

SUBSTITUTE FOR  
HOUSE BILL NO. 4395

A bill to amend 1980 PA 299, entitled  
"Occupational code,"  
by amending sections 1117 and 1217 (MCL 339.1117 and 339.1217),  
section 1117 as amended by 2003 PA 207 and section 1217 as amended  
by 2020 PA 20.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1117. (1) Except as otherwise provided in this section,  
2 barber services ~~shall only~~**must** be rendered **only** in premises  
3 licensed by the department under this article. ~~A-If it is~~  
4 **impractical or unsafe for an individual to travel due to frailty,**  
5 **age, injury, or illness, a** barber may render services outside of a  
6 barbershop to a patient in a hospital, nursing home, home for the  
7 aged, or similar facility or to ~~a person~~**an individual** in the

~~person's individual's home. if it is impractical or unsafe for the patient or person to travel due to frailty, age, injury, or illness.~~

(2) The department may issue a temporary permit, valid for not more than 1 year, to a barber licensed under this article to render services outside of a premises licensed by the department under this article to a veteran at a veteran service organization. A barber who renders services under this subsection shall not charge a service fee.

(3) The department may issue a demonstration permit, valid for not ~~longer more~~ than 1 year, to allow demonstrations on premises **that are** not in use as a barbershop. The holder of a demonstration permit shall maintain health, safety, and sanitation standards as set forth in rules ~~authorized~~ **promulgated** under this article. The department may issue a demonstrator permit, valid for ~~no longer not~~ **more** than 1 week, to ~~a person~~ **an individual who is** not licensed in this state to perform barbering services solely for the purposes of demonstration, provided that the demonstrator is ~~duly~~ **licensed or otherwise** authorized to perform barbering services under the laws of another state, jurisdiction, or country.

(4) As used in this section and section 1217:

(a) "Service fee" means a charge to a customer for providing a service that includes fees for the act of providing the service, transportation to the site, labor, product, and tools.

(b) "Veteran service organization" means a veteran-led nonprofit organization with the primary mission of supporting veterans.

Sec. 1217. A licensee that commits or has committed 1 or more of the following is subject to the penalties set forth in article

1 6:

2 (a) Continued practice by an individual who knows ~~he or she~~  
3 **the individual** has an infectious or contagious disease.

4 (b) Except as otherwise provided in this subdivision,  
5 practicing cosmetology on the public outside of the premises of a  
6 licensed cosmetology establishment or school of cosmetology. A  
7 licensed cosmetologist may perform cosmetology services for a  
8 patron at a location that is not on the premises of a licensed  
9 cosmetology establishment if the services are performed at any of  
10 the following:

11 (i) A special event in which the cosmetology service is  
12 required to be performed for an on-site participant of the event.

13 (ii) A nursing home, as that term is defined in section 20109  
14 of the public health code, 1978 PA 368, MCL 333.20109, for a  
15 patient or resident of that home.

16 (iii) A home for the aged, as that term is defined in section  
17 20106 of the public health code, 1978 PA 368, MCL 333.20106, for a  
18 patient or resident of that home.

19 (iv) An adult foster care facility, as that term is defined in  
20 section 3 of the adult foster care facility licensing act, 1979 PA  
21 218, MCL 400.703, for a patient or resident of that facility.

22 (v) A hospital, as that term is defined in section 20106 of  
23 the public health code, 1978 PA 368, MCL 333.20106, for a patient  
24 of that hospital.

25 (vi) **If the licensed cosmetologist is issued a temporary permit**  
26 **by the department, valid for not more than 1 year, a veteran**  
27 **service organization for a veteran. A cosmetologist who performs**  
28 **cosmetology services under this subparagraph shall not charge a**  
29 **service fee.**

1       Enacting section 1. This amendatory act takes effect 180 days  
2 after the date it is enacted into law.

3       Enacting section 2. This amendatory act does not take effect  
4 unless House Bill No. 4394 of the 103rd Legislature is enacted into  
5 law.