

HOUSE BILL No. 4799

May 10, 1989, Introduced by Reps. Joe Young, Jr. and Hart and referred to the Committee on State Affairs.

A bill to amend the title and sections 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, and 1214 of Act No. 299 of the Public Acts of 1980, entitled "Occupational code," sections 1204, 1205, 1207, 1208, 1209, 1211, and 1214 as amended by Act No. 463 of the Public Acts of 1988, being sections 339.1201, 339.1202, 339.1203, 339.1204, 339.1205, 339.1206, 339.1207, 339.1208, 339.1209, 339.1210, 339.1211, and 339.1214 of the Michigan Compiled Laws; to add sections 1204a, 1204b, 1204c, 1205a, 1205b, 1205c, 1205d, 1205e, 1205f, 1212a, 1213a, 1215a, and article 30; to repeal certain parts of the act; and to repeal certain parts of the act on specific dates.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 1201, 1202, 1203, 1204,
2 1205, 1206, 1207, 1208, 1209, 1210, 1211, and 1214 of Act No. 299

1 of the Public Acts of 1980, sections 1204, 1205, 1207, 1208,
 2 1209, 1211, and 1214 as amended by Act No. 463 of the Public Acts
 3 of 1988, being sections 339.1201, 339.1202, 339.1203, 339.1204,
 4 339.1205, 339.1206, 339.1207, 339.1208, 339.1209, 339.1210,
 5 339.1211, and 339.1214 of the Michigan Compiled Laws, are amended
 6 and sections 1204a, 1204b, 1204c, 1205a, 1205b, 1205c, 1205d,
 7 1205e, 1205f, 1212a, 1213a, 1215a, and article 30 are added to
 8 read as follows:

9 TITLE

10 An act to revise, consolidate, and classify the laws of this
 11 state regarding the regulation of certain occupations; to create
 12 a board for each of those occupations; to establish the powers
 13 and duties of the department of licensing and regulation and the
 14 boards of each occupation; to provide for the promulgation of
 15 rules; to provide for certain fees; to provide for penalties and
 16 civil fines; ~~and to repeal certain acts and parts of acts~~
 17 THIS ACT; and to repeal certain parts of this act on specific
 18 dates.

19 Sec. 1201. As used in this article:

20 ~~-(a) "Apprentice" means a person engaged in learning cosme-~~
 21 ~~tology in a cosmetological establishment.~~

22 (A) ~~-(b)~~ "Cosmetologist" means a person who engages in,
 23 RENDERS, OR OFFERS TO RENDER cosmetology SERVICES.

24 (B) ~~-(c) "Cosmetological "COSMETOLOGY establishment" or~~
 25 ~~"school of cosmetology" is a building, or part of a building,~~
 26 ~~completely partitioned off from any other business or dwelling,~~
 27 ~~except a barbershop licensed under article 11, at which any of~~

1 ~~the occupations regulated by this article are practiced or taught~~
2 ~~for hire or compensation.~~ MEANS THE PREMISES ON WHICH COSMETOL-
3 OGY SERVICES ARE RENDERED OR OFFERED TO BE RENDERED, EXCEPT A
4 SCHOOL OF COSMETOLOGY, A BARBER COLLEGE, OR BARBERSHOP LICENSED
5 UNDER ARTICLE 11.

6 (C) ~~(d)~~ "Cosmetology" ~~means + of~~ INCLUDES the following
7 practices or ~~a~~ combination of ~~the following~~ practices:

8 (i) ~~arranging~~ ARRANGING, cutting, dressing, curling,
9 waving, cleansing, singeing, bleaching, coloring, BRAIDING,
10 PLAITING, WEAVING, CRIMPING, TINTING, TRIMMING, STYLING, RELAX-
11 ING, PERMING, STRAIGHTENING, or similar work upon hair OR A WIG
12 THAT PERSON IS WEARING. ~~with the hands, or with mechanical or~~
13 ~~electrical apparatus or appliances, or by any means, cleansing,~~
14 ~~massaging, stimulating, manipulating, exercising, beautifying, or~~
15 ~~by the use of cosmetic preparations, antiseptics, tonics,~~
16 ~~lotions, or creams, or similar work upon the scalp, neck, face,~~
17 ~~arms, bust, or upper part of the body of a person, or the remov-~~
18 ~~ing of superfluous hair from the upper part of the body of a~~
19 ~~person by the use of electrolysis, depilatories, waxes, or tweez-~~
20 ~~ers or manicuring the nails of a person.~~

21 (e) ~~"Electrologist" means a person who, for compensation,~~
22 ~~removes superfluous hair from the upper part of the body of a~~
23 ~~person by the use of the electric needle. A person may obtain a~~
24 ~~license as an electrologist without qualifying as a~~
25 ~~cosmetologist.~~

26 (ii) SKIN CARE.

1 (iii) MANICURING.

2 (D) "IMMEDIATE FAMILY" MEANS PERSONS RESIDING TOGETHER WHO
3 ARE RELATED BY BIRTH, MARRIAGE, OR ADOPTION.

4 (E) ~~(f)~~ "Instructor" means a ~~cosmetologist who teaches in~~
5 ~~a school of cosmetology accredited by the department~~ PERSON WHO
6 TEACHES OR OFFERS TO TEACH COSMETOLOGY, MANICURING, OR SKIN
7 CARE.

8 (F) ~~(g)~~ "Manicurist" means a person who ~~manicures the~~
9 ~~nails of a person. A person may obtain a license as a manicurist~~
10 ~~without qualifying as a cosmetologist~~ ENGAGES IN OR OFFERS TO
11 ENGAGE IN MANICURING.

12 ~~(h)~~ "Owner" means a person who conducts or owns and con-
13 ducts a cosmetological establishment or a school of cosmetology.

14 (G) "MANICURING" MEANS THE CLEANSING, FILING, SHAPING, BUFF-
15 ING, POLISHING, OR BEAUTIFYING OF THE NAILS OF THE HANDS OR FEET,
16 AND THE CLEANSING, MASSAGING, STIMULATING, EXERCISING, OR BEAUTI-
17 FYING OF THE SKIN OF THE HANDS, ARMS, AND FEET, MANUALLY OR WITH
18 THE USE OF TOOLS, APPLIANCES, OR COSMETIC PREPARATIONS, INCLUDING
19 THE REPAIR OF NAILS, OR THE CREATION OR DECORATION OF ARTIFICIAL
20 NAILS. MANICURING DOES NOT INCLUDE THE PRACTICE OF PODIATRIC
21 MEDICINE AND SURGERY AS DEFINED IN SECTION 18001 OF THE PUBLIC
22 HEALTH CODE, ACT NO. 368 OF THE PUBLIC ACTS OF 1978, BEING SEC-
23 TION 333.18001 OF THE MICHIGAN COMPILED LAWS.

24 (H) "MANICURING ESTABLISHMENT" MEANS THE PREMISES WHERE MAN-
25 ICURING SERVICES ARE RENDERED OR OFFERED TO BE RENDERED.

26 (I) "SCHOOL OF COSMETOLOGY" MEANS THE PREMISES WHERE
27 COSMETOLOGY IS TAUGHT.

1 (J) "SKIN CARE" INCLUDES THE FOLLOWING PRACTICES OR
2 COMBINATION OF PRACTICES:

3 (i) BEAUTIFYING THE SKIN OF THE BODY OF A PERSON BY THE USE
4 OF COSMETIC PREPARATIONS, ANTISEPTICS, TONICS, LOTIONS, OR
5 CREAMS, INCLUDING BODY WRAPPING.

6 (ii) CLEANSING OR STIMULATING THE SKIN OF THE BODY BY THE
7 USE OF THE HANDS, DEVICES, APPARATUS, OR APPLIANCES, WITH OR
8 WITHOUT THE USE OF COSMETIC PREPARATIONS, ANTISEPTICS, TONICS,
9 LOTIONS, OR CREAMS.

10 (iii) THE TEMPORARY REMOVAL OF HAIR FROM THE BODY OF A
11 PERSON BY THE USE OF DEPILATORIES, WAXES, RAZORS, SCISSORS, CLIP-
12 PERS, OR TWEEZERS.

13 (iv) GIVING FACIALS, APPLYING REMOVABLE MAKEUP, APPLYING
14 EYELASHES, OR ANY OTHER APPLICATION OF A PREPARATION OR BEAUTY
15 ENHANCEMENT TO THE BODY OF A PERSON BUT DOES NOT INCLUDE APPLYING
16 PERMANENT MAKEUP OR THE USE OF TANNING EQUIPMENT.

17 (v) ESTHETICS.

18 (K) "SKIN CARE ESTABLISHMENT" MEANS THE PREMISES ON WHICH
19 SKIN CARE IS RENDERED OR OFFERED TO BE RENDERED.

20 (L) "SKIN CARE SPECIALIST" MEANS A PERSON WHO ENGAGES IN,
21 RENDERS, OR OFFERS TO RENDER SKIN CARE.

22 (M) ~~(i) "Student" means a person at least 16 years of~~
23 ~~age engaged in learning cosmetology, in a school of~~
24 ~~cosmetology. The minimum age requirement shall not apply to a~~
25 ~~student enrolled in a program offered as a part of the regular~~
26 ~~curriculum of a public school and approved by the superintendent~~
27 ~~of public instruction.~~ MANICURING, OR SKIN CARE.

