

SUBSTITUTE FOR  
SENATE BILL NO. 751

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, skin care  
10 services, natural hair cultivation, and manicuring services as part

1 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, or skin care  
6 services in accordance with his or her training. An individual **WHO**  
7 **IS** licensed as a manicurist, natural hair culturist, or esthetician  
8 shall only ~~render~~ **PERFORM** that particular service and shall not  
9 ~~render~~ **PERFORM** any other cosmetology service ~~without being~~ **UNLESS**  
10 **HE OR SHE IS** licensed for that service. An individual **WHO IS**  
11 licensed as a manicurist, natural hair culturist, or esthetician  
12 shall not ~~render~~ **PERFORM** electrology ~~without being~~ **UNLESS HE OR SHE**  
13 **IS** licensed as an electrologist.

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

19 (5) **AN INDIVIDUAL WHO IS A COSMETOLOGY STUDENT MAY PERFORM**  
20 **SHAMPOO SERVICES IN A COSMETOLOGY ESTABLISHMENT ON MEMBERS OF THE**  
21 **PUBLIC WITHOUT A LICENSE UNDER THIS ARTICLE IF ALL OF THE FOLLOWING**  
22 **ARE MET AT THE TIME THE INDIVIDUAL PERFORMS THE SHAMPOOING**  
23 **SERVICES:**

24 (A) **EXCEPT AS PROVIDED IN SUBSECTION (6), HE OR SHE IS**  
25 **ENROLLED IN A SCHOOL OF COSMETOLOGY.**

26 (B) **HE OR SHE HAS COMPLETED AT LEAST THE 350 HOURS OF**  
27 **INSTRUCTION IN THE SCHOOL'S GENERAL COSMETOLOGY CURRICULUM THAT IS**

1 REQUIRED UNDER SECTION 1205 (5) (C) . THE INSTRUCTION MUST INCLUDE AT  
2 LEAST THE MINIMUM NUMBER OF PRACTICAL APPLICATIONS ESTABLISHED BY  
3 THE DIRECTOR BY RULE.

4 (C) THE COSMETOLOGY ESTABLISHMENT THAT IS EMPLOYING THE  
5 INDIVIDUAL TO PERFORM SHAMPOO SERVICES HAS RECEIVED WRITTEN  
6 VERIFICATION FROM THE SCHOOL OF COSMETOLOGY THE INDIVIDUAL ATTENDS,  
7 IN THE FORM OF A LETTER ON THE SCHOOL'S LETTERHEAD, DATED AND  
8 SIGNED BY THE DIRECTOR OR MANAGER OF THAT SCHOOL, THAT STATES ALL  
9 OF THE FOLLOWING:

10 (i) THE INDIVIDUAL'S FULL NAME.

11 (ii) THAT THE INDIVIDUAL IS CURRENTLY ENROLLED IN THE SCHOOL.

12 (iii) THAT THE INDIVIDUAL MEETS THE REQUIREMENTS DESCRIBED IN  
13 SUBDIVISION (B) .

14 (iv) HIS OR HER EXPECTED GRADUATION DATE.

15 (6) AN INDIVIDUAL WHO IS PERFORMING SHAMPOOING SERVICES UNDER  
16 SUBSECTION (5) WITHOUT A LICENSE UNDER THIS ARTICLE MAY CONTINUE TO  
17 PERFORM THOSE SERVICES AT THE COSMETOLOGY ESTABLISHMENT WITHOUT A  
18 LICENSE FOR A PERIOD OF 30 DAYS AFTER THE DATE THE INDIVIDUAL IS  
19 SCHEDULED TO GRADUATE FROM THE SCHOOL OF COSMETOLOGY.

20 (7) A COSMETOLOGY ESTABLISHMENT THAT EMPLOYS A COSMETOLOGY  
21 STUDENT TO PERFORM SHAMPOO SERVICES UNDER SUBSECTION (5) MUST DO  
22 ALL OF THE 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. THE RECORDS MUST INCLUDE THE VERIFICATION  
26 LETTER DESCRIBED IN SUBSECTION (5) (C) .

27 (B) ALLOW THE DEPARTMENT ACCESS TO THE RECORDS DESCRIBED IN

1 SUBDIVISION (A).

2 (C) ENSURE THAT THE STUDENT DOES NOT PERFORM COSMETOLOGY  
3 SERVICES OTHER THAN SHAMPOO SERVICES WHILE EMPLOYED BY THE  
4 ESTABLISHMENT.

5 (D) ENSURE THAT A LICENSED COSMETOLOGIST IS PRESENT IN THE  
6 ESTABLISHMENT WHEN THE STUDENT IS PERFORMING SHAMPOO SERVICES.

7 (8) A SCHOOL OF COSMETOLOGY THAT PROVIDES A VERIFICATION  
8 LETTER DESCRIBED IN SUBSECTION (5) (C) TO A COSMETOLOGY  
9 ESTABLISHMENT MUST RETAIN A COPY OF THE LETTER IN THE STUDENT'S  
10 SCHOOL RECORD FOR AT LEAST 3 YEARS AFTER THE STUDENT'S EXPECTED  
11 GRADUATION DATE.

12 (9) AS USED IN THIS SECTION, "SHAMPOO SERVICES" MEANS  
13 PREPARING A CUSTOMER FOR A SHAMPOO, OR SHAMPOOING OR BLOW-DRYING A  
14 CUSTOMER, FOR A LICENSED COSMETOLOGIST.

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