



HOUSE BILL No. 5538

May 10 1994 Introduced by Rep Joe Young Jr and referred to the Committee on State Affairs

A bill to amend sections 1201 1204 1205 1206 1207 1208
1209 1210 1211 1214 and 1218 of Act No 299 of the Public
Acts of 1980 entitled as amended
Occupational code
sections 1204 1205 1207 1208 1209 1211 and 1214 as amended
by Act No 463 of the Public Acts of 1988 being
sections 339 1201 339 1204 339 1205 339 1206 339 1207
339 1208 339 1209 339 1210 339 1211 339 1214 and 339 1218 of
the Michigan Compiled Laws to add sections 1203a and 1203b and
to repeal certain parts of the act

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Sections 1201 1204 1205, 1206 1207 1208
2 1209, 1210 1211, 1214, and 1218 of Act No 299 of the Public
3 Acts of 1980 sections 1204 1205 1207 1208 1209 1211 and
4 1214 as amended by Act No 463 of the Public Acts of 1988 being

1 sections 339 1201 339 1204 339 1205 339 1206 339 1207
 2 339 1208, 339 1209, 339 1210 339 1211 339 1214 and 339 1218 of
 3 the Michigan Compiled Laws are amended and sections 1203a and
 4 1203b are added to read as follows

5 Sec 1201 As used in this article

6 (a) Apprentice means ~~a person~~ AN INDIVIDUAL engaged in
 7 learning cosmetology in a ~~cosmetological~~ COSMETOLOGY
 8 establishment

9 (b) Cosmetologist means ~~a person~~ AN INDIVIDUAL who
 10 ~~engages in~~ RENDERS OR OFFERS TO RENDER cosmetology SERVICES

11 (C) COSMETOLOGY MEANS 1 OF THE FOLLOWING SERVICES OR A
 12 COMBINATION OF THE FOLLOWING SERVICES

13 (i) HAIR CARE SERVICES

14 (ii) SKIN CARE SERVICES

15 (iii) MANICURING SERVICES

16 (iv) ELECTROLOGY

17 (D) ~~(c) "Cosmetological"~~ COSMETOLOGY establishment ~~or~~
 18 ~~"school of cosmetology" is a building or part of a building~~
 19 ~~completely partitioned off from any other business or dwelling~~
 20 ~~except a barbershop licensed under article 11 at which any of~~
 21 ~~the occupations regulated by this article are practiced or taught~~
 22 ~~for hire or compensation~~ MEANS THE PREMISES ON WHICH COSMETOLOGY
 23 OR 1 OR MORE OF ITS SERVICES ARE RENDERED OR ARE OFFERED TO BE
 24 RENDERED COSMETOLOGY ESTABLISHMENT DOES NOT INCLUDE A SCHOOL OF
 25 COSMETOLOGY

26 ~~(d) "Cosmetology" means 1 of the following practices or a~~
 27 ~~combination of the following practices arranging, cutting~~

~~1 dressing curling waving cleansing singeing bleaching~~
~~2 coloring, or similar work upon hair with the hands, or with~~
~~3 mechanical or electrical apparatus or appliances or by any~~
~~4 means cleansing massaging stimulating manipulating exercis-~~
~~5 ing, beautifying, or by the use of cosmetic preparations anti-~~
~~6 septics tonics lotions or creams or similar work upon the~~
~~7 scalp, neck, face, arms, bust, or upper part of the body of a~~
~~8 person or the removing of superfluous hair from the upper part~~
~~9 of the body of a person by the use of electrolysis, depilatories~~
~~10 waxes, or tweezers or manicuring the nails of a person~~

11 (e) Electrologist means ~~a person who for compensation~~
~~12 removes superfluous hair from the upper part of the body of a~~
~~13 person by the use of the electric needle~~ A person may obtain a
~~14 license as an electrologist without qualifying as a~~
~~15 cosmetologist~~ AN INDIVIDUAL WHO RENDERS OR OFFERS TO RENDER
~~16 ELECTROLOGY~~

17 (F) ELECTROLOGY MEANS THE PERMANENT REMOVAL OF HAIR FROM
~~18 THE BODY OF AN INDIVIDUAL BY THE USE OF ELECTRICITY~~

19 (G) ESTHETICIAN MEANS AN INDIVIDUAL WHO RENDERS OR OFFERS
~~20 TO RENDER SKIN CARE SERVICES~~

21 (H) HAIR CARE SERVICES MEANS ARRANGING CUTTING DRESSING
~~22 CURLING WAVING CLEANSING SINGEING BLEACHING COLORING BRAID-~~
~~23 ING PLAITING WEAVING CRIMPING TINTING TRIMMING STYLING~~
~~24 RELAXING PERMING, STRAIGHTENING OR SIMILAR WORK UPON THE HAIR~~
~~25 OF THE HEAD OR A WIG THAT AN INDIVIDUAL IS WEARING~~

1 (I) ~~(f)~~ Instructor means ~~a cosmetologist~~ AN INDIVIDUAL
 2 who teaches OR OFFERS TO TEACH in a school of cosmetology
 3 ~~accredited by the department~~