1 Sec. 1202. A board of cosmetology is created. Five of the
2 members of the board shall be licensed cosmetologists who have
3 been actively engaged in the practice of cosmetology for ~~at~~
4 ~~least~~ NOT LESS THAN THE 3 years immediately preceding their
5 appointment. One member shall be a person who has been actively
6 engaged in teaching cosmetology in this state for not less than
7 THE 3 years immediately ~~before~~ PRECEDING HIS OR HER appointment
8 and who owns an interest in a school of cosmetology. Three mem-
9 bers shall represent the general public.

10 Sec. 1203. (1) ~~The department and the board shall promul-~~
11 ~~gate sanitary rules they consider necessary, with particular ref-~~
12 ~~erence to the precautions necessary to be employed to prevent the~~
13 ~~spreading of an infectious or contagious disease, and shall~~
14 ~~arrange an inspection as they consider necessary to safeguard the~~
15 ~~public health.~~ A PERSON SHALL NOT RENDER ANY FORM OF COSMETOLOGY
16 SERVICES, WITH OR WITHOUT COMPENSATION, ON ANY PERSON OTHER THAN
17 A MEMBER OF HIS OR HER IMMEDIATE FAMILY UNLESS LICENSED UNDER
18 THIS ARTICLE. THIS ARTICLE DOES NOT PROHIBIT A PERSON FROM
19 RENDERING SERVICES FOR WHICH HE OR SHE IS LICENSED UNDER
20 ARTICLE 11.

21 (2) EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, COSMETOL-
22 OGY SERVICES SHALL ONLY BE RENDERED OR OFFERED TO BE RENDERED IN
23 PREMISES LICENSED BY THE DEPARTMENT UNDER THIS ARTICLE. A
24 LICENSEE SHALL NOT CONTRACT WITH, BE EMPLOYED BY, BE PROVIDED
25 SPACE, OR LEASE SPACE FROM A HOSPITAL, NURSING HOME, CONVALESCENT
26 HOME, OR SIMILAR FACILITY FOR THE PURPOSE OF PRACTICING ANY FORM
27 OF COSMETOLOGY WITHOUT AN ESTABLISHMENT LICENSE UNDER THIS

1 ARTICLE. HOWEVER, A LICENSEE MAY PRACTICE ON A PATIENT IN A
2 HOSPITAL, NURSING HOME, CONVALESCENT HOME, OR SIMILAR FACILITY,
3 OR ON A PERSON REQUIRING HOME CARE BECAUSE OF AN ILLNESS OR
4 INFIRMITY.

5 (3) A LICENSED COSMETOLOGIST MAY RENDER MANICURING OR SKIN
6 CARE SERVICES AS PART OF THE PRACTICE OF COSMETOLOGY EXCEPT THAT
7 THE PRACTICE OF A COSMETOLOGIST WORKING IN A MANICURING OR SKIN
8 CARE ESTABLISHMENT SHALL BE LIMITED TO THOSE SPECIFIC SERVICES
9 FOR WHICH THE PREMISES ARE LICENSED.

10 (4) A LICENSED SKIN CARE SPECIALIST SHALL ONLY PRACTICE SKIN
11 CARE AND SHALL NOT RENDER ANY OTHER COSMETOLOGY SERVICE WITHOUT
12 LICENSE UNDER THIS ARTICLE.

13 (5) A LICENSED MANICURIST SHALL RENDER ONLY MANICURING SERV-
14 ICES AND SHALL NOT RENDER ANY OTHER COSMETOLOGY SERVICE WITHOUT
15 LICENSE UNDER THIS ARTICLE. EXCEPT AS PROVIDED IN
16 SUBSECTION (2), A LICENSED MANICURIST MAY RENDER SERVICES ONLY IN
17 AN ESTABLISHMENT LICENSED UNDER THIS ARTICLE, OR IN AN ESTABLISH-
18 MENT LICENSED AS A BARBERSHOP UNDER ARTICLE 11.

19 Sec. 1204. ~~A person desiring to operate a cosmetological~~
20 ~~establishment shall make application to the department for a~~
21 ~~license. The cosmetological establishment shall be under the~~
22 ~~daily attendance and supervision of a licensed cosmetologist who~~
23 ~~is not less than 18 years of age and has had not less than 1~~
24 ~~year's practical experience in all practices of cosmetology. A~~
25 ~~cosmetological establishment shall not have more than 2 appren-~~
26 ~~tices at the same time. A cosmetological establishment shall be~~
27 ~~completely separated by full partitions and doors from every~~

1 ~~other activity, business, or dwelling, except a barbershop~~
2 ~~licensed under article 11 or an area in which the sale of cloth-~~
3 ~~ing and accessories is made.~~ THE DEPARTMENT SHALL ISSUE A COSME-
4 TOLOGIST LICENSE TO AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING
5 QUALIFICATIONS:

6 (A) IS NOT LESS THAN 17 YEARS OF AGE.

7 (B) IS OF GOOD MORAL CHARACTER.

8 (C) HAS HAD AN EDUCATION EQUIVALENT TO THE COMPLETION OF
9 NINTH GRADE.

10 (D) HAS PASSED AN EXAMINATION PRESCRIBED BY THE DEPARTMENT
11 AND THE BOARD OF COSMETOLOGY.

12 (E) HAS COMPLETED A NOT LESS THAN 1,500-HOUR COURSE OF STUDY
13 AT A LICENSED SCHOOL OF COSMETOLOGY WHICH SHALL INCLUDE A MINIMUM
14 NUMBER OF PRACTICAL APPLICATIONS AS PRESCRIBED IN RULES PROMUL-
15 GATED BY THE BOARD OF COSMETOLOGY.

16 SEC. 1204A. THE DEPARTMENT SHALL ISSUE A SKIN CARE SPECIAL-
17 IST LICENSE TO AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING
18 QUALIFICATIONS:

19 (A) IS NOT LESS THAN 17 YEARS OF AGE.

20 (B) IS OF GOOD MORAL CHARACTER.

21 (C) HAS HAD AN EDUCATION EQUIVALENT TO THE COMPLETION OF
22 NINTH GRADE.,

23 (D) HAS PASSED AN EXAMINATION PRESCRIBED BY THE DEPARTMENT
24 AND THE BOARD OF COSMETOLOGY.

25 (E) HAS COMPLETED A NOT LESS THAN 600-HOUR COURSE OF STUDY
26 AT A LICENSED SCHOOL OF COSMETOLOGY WHICH SHALL INCLUDE A MINIMUM

1 NUMBER OF PRACTICAL APPLICATIONS AS PRESCRIBED IN RULES
2 PROMULGATED BY THE BOARD OF COSMETOLOGY.

3 SEC. 1204B. THE DEPARTMENT SHALL ISSUE A SKIN CARE SPECIAL-
4 IST LICENSE TO AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING
5 QUALIFICATIONS:

6 (A) IS NOT LESS THAN 17 YEARS OF AGE.

7 (B) IS OF GOOD MORAL CHARACTER.

8 (C) APPLIES FOR THE LICENSE WITHIN 1 YEAR AFTER THE DEPART-
9 MENT AND THE BOARD OF COSMETOLOGY PRESCRIBE THE EXAMINATION FOR
10 SKIN CARE LICENSURE.

11 (D) HAS PASSED AN EXAMINATION PRESCRIBED BY THE DEPARTMENT
12 AND THE BOARD OF COSMETOLOGY.

13 SEC. 1204C. THE DEPARTMENT SHALL ISSUE A MANICURIST LICENSE
14 TO AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING:

15 (A) IS AT LEAST 17 YEARS OF AGE.

16 (B) IS OF GOOD MORAL CHARACTER.

17 (C) HAS HAD AN EDUCATION EQUIVALENT TO THE COMPLETION OF
18 NINTH GRADE.

19 (D) HAS PASSED AN EXAMINATION PRESCRIBED BY THE DEPARTMENT
20 AND THE BOARD OF COSMETOLOGY.

21 (E) HAS COMPLETED A NOT LESS THAN 400-HOUR COURSE OF STUDY
22 AT A LICENSED SCHOOL OF COSMETOLOGY WHICH SHALL INCLUDE A MINIMUM
23 NUMBER OF PRACTICAL APPLICATIONS AS PRESCRIBED IN RULES PROMUL-
24 GATED BY THE BOARD OF COSMETOLOGY.

25 Sec. 1205. ~~(1) A person desiring to conduct a school of~~
26 ~~cosmetology, shall make application to the department for a~~
27 ~~license. A school of cosmetology shall be completely separated~~

1 by a full partition and door from every other activity, business,
2 or dwelling. A PERSON SHALL NOT TEACH COSMETOLOGY UNLESS
3 LICENSED AS AN INSTRUCTOR UNDER THIS ARTICLE.

