

# SENATE BILL 1044

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CF HB 1302

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By: **Senators Gile and Kelly**

Introduced and read first time: February 2, 2024

Assigned to: Education, Energy, and the Environment

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Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: February 23, 2024

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Cosmetologists – Esthetic Services – Definition**

3 FOR the purpose of altering the definition of “provide esthetic services” to include certain  
4 services and to provide that it does not include the diagnosis of illness, disease, or  
5 injury or performing ablation of the dermis or hypodermis; and generally relating to  
6 the provision of esthetic services.

7 BY repealing and reenacting, without amendments,  
8 Article – Business Occupations and Professions  
9 Section 5–101(a)  
10 Annotated Code of Maryland  
11 (2018 Replacement Volume and 2023 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – Business Occupations and Professions  
14 Section 5–101(o)  
15 Annotated Code of Maryland  
16 (2018 Replacement Volume and 2023 Supplement)

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

19 **Article – Business Occupations and Professions**

20 5–101.

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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) In this title the following words have the meanings indicated.

2 (o) **(1)** “Provide esthetic services” means to provide to an individual, for  
3 compensation, the service of:

4 **[(1)] (I)** cleansing, exercising, **EXFOLIATING**, massaging, **COSMETIC**  
5 **MICRONEEDLING**, stimulating, **TONING**, or performing any other similar procedure on  
6 the skin or scalp by electrical, mechanical, or any other means;

7 **[(2)] (II)** applying to the face, **BODY, OR SCALP** an alcohol, cream, lotion,  
8 astringent, or cosmetic preparation; or

9 **[(3)] (III)** removing superfluous hair by the use of [a depilatory, tweezers,  
10 or wax] **ELECTRICAL, MECHANICAL, OR ANY ~~OTHER~~ MEANS OTHER THAN BY THE USE**  
11 **OF A LASER LIGHT-BASED DEVICE.**

12 **(2) “PROVIDE ESTHETIC SERVICES” INCLUDES:**

13 **(I) ~~APPLYING MAKEUP;~~**

14 **~~(II)~~ APPLYING EYELASH EXTENSIONS;**

15 **~~(III)~~ (II) PERFORMING SUPERFICIAL EXFOLIATION**  
16 **TREATMENTS OF THE EPIDERMIS USING PROFESSIONAL AND OTHER**  
17 **COMMERCIALY AVAILABLE PRODUCTS OR DEVICES;**

18 **~~(IV)~~ (III) PERFORMING TREATMENTS FOR THE RELAXATION,**  
19 **HYDRATION, CONTOURING, AND BEAUTIFICATION OF THE FACE, SKIN, BODY,**  
20 **EYELASHES, OR EYEBROWS; AND**

21 **~~(V)~~ (IV) PERFORMING NONABLATIVE SKIN REJUVENATION.**

22 **(3) “PROVIDE ESTHETIC SERVICES” DOES NOT INCLUDE:**

23 **(I) THE DIAGNOSIS OF ILLNESS, DISEASE, OR INJURY; OR**

24 **(II) PERFORMING ABLATION OF THE DERMIS OR HYPODERMIS.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2024.