4 (J) MANICURING SERVICES MEANS THE CLEANSING FILING SHAP-
 5 ING, BUFFING POLISHING OR BEAUTIFYING OF THE NAILS OF THE HANDS
 6 OR FEET, AND THE CLEANSING, MASSAGING, STIMULATING EXERCISING
 7 OR BEAUTIFYING OF THE SKIN OF THE HANDS ARMS AND FEET MANUALLY
 8 OR WITH THE USE OF TOOLS, APPLIANCES, OR COSMETIC PREPARATIONS
 9 INCLUDING THE REPAIR OF NAILS OR THE CREATION OR DECORATION OF
 10 ARTIFICIAL NAILS MANICURING SERVICES DO NOT INCLUDE THE PRAC-
 11 TICE OF PODIATRIC MEDICINE AND SURGERY AS DEFINED IN SECTION
 12 18001 OF THE PUBLIC HEALTH CODE ACT NO 368 OF THE PUBLIC ACTS
 13 OF 1978 BEING SECTION 333 18001 OF THE MICHIGAN COMPILED LAWS

14 (K) ~~(g)~~ Manicurist means ~~a person who manicures the~~
 15 ~~nails of a person~~ A person may obtain a license as a manicurist
 16 ~~without qualifying as a cosmetologist~~ AN INDIVIDUAL WHO RENDERS
 17 OR OFFERS TO RENDER MANICURING SERVICES

18 (L) ~~(h)~~ Owner means a person who ~~conducts or~~ owns and
 19 conducts a ~~cosmetological~~ COSMETOLOGY establishment or a school
 20 of cosmetology

21 (M) SCHOOL OF COSMETOLOGY MEANS THE PREMISES WHERE COSML-
 22 TOLOGY IS TAUGHT

23 (N) SKIN CARE SERVICES INCLUDES THE FOLLOWING SERVICES OR
 24 COMBINATION OF SERVICES

25 (1) BEAUTIFYING THE SKIN OF THE BODY OF AN INDIVIDUAL BY THE
 26 USE OF COSMETIC PREPARATIONS ANTISEPTICS TONICS LOTIONS OR
 27 CREAMS, INCLUDING BODY WRAPPING

1 (11) CLEANSING OR STIMULATING THE SKIN OF THE BODY BY THE
 2 USE OF THE HANDS, DEVICES APPARATUS OR APPLIANCES WITH OR
 3 WITHOUT THE USE OF COSMETIC PREPARATIONS ANTISEPTICS TONICS
 4 LOTIONS OR CREAMS

5 (122) THE TEMPORARY REMOVAL OF HAIR FROM THE BODY OF AN
 6 INDIVIDUAL BY THE USE OF DEPILATORIES WAXES RAZORS SCISSORS
 7 CLIPPERS OR TWEEZERS

8 (13) GIVING FACIALS APPLYING REMOVABLE MAKEUP APPLYING
 9 EYELASHES, OR ANY OTHER APPLICATION OF A PREPARATION OR BEAUTY
 10 ENHANCEMENT TO THE BODY OF AN INDIVIDUAL BUT DOES NOT INCLUDE
 11 APPLYING PERMANENT MAKEUP OR THE USE OF TANNING EQUIPMENT

12 (14) ~~(1)~~ Student means ~~a person at least 16 years of~~
 13 ~~age~~ AN INDIVIDUAL engaged in learning cosmetology in a school of
 14 cosmetology ~~The minimum age requirement shall not apply to a~~
 15 ~~student enrolled in a program offered as a part of the regular~~
 16 ~~curriculum of a public school and approved by the superintendent~~
 17 ~~of public instruction~~

18 SEC 1203A (1) AN INDIVIDUAL SHALL NOT RENDER ANY FORM OF
 19 COSMETOLOGY SERVICES, WITH OR WITHOUT COMPENSATION ON ANY INDI-
 20 VIDUAL OTHER THAN A MEMBER OF HIS OR HER IMMEDIATE FAMILY WITHOUT
 21 A LICENSE UNDER THIS ARTICLE HOWEVER THIS ARTICLE DOES NOT
 22 APPLY TO AN INDIVIDUAL PERSON OR PREMISES LICENSED UNDER ARTI-
 23 CLE 11 WHILE RENDERING THE SERVICES OF A BARBER

24 (2) AN INDIVIDUAL LICENSED AS A COSMETOLOGIST UNDER THIS
 25 ARTICLE MAY RENDER HAIR CARE SERVICES SKIN CARE SERVICES AND
 26 MANICURING SERVICES AS PART OF THE PRACTICE OF COSMETOLOGY BUT

1 SHALL NOT RENDER ELECTROLOGY WITHOUT BEING LICENSED AS AN
2 ELECTROLOGIST

3 (3) THE DEPARTMENT MAY LICENSE AN INDIVIDUAL TO RENDER
4 EITHER MANICURING SERVICES OR SKIN CARE SERVICES IN ACCORDANCE
5 WITH HIS OR HER TRAINING AN INDIVIDUAL LICENSED AS A MANICURIST
6 SHALL ONLY RENDER MANICURING SERVICES AND SHALL NOT RENDER ANY
7 OTHER COSMETOLOGY SERVICE WITHOUT BEING LICENSED FOR THAT
8 SERVICE AN INDIVIDUAL LICENSED AS AN ESTHETICIAN SHALL ONLY
9 RENDER SKIN CARE SERVICES AND SHALL NOT RENDER ANY OTHER COSME-
10 TOLOGY SERVICE WITHOUT BEING LICENSED FOR THAT SERVICE AN INDI-
11 VIDUAL LICENSED AS A MANICURIST OR ESTHETICIAN SHALL NOT RENDER
12 ELECTROLOGY WITHOUT BEING LICENSED AS AN ELECTROLOGIST