4 ~~(2) A school of cosmetology shall be in the charge of and~~
5 ~~under the supervision and daily attendance of an individual who~~
6 ~~meets all of the following criteria:~~

7 ~~(a) Is licensed as an instructor who has had at least 3~~
8 ~~years' practical experience in all practices of cosmetology in a~~
9 ~~licensed cosmetological establishment or at least 1 year's prac-~~
10 ~~tical experience in all practices of cosmetology in a licensed~~
11 ~~cosmetological establishment, and at least 2 years' practical~~
12 ~~experience in teaching all practices of cosmetology.~~

13 ~~(b) Is a licensed cosmetologist with not less than 500 hours~~
14 ~~of instructor training.~~

15 ~~(c) Has a high school diploma or its equivalent.~~

16 ~~(d) Has passed an examination approved by the department and~~
17 ~~the board.~~

18 ~~(e) Is of good moral character.~~

19 ~~(3) A school of cosmetology shall fulfill all of the follow-~~
20 ~~ing requirements:~~

21 ~~(a) It shall maintain a school term of not less than 1,500~~
22 ~~hours, extending over a period of 10 consecutive months, and~~
23 ~~shall maintain a course of practical training and technical~~
24 ~~instruction, as outlined in the department approved curriculum,~~
25 ~~equal to the requirements for examination for a license as a cos-~~
26 ~~metologist as set forth in section 1207.~~

1 ~~(b) It shall possess efficient apparatus and equipment~~
2 ~~prescribed by the department and the board sufficient for the~~
3 ~~ready and full teaching of each subject in the curriculum~~
4 ~~approved by the department and the board.~~

5 ~~(c) It shall maintain 1 person licensed as an instructor for~~
6 ~~every 20 enrolled students, competent to impart instruction in~~
7 ~~each subject of its curriculum. The department shall license as~~
8 ~~an instructor an individual who passes an examination prescribed~~
9 ~~by the board and department. The instructor shall not be in~~
10 ~~charge of or supervise a school unless the instructor meets the~~
11 ~~experience requirement described in this section.~~

12 ~~(d) It shall keep a daily record of the attendance of each~~
13 ~~student, a copy of which shall be sent to the department monthly,~~
14 ~~establish grades, and hold an examination before issuing a~~
15 ~~diploma.~~

16 ~~(e) It shall be operated for teaching purposes only and a~~
17 ~~student shall not practice on the public until having completed~~
18 ~~at least 350 hours of instruction in the cosmetology curriculum.~~

19 ~~(f) A student shall not be in attendance at a school more~~
20 ~~than 7 hours per day or more than 40 hours per week.~~

21 ~~(4) A school of cosmetology shall furnish a bond of~~
22 ~~\$10,000.00 in favor of the people of the state, for the use and~~
23 ~~benefit of students and conditioned upon the faithful performance~~
24 ~~and satisfaction of the contractual rights of students.~~

25 ~~(5) A school of cosmetology, at the time of the enrollment~~
26 ~~of a student, shall furnish the student a financial contract~~
27 ~~showing the total cost and all charges involved in the complete~~

~~1 course of study. Advertising matter put out by schools, when
2 mentioning the cost of tuition or related subjects, shall furnish
3 the same financial statement as described in this subsection.~~

~~4 (6) A cosmetological establishment exacting a fee for the
5 teaching of cosmetology shall be classed as a school of cosmetol-
6 ogy and shall be required to comply with this section.~~

7 SEC. 1205A. THE DEPARTMENT SHALL ISSUE A COSMETOLOGY
8 INSTRUCTOR LICENSE TO AN INDIVIDUAL WHO MEETS ALL OF THE
9 FOLLOWING:

10 (A) IS LICENSED AS A COSMETOLOGIST UNDER THIS ARTICLE.

11 (B) HAS GRADUATED FROM HIGH SCHOOL OR COMPLETED AN EQUIVA-
12 LENT EDUCATION.

13 (C) IS OF GOOD MORAL CHARACTER.

14 (D) HAS PASSED AN EXAMINATION PRESCRIBED BY THE DEPARTMENT
15 AND THE BOARD OF COSMETOLOGY.

16 (E) HAS COMPLETED A NOT LESS THAN 500-HOUR COURSE IN THE
17 TEACHING OF COSMETOLOGY AT A LICENSED SCHOOL OF COSMETOLOGY AS
18 PRESCRIBED IN RULES PROMULGATED BY THE BOARD OF COSMETOLOGY.

19 SEC. 1205B. THE DEPARTMENT SHALL ISSUE A SKIN CARE SPECIAL-
20 IST INSTRUCTOR LICENSE TO AN INDIVIDUAL WHO MEETS ALL OF THE
21 FOLLOWING:

22 (A) IS LICENSED AS A COSMETOLOGIST OR SKIN CARE SPECIALIST
23 UNDER THIS ARTICLE.

24 (B) HAS GRADUATED FROM HIGH SCHOOL OR COMPLETED AN EQUIVA-
25 LENT EDUCATION.

26 (C) IS OF GOOD MORAL CHARACTER.

1 (D) HAS PASSED AN EXAMINATION PRESCRIBED BY THE DEPARTMENT
2 AND THE BOARD OF COSMETOLOGY.

3 (E) HAS COMPLETED A NOT LESS THAN 400-HOUR COURSE IN THE
4 TEACHING OF SKIN CARE AT A LICENSED SCHOOL OF COSMETOLOGY AS PRE-
5 SCRIBED IN RULES PROMULGATED BY THE BOARD OF COSMETOLOGY.

6 SEC. 1205C. THE DEPARTMENT SHALL ISSUE A SKIN CARE SPECIAL-
7 IST INSTRUCTOR LICENSE TO AN INDIVIDUAL WHO MEETS ALL OF THE
8 FOLLOWING:

9 (A) APPLIES BEFORE JANUARY 1, 1991.

10 (B) IS LICENSED AS A COSMETOLOGIST OR SKIN CARE SPECIALIST
11 UNDER THIS ARTICLE.

12 (C) IS OF GOOD MORAL CHARACTER.

13 (D) HAS TAUGHT SKIN CARE IN A SCHOOL IN THIS OR ANY OTHER
14 STATE WHERE THE PRACTICE IS PERMITTED BY LAW NOT LESS THAN 1 YEAR
15 BEFORE JANUARY 1, 1989.

16 SEC. 1205D. THE DEPARTMENT SHALL ISSUE A MANICURING
17 INSTRUCTOR LICENSE TO AN INDIVIDUAL WHO MEETS ALL OF THE
18 FOLLOWING:

19 (A) IS LICENSED AS A COSMETOLOGIST OR MANICURIST UNDER THIS
20 ARTICLE.

21 (B) HAS GRADUATED FROM HIGH SCHOOL OR COMPLETED AN EQUIVA-
22 LENT EDUCATION.

23 (C) IS OF GOOD MORAL CHARACTER.

24 (D) HAS PASSED AN EXAMINATION PRESCRIBED BY THE DEPARTMENT
25 AND THE BOARD OF COSMETOLOGY.

1 (E) HAS COMPLETED A NOT LESS THAN 300-HOUR COURSE IN THE
2 TEACHING OF MANICURING AT A LICENSED SCHOOL OF COSMETOLOGY AS
3 PRESCRIBED IN RULES PROMULGATED BY THE BOARD OF COSMETOLOGY.

4 SEC. 1205E. THE DEPARTMENT SHALL ISSUE A MASTER INSTRUCTOR
5 LICENSE TO AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING:

6 (A) IS LICENSED AS A COSMETOLOGY INSTRUCTOR IN THIS STATE.

7 (B) IS OF GOOD MORAL CHARACTER.

8 (C) HAS HAD NOT LESS THAN 3 YEARS OF PRACTICAL EXPERIENCE IN
9 COSMETOLOGY, AT LEAST 1 YEAR OF WHICH SHALL HAVE BEEN IN A COSME-
10 TOLOGY ESTABLISHMENT LICENSED UNDER THIS ARTICLE.

11 SEC. 1205F. THE BOARD OF COSMETOLOGY MAY PROMULGATE RULES
12 REQUIRING THAT THE COMPLETION OF A PROGRAM OF CONTINUING EDUCA-
13 TION IS NECESSARY FOR THE RENEWAL OF THE LICENSE OF A COSMETOLOGY
14 INSTRUCTOR, A MANICURING INSTRUCTOR, A SKIN CARE INSTRUCTOR, OR A
15 MASTER INSTRUCTOR.

16 Sec. 1206. ~~An owner, or person in charge of a cosmetolo-~~
17 ~~gical establishment or school of cosmetology, shall not permit a~~
18 ~~person to sleep in, or use for residential purposes a room used,~~
19 ~~wholly or in part, for a school of cosmetology or a cosmetolo-~~
20 ~~gical establishment.~~ THE DEPARTMENT SHALL ISSUE AN APPROPRIATE
21 LICENSE TO AN INDIVIDUAL LICENSED AS A COSMETOLOGIST, SKIN CARE
22 SPECIALIST, MANICURIST, COSMETOLOGY INSTRUCTOR, SKIN CARE
23 INSTRUCTOR, MANICURING INSTRUCTOR, OR MASTER INSTRUCTOR UNDER THE
24 LAWS OF ANOTHER STATE OR COUNTRY IF ALL OF THE FOLLOWING ARE
25 MET:

26 (A) THE APPLICANT IS NOT LESS THAN 17 YEARS OF AGE.

1 (B) THE APPLICANT IS OF GOOD MORAL CHARACTER.

