

# SENATE BILL No. 1111

October 18, 2016, Introduced by Senators KNOLLENBERG, JONES, KOWALL, HERTEL and WARREN 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  
9 this article may ~~render~~**PERFORM** hair ~~care services,~~**STYLING,** skin  
10 care services, natural hair cultivation, and manicuring services as

1 part of the practice of cosmetology, but shall not ~~render~~ **PERFORM**  
2 electrology ~~without being~~ **UNLESS HE OR SHE IS** licensed as an  
3 electrologist.

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

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

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

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

26 (B) **THE STUDENT HAS COMPLETED THE 350 HOURS OF INSTRUCTION**  
27 **THAT IS REQUIRED UNDER SECTION 1205(5)(C) AND HAS MET THE ACADEMIC**

1 REQUIREMENTS REGARDING THOSE COURSES IN CLIENT SAFETY, SANITATION,  
2 BACTERIOLOGY, HAIR AND SCALP DISORDERS, SCALP MANIPULATIONS, AND  
3 PROPER SHAMPOOING PROCEDURE.

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

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

17 (6) AN EXCEPTION TO SUBSECTION (1) FOR A STUDENT AUTHORIZED TO  
18 PERFORM SHAMPOO SERVICES UNDER SUBSECTION (5) EXPIRES ON THE  
19 EXPECTED GRADUATION DATE OF THE STUDENT.

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

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

26 (B) ALLOW THE DEPARTMENT ACCESS TO THE RECORDS DESCRIBED IN  
27 SUBDIVISION (A).

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

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

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

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

10 Enacting section 2. This amendatory act does not take effect  
11 unless Senate Bill No.\_\_\_\_ or House Bill No.\_\_\_\_ (request no.  
12 06578'16) of the 98th Legislature is enacted into law.