13 (4) AN INDIVIDUAL LICENSED AS AN ELECTROLOGIST SHALL RENDER
14 ONLY ELECTROLOGY SERVICES AND SHALL NOT RENDER ANY OTHER COSME-
15 TOLOGY SERVICE WITHOUT SEPARATELY BEING LICENSED TO RENDER THOSE
16 SERVICES

17 SEC 1203B A PERSON SHALL NOT CONDUCT OR OPERATE A COSME-
18 TOLOGY ESTABLISHMENT OR SCHOOL OF COSMETOLOGY WITHOUT A LICENSE
19 ISSUED UNDER THIS ARTICLE

20 Sec 1204 (1) ~~A person desiring to operate a cosmetolo-~~
21 ~~gical establishment shall make application to the department for~~
22 ~~a license The cosmetological~~ THE DEPARTMENT SHALL ISSUE A
23 LICENSE TO A PERSON FOR THE OPERATION OF A COSMETOLOGY ESTABLISH-
24 MENT IF ALL OF THE FOLLOWING REQUIREMENTS ARE MET

25 (A) AN APPLICATION IS MADE BY THE OWNERS OR MANAGERS OF THE
26 ESTABLISHMENT

1 (B) THE APPLICATION INCLUDES A DRAWING OR DIAGRAM INDICATING
 2 THE PREMISES TO BE LICENSED AND THE LOCATION OF REQUIRED
 3 EQUIPMENT AND FACILITIES

4 (C) THE PREMISES HAS SATISFACTORILY PASSED AN INSPECTION
 5 CONDUCTED BY THE DEPARTMENT FOR THE PURPOSE OF DETERMINING
 6 WHETHER THE ESTABLISHMENT HAS MET SANITATION AND EQUIPMENT STANDARDS
 7 PRESCRIBED IN RULES PROMULGATED BY THE DEPARTMENT

8 (D) EXCEPT AS PROVIDED IN SUBSECTION (3) THE COSMETOLOGY
 9 establishment shall be under the daily attendance and supervision
 10 of a licensed cosmetologist who is not less than 18 years of age
 11 and has had not less than 1 year s practical experience ~~in all~~
 12 ~~practices of~~ IN cosmetology ~~A cosmetological establishment~~
 13 ~~shall not have more than 2 apprentices at the same time~~

14 (2) A ~~cosmetological~~ COSMETOLOGY establishment shall be
 15 completely separated by full partitions and doors from ~~every~~
 16 ~~other activity business or~~ A dwelling ~~except a barbershop~~
 17 ~~licensed under article 11 or an area in which the sale of cloth-~~
 18 ~~ing and accessories is made~~ OR A SCHOOL OF COSMETOLOGY AND SHALL
 19 NOT BE OCCUPIED FOR LODGING OR RESIDENTIAL PURPOSES

20 (3) THE DEPARTMENT MAY ISSUE A LIMITED COSMETOLOGY ESTAB-
 21 LISHMENT LICENSE TO A PERSON WHO SEEKS TO PERFORM ONLY 1 OR MORE
 22 SERVICES OF COSMETOLOGY ON THE PREMISES IF THE ESTABLISHMENT
 23 LICENSE IS LIMITED TO ONLY MANICURING SERVICES OR SKIN CARE SERVICES,
 24 THE SUPERVISING LICENSEE MAY BE AN INDIVIDUAL LICENSED ONLY
 25 IN THAT SERVICE A LICENSED COSMETOLOGIST WORKING IN A LIMITED
 26 LICENSED COSMETOLOGY ESTABLISHMENT SHALL NOT PERFORM COSMETOLOGY
 27 SERVICES FOR WHICH THE PREMISES ARE NOT LICENSED IF THE

1 COSMETOLOGY ESTABLISHMENT LICENSE IS LIMITED TO ELECTROLOGY THE
2 SUPERVISING LICENSEE SHALL BE A LICENSED ELECTROLOGIST WITH 1
3 YEAR OF EXPERIENCE IN ELECTROLOGY A LICENSED COSMETOLOGIST
4 SHALL NOT SUPERVISE A COSMETOLOGY ESTABLISHMENT WHOSE COSMETOLOGY
5 LICENSE IS LIMITED TO RENDERING ELECTROLOGY UNLESS THE COSMETOLO-
6 GIST IS LICENSED AS AN ELECTROLOGIST

7 (4) THE DEPARTMENT MAY GRANT A TEMPORARY ESTABLISHMENT
8 LICENSE TO A PERSON WHO HAS FULFILLED ALL LICENSURE REQUIREMENTS
9 EXCEPT FOR THE COMPLETION OF THE INSPECTION

10 (5) THE TRANSFER OF OWNERSHIP OR LOCATION OF A COSMETOLOGY
11 ESTABLISHMENT OPERATES AS AN AUTOMATIC REVOCATION OF THE
12 LICENSE THE FILING OF A NEW LICENSE APPLICATION IS A PREDICATE
13 TO THE CHANGE IN OWNERSHIP OR LOCATION OF AN ESTABLISHMENT