2 (C) THE APPLICANT PROVIDES CERTIFICATION THAT THE LICENSE IS
3 EITHER IN GOOD STANDING IN THE OTHER STATE OR COUNTRY OR HAS
4 LAPSED WITHOUT DISCIPLINARY ACTION.

5 (D) THE TRAINING RECEIVED IN THE OTHER STATE OR COUNTRY IS
6 SUBSTANTIALLY EQUIVALENT TO THE REQUIREMENTS IN THIS STATE AT THE
7 TIME OF APPLICATION, AS DETERMINED BY THE DEPARTMENT. THE
8 DEPARTMENT SHALL SUBSTITUTE YEARS OR MONTHS OF EXPERIENCE AFTER
9 TRAINING FOR HOURS OF TRAINING IN A RATIO OF 100 HOURS OF TRAIN-
10 ING CREDITED FOR EACH 6 MONTHS OF EXPERIENCE.

11 (E) THE REQUIREMENTS FOR LICENSURE IN THE OTHER STATE OR
12 COUNTRY, OTHER THAN THOSE DESCRIBED IN SUBDIVISION (D), WERE SUB-
13 STANTIALLY EQUIVALENT TO THE REQUIREMENTS IN THIS STATE AT THE
14 TIME OF LICENSURE IN THE OTHER STATE OR COUNTRY, AS DETERMINED BY
15 THE DEPARTMENT.

16 Sec. 1207. ~~The department shall issue a license to prac-~~

17 ~~tice cosmetology to an individual who fulfills all of the follow-~~
18 ~~ing requirements:~~

19 ~~(a) Passes an examination prescribed by the department and~~
20 ~~the board, which examination shall include both a practical~~
21 ~~demonstration and a written or oral test and shall not be con-~~
22 ~~finied to a specific system or method.~~

23 ~~(b) Presents a diploma, issued to the applicant by a school~~
24 ~~of cosmetology licensed by the department, showing that the~~
25 ~~applicant has completed the course of study in the school pre-~~
26 ~~scribed by the department, or furnishes proof of having completed~~

1 ~~the required time in a licensed school of cosmetology as~~
2 ~~prescribed by the department.~~

3 ~~(c) Is at least 17 years of age.~~

4 ~~(d) Is of good moral character.~~

5 ~~(e) Has had an education equivalent to the completion of the~~
6 ~~ninth grade of public school.~~

7 ~~(f) Has had training of at least 1,500 hours extending over~~
8 ~~a period of at least 10 months in a school of cosmetology~~
9 ~~approved by the department, or has served at least 2 years as an~~
10 ~~apprentice in a licensed cosmetological establishment in which~~
11 ~~cosmetology is practiced.~~

12 (1) THE DEPARTMENT SHALL ISSUE A LICENSE TO A PERSON FOR THE
13 OPERATION OF A COSMETOLOGY ESTABLISHMENT, MANICURING ESTABLISH-
14 MENT, OR SKIN CARE ESTABLISHMENT IF ALL OF THE FOLLOWING REQUIRE-
15 MENTS ARE MET:

16 (A) AN APPLICATION IS MADE BY THE OWNERS OR MANAGERS OF THE
17 ESTABLISHMENT.

18 (B) THE APPLICATION INCLUDES A DRAWING OR DIAGRAM INDICATING
19 THE PREMISES TO BE LICENSED AND THE LOCATION OF REQUIRED EQUIP-
20 MENT AND FACILITIES.

21 (C) THE PREMISES HAS SATISFACTORILY PASSED AN INSPECTION
22 CONDUCTED BY THE DEPARTMENT FOR THE PURPOSE OF DETERMINING THAT
23 THE ESTABLISHMENT HAS MET SANITATION AND EQUIPMENT STANDARDS PRE-
24 SCRIBED IN RULES PROMULGATED BY THE DEPARTMENT.

25 (D) PROVISION HAS BEEN MADE FOR DAILY OPERATIONS TO BE UNDER
26 THE SUPERVISION OF A LICENSED INDIVIDUAL WHO HAS HAD AT LEAST

1 1 YEAR OF PRACTICAL EXPERIENCE IN THE SERVICES TO BE RENDERED IN
2 THE ESTABLISHMENT.

3 (2) A COSMETOLOGY ESTABLISHMENT, MANICURING ESTABLISHMENT,
4 OR SKIN CARE ESTABLISHMENT SHALL BE COMPLETELY PARTITIONED FROM A
5 DWELLING AND SHALL NOT BE OCCUPIED FOR LODGING OR RESIDENTIAL
6 PURPOSES.

7 (3) THE TRANSFER OF OWNERSHIP OR LOCATION OF A COSMETOLOGY
8 ESTABLISHMENT, MANICURING ESTABLISHMENT, OR SKIN CARE ESTABLISH-
9 MENT SHALL OPERATE AS AN AUTOMATIC REVOCATION OF THE LICENSE. A
10 NEW LICENSE SHALL NOT BE GRANTED TO A NEW OWNER OR NEW LOCATION
11 UNTIL THE REQUIREMENTS OF SUBSECTION (1) HAVE BEEN FULFILLED.

12 (4) THE LICENSES OF THE COSMETOLOGY ESTABLISHMENT, MANICUR-
13 ING ESTABLISHMENT, OR SKIN CARE ESTABLISHMENT AND ALL LICENSEES
14 WORKING IN THE ESTABLISHMENT SHALL BE DISPLAYED IN A PROMINENT
15 PLACE WHICH IS VISIBLE TO THE PUBLIC AT ALL TIMES. THE LICENSES
16 OF INDIVIDUALS WORKING IN THE ESTABLISHMENT MAY BE POSTED AT THE
17 LICENSEE'S WORK STATION.

18 (5) THE DEPARTMENT MAY GRANT A TEMPORARY ESTABLISHMENT
19 LICENSE TO A PERSON WHO HAS FULFILLED ALL REQUIREMENTS OF THIS
20 SECTION, EXCEPT THE COMPLETION OF THE INSPECTION.

21 Sec. 1208. (1) ~~The department shall admit to examination~~
22 ~~for a license as an electrologist, an individual who has made~~
23 ~~application to the department, is not less than 18 years of age,~~
24 ~~is of good moral character, and has had a minimum training of 300~~
25 ~~hours under the immediate supervision of a licensed electrologist~~
26 ~~in a school of cosmetology in which the practice is taught or has~~
27 ~~studied under a licensed electrologist who has had at least 3~~

~~1 years' practical experience as an electrologist for a period of~~
~~2 +2 months.~~ THE DEPARTMENT SHALL ISSUE A LICENSE TO A PERSON FOR
3 THE OPERATION OF A SCHOOL OF COSMETOLOGY IF ALL OF THE FOLLOWING
4 REQUIREMENTS ARE MET:

5 (A) AN APPLICATION IS MADE BY THE OWNERS OR MANAGERS OF THE
6 SCHOOL.

7 (B) THE APPLICATION INCLUDES A DRAWING OR DIAGRAM THAT INDI-
8 CATES THE PREMISES TO BE LICENSED THE LOCATION OF REQUIRED
9 EQUIPMENT AND FACILITIES, AND THAT THE PREMISES IS FULLY PARTI-
10 TIONED FROM ANY OTHER ACTIVITY, BUSINESS, OR DWELLING.

11 (C) THE PREMISES HAS SATISFACTORILY PASSED AN INSPECTION BY
12 THE DEPARTMENT CONDUCTED FOR THE PURPOSE OF DETERMINING WHETHER
13 THE SCHOOL HAS MET SANITATION AND EQUIPMENT STANDARDS PRESCRIBED
14 IN RULES PROMULGATED BY THE BOARD OF COSMETOLOGY.

15 (D) A CASH OR SURETY BOND OF \$10,000.00 HAS BEEN FURNISHED
16 IN FAVOR OF THE PEOPLE OF THIS STATE FOR THE USE AND BENEFIT OF
17 STUDENTS AND CONDITIONED UPON THE FAITHFUL PERFORMANCE AND SATIS-
18 FACTION OF THE CONTRACTUAL RIGHTS OF STUDENTS.

19 (E) PROVISION HAS BEEN MADE FOR THE DAILY ATTENDANCE AND
20 SUPERVISION OF AT LEAST 1 MASTER INSTRUCTOR.

21 (2) THE TRANSFER OF OWNERSHIP OR LOCATION OF A SCHOOL OF
22 COSMETOLOGY SHALL OPERATE AS AN AUTOMATIC REVOCATION OF THE
23 LICENSE. A NEW LICENSE SHALL NOT BE GRANTED UNTIL THE REQUIRE-
24 MENTS OF SUBSECTION (1) HAVE BEEN MET.

25 Sec. 1209. (1) ~~The department shall admit to examination~~
~~26 for a license as a manicurist, an individual who has made an~~
~~27 application to the department, is at least 17 years of age, is of~~

1 ~~good moral character, and has had a minimum training of 300 hours~~
2 ~~under the supervision of a licensed manicurist, or a licensed~~
3 ~~cosmetologist in a licensed school of cosmetology, or shall have~~
4 ~~spent at least 6 months in a licensed cosmetological establish-~~
5 ~~ment where the subject is practiced.~~ A SCHOOL OF COSMETOLOGY
6 SHALL COMPLY WITH ALL OF THE FOLLOWING REQUIREMENTS:

7 (A) THE LICENSE OF THE SCHOOL OF COSMETOLOGY AND ALL
8 LICENSES OF ITS INSTRUCTORS SHALL BE DISPLAYED IN A PROMINENT
9 PLACE WHICH IS VISIBLE TO THE PUBLIC AT ALL TIMES.

