

SENATE BILL No. 751

January 18, 2018, Introduced by Senator KNOLLENBERG and referred to the Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending section 1203a (MCL 339.1203a), as added by 1997 PA 97.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1203a. (1) ~~An~~ **SUBJECT TO SUBSECTION (5), AN** individual
2 shall not ~~render~~ **PERFORM** any form of cosmetology services, with or
3 without compensation, on any individual other than a member of his
4 or her immediate family without a license under this article.
5 However, this article does not apply to an individual, person, or
6 premises **THAT IS** licensed under article 11 while ~~rendering~~
7 **PERFORMING** the services of a barber.

8 (2) An individual **WHO IS** licensed as a cosmetologist under

1 this article may ~~render~~**PERFORM** hair care services, skin care
2 services, natural hair cultivation, and manicuring services as part
3 of the practice of cosmetology, but shall not ~~render~~**PERFORM**
4 electrology ~~without being~~**UNLESS HE OR SHE IS** licensed as an
5 electrologist.

6 (3) The department may license an individual to ~~render~~**PERFORM**
7 manicuring services, natural hair cultivation, or skin care
8 services in accordance with his or her training. An individual **WHO**
9 **IS** licensed as a manicurist, natural hair culturist, or esthetician
10 shall only ~~render~~**PERFORM** that particular service and shall not
11 ~~render~~**PERFORM** any other cosmetology service ~~without being~~**UNLESS**
12 **HE OR SHE IS** licensed for that service. An individual **WHO IS**
13 licensed as a manicurist, natural hair culturist, or esthetician
14 shall not ~~render~~**PERFORM** electrology ~~without being~~**UNLESS HE OR SHE**
15 **IS** licensed as an electrologist.

16 (4) An individual **WHO IS** licensed as an electrologist shall
17 ~~render~~ only **PERFORM** electrology services and shall not ~~render~~
18 **PERFORM** any other cosmetology service ~~without separately being~~
19 **UNLESS HE OR SHE IS SEPARATELY** licensed to ~~render~~**PERFORM** those
20 services.

21 (5) **THE PROHIBITION DESCRIBED IN SUBSECTION (1) DOES NOT APPLY**
22 **TO A COSMETOLOGY STUDENT WHO IS PERFORMING SHAMPOO SERVICES ON**
23 **MEMBERS OF THE PUBLIC IN A COSMETOLOGY ESTABLISHMENT IF ALL OF THE**
24 **FOLLOWING ARE MET:**

25 (A) **THE STUDENT IS CURRENTLY REGISTERED AS A SENIOR**
26 **COSMETOLOGY STUDENT AT A SCHOOL OF COSMETOLOGY.**

27 (B) **THE STUDENT HAS COMPLETED THE 350 HOURS OF INSTRUCTION**

1 THAT IS REQUIRED UNDER SECTION 1205(5)(C) AND HAS MET THE ACADEMIC
2 REQUIREMENTS REGARDING THOSE COURSES IN CLIENT SAFETY, SANITATION,
3 BACTERIOLOGY, HAIR AND SCALP DISORDERS, SCALP MANIPULATIONS, AND
4 PROPER SHAMPOOING PROCEDURE.

5 (C) THE COSMETOLOGY ESTABLISHMENT THAT IS EMPLOYING THE
6 STUDENT TO PERFORM SHAMPOO SERVICES APPLIES TO THE SCHOOL OF
7 COSMETOLOGY THE STUDENT IS ATTENDING, ON AN APPLICATION FORM
8 PROVIDED BY THE DEPARTMENT, FOR VERIFICATION THAT THE STUDENT IS
9 CURRENTLY REGISTERED AS A SENIOR COSMETOLOGY STUDENT AND HAS
10 COMPLETED THE 350 HOURS OF INSTRUCTION REQUIRED UNDER SECTION
11 1205(5)(C).

12 (D) IF THE STUDENT IS CURRENTLY REGISTERED AS A SENIOR
13 COSMETOLOGY STUDENT AND HAS COMPLETED THE 350 HOURS OF INSTRUCTION
14 REQUIRED UNDER SECTION 1205(5)(C), THE SCHOOL OF COSMETOLOGY SHALL
15 DETERMINE IF THE STUDENT MEETS THE REQUIREMENTS OF SUBDIVISION (C)
16 AND, IF SO, SHALL PROVIDE VERIFICATION BY RETURNING A SIGNED COPY
17 OF THE APPLICATION TO THE COSMETOLOGY ESTABLISHMENT.

18 (6) AN EXCEPTION TO SUBSECTION (1) FOR A STUDENT AUTHORIZED TO
19 PERFORM SHAMPOO SERVICES UNDER SUBSECTION (5) EXPIRES 30 DAYS AFTER
20 THE DATE THE STUDENT IS SCHEDULED TO GRADUATE FROM THE SCHOOL OF
21 COSMETOLOGY.

22 (7) A COSMETOLOGY ESTABLISHMENT THAT EMPLOYS A STUDENT TO
23 PERFORM SHAMPOO SERVICES UNDER SUBSECTION (5) SHALL DO ALL OF THE
24 FOLLOWING:

25 (A) MAINTAIN RECORDS OF THE STUDENT'S EMPLOYMENT AND KEEP THE
26 RECORDS ON FILE FOR AT LEAST 3 YEARS AFTER THE END OF THE
27 EMPLOYMENT RELATIONSHIP.

1 (B) ALLOW THE DEPARTMENT ACCESS TO THE RECORDS DESCRIBED IN
2 SUBDIVISION (A) .

3 (C) POST THE STUDENT'S APPROVED APPLICATION WITH THE
4 COSMETOLOGY LICENSES IN THE ESTABLISHMENT.

5 (D) NOT ALLOW THE STUDENT TO PERFORM COSMETOLOGY SERVICES
6 OTHER THAN SHAMPOO SERVICES WHILE EMPLOYED BY THE ESTABLISHMENT.

7 (8) AS USED IN THIS SECTION, "SHAMPOO SERVICES" MEANS
8 PREPARING A CUSTOMER FOR A SHAMPOO, OR SHAMPOOING OR BLOW-DRYING A
9 CUSTOMER, FOR A LICENSED COSMETOLOGIST.

10 Enacting section 1. This amendatory act takes effect 90 days
11 after the date it is enacted into law.