14 (6) THE LICENSE OF THE ESTABLISHMENT AND ALL INDIVIDUALS
15 WORKING IN THE ESTABLISHMENT SHALL BE DISPLAYED IN A PROMINENT
16 PLACE WHICH IS VISIBLE TO THE PUBLIC AT ALL TIMES THE LICENSES
17 OF INDIVIDUALS WORKING IN THE ESTABLISHMENT MAY BE POSTED AT THE
18 INDIVIDUAL S WORK STATION

19 Sec 1205 (1) ~~A person desiring to conduct a school of~~
20 ~~cosmetology shall make application to the department for a~~
21 ~~license A school of cosmetology shall be completely separated~~
22 ~~by a full partition and door from every other activity business~~
23 ~~or dwelling~~ THE DEPARTMENT SHALL ISSUE A LICENSE TO A PERSON
24 FOR THE OPERATION OF A SCHOOL OF COSMETOLOGY IF ALL OF THE FOL-
25 LOWING REQUIREMENTS ARE MET

26 (A) AN APPLICATION IS MADE BY THE OWNER IDENTIFYING THE
27 OWNERS AND MANAGERS OF THE SCHOOL

1 (B) THE APPLICATION INCLUDES A DRAWING OR DIAGRAM THAT
2 INDICATES THE PREMISES TO BE LICENSED SHOWING THAT THE PREMISES
3 ARE FULLY PARTITIONED FROM ANY OTHER ACTIVITY BUSINESS, OR
4 DWELLING THE LOCATION OF REQUIRED EQUIPMENT AND FACILITIES
5 SHALL ALSO BE SHOWN ON THE DIAGRAM

6 (C) A CASH OR SURETY BOND OF \$10,000 00 HAS BEEN FURNISHED
7 IN FAVOR OF THE PEOPLE OF THIS STATE FOR THE USE AND BENEFIT OF
8 STUDENTS AND CONDITIONED UPON THE FAITHFUL PERFORMANCE AND SATIS-
9 FACTION OF THE CONTRACTUAL RIGHTS OF STUDENTS

10 (D) PROVISIONS HAVE BEEN MADE FOR THE SCHOOL TO BE UNDER THE
11 DAILY SUPERVISION OF A LICENSED INSTRUCTOR WHO HAS AT LEAST 3
12 YEARS EXPERIENCE IN ALL SERVICES OF COSMETOLOGY BEING TAUGHT IN
13 THE SCHOOL

14 (E) THE PREMISES HAS SUCCESSFULLY PASSED AN INSPECTION BY
15 THE DEPARTMENT CONDUCTED FOR THE PURPOSE OF DETERMINING WHETHER
16 THE SCHOOL HAS MET THE STANDARDS SET FORTH IN THIS ARTICLE AND
17 RULES PROMULGATED BY THE BOARD

18 ~~-(2) A school of cosmetology shall be in the charge of and~~
19 ~~under the supervision and daily attendance of an individual who~~
20 ~~meets all of the following criteria-~~

21 ~~(a) Is licensed as an instructor who has had at least 3~~
22 ~~years' practical experience in all practices of cosmetology in a~~
23 ~~licensed cosmetological establishment or at least 1 year's prac-~~
24 ~~tical experience in all practices of cosmetology in a licensed~~
25 ~~cosmetological establishment and at least 2 years' practical~~
26 ~~experience in teaching all practices of cosmetology-~~

1 ~~(b) Is a licensed cosmetologist with not less than 500 hours~~
 2 ~~of instructor training~~

3 ~~(c) Has a high school diploma or its equivalent~~

4 ~~(d) Has passed an examination approved by the department and~~
 5 ~~the board~~

6 ~~(e) Is of good moral character~~

7 (2) ~~(3)~~ A school of cosmetology shall fulfill all of the
 8 following requirements

9 (a) ~~It shall~~ SHALL maintain a ~~school term of not less~~
 10 ~~than 1 500 hours extending over a period of 10 consecutive~~