10 (B) A NOTICE SHALL BE POSTED INDICATING THAT THE SERVICES
11 RENDERED TO THE PUBLIC ARE PERFORMED BY STUDENTS.

12 (C) A RATIO OF NOT LESS THAN 1 INSTRUCTOR FOR EACH 20 STU-
13 DENTS ATTENDING AT ANY 1 TIME SHALL BE MAINTAINED.

14 (D) THE PREMISES SHALL NOT BE USED FOR LODGING OR RESIDEN-
15 TIAL PURPOSES.

16 (E) A DAILY RECORD OF THE ATTENDANCE OF EACH STUDENT SHALL
17 BE KEPT AND FILED MONTHLY WITH THE DEPARTMENT.

18 (F) GRADES SHALL BE GIVEN AND A FINAL EXAMINATION SHALL BE
19 ADMINISTERED AS A REQUIREMENT OF COMPLETION OF TRAINING.

20 (G) A CERTIFICATE OF COMPLETION OR DIPLOMA SHALL BE GIVEN TO
21 EACH STUDENT WHO HAS SATISFACTORILY COMPLETED THE MINIMUM PRACTI-
22 CAL APPLICATIONS AND CLOCK HOURS REQUIRED IN RULES PROMULGATED BY
23 THE BOARD AND PASSED THE FINAL EXAMINATION.

24 (H) STUDENTS SHALL NOT BE REQUIRED TO ATTEND MORE THAN
25 7 HOURS A DAY NOR MORE THAN 40 HOURS PER WEEK.

26 (I) EQUIPMENT SHALL BE MAINTAINED AS PRESCRIBED IN RULES
27 PROMULGATED BY THE BOARD OF COSMETOLOGY UNDER THIS ARTICLE.

1 (J) INDIVIDUALS UNDER 16 YEARS OF AGE SHALL NOT BE ENROLLED
2 AS STUDENTS.

3 (K) EACH STUDENT ENROLLED SHALL BE LICENSED BY THE DEPART-
4 MENT AND SHALL SUBMIT PROOF OF COMPLETION OF A NINTH GRADE EDUCA-
5 TION WITH THE APPLICATION FOR STUDENT LICENSURE. NEITHER COMPLE-
6 TION OF A NINTH GRADE EDUCATION NOR THE MINIMUM AGE REQUIREMENT
7 IS REQUIRED FOR A SCHOOL OF COSMETOLOGY WHICH IS CONDUCTED AS
8 PART OF THE CURRICULUM OF A PUBLIC SCHOOL AND APPROVED BY THE
9 STATE BOARD OF EDUCATION.

10 (2) A SCHOOL TEACHING COSMETOLOGY SHALL PROVIDE A TRAINING
11 PROGRAM OF NOT LESS THAN 1,500 HOURS OF THE CURRICULUM PRESCRIBED
12 BY THE BOARD OF COSMETOLOGY IN RULES PROMULGATED UNDER THIS
13 ARTICLE. A COSMETOLOGY STUDENT SHALL NOT PRACTICE ON MEMBERS OF
14 THE PUBLIC UNTIL HE OR SHE HAS COMPLETED NOT LESS THAN 350 HOURS
15 OF TRAINING, INCLUDING 100 HOURS OF THEORY.

16 (3) A SCHOOL OF COSMETOLOGY OFFERING A TRAINING PROGRAM IN
17 MANICURING SHALL PROVIDE A PROGRAM OF NOT LESS THAN 400 HOURS OF
18 THE CURRICULUM PRESCRIBED BY THE BOARD OF COSMETOLOGY IN RULES
19 PROMULGATED UNDER THIS ARTICLE. A STUDENT SHALL NOT PRACTICE ON
20 MEMBERS OF THE PUBLIC UNTIL HE OR SHE HAS COMPLETED NOT LESS THAN
21 80 HOURS OF TRAINING, INCLUDING NOT LESS THAN 40 HOURS OF
22 THEORY.

23 (4) A SCHOOL OF COSMETOLOGY OFFERING TRAINING IN SKIN CARE
24 SHALL PROVIDE A PROGRAM OF NOT LESS THAN 600 HOURS OF THE CURRIC-
25 ULUM PRESCRIBED BY THE BOARD IN RULES PROMULGATED UNDER THIS
26 ACT. A STUDENT SHALL NOT PRACTICE ON MEMBERS OF THE PUBLIC UNTIL

1 HE OR SHE HAS COMPLETED NOT LESS THAN 200 HOURS OF TRAINING
2 INCLUDING NOT LESS THAN 80 HOURS OF THEORY.

3 (5) AT THE TIME A STUDENT IS ENROLLED, A SCHOOL OF COSMETOL-
4 OGY SHALL EXECUTE A CONTRACT WITH THE STUDENT PROVIDING FOR ALL
5 OF THE FOLLOWING:

6 (A) THE TOTAL COST OF THE COURSE AND SUPPLIES, INCLUDING THE
7 COST OF A KIT IF THAT COST IS NOT INCLUDED IN THE COST OF THE
8 COURSE.

9 (B) THE TYPE OF COURSE TO BE TAKEN.

10 (C) THE TOTAL HOURS OF INSTRUCTION REQUIRED.

11 (D) A PAYMENT SCHEDULE.

12 (E) IF A KIT IS SUPPLIED, A LIST OF EQUIPMENT CONTAINED IN
13 THE KIT.

14 (F) A STATEMENT OF THE STUDENT'S RESPONSIBILITIES.

15 (G) A STATEMENT OF THE SCHOOL'S RESPONSIBILITY TO PROVIDE
16 INSTRUCTION IN ALL PHASES OF THE REQUIRED SUBJECTS AND TO PROVIDE
17 PROPER EQUIPMENT AND MATERIALS AS PRESCRIBED IN RULES PROMULGATED
18 BY THE BOARD OF COSMETOLOGY UNDER THIS ACT.

19 (H) A STATEMENT THAT TRAINING SHALL NOT BE DENIED TO A STU-
20 DENT ON THE BASIS OF A LACK OF GOOD MORAL CHARACTER, BUT THAT A
21 PRIOR CRIMINAL CONVICTION MAY ADVERSELY AFFECT OR DELAY HIS OR
22 HER ABILITY TO MEET THE LICENSURE REQUIREMENTS OF THIS ARTICLE.

23 (6) ADVERTISING BY A SCHOOL OF COSMETOLOGY WHICH INCLUDES
24 THE COST OF TUITION SHALL INCLUDE IN THE ADVERTISING THE INFORMA-
25 TION SET FORTH IN SUBSECTION (5)(A), (B), AND (C).

26 (7) A COSMETOLOGY ESTABLISHMENT, A SKIN CARE ESTABLISHMENT,
27 OR A MANICURING ESTABLISHMENT WHICH TEACHES PRELICENSURE COURSES

1 IN COSMETOLOGY, MANICURING, OR SKIN CARE SHALL BE CONSIDERED A
2 SCHOOL AND SHALL BE SUBJECT TO THE LICENSURE REQUIREMENTS OF THIS
3 ARTICLE CONCERNING A SCHOOL OF COSMETOLOGY.

4 Sec. 1210. (1) ~~An application for admission to examina-~~
5 ~~tion, and an application for licensure as a cosmetologist, elec-~~
6 ~~trologist, or manicurist shall be in writing on a blank prepared~~
7 ~~and furnished by the department. An application shall contain~~
8 ~~proof of the qualifications of the applicant for examination as~~
9 ~~provided in this article, and shall be verified by the oath of~~
10 ~~the applicant.~~ ANY STUDENT ENROLLED IN A PROGRAM OF TRAINING FOR
11 LICENSURE AS A COSMETOLOGIST, MANICURIST, OR INSTRUCTOR OF COSME-
12 TOLOGY ON THE EFFECTIVE DATE OF THIS AMENDATORY ACT SHALL BE PER-
13 MITTED TO FINISH THE TRAINING PROGRAM AND BECOME LICENSED UNDER
14 THE STANDARDS EFFECTIVE AT THE TIME HE OR SHE WAS ENROLLED.

15 (2) THIS SECTION IS REPEALED EFFECTIVE JANUARY 1, 1992.

