

SENATE BILL 740

A2

3lr2031
CF 3lr0573

By: **Senator Gallion**

Introduced and read first time: February 6, 2023

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County – Alcoholic Beverages – Barbershop and Beauty Salon License**

3 FOR the purpose of establishing a barbershop and beauty salon beer, wine, and liquor
4 license in Harford County; authorizing the Board of License Commissioners for
5 Harford County to issue a license to a holder of a certain barbershop or beauty salon
6 permit; requiring the holder of the license to purchase alcoholic beverages from
7 certain sources; and generally relating to alcoholic beverages licenses in Harford
8 County.

9 BY renumbering

10 Article – Alcoholic Beverages
11 Section 22–1001.1
12 to be Section 22–1001.2
13 Annotated Code of Maryland
14 (2016 Volume and 2022 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article – Alcoholic Beverages
17 Section 22–102
18 Annotated Code of Maryland
19 (2016 Volume and 2022 Supplement)

20 BY adding to

21 Article – Alcoholic Beverages
22 Section 22–1001.1
23 Annotated Code of Maryland
24 (2016 Volume and 2022 Supplement)

25 BY repealing and reenacting, without amendments,

26 Article – Business Occupations and Professions
27 Section 4–501, 5–101, and 5–501

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2018 Replacement Volume and 2022 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
4 That Section(s) 22–1001.1 of Article – Alcoholic Beverages of the Annotated Code of
5 Maryland be renumbered to be Section(s) 22–1001.2.

6 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
7 as follows:

8 **Article – Alcoholic Beverages**

9 22–102.

10 This title applies only in Harford County.

11 **22–1001.1.**

12 (A) **THERE IS A BARBERSHOP AND BEAUTY SALON BEER, WINE, AND LIQUOR**
13 **LICENSE.**

14 (B) (1) **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
15 **THE BOARD MAY ISSUE THE LICENSE TO A HOLDER OF:**

16 (I) **A BARBERSHOP PERMIT ISSUED UNDER § 4–501 OF THE**
17 **BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE; OR**

18 (II) **A BEAUTY SALON PERMIT ISSUED UNDER § 5–501 OF THE**
19 **BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.**

20 (2) **THE BOARD MAY NOT ISSUE THE LICENSE TO:**

21 (I) **A MOBILE BARBERSHOP AS DEFINED IN § 4–101 OF THE**
22 **BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;**

23 (II) **A MOBILE BEAUTY SALON AS DEFINED IN § 5–101 OF THE**
24 **BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;**

25 (III) **A BARBER SCHOOL SUBJECT TO TITLE 4, SUBTITLE 5 OF**
26 **THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE; OR**

27 (IV) **A COSMETOLOGY SCHOOL SUBJECT TO TITLE 5, SUBTITLE 5**
28 **OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.**

29 (C) **THE LICENSE AUTHORIZES THE LICENSE HOLDER TO PROVIDE, BY SALE**

1 OR SERVED AT NO COST, TO A PARTICIPATING INDIVIDUAL NOT MORE THAN TWO
2 12-OUNCE SERVINGS OF BEER, TWO 5-OUNCE SERVINGS OF WINE, OR ONE 2-OUNCE
3 SERVING OF LIQUOR FOR ON-PREMISES CONSUMPTION IN A SINGLE DAY WHILE THE
4 INDIVIDUAL:

5 (1) IS PROVIDED A SERVICE UNDER § 4-501 OR § 5-501 OF THE
6 BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

7 (2) IS ATTENDING A FUND-RAISING EVENT AT THE BARBERSHOP OR
8 BEAUTY SALON FOR WHICH THE COUNTY DEPARTMENT OF INSPECTIONS,
9 LICENSES, AND PERMITS HAS ISSUED A PERMIT.

10 (D) THE LICENSE MAY NOT BE TRANSFERRED TO ANOTHER LOCATION.

11 (E) THE LICENSE HOLDER MAY PROVIDE BEER, WINE, AND LIQUOR DURING
12 NORMAL BUSINESS HOURS BUT NOT LATER THAN 9 P.M.

13 (F) THE LICENSE HOLDER SHALL PURCHASE BEER, WINE, AND LIQUOR
14 FROM THE HOLDER OF A MANUFACTURER'S LICENSE, A WHOLESALER'S LICENSE, OR
15 A RETAIL LICENSE.