11 ~~months and shall maintain a~~ course of practical training and

12 technical instruction as outlined in the ~~department approved~~

13 ~~curriculum~~ VARIOUS CURRICULA SET FORTH IN RULES PROMULGATED BY

14 THE BOARD equal to the requirements for ~~examination for a~~

15 ~~license as a cosmetologist as set forth in section 1207~~

16 PRELICENSURE TRAINING UNDER THIS ARTICLE A SCHOOL OF COSMETOL-

17 OGY SHALL TEACH HAIR CARE SERVICES SKIN CARE SERVICES AND MANI-

18 CURING SERVICES AND MAY ALSO HOLD A LIMITED LICENSE FOR THE

19 TEACHING OF ELECTROLOGY HOWEVER A SCHOOL OF COSMETOLOGY WITH A

20 LICENSE LIMITED ONLY TO THE TEACHING OF ELECTROLOGY SHALL TEACH

21 ONLY ELECTROLOGY AND NOT ANY OTHER COSMETOLOGY SERVICE

22 (b) ~~It shall~~ SHALL possess efficient apparatus and equip-

23 ment prescribed IN RULES PROMULGATED by the ~~department and the~~

24 board sufficient for the ready and full teaching of each subject

25 in the curriculum ~~approved by the department and the board~~

26 (c) ~~It shall~~ SHALL maintain 1 person licensed as an

27 instructor ~~for every 20 enrolled students,~~ competent to impart

1 instruction in each subject of its curriculum FOR EVERY 20

2 STUDENTS ~~The department shall license as an instructor an~~

3 ~~individual who passes an examination prescribed by the board and~~

4 ~~department The instructor shall not be in charge of or super-~~

5 ~~vise a school unless the instructor meets the experience require-~~

6 ~~ment described in this section~~

7 ~~(d) It shall keep a daily record of the attendance of each~~

8 ~~student, a copy of which shall be sent to the department monthly,~~

9 ~~establish grades, and hold an examination before issuing a~~

10 ~~diploma~~

11 (D) ~~(e) It shall~~ SHALL be operated for teaching purposes

12 only and ~~a student~~ shall not ~~practice on the public until~~

13 ~~having completed at least 350 hours of instruction in the cosme-~~

14 ~~tology curriculum~~ BE USED FOR RESIDENTIAL OR SLEEPING PURPOSES

15 INSTRUCTORS SHALL PRACTICE ON THE PUBLIC ONLY TO DEMONSTRATE

16 TECHNIQUES TO STUDENTS AND TO CORRECT THE WORK OF STUDENTS

17 ~~(f) A student shall not be in attendance at a school more~~

18 ~~than 7 hours per day or more than 40 hours per week~~

19 ~~(4) A school of cosmetology shall furnish a bond of~~

20 ~~\$10 000 00 in favor of the people of the state for the use and~~

21 ~~benefit of students and conditioned upon the faithful performance~~

22 ~~and satisfaction of the contractual rights of students~~

23 (E) SHALL PROVIDE FOR THE DISPLAY OF THE LICENSE OF THE

24 SCHOOL OF COSMETOLOGY AND ALL INSTRUCTORS WORKING IN THE SCHOOL

25 IN A PROMINENT PLACE WHICH IS VISIBLE TO THE PUBLIC AT ALL

26 TIMES A SIGN SHALL BE DISPLAYED INDICATING THAT ALL SERVICES

27 ARE RENDERED BY STUDENTS OF THE SCHOOL

1 (F) ~~(5) A school of cosmetology, at~~ AT the time of the
 2 enrollment of a student shall furnish the student a financial
 3 contract showing the total cost and all charges involved in the
 4 complete course of study Advertising matter put out by schools
 5 when mentioning the cost of tuition or related subjects shall
 6 furnish the same financial ~~statement~~ INFORMATION as described
 7 in this subsection

8 (3) ~~(6) A cosmetological~~ COSMETOLOGY establishment
 9 exacting a fee for the teaching of cosmetology ~~shall be classed~~
 10 ~~as~~ IS CONSIDERED a school of cosmetology and ~~shall be~~ IS
 11 required to comply with this section A COSMETOLOGY ESTABLISH-
 12 MENT CONDUCTING AN APPRENTICESHIP PROGRAM WITHOUT CHARGING A FEE
 13 FOR THE TEACHING OF COSMETOLOGY SHALL COMPLY WITH
 14 SUBSECTION (5) A COSMETOLOGY ESTABLISHMENT WHICH HAS SUCCESS-
 15 FULLY TRAINED 1 APPRENTICE SHALL BE ELIGIBLE TO TRAIN ADDITIONAL
 16 APPRENTICES EXCEPT THAT A COSMETOLOGY ESTABLISHMENT SHALL NOT
 17 HAVE MORE THAN 2 APPRENTICES AT THE SAME TIME

18 (4) THE DEPARTMENT MAY ISSUE A LIMITED SCHOOL OF COSMETOLOGY
 19 LICENSE TO A SCHOOL TEACHING ONLY ELECTROLOGY A SCHOOL OF COS-
 20 METOLOGY WHOSE LICENSE IS LIMITED TO TEACHING ONLY ELECTROLOGY
 21 SHALL FULFILL ALL OF THE REQUIREMENTS OF THIS SECTION EXCEPT
 22 THAT DAILY SUPERVISION OF THE SCHOOL SHALL BE PROVIDED BY AN
 23 ELECTROLOGY INSTRUCTOR AND THE CURRICULUM OFFERED AND EQUIPMENT
 24 AND FACILITIES REQUIRED SHALL BE ONLY THOSE REQUIRED FOR THE
 25 TEACHING OF ELECTROLOGY

1 (5) A SCHOOL OF COSMETOLOGY OR A COSMETOLOGY ESTABLISHMENT
2 CONDUCTING AN APPRENTICESHIP PROGRAM SHALL COMPLY WITH ALL OF THE
3 FOLLOWING REQUIREMENTS

4 (A) REQUIRE THAT A STUDENT OR APPRENTICE BE IN ATTENDANCE
5 NOT MORE THAN 7 HOURS PER DAY OR NOT MORE THAN 40 HOURS PER
6 WEEK

7 (B) KEEP A DAILY RECORD OF THE ATTENDANCE OF EACH STUDENT OR
8 APPRENTICE A COPY OF WHICH SHALL BE SENT TO THE DEPARTMENT
9 MONTHLY ESTABLISH GRADES, AND REQUIRE A STUDENT OR APPRENTICE TO
10 PASS AN EXAMINATION BEFORE CERTIFYING TO THE DEPARTMENT THAT AN
11 INDIVIDUAL HAS COMPLETED TRAINING