16 Sec. 1211. (1) ~~Upon an application to the department, an~~
17 ~~individual licensed as a cosmetologist under the laws of another~~
18 ~~state shall, without examination, be granted a license to prac-~~
19 ~~tice the occupation in which that individual was previously~~
20 ~~licensed if the applicant is not less than 17 years of age, is of~~
21 ~~good moral character, and the requirements for registration or~~
22 ~~licensure as a cosmetologist in the particular state were sub-~~
23 ~~stantially equal to the requirements then in force in this~~
24 ~~state. Years or months of experience as a licensed cosmetolo-~~
25 ~~gist, electrologist, or manicurist may be substituted for hours~~
26 ~~of training in a ratio of 100 hours of training credited for each~~
27 ~~6 months of experience. An individual applying for licensure~~

~~1 having qualifications acquired outside of the United States shall~~
~~2 provide proof of training or experience, or both, as a~~
~~3 cosmetologist. The department may determine whether or not an~~
~~4 applicant is qualified to be admitted for examination for~~
~~5 licensure.~~ THIS ARTICLE DOES NOT PREVENT A SALESPERSON FROM
6 DEMONSTRATING A PRODUCT ON THE FACE OR HAND OF A CUSTOMER OR
7 POTENTIAL CUSTOMER, IF DIRECT OR INDIRECT COMPENSATION FOR THE
8 DEMONSTRATION, OTHER THAN THE SALE OF THE PRODUCT, IS NEITHER
9 RECEIVED NOR EXPECTED FROM THE CUSTOMER OR POTENTIAL CUSTOMER.
10 THE DEMONSTRATION OF A PRODUCT IS LIMITED TO APPLYING ONLY AS
11 MUCH OF THE PRODUCT AS IS NECESSARY TO SHOW ITS CORRECT USE OR
12 COLOR.

13 (2) A PERSON WHO DEMONSTRATES A COSMETOLOGY DEVICE, TECH-
14 NIQUE, OR PREPARATION IN A SCHOOL LICENSED UNDER THIS ARTICLE
15 NEED NOT BE LICENSED AS AN INSTRUCTOR, BUT SHALL BE LICENSED AS A
16 COSMETOLOGIST IN THIS OR ANY OTHER STATE. SUCH DEMONSTRATIONS
17 SHALL NOT BE USED TO EVADE THE REQUIREMENT FOR MAINTAINING A
18 PROPER INSTRUCTOR-STUDENT RATIO, BUT ONLY TO DEMONSTRATE UNIQUE
19 AND DIFFERENT DEVICES, TECHNIQUES, AND PREPARATIONS TO STUDENTS
20 AND INSTRUCTORS. A LICENSED INSTRUCTOR SHALL BE PRESENT IN THE
21 CLASSROOM DURING THE DEMONSTRATION.

22 (3) IF, AS PART OF A CONVENTION, SHOW, OR SEMINAR, A DEMON-
23 STRATION IS TO BE GIVEN TO LICENSEES ON PREMISES WHICH ARE NOT
24 LICENSED AS AN ESTABLISHMENT OR SCHOOL UNDER THIS ARTICLE OR
25 ARTICLE 11, THE PREMISES SHALL PROVIDE SUFFICIENT FACILITIES AND
26 EQUIPMENT TO PERMIT THE SANITARY AND SAFE DEMONSTRATION OF THE
27 DEVICE, TECHNIQUE, OR PREPARATION, BUT SHALL NOT BE REQUIRED TO

1 FULFILL ALL EQUIPMENT AND FACILITY STANDARDS REQUIRED OF LICENSED
2 ESTABLISHMENTS AS PRESCRIBED IN RULES PROMULGATED UNDER THIS
3 ARTICLE.

4 (4) A DEMONSTRATION ON UNLICENSED PREMISES SHALL CONTINUE
5 NOT MORE THAN 7 DAYS.

6 SEC. 1212A. A PERSON WHO DOES 1 OR MORE OF THE FOLLOWING IS
7 IN VIOLATION OF THIS ARTICLE AND SHALL BE SUBJECT TO THE PENAL-
8 TIES SET FORTH IN ARTICLE 6:

9 (A) PRACTICES, CONTINUES PRACTICE, OR ALLOWS ANOTHER TO
10 PRACTICE WHILE KNOWINGLY HAVING A COMMUNICABLE DISEASE AS DEFINED
11 BY SECTION 5101 OF THE PUBLIC HEALTH CODE, ACT NO. 368 OF THE
12 PUBLIC ACTS OF 1978, BEING SECTION 333.5101 OF THE MICHIGAN
13 COMPILED LAWS.

14 (B) PROVIDES ANY SERVICE REGULATED BY THIS ARTICLE ON
15 PREMISES NOT LICENSED AS AN ESTABLISHMENT OR SCHOOL, EXCEPT AS
16 EXEMPTED BY SECTIONS 1203 AND 1211.

17 (C) RENDERS OR OFFERS TO RENDER ANY SERVICE OR OPERATES AN
18 ESTABLISHMENT OR SCHOOL REGULATED BY THIS ARTICLE WITHOUT PROPER
19 LICENSURE UNDER THIS ARTICLE.

20 (D) EMPLOYS OR USES AN UNLICENSED PERSON TO PRACTICE OR TO
21 TEACH THE PRACTICE REGULATED UNDER THIS ARTICLE.

22 (E) USES ANOTHER PERSON'S LICENSE OR ALLOWS A PERSON'S
23 LICENSE TO BE USED BY ANY OTHER PERSON.

24 (F) PROVIDES SERVICES IN A NEGLIGENT OR INCOMPETENT MANNER
25 WHICH CAUSES DAMAGE TO A PERSON'S HAIR, SKIN, SCALP, NAILS, OR
26 ANY OTHER BODY PART.

1 (G) FAILS OR REFUSES TO PERMIT INSPECTION OF AN
2 ESTABLISHMENT OR SCHOOL BY THE DEPARTMENT.

3 (H) RECEIVES COMPENSATION FOR PERFORMING SERVICES REGULATED
4 UNDER THIS ARTICLE WHILE A STUDENT.

5 (I) AS AN INSTRUCTOR, RENDERS SERVICES TO THE PUBLIC OTHER
6 THAN TO INSTRUCT OR TO CORRECT THE WORK OF A STUDENT.

7 (J) FAILS TO ABIDE BY SANITATION STANDARDS SET FORTH IN
8 RULES PROMULGATED BY THE BOARD OF COSMETOLOGY UNDER THIS
9 ARTICLE.

10 (K) MISREPRESENTS A MATERIAL FACT TO THE DEPARTMENT.

11 (L) FAILS TO NOTIFY THE DEPARTMENT OF A CHANGE OF ADDRESS
12 WITHIN 30 DAYS AFTER THE CHANGE.

13 SEC. 1213A. (1) LICENSES ISSUED UNDER THIS ARTICLE EXPIRE
14 ON THE DATE PRESCRIBED IN RULES PROMULGATED BY THE DEPARTMENT AND
15 MAY BE RENEWED UPON FILING AN APPLICATION WITH THE DEPARTMENT AND
16 PAYMENT OF RENEWAL FEES. A LICENSEE SHALL RENEW A LICENSE BEFORE
17 ITS EXPIRATION AND ADVISE THE DEPARTMENT OF ANY CHANGE IN
18 ADDRESS. FAILURE TO NOTIFY THE DEPARTMENT OF A CHANGE OF ADDRESS
19 DOES NOT OPERATE TO EXTEND THE TIME ALLOWED FOR RENEWAL OF A
20 LICENSE OR FOR OPERATING UNDER THE LICENSE.

21 (2) A PERSON WHO FAILS TO RENEW A LICENSE BEFORE ITS EXPIRA-
22 TION MAY RENEW THE LICENSE WITHIN THE 60 DAYS FOLLOWING ITS EXPI-
23 RATION BY COMPLETING A RENEWAL APPLICATION, PAYING RENEWAL FEES,
24 AND PAYING A LATE RENEWAL PENALTY.

25 (3) A PERSON WHO FAILS TO RENEW A LICENSE WITHIN 60 DAYS
26 AFTER ITS EXPIRATION MAY RENEW THE LICENSE UPON SHOWING
27 COMPLIANCE WITH ALL REQUIREMENTS OF THIS ARTICLE FOR ORIGINAL

1 LICENSURE. IF THE APPLICATION FOR RENEWAL IS FILED WITHIN
2 3 YEARS AFTER THE DATE OF EXPIRATION OF THE LICENSE, THE COMPLE-
3 TION OF A NEW LICENSING EXAMINATION IS NOT REQUIRED. IF THE
4 APPLICATION FOR RENEWAL IS SUBMITTED AFTER THE 3-YEAR PERIOD, AN
5 APPLICANT FOR RELICENSURE SHALL MEET ALL QUALIFICATIONS FOR
6 LICENSURE, INCLUDING THE PASSING OF A NEW EXAMINATION.

7 Sec. 1214. (1) ~~A school of cosmetology or an establishment~~
8 ~~of cosmetology upon enrolling a student or apprentice shall file~~
9 ~~an application with the department and shall obtain proof of at~~
10 ~~least a ninth grade education or the equivalent of a ninth grade~~
11 ~~education. The application and proof of education shall be kept~~
12 ~~on file until the student or apprentice makes application for~~
13 ~~examination to obtain a license as a cosmetologist. The ninth~~
14 ~~grade education requirement shall not apply to a student enroll-~~
15 ~~ing in a program offered as a part of the regular curriculum of a~~
16 ~~public school and approved by the state board of education. A~~
17 PERSON SEEKING LICENSURE UNDER THIS ARTICLE SHALL SUBMIT AN
18 APPLICATION AND PAY THE APPROPRIATE FEE AS PRESCRIBED IN
19 ARTICLE 4.

