

SUBSTITUTE FOR  
HOUSE BILL NO. 4335

A bill to amend 1980 PA 299, entitled  
"Occupational code,"  
by amending sections 1110 and 1205 (MCL 339.1110 and 339.1205),  
section 1110 as amended by 2014 PA 137 and section 1205 as amended  
by 1997 PA 97.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1110. (1) The department shall license a barber college  
2 that meets all of the following requirements:

3       (a) Through its owners or managers, has applied to the  
4 department for a license.

5       (b) ~~Provides~~ **Subject to subsection (6), provides** an  
6 educational program ~~requiring-that requires~~ completion of 225 hours  
7 of classroom study, demonstrations, and recitations and 1,575 hours



1 of practical barber training.

2 (c) Meets the sanitation standards required of barbershops as  
3 set forth in rules promulgated by the board and determined by  
4 inspection by the department.

5 (d) Files and maintains a corporate surety or cash bond of  
6 \$10,000.00 conditioned on the faithful performance and satisfaction  
7 of the contractual rights of students enrolled in the barber  
8 college.

9 (e) Employs or contracts with not fewer than 2 full-time,  
10 licensed instructors and ensures that both of the following are  
11 met:

12 (i) At any time classroom study or theory training is given to  
13 any number of students, at least 1 instructor is present.

14 (ii) If practical training occurs, there is at least 1  
15 instructor present for every 30 students at all times.

16 (f) ~~Is—Except as provided in subsection (7), is~~ completely  
17 partitioned from any other place of business or dwelling. ~~A—Except~~  
18 **as provided in subsection (7), a** person shall not conduct any other  
19 business from a barber college than the rendering of barber  
20 services and the teaching of barbering, although a barber college  
21 may sell at retail to patrons those preparations used on patrons  
22 who are receiving barbering services from students.

23 (g) Provides reasonable classroom facilities and other  
24 equipment for the proper instruction of students described in this  
25 subdivision and rules promulgated by the board, including 1  
26 stationary wash basin with hot and cold running water and a  
27 connected drain for every 2 barber chairs. A barber college shall  
28 arrange its enrollment and course scheduling so that students are  
29 not required to share the use of a training station during any



1 practical training period.

2 (2) Except as provided in this subsection, a student  
3 instructor may not instruct without a supervising instructor  
4 present in the room. In case of emergency, a student instructor may  
5 instruct up to 30 students, but the barber college shall provide  
6 notice of the emergency to the department in writing and ensure  
7 that an instructor is on the premises at all times. Use of a  
8 student instructor as a substitute instructor under this subsection  
9 shall not continue for more than 7 consecutive days without written  
10 approval of the department certifying the emergency circumstances.

11 (3) The license of a barber college is automatically revoked  
12 if there is a transfer of ownership or change of location of a  
13 barber college. The department shall not grant a new license to new  
14 owners or for a new location unless the requirements of subsection  
15 (1) are met.

16 (4) The classroom courses of a barber college shall include at  
17 least all of the following: scientific fundamentals for barbering;  
18 hygiene; bacteriology; histology of hair, skin, and nails;  
19 structure of the head, face, and neck, including muscles and  
20 nerves; elementary chemistry relating to sterilization and  
21 antiseptics; diseases of the skin, hair, glands, and nails;  
22 massaging and manipulating the head, face, and neck; haircutting  
23 and shaving; cosmetic therapy; arranging, styling, dressing,  
24 coloring, bleaching, curling, permanent waving, and tinting of the  
25 hair; elements of business training; and barber laws and rules of  
26 the state.

27 (5) The department by rule shall prescribe the number of hours  
28 of instruction a barber college is required to provide for each  
29 subject set forth in subsection (4). Each barber college shall



1 provide a written copy of the rules to each student at the  
2 beginning of his or her instruction.

3       (6) For the purposes of subsection (1)(b) and section  
4 1108(1)(c), if a student of a barber college is licensed as a  
5 cosmetologist under article 12, the barber college may allow the  
6 student to substitute hours of instruction completed at a state  
7 school of cosmetology for hours of instruction that are  
8 substantially similar in content to hours of instruction at the  
9 barber college. However, a barber college shall not allow a student  
10 to substitute more than 1,000 hours of substantially similar  
11 instruction from a state school of cosmetology for hours of  
12 instruction at the barber college under this subsection. The  
13 department by rule shall establish criteria for determining whether  
14 an hour of instruction at a state school of cosmetology is  
15 substantially similar to an hour of instruction at a barber  
16 college. As used in this subsection and subsection (7), "state  
17 school of cosmetology" means a school of cosmetology that is  
18 licensed under article 12.

19       (7) A barber college and a state school of cosmetology may  
20 occupy the same building and share facilities.

21       (8) ~~(6)~~ A barber college shall display the license of the  
22 barber college and all instructors, student instructors, and  
23 students in a prominent place visible to the public at all times.  
24 An individual's license may be displayed at the individual's work  
25 station.

26       Sec. 1205. (1) The department shall issue a license to a  
27 person for the operation of a school of cosmetology if all of the  
28 following requirements are met:

29       (a) An application is submitted by the owner or manager of the



1 school.

2 (b) The application includes a drawing or diagram that  
3 indicates the premises to be licensed. ~~showing~~ **Except as provided**  
4 **in subsection (7), the drawing or diagram must show** that the  
5 premises are fully partitioned from any other activity, business,  
6 or dwelling. The location of required equipment and facilities  
7 shall also be shown on the diagram.

