

Chapter 324

(Senate Bill 1044)

AN ACT concerning

Cosmetologists – Esthetic Services – Definition

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

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

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

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

Article – Business Occupations and Professions

5–101.

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

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

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

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

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

(2) “PROVIDE ESTHETIC SERVICES” INCLUDES:

(I) ~~APPLYING MAKEUP;~~

~~(II)~~ APPLYING EYELASH EXTENSIONS;

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

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

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

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

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

(II) PERFORMING ABLATION OF THE DERMIS OR HYPODERMIS.

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

Approved by the Governor, April 25, 2024.