12 (C) PERMIT A COSMETOLOGY STUDENT OR APPRENTICE TO PRACTICE
13 ON THE PUBLIC ONLY AFTER COMPLETING AT LEAST 350 HOURS OF
14 INSTRUCTION IN THE GENERAL COSMETOLOGY CURRICULUM INCLUDING BOTH
15 THEORY AND PRACTICAL HOURS A STUDENT OR APPRENTICE IN A MANI-
16 CURING SKIN CARE OR ELECTROLOGY CURRICULUM MAY PRACTICE ON THE
17 PUBLIC ONLY AFTER COMPLETING AT LEAST 1/4 OF THE HOURS REQUIRED
18 BY THE APPLICABLE CURRICULUM INCLUDING BOTH THEORY AND PRACTICAL
19 HOURS

20 (6) THE TRANSFER OF OWNERSHIP OR LOCATION OF A SCHOOL OF
21 COSMETOLOGY OPERATES AS AN AUTOMATIC REVOCATION OF THE LICENSE
22 THE FILING OF A NEW LICENSE APPLICATION IS A PREDICATE TO THE
23 CHANGE IN OWNERSHIP OR LOCATION OF A SCHOOL

24 Sec 1206 (1) ~~An owner or person in charge of a cosmeto-~~
25 ~~logical establishment or school of cosmetology shall not permit~~
26 ~~a person to sleep in or use for residential purposes a room~~
27 ~~used wholly or in part, for a school of cosmetology or a~~

1 ~~cosmetological establishment~~ THE DEPARTMENT SHALL ISSUE A
2 LICENSE AS A COSMETOLOGY INSTRUCTOR TO AN INDIVIDUAL WHO MEETS
3 ALL OF THE FOLLOWING REQUIREMENTS

4 (A) IS OF GOOD MORAL CHARACTER

5 (B) HAS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT

6 (C) IS LICENSED AS A COSMETOLOGIST UNDER THIS ARTICLE

7 (D) HAS AT LEAST 3 YEARS OF PRACTICE EXPERIENCE IN HAIR CARE
8 SERVICES, SKIN CARE SERVICES AND MANICURING SERVICES AT LEAST 1
9 YEAR OF WHICH SHALL BE IN A COSMETOLOGY ESTABLISHMENT

10 (E) HAS COMPLETED NOT LESS THAN 500 HOURS OF INSTRUCTOR
11 TRAINING

12 (F) HAS PASSED AN EXAMINATION APPROVED BY THE DEPARTMENT AND
13 THE BOARD

14 (2) THE DEPARTMENT SHALL ISSUE A LICENSE AS AN ELECTROLOGY
15 INSTRUCTOR TO AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING
16 REQUIREMENTS

17 (A) IS OF GOOD MORAL CHARACTER

18 (B) HAS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT

19 (C) IS LICENSED AS AN ELECTROLOGIST UNDER THIS ARTICLE

20 (D) HAS AT LEAST 3 YEARS OF PRACTICAL EXPERIENCE IN ELEC-
21 TROLOGY AT LEAST 1 YEAR OF WHICH SHALL BE IN A COSMETOLOGY
22 ESTABLISHMENT HOLDING A LIMITED LICENSE FOR THE PRACTICE OF
23 ELECTROLOGY

24 (E) HAS COMPLETED NOT LESS THAN 500 HOURS OF INSTRUCTOR
25 TRAINING

26 (F) HAS PASSED AN EXAMINATION APPROVED BY THE DEPARTMENT AND
27 THE BOARD

1 (3) THE DEPARTMENT MAY ISSUE A LIMITED INSTRUCTOR S LICENSE
2 TO AN INDIVIDUAL WHO MEETS ALL OF THE REQUIREMENTS OF EITHER
3 SUBSECTION (1) OR SUBSECTION (2) EXCEPT SUBDIVISION (D) OF
4 SUBSECTION (2) A LIMITED INSTRUCTOR SHALL NOT SUPERVISE A
5 SCHOOL OF COSMETOLOGY AT ANY TIME

6 (4) THE DEPARTMENT MAY ISSUE A LIMITED SPECIALIST
7 INSTRUCTOR S LICENSE TO AN INDIVIDUAL WHO MEETS ALL OF THE FOL-
8 LOWING REQUIREMENTS

9 (A) IS OF GOOD MORAL CHARACTER

10 (B) HAS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT

11 (C) IS LICENSED AS A MANICURIST OR ESTHETICIAN

12 (D) HAS COMPLETED NOT LESS THAN 500 HOURS OF INSTRUCTOR
13 TRAINING

14 (E) HAS PASSED AN EXAMINATION APPROVED BY THE DEPARTMENT AND
15 THE BOARD

16 (5) THE SPECIALTY LICENSE SHALL LIMIT THE INSTRUCTION GIVEN
17 BY THAT INDIVIDUAL TO ONLY THE SERVICE IN WHICH HE OR SHE IS
18 LICENSED

19 Sec 1207 The department shall issue a COSMETOLOGIST
20 license to ~~practice cosmetology to~~ an individual who fulfills
21 all of the following requirements

