

HOUSE BILL 633

A2
SB 740/23 – FIN

4lr1556
CF 4lr2765

By: **Harford County Delegation**

Introduced and read first time: January 25, 2024

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2024

CHAPTER _____

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 and wine license in
4 Harford County; authorizing the Board of License Commissioners for Harford
5 County to issue a license to a holder of a certain barbershop or beauty salon permit;
6 requiring the holder of the license to purchase alcoholic beverages from certain
7 sources and comply with certain record-keeping and reporting requirements; and
8 generally relating to alcoholic beverages licenses in Harford County.

9 BY renumbering

10 Article – Alcoholic Beverages and Cannabis
11 Section 22–1001.1
12 to be Section 22–1001.2
13 Annotated Code of Maryland
14 (2016 Volume and 2023 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article – Alcoholic Beverages and Cannabis
17 Section 22–102
18 Annotated Code of Maryland
19 (2016 Volume and 2023 Supplement)

20 BY adding to

21 Article – Alcoholic Beverages and Cannabis
22 Section 22–1001.1

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.



Annotated Code of Maryland
(2016 Volume and 2023 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 4–101(a) and (k), 4–501, 5–101(a) and (m), and 5–501
Annotated Code of Maryland
(2018 Replacement Volume and 2023 Supplement)

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

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

Article – Alcoholic Beverages and Cannabis

22–102.

This title applies only in Harford County.

22–1001.1.

(A) THERE IS A BARBERSHOP AND BEAUTY SALON BEER AND WINE LICENSE.

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

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

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

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

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

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

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

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

(C) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SERVE AT NO COST
TO A PARTICIPATING INDIVIDUAL NOT MORE THAN TWO 12-OUNCE SERVINGS OF
BEER OR TWO 5-OUNCE SERVINGS OF WINE FOR ON-PREMISES CONSUMPTION IN A
SINGLE DAY WHILE THE INDIVIDUAL:

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

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

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

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

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

(G) (1) THE LICENSE HOLDER SHALL:

(I) KEEP COMPLETE AND ACCURATE RECORDS OF ALL
ALCOHOLIC BEVERAGES SERVED AND PURCHASED UNDER THIS SECTION;

(II) ON WRITTEN REQUEST OF THE COMPTROLLER OR THE
BOARD, REPORT ON THE FORM THAT THE COMPTROLLER OR THE BOARD REQUIRES
INFORMATION RELATING TO THE ALCOHOLIC BEVERAGES THAT ARE THE SUBJECT
OF THE RECORDS REQUIRED TO BE KEPT; AND

(III) ON REQUEST OF THE COMPTROLLER OR THE BOARD, MAKE
THE REPORT UNDER OATH.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
PARAGRAPH, EACH LICENSE HOLDER SHALL KEEP RECORDS AT THE LOCATION
DESIGNATED IN THE LICENSE.

(II) IF THE LICENSE HOLDER IS ALLOWED TO HAVE MORE THAN
ONE LOCATION, THE LICENSE HOLDER MAY KEEP THE RECORDS AT THE PRINCIPAL
LOCATION.

(III) THE RECORDS SHALL:

1. MEET FORM AND CONTENT REQUIREMENTS OF THE COMPTROLLER AND THE BOARD;

2. BE PRESERVED FOR AT LEAST 2 YEARS IN A MANNER THAT ENSURES PERMANENCY; AND

3. BE MADE AVAILABLE FOR AUDIT OR INSPECTION DURING REGULAR BUSINESS HOURS BY THE COMPTROLLER OR THE BOARD OR A DESIGNEE OF THE COMPTROLLER OR THE BOARD.

(3) (I) THE COMPTROLLER MAY WITHOUT A HEARING IMMEDIATELY SUSPEND FOR A MAXIMUM OF 30 DAYS THE LICENSE OF A LICENSE HOLDER WHO FAILS TO COMPLY WITH THIS SUBSECTION.

(II) IF A REPORT REQUIRED BY THIS SECTION OR AN INVESTIGATION BY THE BOARD, A BOARD OFFICER, THE COMPTROLLER, OR ANY OTHER PERSON INDICATES THAT A HOLDER OF A LICENSE WITH AN ON-SALE PRIVILEGE IS VIOLATING THIS SECTION, THE BOARD SHALL SUMMON THE LICENSE HOLDER AND CONDUCT A HEARING.

(III) IF THE CHARGES AT THE HEARING ARE SUSTAINED, THE BOARD:

1. SHALL IMPOSE A FINE OF NOT LESS THAN \$250 AND NOT MORE THAN \$2,000; AND

2. MAY SUSPEND OR REVOKE THE LICENSE HOLDER'S LICENSE IMMEDIATELY.

~~(G)~~ (H) THE ANNUAL LICENSE FEE IS \$750.

Article – Business Occupations and Professions

4–101.

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

(k) “Mobile barbershop” means a barbershop that is located in a motor vehicle or a trailer that is designed, constructed, and equipped as a place for an individual to practice barbering and for use as a conveyance on highways.

4–501.

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

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

5 5–101.

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

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

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;

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

18 (4) providing nail technician services.

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

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2024.