

Department of Legislative Services  
Maryland General Assembly  
2024 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

Senate Bill 1044

(Senators Gile and Kelly)

Education, Energy, and the Environment

Economic Matters

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Cosmetologists - Esthetic Services - Definition

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This bill alters the definition of “provide esthetic services” to include specified services; however, the bill explicitly excludes from the definition (1) the diagnosis of illness, disease, or injury or (2) performing ablation of the dermis or hypodermis.

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Fiscal Summary

**State Effect:** The bill is not anticipated to materially affect the State Board of Cosmetologists’ finances or operations. The board can implement the bill’s changes with existing resources.

**Local Effect:** None.

**Small Business Effect:** Meaningful.

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Analysis

**Bill Summary/Current Law:** Under the bill, “provide esthetic services” means to provide to an individual, for compensation, the service of (additions in *italics*):

- 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;
- applying to the face, *body*, or *scalp* an alcohol, cream, lotion, astringent, or cosmetic preparation; or

- removing superfluous hair by the use of *electrical, mechanical, or any means other than by the use of a laser-based device* (rather than by the use of a depilatory, tweezers, or wax).

The bill specifies that “provide esthetic services” includes:

- applying eyelash extensions;
- performing superficial exfoliation treatments of the epidermis using professional and other commercially available products or devices;
- performing treatments for the relaxation, hydration, contouring, and beautification of the face, skin, body, eyelashes, or eyebrows; and
- performing nonablative skin rejuvenation.

#### *State Board of Cosmetologists (Generally)*

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. The board also registers apprentices. Applicants for licensure 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.

**Small Business Effect:** The bill may allow small businesses to provide and charge for additional esthetic services.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** HB 1302 (Delegates Valderrama and Harrison) - Economic Matters.

**Information Source(s):** Maryland Department of Labor; Department of Legislative Services

**Fiscal Note History:** First Reader - February 20, 2024  
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