22 ~~-(a) Passes an examination prescribed by the department and~~
23 ~~the board which examination shall include both a practical~~
24 ~~demonstration and a written or oral test and shall not be con-~~
25 ~~finied to a specific system or method~~

26 ~~(b) Presents a diploma issued to the applicant by a school~~
27 ~~of cosmetology licensed by the department showing that the~~

1 ~~applicant has completed the course of study in the school~~
 2 ~~prescribed by the department, or furnishes proof of having com-~~
 3 ~~pleted the required time in a licensed school of cosmetology as~~
 4 ~~prescribed by the department~~

5 (A) ~~(c)~~ Is ~~at least~~ NOT LESS THAN 17 years of age

6 (B) ~~(d)~~ Is of good moral character

7 (C) ~~(e)~~ Has had an education equivalent to the completion
 8 of the ninth grade ~~of public school~~

9 (D) ~~(f)~~ Has ~~had training of at least 1,500 hours extend-~~
 10 ~~ing over a period of at least 10 months~~ COMPLETED EITHER NOT
 11 LESS THAN A 1 500-HOUR COURSE OF STUDY in a LICENSED school of
 12 cosmetology ~~approved by the department~~ or has served ~~at least~~
 13 ~~2 years~~ as an apprentice FOR NOT LESS THAN 2 YEARS in a licensed
 14 ~~cosmetological~~ COSMETOLOGY establishment in which ~~cosmetology~~
 15 ~~is practiced~~ HAIR CARE SERVICES SKIN CARE SERVICES AND MANI-
 16 CURING SERVICES ARE OFFERED THE TRAINING SHALL INCLUDE A MINI-
 17 MUM NUMBER OF PRACTICAL APPLICATIONS AS PRESCRIBED IN RULES
 18 PROMULGATED BY THE BOARD

19 (E) HAS PASSED AN EXAMINATION PRESCRIBED BY THE DEPARTMENT
 20 AND THE BOARD

21 Sec 1208 The department shall ~~admit to examination for~~
 22 ISSUE a license as an electrologist — TO an individual who ~~has~~
 23 ~~made application to the department is~~ FULFILLS ALL OF THE
 24 FOLLOWING

25 (A) IS not less than 18 years of age ~~— is —~~

1 (B) IS of good moral character ~~and has had a minimum~~
2 ~~training of 300 hours under the immediate supervision of a~~
3 ~~licensed electrologist in a school of cosmetology~~

4 (C) HAS HAD AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE
5 NINTH GRADE

6 (D) HAS COMPLETED NOT LESS THAN 400 HOURS OF TRAINING IN A
7 LICENSED SCHOOL OF COSMETOLOGY in which the practice is taught or
8 has studied ~~under a licensed electrologist who has had at least~~
9 ~~3 years' practical experience as an electrologist for a period of~~
10 ~~12 months~~ FOR NOT LESS THAN 1 YEAR AS AN APPRENTICE IN A
11 LICENSED COSMETOLOGY ESTABLISHMENT WHERE ELECTROLOGY SERVICES ARE
12 OFFERED THE TRAINING SHALL INCLUDE A MINIMUM NUMBER OF PRACTICAL
13 APPLICATIONS AS PRESCRIBED IN RULES PROMULGATED BY THE BOARD

14 (E) HAS PASSED AN EXAMINATION PRESCRIBED BY THE BOARD AND
15 THE DEPARTMENT

16 Sec 1209 The department shall ~~admit to examination for~~
17 ISSUE a license as a manicurist ~~TO~~ TO an individual who ~~has~~
18 ~~made an application to the department is~~ FULFILLS ALL OF THE
19 FOLLOWING

20 (A) IS at least 17 years of age ~~is~~

21 (B) IS of good moral character ~~and has had a minimum~~
22 ~~training of 300 hours under the supervision of a licensed mani-~~
23 ~~curist or a licensed cosmetologist~~

24 (C) HAS HAD AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE
25 NINTH GRADE

26 (D) HAS COMPLETED NOT LESS THAN 400 HOURS OF TRAINING EITHER
27 in a licensed school of cosmetology ~~or shall have spent at~~

1 ~~least~~ AS AN APPRENTICE FOR NOT LESS THAN 6 months in a licensed
2 ~~cosmetological~~ COSMETOLOGY establishment where ~~the subject~~
3 MANICURING is practiced THE TRAINING SHALL INCLUDE A MINIMUM
4 NUMBER OF PRACTICAL APPLICATIONS AS PRESCRIBED IN RULES PROMUL-
5 GATED BY THE BOARD

6 (E) HAS PASSED AN EXAMINATION PRESCRIBED BY THE BOARD AND
7 THE DEPARTMENT

8 Sec 1210 (1) ~~An application for admission to examina-~~
9 ~~tion and an application for licensure as a cosmetologist elec-~~
10 ~~trologist or manicurist shall be in writing on a blank prepared~~
11 ~~and furnished by the department An application shall contain~~
12 ~~proof of the qualifications of the applicant for examination as~~
13 ~~provided in this article and shall be verified by the oath of~~
14 ~~the applicant~~ THE DEPARTMENT SHALL ISSUE A LICENSE AS AN
15 ESTHETICIAN TO AN INDIVIDUAL WHO FULFILLS ALL OF THE FOLLOWING
16 REQUIREMENTS

