
9 individual to learn to practice cosmetology or any limited practice of cosmetology:

10 (1) in a:

11 (i) beauty salon that holds a beauty salon permit; or

12 (ii) barbershop that holds a barbershop permit; and

13 (2) under the supervision of:

14 (i) if learning to practice cosmetology, a licensed senior
15 cosmetologist;

16 (ii) if learning to provide esthetic services, a licensed senior
17 cosmetologist or a licensed esthetician with 2 years' experience;

18 **(III) IF LEARNING TO PROVIDE EYELASH EXTENSION SERVICES,**
19 **A LICENSED SENIOR COSMETOLOGIST OR A LICENSED EYELASH EXTENSION**
20 **TECHNICIAN WITH 2 YEARS' EXPERIENCE;**

21 **[(iii)] (IV)** if learning to provide hair services, a licensed senior
22 cosmetologist or a licensed hairstylist with 2 years' experience; and

23 **[(iv)] (V)** if learning to provide nail technician services, a licensed
24 senior cosmetologist or a licensed nail technician with 2 years' experience.

25 (b) A licensed senior cosmetologist may directly train and supervise not more
26 than two apprentices learning to practice cosmetology or any limited practice of
27 cosmetology specified in subsection (a)(2) of this section.

28 (c) An individual with one of the limited licenses specified in subsection (a)(2) of
29 this section who has at least 2 years of experience in that limited practice of cosmetology
30 may directly train and supervise not more than two apprentices learning the same limited
31 practice of cosmetology.

1 5-501.

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

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

6 (1) providing esthetic services;

7 **(2) PROVIDING EYELASH EXTENSION SERVICES;**

8 ~~[(2)]~~ **(3)** providing hair services;

9 ~~[(3)]~~ **(4)** providing hair services – blow drying; or

10 ~~[(4)]~~ **(5)** providing nail technician services.

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

13 5-605.

14 (a) Except as provided in §§ 5-302 and 5-303 of this title and subsection (b) of
15 this section, a person may not practice cosmetology, provide esthetic services, **PROVIDE**
16 **EYELASH EXTENSION SERVICES**, provide hair services, provide hair services – blow
17 drying, or provide nail technician services in any place other than:

18 (1) a beauty salon that holds a beauty salon permit; or

19 (2) a barbershop that holds a barbershop permit issued under Title 4 of this
20 article.

21 (b) (1) A licensed cosmetologist, esthetician, **EYELASH EXTENSION**
22 **TECHNICIAN**, hairstylist, hairstylist – blow dry technician, or nail technician may practice
23 cosmetology and provide services in:

24 (i) a facility in which beautification-oriented medical services,
25 authorized by the Maryland Department of Health, are provided;

26 (ii) the residence of an individual confined to the residence by reason
27 of a physical or mental infirmity;

28 (iii) an assisted living facility as defined in § 19-1801 of the Health –
29 General Article;

1 (iv) a hospice facility defined in § 19–901(c) of the Health – General
2 Article;

3 (v) a nursing home as defined in § 19–1401(e) of the Health –
4 General Article; or

5 (vi) a hospital as defined in § 19–301 of the Health – General Article
6 or a similar institution.

7 (2) To practice in any of the locations specified in this subsection:

8 (i) the licensed cosmetologist, esthetician, **EYELASH EXTENSION**
9 **TECHNICIAN**, hairstylist, hairstylist – blow dry technician, or nail technician shall be
10 sponsored by a beauty salon in which the cosmetologist, esthetician, hairstylist, hairstylist
11 – blow dry technician, or nail technician is authorized to practice;

12 (ii) the patron to whom the services are rendered shall be a customer
13 of the beauty salon; and

14 (iii) the services shall be rendered by appointment through the
15 beauty salon.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2023.