20 (2) ALL APPLICATIONS SHALL BE MADE TO THE DEPARTMENT ON
21 FORMS PROVIDED BY THE DEPARTMENT AND SHALL CONTAIN ANY INFORMA-
22 TION THE DEPARTMENT MAY REQUIRE.

23 SEC. 1215A. (1) THE DEPARTMENT SHALL INSPECT EACH COSMETOL-
24 OGY ESTABLISHMENT, SKIN CARE ESTABLISHMENT, AND MANICURING ESTAB-
25 LISHMENT NOT LESS THAN ONCE A YEAR.

26 (2) THE DEPARTMENT SHALL INSPECT EACH SCHOOL OF COSMETOLOGY
27 NOT LESS THAN TWICE A YEAR.

1 (3) AN EMPLOYEE OR CONTRACTOR FROM THE DEPARTMENT OR A BOARD
2 OF COSMETOLOGY MEMBER SHALL BE ALLOWED TO ENTER AND INSPECT AN
3 ESTABLISHMENT OR SCHOOL DURING REGULAR BUSINESS HOURS TO DETER-
4 MINE WHETHER A LICENSEE IS CONFORMING TO THIS ARTICLE AND THE
5 RULES PROMULGATED UNDER THIS ARTICLE.

6 (4) A REPRESENTATIVE OF THE DEPARTMENT, WHEN INSPECTING AN
7 ESTABLISHMENT, MAY REQUIRE AN INDIVIDUAL CLAIMING TO BE A
8 LICENSEE TO PRESENT IDENTIFICATION TO SUBSTANTIATE HIS OR HER
9 IDENTITY AS THE HOLDER OF A POSTED LICENSE.

10 ARTICLE 30

11 SEC. 3001. AS USED IN THIS ARTICLE:

12 (A) "ELECTROLOGIST" MEANS A PERSON WHO ENGAGES IN, RENDERS,
13 OR OFFERS TO RENDER ELECTROLOGY.

14 (B) "ELECTROLOGY" MEANS THE PERMANENT REMOVAL OF HAIR FROM
15 THE BODY OF A PERSON BY THE USE OF AN ELECTRONIC NEEDLE EMPLOYING
16 1 OR MORE OF THE FOLLOWING METHODS:

17 (i) ALTERNATING CURRENT.

18 (ii) GALVANIC CURRENT.

19 (iii) A BLEND OF ALTERNATING OR GALVANIC CURRENT.

20 (C) "ELECTROLOGY ESTABLISHMENT" MEANS THE PREMISES WHERE
21 ELECTROLOGY IS RENDERED OR OFFERED TO BE RENDERED.

22 (D) "IMMEDIATE FAMILY" MEANS PERSONS RESIDING TOGETHER WHO
23 ARE RELATED BY BIRTH, MARRIAGE, OR ADOPTION.

24 (E) "INSTRUCTOR" MEANS A PERSON WHO TEACHES OR OFFERS TO
25 TEACH ELECTROLOGY.

26 (F) "SCHOOL OF ELECTROLOGY" MEANS THE PREMISES WHERE
27 ELECTROLOGY IS TAUGHT.

1 (G) "STUDENT" MEANS A PERSON ENGAGED IN LEARNING
2 ELECTROLOGY.

3 SEC. 3003. A BOARD OF ELECTROLOGY IS CREATED. FIVE OF THE
4 MEMBERS OF THE BOARD SHALL BE LICENSED ELECTROLOGISTS WHO HAVE
5 BEEN ACTIVELY ENGAGED IN THE PRACTICE OF ELECTROLOGY FOR NOT LESS
6 THAN THE 3 YEARS IMMEDIATELY PRECEDING THEIR APPOINTMENT. ONE
7 MEMBER SHALL BE A PERSON WHO HAS BEEN ACTIVELY ENGAGED IN TEACH-
8 ING ELECTROLOGY IN THIS STATE FOR NOT LESS THAN THE 3 YEARS IMME-
9 DIATELY PRECEDING HIS OR HER APPOINTMENT AND WHO OWNS AN INTEREST
10 IN A SCHOOL OF ELECTROLOGY. THREE MEMBERS SHALL REPRESENT THE
11 GENERAL PUBLIC.

12 SEC. 3005. (1) A PERSON SHALL NOT RENDER OR OFFER TO RENDER
13 ANY FORM OF ELECTROLOGY SERVICES, WITH OR WITHOUT COMPENSATION,
14 ON ANY PERSON OTHER THAN A MEMBER OF HIS OR HER IMMEDIATE FAMILY
15 WITHOUT A LICENSE ISSUED UNDER THIS ARTICLE.

16 (2) EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, ELECTROL-
17 OGY SERVICES SHALL ONLY BE RENDERED OR OFFERED TO BE RENDERED IN
18 PREMISES LICENSED BY THE DEPARTMENT UNDER THIS ARTICLE.

19 (3) A LICENSEE MAY RENDER SERVICES TO AN INDIVIDUAL CONFINED
20 TO A HOSPITAL, NURSING HOME, HOME FOR THE AGED, OR A PRIVATE RES-
21 IDENCE BECAUSE OF ILLNESS OR INFIRMITY. IF SPACE IS PROVIDED FOR
22 THE PURPOSE OF PRACTICING ELECTROLOGY IN A HOSPITAL, NURSING
23 HOME, OR HOME FOR THE AGED, THE PREMISES SHALL BE LICENSED AS AN
24 ELECTROLOGY ESTABLISHMENT BY THE LICENSEE.

25 SEC. 3007. THE DEPARTMENT SHALL ISSUE AN ELECTROLOGIST
26 LICENSE TO AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING:

(A) IS NOT LESS THAN 18 YEARS OF AGE.

(B) IS OF GOOD MORAL CHARACTER.

(C) HAS HAD AN EDUCATION EQUIVALENT TO THE COMPLETION OF HIGH SCHOOL.

(D) HAS COMPLETED NOT LESS THAN A 600-HOUR COURSE OF STUDY AT A LICENSED SCHOOL OF ELECTROLOGY AS PRESCRIBED IN RULES PROMULGATED BY THE BOARD.

(E) HAS PASSED AN EXAMINATION PRESCRIBED BY THE DEPARTMENT AND THE BOARD.

SEC. 3009. (1) A PERSON SHALL NOT TEACH ELECTROLOGY UNLESS LICENSED AS AN ELECTROLOGY INSTRUCTOR UNDER THIS ARTICLE. A PERSON LICENSED AS A LIMITED ELECTROLOGY INSTRUCTOR SHALL TEACH ONLY UNDER THE SUPERVISION OF A FULLY LICENSED INSTRUCTOR.

(2) THE BOARD MAY PROMULGATE RULES REQUIRING THAT INSTRUCTORS COMPLETE A PROGRAM OF CONTINUING EDUCATION AS A REQUIREMENT OF LICENSURE RENEWAL.

SEC. 3011. (1) THE DEPARTMENT SHALL ISSUE AN ELECTROLOGY INSTRUCTOR LICENSE TO AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING:

(A) IS LICENSED AS AN ELECTROLOGIST UNDER THIS ARTICLE.

(B) IS OF GOOD MORAL CHARACTER.

(C) HAS HAD NOT LESS THAN 3 YEARS OF PRACTICAL EXPERIENCE IN ELECTROLOGY.

(D) HAS PASSED AN EXAMINATION PRESCRIBED BY THE DEPARTMENT AND BOARD AND COMPLETED NOT LESS THAN A 500-HOUR COURSE IN THE TEACHING OF ELECTROLOGY AS PRESCRIBED IN RULES PROMULGATED BY THE BOARD.

1 (2) THE DEPARTMENT SHALL ISSUE AN ELECTROLOGY INSTRUCTOR
2 LICENSE TO AN INDIVIDUAL WHO APPLIES BEFORE JANUARY 1, 1991, AND
3 MEETS ALL OF THE FOLLOWING:

4 (A) IS LICENSED AS AN ELECTROLOGIST UNDER THIS ARTICLE.

5 (B) IS OF GOOD MORAL CHARACTER.

6 (C) HAS TAUGHT ELECTROLOGY AT LEAST 1 YEAR BEFORE JANUARY 1,
7 1989.

8 SEC. 3013. THE DEPARTMENT SHALL ISSUE A LIMITED INSTRUCTOR
9 LICENSE TO AN INDIVIDUAL THAT MEETS ALL OF THE REQUIREMENTS OF
10 SECTION 3011(1) EXCEPT THE REQUIREMENT OF NOT LESS THAN 3 YEARS
11 OF PRACTICAL EXPERIENCE IN ELECTROLOGY.

12 SEC. 3015. THE DEPARTMENT SHALL ISSUE AN APPROPRIATE
13 LICENSE TO AN INDIVIDUAL LICENSED AS AN ELECTROLOGIST OR AN
14 INSTRUCTOR UNDER THE LAWS OF ANOTHER STATE OR COUNTRY IF ALL OF
15 THE FOLLOWING ARE MET:

16 (A) THE APPLICANT IS NOT LESS THAN 18 YEARS OF AGE.

17 (B) THE APPLICANT IS OF GOOD MORAL CHARACTER.

18 (C) THE APPLICANT PROVIDES CERTIFICATION THAT THE LICENSE IS
19 EITHER IN GOOD STANDING IN THE OTHER STATE OR COUNTRY OR HAS
20 LAPSED WITHOUT DISCIPLINARY ACTION.

