

SENATE BILL 417

K2

7lr1504

By: **Senators Brochin, Kagan, Kelley, and Klausmeier**

Introduced and read first time: January 27, 2017

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Unemployment Insurance – Exemption From Covered Employment for Nail**
3 **Technicians – Repeal**

4 FOR the purpose of repealing a certain provision of the unemployment insurance law that
5 provides that work is not covered employment under certain circumstances when
6 performed by certain individuals who hold a limited license to provide nail technician
7 services; and generally relating to an exemption from covered employment for nail
8 technician services under the unemployment insurance law.

9 BY repealing

10 Article – Labor and Employment

11 Section 8–206(a–1)

12 Annotated Code of Maryland

13 (2016 Replacement Volume)

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

16 **Article – Labor and Employment**

17 8–206.

18 [(a–1) Work is not covered employment when performed by a holder of a limited
19 license to provide nail technician services who leases or otherwise agrees to the use of a
20 chair, booth, or space from a holder of a barbershop permit, a beauty salon permit, or an
21 owner–manager permit who operates a barbershop or beauty salon if the Secretary is
22 satisfied that:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) the holder of a limited license to provide nail technician services and
2 the permit holder have entered into a written lease or other written agreement that is in
3 effect;

4 (2) the holder of a limited license to provide nail technician services:

5 (i) pays a stipulated amount or commission for use of the chair,
6 booth, or space;

7 (ii) is not required to make any further accounting of income to the
8 permit holder; and

9 (iii) has access to the premises at all hours and may set personal work
10 hours and prices; and

11 (3) the lease or other written agreement expressly states that the holder of
12 a limited license to provide nail technician services knows:

13 (i) of the responsibility to pay State and federal income taxes and
14 make contributions to Social Security for self-employment; and

15 (ii) that the work is not covered employment.]

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2017.