8 (c) A cash or surety bond of \$10,000.00 has been furnished in  
9 favor of the people of this state for the use and benefit of  
10 students and conditioned upon the faithful performance and  
11 satisfaction of the contractual rights of students.

12 (d) Provisions have been made for the school to be under the  
13 daily supervision of a licensed instructor who has at least 3  
14 years' experience in all services of cosmetology being taught in  
15 the school.

16 (e) The premises has successfully passed an inspection by the  
17 department conducted for the purpose of determining whether the  
18 school has met the standards set forth in this article and rules  
19 promulgated by the director.

20 (2) A school of cosmetology shall fulfill all of the following  
21 requirements:

22 (a) ~~Shall~~ **Subject to subsection (6), shall** maintain a course  
23 of practical training and technical instruction, as outlined in the  
24 various curricula set forth in rules promulgated by the director,  
25 equal to the requirements for prelicensure training under this  
26 article. A school of cosmetology shall teach hair care services,  
27 skin care services, and manicuring services and may hold a limited  
28 license for the teaching of electrology. However, a school of  
29 cosmetology with a license limited only to the teaching of



1 electrology shall teach only electrology and not any other  
2 cosmetology service.

3 (b) Shall possess efficient apparatus and equipment prescribed  
4 in rules promulgated by the director sufficient for the ready and  
5 full teaching of each subject in the curriculum.

6 (c) Shall maintain 1 person licensed as an instructor,  
7 competent to impart instruction in each subject of its curriculum,  
8 for every 20 students.

9 (d) Shall be operated for teaching purposes only. Instructors  
10 shall practice on the public only to demonstrate techniques to  
11 students and to correct the work of students.

12 (e) Shall provide for the display of the license of the school  
13 of cosmetology and of each instructor working in the school in a  
14 prominent place that is visible to the public at all times. A sign  
15 shall be displayed indicating that services are rendered by  
16 students of the school.

17 (f) At the time of the enrollment of a student, shall furnish  
18 the student a financial contract showing the total cost and all  
19 charges involved in the complete course of study. Advertising  
20 matter put out by schools, when mentioning the cost of tuition or  
21 related subjects, shall furnish the same financial information as  
22 described in this subsection.

23 (3) A cosmetology establishment exacting a fee for the  
24 teaching of cosmetology or 1 or more services of cosmetology is  
25 considered a school of cosmetology and is required to comply with  
26 this section. A cosmetology establishment conducting an  
27 apprenticeship program without charging a fee for the teaching of  
28 cosmetology shall comply with subsection (5). A cosmetology  
29 establishment which has successfully trained 1 apprentice is



1 eligible to train additional apprentices except that a cosmetology  
2 establishment shall not have more than 2 apprentices at the same  
3 time.

4 (4) The department may issue a limited school of cosmetology  
5 license to a school teaching only electrology. A school of  
6 cosmetology whose license is limited to teaching only electrology  
7 shall fulfill all of the requirements of this section, except that  
8 daily supervision of the school shall be provided by an electrology  
9 instructor and the curriculum offered and equipment and facilities  
10 required shall be only those required for the teaching of  
11 electrology.

12 (5) A school of cosmetology or a cosmetology establishment  
13 conducting an apprenticeship program shall comply with all of the  
14 following requirements:

15 (a) Require that a student or apprentice be in attendance not  
16 more than 7 hours per day or not more than 40 hours per week.

17 (b) Keep a daily record of the attendance of each student or  
18 apprentice, a copy of which shall be sent to the department  
19 monthly, establish grades, and require a student or apprentice to  
20 pass an examination before certifying to the department that an  
21 individual has completed training.

22 (c) Permit a cosmetology student or apprentice to practice on  
23 the public only after completing at least 350 hours of instruction  
24 in the general cosmetology curriculum, including both theory and  
25 practical hours. A student or apprentice in a natural hair  
26 cultivation, manicuring, skin care, or electrology curriculum may  
27 practice on the public only after completing at least 1/4 of the  
28 hours required by the applicable curriculum, including both theory  
29 and practical hours.



1           (6) For the purposes of subsection (2)(a) and section 1207(d),  
2 if a student of a school of cosmetology is licensed as a barber  
3 under article 11, the school of cosmetology may allow the student  
4 to substitute hours of instruction completed at a state barber  
5 college for hours of instruction that are substantially similar in  
6 content to hours of instruction at the school of cosmetology.  
7 However, a school of cosmetology shall not allow a student to  
8 substitute more than 1,000 hours of substantially similar  
9 instruction from a state barber college for hours of instruction at  
10 the school of cosmetology under this subsection. The department by  
11 rule shall establish criteria for determining whether an hour of  
12 instruction at a state barber college is substantially similar to  
13 an hour of instruction at a school of cosmetology. As used in this  
14 subsection and subsection (7), "state barber college" means a  
15 barber college that is licensed under article 11.

16           (7) A school of cosmetology and a state barber college may  
17 occupy the same building and share facilities.

18           (8) ~~(6)~~—The transfer of ownership or location of a school of  
19 cosmetology voids the license. The filing of a new license  
20 application is a predicate to the change in ownership or location  
21 of a school.

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