16 (G) THE ANNUAL LICENSE FEE IS \$950.

17 **Article – Business Occupations and Professions**

18 4-501.

19 (a) A person shall hold a barbershop permit issued by the Board before the person
20 may operate a barbershop in the State.

21 (b) A separate barbershop permit is required for each barbershop that a person
22 operates.

23 5-101.

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

25 (b) "Apprentice" means an individual who is learning to practice cosmetology or
26 any limited practice of cosmetology in a beauty salon that holds a beauty salon permit under
27 the supervision of:

28 (1) if learning to practice cosmetology, a licensed senior cosmetologist;

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

1 (3) if learning to provide hair services, a licensed senior cosmetologist or a
2 licensed hairstylist with 2 years' experience; and

3 (4) if learning to provide nail technician services, a licensed senior
4 cosmetologist or a licensed nail technician with 2 years' experience.

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

7 (2) "Beauty salon" includes a mobile beauty salon.

8 (3) "Beauty salon" does not include a clinic in a cosmetology school.

9 (d) "Beauty salon permit" means a permit issued by the Board to operate a beauty
10 salon.

11 (e) "Board" means the State Board of Cosmetologists.

12 (f) "Cosmetologist" means an individual who practices cosmetology.

13 (g) "Hairstylist" means an individual who provides hair services.

14 (h) "Hairstylist – blow dry technician" means an individual who provides hair
15 services – blow drying;

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

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

20 (i) a license to practice cosmetology;

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

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

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

24 (v) a limited license to provide hair services – blow drying; and

25 (vi) a limited license to provide nail technician services.

26 (j) "Licensed cosmetologist" means, unless the context requires otherwise, a
27 cosmetologist who is licensed by the Board to practice cosmetology.

1 (k) “Licensed senior cosmetologist” means a person who:

2 (1) has at least 2 years of experience as a licensed cosmetologist; and

3 (2) has passed a test approved by the Board.

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

6 (2) “Limited license” includes, unless the context requires otherwise, each
7 of the following licenses:

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

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

10 (iii) a limited license to provide hair services – blow drying; and

11 (iv) a limited license to provide nail technician services.

12 (m) “Mobile beauty salon” means a beauty salon that is located in a motor vehicle
13 or a trailer that is designed, constructed, and equipped as a place for an individual to
14 practice cosmetology and for use as a conveyance on highways.

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

17 (i) providing hair services;

18 (ii) arching or dyeing eyebrows;

19 (iii) dyeing eyelashes;

20 (iv) providing esthetic services; or

21 (v) providing nail technician services.

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

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

24 (ii) the mere shampooing of hair; or

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

1 of the hair.

2 (o) "Provide esthetic services" means to provide to an individual, for
3 compensation, the service of:

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

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

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

9 (p) "Provide hair services" means to provide to an individual for compensation the
10 service of beautifying, cleaning, or embellishing the hair of the individual by:

11 (1) arranging the hair;

12 (2) bleaching the hair;

13 (3) cleansing the hair;

14 (4) coloring the hair;

15 (5) curling the hair;

16 (6) cutting the hair;

17 (7) dressing the hair;

18 (8) singeing the hair;

19 (9) permanent waving the hair;

20 (10) waving the hair; or

21 (11) performing any other similar procedure intended to beautify, clean, or
22 embellish the hair.

23 (q) "Provide hair services – blow drying" means to provide to an individual for
24 compensation the service of beautifying, cleaning, or arranging the hair of the individual
25 by:

26 (1) arranging the hair;

27 (2) cleansing the hair;

1 (3) curling the hair;

2 (4) dressing the hair;

3 (5) blow drying the hair;

4 (6) singeing the hair; or

5 (7) performing any other similar procedure intended to beautify, clean, or
6 arrange the hair.

7 (r) "Provide nail technician services" means to provide to an individual, for
8 compensation, the service of:

9 (1) manicuring or pedicuring the individual's nails;

10 (2) applying artificial nail enhancement products; or

11 (3) maintaining artificial nail enhancement products.

12 5-501.

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

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

17 (1) providing esthetic services;

18 (2) providing hair services;

19 (3) providing hair services – blow drying; or

20 (4) providing nail technician services.

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

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
24 1, 2023.