

Bill No.: \_\_\_\_\_  
Requested: \_\_\_\_\_  
Committee: \_\_\_\_\_

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By: **Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Beauty Salon License**

3 **MC 9–14**

4 FOR the purpose of establishing in Montgomery County a beauty salon beer and wine  
5 license; requiring that a recipient of the license be a holder of a beauty salon  
6 permit; authorizing a holder of the license to provide beer and wine by the glass  
7 when a certain cosmetology service is provided or a certain fundraising event is  
8 held; prohibiting the license from being transferred to another location;  
9 specifying the hours that the license privilege may be exercised; specifying an  
10 annual license fee; providing that an establishment for which the license is  
11 issued is subject to certain alcohol awareness training requirements; and  
12 generally relating to alcoholic beverages licenses in Montgomery County.

13 BY adding to  
14 Article 2B – Alcoholic Beverages  
15 Section 8–216.5  
16 Annotated Code of Maryland  
17 (2011 Replacement Volume and 2013 Supplement)

18 BY repealing and reenacting, without amendments,  
19 Article – Business Occupations and Professions

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1 Section 5–101(a), (c), (d), (l), (m), (n), and (o) and 5–501  
2 Annotated Code of Maryland  
3 (2010 Replacement Volume and 2013 Supplement)

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

6 **Article 2B – Alcoholic Beverages**

7 **8–216.5.**

8 **(A) THIS SECTION APPLIES ONLY IN MONTGOMERY COUNTY.**

9 **(B) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A SPECIAL**  
10 **BEAUTY SALON BEER AND WINE LICENSE TO A HOLDER OF A BEAUTY SALON**  
11 **PERMIT UNDER § 5–501 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS**  
12 **ARTICLE.**

13 **(C) A BEAUTY SALON LICENSE AUTHORIZES THE LICENSE HOLDER TO**  
14 **PROVIDE BEER AND WINE BY THE GLASS FOR ON–PREMISES CONSUMPTION**  
15 **WHEN:**

16 **(1) A COSMETOLOGY SERVICE UNDER § 5–101(L) OF THE**  
17 **BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE IS PROVIDED; OR**

18 **(2) A FUNDRAISING EVENT IS HELD FOR WHICH A PERMIT FROM**  
19 **THE DEPARTMENT OF PERMITTING SERVICES IS ISSUED.**

20 **(D) A BEAUTY SALON LICENSE MAY NOT BE TRANSFERRED TO ANOTHER**  
21 **LOCATION.**

22 **(E) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, A**  
23 **HOLDER OF THE LICENSE MAY PROVIDE BEER AND WINE FOR ON–PREMISES**  
24 **CONSUMPTION DURING NORMAL BUSINESS HOURS BUT NOT LATER THAN**  
25 **MIDNIGHT.**

26 **(F) THE ANNUAL LICENSE FEE IS \$100.**

1           **(G) AN ESTABLISHMENT FOR WHICH A BEAUTY SALON LICENSE IS**  
2 **ISSUED IS SUBJECT TO THE ALCOHOL AWARENESS TRAINING REQUIREMENTS**  
3 **UNDER § 13-101 OF THIS ARTICLE.**

4                           **Article – Business Occupations and Professions**

5   5-101.

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

7           (c)   (1)   “Beauty salon” means any commercial establishment, except a  
8 barbershop, in which an individual practices cosmetology.

9                   (2)   “Beauty salon” does not include a clinic in a cosmetology school.

10           (d)   “Beauty salon permit” means a permit issued by the Board to operate a  
11 beauty salon.

12           (l)   (1)   “Practice cosmetology” means to engage in any of the following for  
13 compensation:

14                           (i)   providing hair services;

15                           (ii)   arching or dyeing eyebrows;

16                           (iii)   dyeing eyelashes;

17                           (iv)   providing esthetic services; or

18                           (v)   providing nail technician services.

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

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

21                           (ii)   the mere shampooing of hair; or

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

6           (m) “Provide esthetic services” means to provide to an individual, for  
7 compensation, the service of:

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

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

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

15           (n) “Provide hair services” means to provide to an individual for  
16 compensation the service of beautifying, cleaning, or embellishing the hair of the  
17 individual by:

18                   (1) arranging the hair;

19                   (2) bleaching the hair;

20                   (3) cleansing the hair;

21                   (4) coloring the hair;

22                   (5) curling the hair;

23                   (6) cutting the hair;

24                   (7) dressing the hair;

25                   (8) singeing the hair;

1                   (9)    permanent waving the hair;

2                   (10)   waving the hair; or

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

5           (o)    “Provide nail technician services” means to provide to an individual, for  
6 compensation, the service of:

7                   (1)    manicuring or pedicuring the individual’s nails;

8                   (2)    applying artificial nail enhancement products; or

9                   (3)    maintaining artificial nail enhancement products.

10   5–501.

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

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

15                   (1)    providing esthetic services;

16                   (2)    providing hair services; or

17                   (3)    providing nail technician services.

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

20           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 July 1, 2014.