

5-314.

(a) Subject to the hearing provisions of § 5-315 of this subtitle, the Board may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if the applicant or licensee:

(1) fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;

(2) fraudulently or deceptively uses a license;

(3) is incompetent;

(4) engages in dishonest, unethical, immoral, or unprofessional conduct;

(5) is addicted to alcohol or drugs to the extent of being unfit to practice cosmetology;

(6) advertises by means of knowingly false or deceptive statements;

(7) UNDER THE LAWS OF THE UNITED STATES OR OF ANY STATE, IS CONVICTED OF:

(I) A FELONY; OR

(II) A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PRACTICE COSMETOLOGY;
or

[(7)] (8) violates any provision of this title or any regulation adopted by the Board under this title.

(b) Instead of or in addition to suspending or revoking a license, the Board may impose a penalty not exceeding \$300 for all violations cited on a single day.

(c) In determining the amount of financial penalty to be imposed under this section, the Board shall consider the following:

(1) the seriousness of the violation;

(2) the good faith of the violator;

(3) the violator's history of previous violations;

(4) the deleterious effect of the violation on the complainant, the public, and the cosmetology industry; and

(5) any other factors relevant to the determination of the financial penalty.

(D) THE BOARD SHALL CONSIDER THE FOLLOWING FACTS IN THE GRANTING, DENIAL, RENEWAL, SUSPENSION, OR REVOCATION OF A LICENSE OR THE REPRIMAND OF A LICENSEE WHEN AN APPLICANT OR LICENSEE IS CONVICTED OF A FELONY OR MISDEMEANOR DESCRIBED IN SUBSECTION (A)(7) OF THIS SECTION: