

# HOUSE BILL NO. 5754

February 15, 2022, Introduced by Reps. Roth, Borton, Markkanen, LaFave, Allor, Coleman, Liberati, Peterson and Steenland and referred to the Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled  
"Occupational code,"  
by amending sections 1101, 1111, and 1112 (MCL 339.1101, 339.1111,  
and 339.1112), sections 1101 and 1112 as amended by 1984 PA 25 and  
section 1111 as amended by 1988 PA 463.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1       Sec. 1101. As used in this article:
- 2       (a) "Barber" means ~~a person~~ **an individual** who shaves or trims
- 3       the beard of ~~a person~~; **another individual**; cuts, trims, shampoos,

relaxes, curls, permanently waves, dresses, tints, bleaches, colors, arranges, or styles the hair of ~~a person; another individual~~; massages the face and head of ~~a person; another individual~~; or ~~renders~~ **performs** personal services of a similar nature customarily done by a barber.

(b) "Barber college" means an establishment ~~which renders that~~ **provides** for compensation the services of a barber ~~, but having for its whose~~ primary purpose ~~the is~~ teaching for compensation ~~of the~~ theory and practice of serving as a barber.

(c) "Barbershop" means a place ~~, or~~ establishment ~~, or~~ premises ~~or part of a premises where a person performs as a barber in which 1 or more individuals perform as barbers.~~ **Barbershop includes a mobile barbershop.**

(d) "Demonstration" means a show, seminar, or contest in which barber services are ~~rendered~~ **performed** for the purpose of educating barbers.

(e) "Demonstrator" means ~~a person~~ **an individual** who performs a ~~service of a barber~~ **barber services** at a demonstration.

(f) "Immediate family" means ~~persons residing~~ **individuals who reside** together **and** who are related by birth, marriage, or adoption.

(g) "Instructor" means ~~a person~~ **an individual** who instructs another **individual** in the theory and practice of serving as a barber.

(h) "Mobile barbershop" means either of the following:

(i) **A self-contained vehicle or other device that is moved, towed, or transported from 1 location to another and in which equipment used to perform barber services is installed.**

(ii) **A business in which equipment used to perform barber**

1 services is transported to and used on a temporary basis at a  
 2 location other than the premises of the operator of a barbershop,  
 3 including, but not limited to, any of the following:

4 (A) A barbershop operated by another person.

5 (B) A client's home.

6 (i) "Operator of a barbershop" means a person that is licensed  
 7 to operate a barbershop under this article.

8 (j) For a mobile barbershop, "premises" means 1 of the  
 9 following, as applicable:

10 (i) For a mobile barbershop described in subdivision (h) (i) ,  
 11 the vehicle or other device and the equipment installed in the  
 12 vehicle or device.

13 (ii) For a mobile barbershop described in subdivision (h) (ii) ,  
 14 the equipment used to perform the barber services and the temporary  
 15 location at which the equipment is used while the equipment is at  
 16 that location.

17 (k) ~~(h)~~ "Student" means ~~a person~~ **an individual** learning the  
 18 theory and practice of serving as a barber.

19 (l) ~~(i)~~ "Student instructor" means ~~a person~~ **an individual**  
 20 learning the theory and practice of teaching barbering.

21 Sec. 1111. (1) The department shall issue a license to a  
 22 ~~barbershop which fulfills~~ **person to operate a barbershop, at the**  
 23 **premises specified in the license application, that meets** all of  
 24 the following requirements:

25 (a) ~~Has made, through its owner,~~ **An application is submitted**  
 26 **to the department by or on behalf of the proposed operator of the**  
 27 **barbershop.** The application ~~shall~~ **must** include **the address of and a**  
 28 **description of the premises for which licensure is sought.**

29 (b) ~~Has satisfactorily~~ **At the time the licensure is sought,**

1 **the barbershop and its premises have** passed an inspection to  
2 determine that the barbershop ~~has met and~~ **premises meet** sanitation  
3 and establishment standards prescribed in rules promulgated under  
4 this article.

5 (2) ~~A~~ **The operator of a barbershop other than a mobile**  
6 **barbershop described under section 1101(h) (ii) shall ensure that the**  
7 barbershop ~~shall be~~ **is** completely partitioned from a dwelling and  
8 ~~shall not be~~ **is not** occupied for lodging or residential purposes.

9 (3) ~~The transfer of~~ **A change in the** ownership or **operator of a**  
10 **barbershop or, except for a barbershop that is a mobile barbershop,**  
11 **a change in the** location of a barbershop ~~shall automatically revoke~~  
12 ~~its~~ **revokes the license of that operator. A** ~~The department shall~~  
13 **not grant a** new license ~~shall not be granted to a new owner or at a~~  
14 ~~new location unless the requirements of subsection (1) have been~~  
15 ~~fulfilled.~~ **are met.**

16 (4) The **operator of a barbershop shall ensure that the**  
17 licenses of the barbershop and all barbers working in the  
18 barbershop ~~shall be~~ **are** displayed in a prominent place visible to  
19 the public at all times. The **operator may display the** license of an  
20 individual barber ~~may be posted at the barber's work station.~~

21 (5) **This section applies to a barbershop that is a mobile**  
22 **barbershop only beginning on the effective date of the rules**  
23 **promulgated under section 1112 for the operation of mobile**  
24 **barbershops.**

25 Sec. 1112. (1) The board shall promulgate rules setting forth  
26 standards for sanitation in barbershops and barber colleges.

27 (2) The board shall promulgate rules for the operation of  
28 mobile barbershops and the performance of barber services in or at  
29 the premises of mobile barbershops. The board shall promulgate

1 rules described in this subsection within 1 year after the  
2 effective date of the amendatory act that added this subsection.  
3 The rules must include sanitation standards that meet the  
4 requirements of subsection (1) and may establish 1 or more of the  
5 following for providing barber services in a mobile barbershop:

6 (a) Safety requirements.

7 (b) Permanent address requirements at which 1 or more of the  
8 following are located:

9 (i) Records of appointments.

10 (ii) License numbers of employees.

11 (iii) If applicable, the vehicle identification number of the  
12 license holder's self-contained facility.

13 (c) Enforcement action to ensure compliance with the  
14 requirements under this article and all local laws and ordinances.