

Department of Legislative Services
 Maryland General Assembly
 2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 180

(Delegate Kerr)

Economic Matters

Education, Energy, and the Environment

State Board of Cosmetologists – Licensing – Eyelash Extensions

This bill establishes a limited license specific to providing “eyelash extension services” issued by the State Board of Cosmetologists and expands the definition of “provide esthetic services” to also include providing eyelash extension services. The bill incorporates licensing requirements and regulation of the licensees into current statutory provisions that apply to other types of limited licenses issued by the board, including a limited license to provide esthetic services.

Fiscal Summary

State Effect: Special fund expenditures increase by approximately \$25,000 in FY 2025 for one-time reprogramming. Special fund revenues increase beginning in FY 2025 due to the issuance of additional limited licenses by the State Board of Cosmetologists.

(in dollars)	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
SF Revenue	-	-	-	-	-
SF Expenditure	\$25,000	\$0	\$0	\$0	\$0
Net Effect	(-)	-	-	-	-

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: Meaningful.

Analysis

Bill Summary: “Provide eyelash extension services” means to provide an individual, for compensation, the service of:

- cleaning the eye area;
- applying (1) eyelash primers and adhesives; (2) eyelash extensions; and (3) sealant; or
- drying the eye area for eyelash extensions.

An applicant for a limited license to provide eyelash extension services must:

- be at least 17 years old;
- have completed successfully a ninth grade education or the equivalent; and
- pass a practical examination or have received training by (1) serving as a registered apprentice for at least two months, as specified or (2) successfully completing at least 60 hours of instruction in providing eyelash extension services in a cosmetology school approved by the Maryland State Department of Education or the Maryland Higher Education Commission in consultation with the board.

As with other limited licenses, the board must adopt regulations establishing curriculum standards for the license; the board must also establish continuing education standards.

Beginning January 1, 2026, an individual registered as an apprentice who is learning to practice eyelash extension services must do so (1) under the supervision of a licensed senior cosmetologist who has completed the relevant continuing education requirements or (2) under a licensed eyelash extension technician with two years' experience.

Current Law: The State Board of Cosmetologists (within the Maryland Department of Labor) 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.) "Provide esthetic services" means to provide to an individual, for compensation, the service of (1) cleansing, exercising, massaging, stimulating, or performing any other similar procedure on the skin or scalp by electrical, mechanical, or any other means; (2) applying to the face an alcohol, cream, lotion, astringent, or cosmetic preparation; or (3) removing superfluous hair by the use of a depilatory, tweezers, or wax.

The board also registers apprentices. Applicants for licensure as a cosmetologist must pass a written and a practical examination and have successfully completed either a registered apprenticeship program or 1,500 hours of training at an approved cosmetology school. While registered as an apprentice cosmetologist, an individual may learn to practice cosmetology (or limited practices of cosmetology) in either a beauty salon or a barbershop that is properly licensed. Any such training must take place under the supervision of the

appropriate type of licensee, depending on the type of license the individual is pursuing. **Exhibit 1** shows the required supervision according to the type of license being pursued.

A licensed senior cosmetologist may directly train and supervise up to two apprentices learning the practice of cosmetology or any limited practice of cosmetology. Additionally, an individual with a specified limited license who has at least two years of experience in that limited practice may directly train and supervise up to two apprentices learning the same limited practice.

Exhibit 1
Type of Supervision Required for Cosmetology Apprentices

<u>Type of Apprentice</u>	<u>Supervising Licensee</u>
Cosmetology	Licensed senior cosmetologist
Esthetic services*	Licensed esthetician with two years of experience (or licensed senior cosmetologist)
Hair services*	Licensed hairstylist with two years of experience (or licensed senior cosmetologist)
Nail technician services*	Licensed nail technician with two years of experience (or licensed senior cosmetologist)

* Indicates a limited cosmetology license that may only be used to provide the specified types of services.

Note: There is no apprenticeship pathway for hair services that are limited to blow drying.

Source: Department of Legislative Services

Licensed cosmetologists, estheticians, hairstylists, hairstylist-blow dry technicians, and nail technicians generally must perform their services at a permitted beauty salon or barbershop. However, subject to specified conditions, these licensees may practice at certain off-site locations.

All licensing fees paid to the State Board of Cosmetologists are distributed to the State Barbers and Cosmetologists Boards' Fund, which covers all costs associated with board operations.

State Fiscal Effect: The State Board of Cosmetologists advises that one-time reprogramming changes are required in fiscal 2025 to modify its licensing system to

process the new limited licensees. Otherwise, it can absorb any additional duties with current staff. Accordingly, special fund expenditures increase by approximately \$25,000 in fiscal 2025 only.

The board advised for a prior version of the bill that the licensing process would likely be the same as for other limited licensees, with the licensing fee set at \$25 per license (and renewed biennially). Although special fund revenues increase under the bill, the exact number of limited licenses that may be issued – and revenues received – cannot be determined at this time. The overall impact on the board is not expected to be significant, however. Assuming that most first-time licenses are issued in fiscal 2025, with a smaller number issued in fiscal 2026, revenues likely fluctuate every two years based on the biennial renewal of those licenses.

Small Business Effect: Most salons and barber shops are small businesses, and many engage in the activities regulated by the bill. Thus, any eyelash extension technicians employed by a salon or barber shop who are not otherwise licensed as cosmetologists or estheticians must obtain the limited license once the bill takes effect and comply with regulations established by the board in order to continue providing eyelash extension services.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 423 of 2023.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Maryland Higher Education Commission; Maryland Department of Labor; Department of Legislative Services

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