17 (A) IS AT LEAST 17 YEARS OF AGE

18 (B) IS OF GOOD MORAL CHARACTER

19 (C) HAS HAD AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE
20 NINTH GRADE

21 (D) HAS COMPLETED NOT LESS THAN 400 HOURS OF TRAINING EITHER
22 IN A LICENSED SCHOOL OF COSMETOLOGY OR AS AN APPRENTICE FOR NOT
23 LESS THAN 8 MONTHS IN A LICENSED COSMETOLOGY ESTABLISHMENT WHERE
24 SKIN CARE SERVICES ARE RENDERED THE TRAINING SHALL INCLUDE A
25 MINIMUM NUMBER OF PRACTICAL APPLICATIONS AS PRESCRIBED IN RULES
26 PROMULGATED BY THE BOARD

1 (E) HAS PASSED AN EXAMINATION PRESCRIBED BY THE BOARD AND
2 THE DEPARTMENT

3 (2) UNTIL DECEMBER 31 1996 THE DEPARTMENT SHALL ISSUE A
4 LICENSE AS AN ESTHETICIAN TO AN INDIVIDUAL WHO FULFILLS ALL OF
5 THE FOLLOWING REQUIREMENTS

6 (A) IS AT LEAST 17 YEARS OF AGE

7 (B) IS OF GOOD MORAL CHARACTER

8 (C) HAS HAD AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE
9 NINTH GRADE

10 (D) PROVIDES EVIDENCE OF HAVING BEEN TRAINED IN SKIN CARE
11 SERVICES IN THIS OR ANY OTHER STATE PRIOR TO JANUARY 1 1994

12 (E) HAS PASSED AN EXAMINATION PRESCRIBED BY THE BOARD AND
13 THE DEPARTMENT

14 Sec 1211 (1) Upon an application to the department an
15 individual licensed ~~as a cosmetologist~~ TO PERFORM COSMETOLOGY
16 SERVICES under the laws of another state shall without examina-
17 tion be granted a license to practice the ~~occupation in~~
18 SERVICES FOR which that individual was previously licensed if the
19 applicant is not less than 17 years of age is of good moral
20 character and the requirements for registration or licensure ~~as~~
21 ~~a cosmetologist~~ in the particular state were substantially equal
22 to the requirements then in force in this state

23 (2) Years or months of experience ~~as a licensed cosmetolo-~~
24 ~~gist electrologist or manicurist~~ may be substituted for hours
25 of training in a ratio of 100 hours of training credited for each
26 6 months of experience An individual applying for licensure
27 having qualifications acquired outside of the United States shall

1 provide proof of training or experience or both ~~as a~~
2 ~~cosmetologist~~ The department may determine whether or not an
3 applicant is qualified to be ~~admitted for~~ LICENSED WITHOUT
4 examination ~~for licensure~~

5 Sec 1214 (1) A school of cosmetology UPON ENROLLING A
6 STUDENT or ~~an~~ A COSMETOLOGY establishment ~~of cosmetology~~ upon
7 ~~enrolling a student or~~ ACCEPTING AN apprentice shall file an
8 application with the department and shall obtain proof of at
9 least a ninth grade education or the equivalent of a ninth grade
10 education The application and proof of education shall be kept
11 on file until the student or apprentice ~~makes application~~
12 APPLIES for examination to obtain a license ~~as a~~
13 ~~cosmetologist~~

14 (2) The ninth grade education requirement shall not apply to
15 a student enrolling in a program offered as a part of the regular
16 curriculum of a public school and approved by the state board of
17 education

18 Sec 1218 (1) ~~Each cosmetological~~ THE DEPARTMENT SHALL
19 INSPECT EACH COSMETOLOGY establishment ~~shall be inspected~~ at
20 least once annually ~~and~~ THE DEPARTMENT SHALL INSPECT each
21 school of cosmetology ~~shall be inspected~~ OR COSMETOLOGY ESTAB-
22 LISHMENT TRAINING APPRENTICES at least twice annually

23 (2) A ~~board member or an inspector or investigator from~~
24 REPRESENTATIVE OF the department ~~may~~ SHALL BE ALLOWED TO enter
25 and inspect during regular business hours a ~~cosmetological~~
26 COSMETOLOGY establishment or school of cosmetology to ~~ascertain~~

1 ~~that~~ DETERMINE WHETHER the licensee is conforming ~~with~~ TO this
 2 article and the rules promulgated under this article

3 (3) A REPRESENTATIVE OF THE DEPARTMENT, WHEN INSPECTING A
 4 COSMETOLOGY ESTABLISHMENT OR SCHOOL OF COSMETOLOGY MAY REQUIRE
 5 AN INDIVIDUAL WORKING IN THE ESTABLISHMENT OR SCHOOL TO PRESENT
 6 IDENTIFICATION IN ORDER TO SUBSTANTIATE HIS OR HER IDENTITY AS
 7 THE HOLDER OF A POSTED LICENSE

8 Section 2 Section 1216 of Act No 299 of the Public Acts
 9 of 1980 being section 339 1216 of the Michigan Compiled Laws is
 10 repealed

11 Section 3 This amendatory act shall not take effect unless
 12 Senate Bill No _____ or House Bill No 5537 (request
 13 no 06168 94 a *) of the 87th Legislature is enacted into law