



Senate Fiscal Agency  
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## BILL ANALYSIS



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Senate Bill 434 (Substitute S-1 as reported)

Sponsor: Senator Aric Nesbitt

Committee: Regulatory Reform

**CONTENT**

The bill would amend Article 12 of the Occupational Code to do the following:

- Require the Department of Licensing and Regulatory Affairs (LARA), in consultation with the Board of Cosmetology, to promulgate rules for the operation of mobile salons and the performance of cosmetology services in or at the premises of mobile salons.
- Delete a provision requiring a cosmetology establishment to be under the daily attendance and supervision of a licensed cosmetologist who is at least 18 years old and has had at least one year's practical experience in cosmetology.
- Revise various licensing requirements governing the practice of cosmetology, and require them to be applied to mobile salons.
- Modify a provision pertaining to the circumstances under which the license of the operator of a cosmetology establishment is considered void.
- Modify various provisions pertaining to a school of cosmetology or a cosmetology establishment conducting an apprenticeship program, and modify apprentice program requirements.
- Require a school of cosmetology to ensure that a licensed instructor supervised a demonstration given by a specialist demonstrator to a classroom.
- Require a school of cosmetology to ensure that the premises of the school were completely separated by full partitions and doors from any other activity, business, or dwelling.
- Require an individual licensed to perform cosmetology services under the laws of another state to establish that sanctions had not been imposed against him or her by a similar licensing or registration board of any other state before he or she could be issued a license to practice cosmetology in Michigan.
- Modify existing prohibitions for licensees, including allowing a licensed cosmetologist to perform cosmetology services for a patron at a location that was not on the premises of a licensed cosmetology establishment if the services were performed at a nursing home, a home for the aged, or an adult foster care facility.
- Require LARA to inspect a cosmetology establishment or school of cosmetology to determine whether the licensee was conforming to Article 12 and the rules promulgated under it regularly, rather than annually or twice annually for schools with apprentices.

The bill would repeal Section 1214 of the Occupational Code. (Section 1214 specifies that a school of cosmetology upon enrolling a student or a cosmetology establishment upon accepting an apprentice must file an application with LARA and obtain proof of at least a ninth grade education or the equivalent of a ninth grade education. The application and proof of education must be kept on file until the student or apprentice applies for examination to obtain a license. The requirement does not apply to a student enrolling in a program offered as part of the regular curriculum of a public school and approved by the State Board of Education.)

MCL 339.1201 et al.

Legislative Analyst: Drew Krogulecki

## **FISCAL IMPACT**

The bill would have an indeterminate, but likely minor, fiscal impact on the Department of Licensing and Regulatory Affairs and no fiscal impact on local government. The promulgation of rules and other administrative duties likely would be covered by existing appropriations, as well as revenue received from license application and renewal fees. An estimate of the number of mobile salon license applicants is not available, but is expected to be relatively low compared to nonmobile cosmetology establishments.

Allowing cosmetology services to be performed at additional locations likely would not result in a significant change to the number of license applications.

Date Completed: 10-16-19

Fiscal Analyst: Elizabeth Raczkowski