21 (D) THE TRAINING RECEIVED IN THE OTHER STATE OR COUNTRY IS
22 SUBSTANTIALLY EQUIVALENT TO THE REQUIREMENTS IN THIS STATE AT THE
23 TIME OF APPLICATION, AS DETERMINED BY THE DEPARTMENT. THE
24 DEPARTMENT SHALL SUBSTITUTE YEARS OR MONTHS OF EXPERIENCE AFTER
25 TRAINING FOR HOURS OF TRAINING IN A RATIO OF 100 HOURS OF TRAIN-
26 ING CREDITED FOR EACH 6 MONTHS OF EXPERIENCE.

1 (E) THE REQUIREMENTS FOR LICENSURE IN THE OTHER STATE OR
2 COUNTRY, OTHER THAN THOSE DESCRIBED IN SUBDIVISION (D), WERE
3 SUBSTANTIALLY EQUIVALENT TO THE REQUIREMENTS IN THIS STATE AT THE
4 TIME OF LICENSURE IN THE OTHER STATE OR COUNTRY, AS DETERMINED BY
5 THE DEPARTMENT.

6 SEC. 3017. (1) THE DEPARTMENT SHALL ISSUE A LICENSE TO A
7 PERSON FOR THE OPERATION OF AN ELECTROLOGY ESTABLISHMENT IF ALL
8 OF THE FOLLOWING REQUIREMENTS ARE MET:

9 (A) AN APPLICATION IS MADE BY THE OWNERS OR MANAGERS OF THE
10 ESTABLISHMENT.

11 (B) THE APPLICATION INCLUDES A DRAWING OR DIAGRAM INDICATING
12 THE PREMISES TO BE LICENSED AND THE LOCATION OF ANY FACILITIES OR
13 EQUIPMENT REQUIRED BY RULES PROMULGATED BY THE BOARD.

14 (C) THE PREMISES HAS SATISFACTORILY PASSED AN INSPECTION
15 CONDUCTED BY THE DEPARTMENT FOR THE PURPOSE OF DETERMINING THAT
16 THE PREMISES MEET SANITATION AND EQUIPMENT STANDARDS PRESCRIBED
17 IN RULES PROMULGATED BY THE BOARD.

18 (D) PROVISION HAS BEEN MADE FOR DAILY OPERATIONS TO BE UNDER
19 THE SUPERVISION OF A LICENSED ELECTROLOGIST WHO HAS HAD AT LEAST
20 1 YEAR OF PRACTICAL EXPERIENCE IN ELECTROLOGY.

21 (2) AN ELECTROLOGY ESTABLISHMENT SHALL BE COMPLETELY PARTI-
22 TIONED FROM A DWELLING AND SHALL NOT BE OCCUPIED FOR LODGING OR
23 RESIDENTIAL PURPOSES.

24 (3) THE TRANSFER OF OWNERSHIP OR LOCATION OF AN ELECTROLOGY
25 ESTABLISHMENT SHALL OPERATE AS AN AUTOMATIC REVOCATION OF THE
26 LICENSE. A NEW LICENSE SHALL NOT BE GRANTED UNTIL THE
27 REQUIREMENTS OF SUBSECTION (1) HAVE BEEN MET.

1 (4) THE LICENSES OF THE ELECTROLOGY ESTABLISHMENT AND ALL
2 LICENSEES WORKING IN THE ESTABLISHMENT SHALL BE DISPLAYED IN A
3 PROMINENT PLACE WHICH IS VISIBLE TO THE PUBLIC AT ALL TIMES. THE
4 LICENSES OF INDIVIDUALS WORKING IN THE ESTABLISHMENT MAY BE
5 POSTED AT THE LICENSEE'S WORK STATION.

6 (5) THE DEPARTMENT MAY GRANT A TEMPORARY ESTABLISHMENT
7 LICENSE TO A PERSON WHO HAS FULFILLED ALL REQUIREMENTS OF THIS
8 SECTION EXCEPT FOR THE COMPLETION OF THE INSPECTION.

9 SEC. 3019. (1) A PERSON SHALL NOT OPERATE A SCHOOL OF ELEC-
10 TROLOGY UNLESS LICENSED UNDER THIS ARTICLE.

11 (2) THE DEPARTMENT SHALL ISSUE A LICENSE TO A PERSON FOR THE
12 OPERATION OF A SCHOOL OF ELECTROLOGY IF ALL OF THE FOLLOWING
13 REQUIREMENTS ARE MET:

14 (A) AN APPLICATION IS MADE BY THE OWNERS OR MANAGERS OF THE
15 SCHOOL.

16 (B) THE APPLICATION INCLUDES A DRAWING OR DIAGRAM THAT INDI-
17 CATES THE PREMISES TO BE LICENSED, THE LOCATION OF REQUIRED
18 EQUIPMENT OR FACILITIES, AND THAT THE PREMISES IS FULLY PARTI-
19 TIONED FROM ANY OTHER ACTIVITY, BUSINESS, OR DWELLING, INCLUDING
20 AN ELECTROLOGY ESTABLISHMENT.

21 (C) THE PREMISES HAS SATISFACTORILY PASSED AN INSPECTION BY
22 THE DEPARTMENT CONDUCTED FOR THE PURPOSE OF DETERMINING WHETHER
23 THE SCHOOL HAS MET SANITATION AND EQUIPMENT STANDARDS PRESCRIBED
24 IN RULES PROMULGATED BY THE BOARD.

25 (D) A CASH OR SURETY BOND OF \$10,000.00 HAS BEEN FURNISHED
26 IN FAVOR OF THE PEOPLE OF THIS STATE FOR THE USE AND BENEFIT OF

1 STUDENTS AND CONDITIONED UPON THE FAITHFUL PERFORMANCE AND
2 SATISFACTION OF THE CONTRACTUAL RIGHTS OF STUDENTS.

3 (E) PROVISION HAS BEEN MADE FOR THE DAILY SUPERVISION OF THE
4 OPERATIONS OF THE SCHOOL BY AT LEAST 1 INSTRUCTOR FULLY LICENSED
5 AS AN ELECTROLOGY INSTRUCTOR.

6 (3) THE TRANSFER OF OWNERSHIP OR LOCATION OF A SCHOOL OF
7 ELECTROLOGY SHALL OPERATE AS AN AUTOMATIC REVOCATION OF THE
8 LICENSE. A NEW LICENSE SHALL NOT BE GRANTED UNTIL THE REQUIRE-
9 MENTS OF SUBSECTION (2) HAVE BEEN MET.

10 SEC. 3021. (1) A SCHOOL OF ELECTROLOGY SHALL COMPLY WITH
11 ALL OF THE FOLLOWING REQUIREMENTS:

12 (A) THE LICENSE OF THE SCHOOL AND ALL LICENSES OF ITS
13 INSTRUCTORS SHALL BE DISPLAYED IN A PROMINENT PLACE WHICH IS VIS-
14 IBLE TO THE PUBLIC AT ALL TIMES.

15 (B) A NOTICE SHALL BE POSTED INDICATING THAT THE SERVICES
16 RENDERED TO THE PUBLIC ARE PERFORMED BY STUDENTS.

17 (C) A RATIO OF NOT LESS THAN 1 INSTRUCTOR FOR EACH 20 STU-
18 DENTS ATTENDING AT ANY 1 TIME SHALL BE MAINTAINED.

19 (D) THE PREMISES SHALL NOT BE USED FOR LODGING OR RESIDEN-
20 TIAL PURPOSES OR AS AN ELECTROLOGY ESTABLISHMENT.

21 (E) A DAILY RECORD OF THE ATTENDANCE OF EACH STUDENT SHALL
22 BE KEPT AND FILED MONTHLY WITH THE DEPARTMENT.

23 (F) GRADES SHALL BE GIVEN AND A FINAL EXAMINATION SHALL BE
24 ADMINISTERED AS A REQUIREMENT FOR THE COMPLETION OF TRAINING.

25 (G) A CERTIFICATE OF COMPLETION OR DIPLOMA SHALL BE GIVEN TO
26 EACH STUDENT WHO HAS SATISFACTORILY PASSED THE FINAL
27 EXAMINATION.

1 (H) STUDENTS SHALL NOT BE REQUIRED TO ATTEND MORE THAN 7
2 HOURS A DAY NOR MORE THAN 40 HOURS PER WEEK.

3 (I) EQUIPMENT SHALL BE MAINTAINED AS PRESCRIBED IN RULES
4 PROMULGATED BY THE BOARD.

5 (J) INDIVIDUALS UNDER 17 YEARS OF AGE SHALL NOT BE ENROLLED
6 AS STUDENTS.

7 (K) EACH STUDENT ENROLLED SHALL BE LICENSED BY THE DEPART-
8 MENT AND SHALL SUBMIT PROOF OF COMPLETION OF A HIGH SCHOOL EDUCA-
9 TION OR ITS EQUIVALENT WITH THE APPLICATION FOR STUDENT
10 LICENSURE.

11 (2) A SCHOOL OF ELECTROLOGY SHALL PROVIDE A TRAINING PROGRAM
12 OF NOT LESS THAN 600 HOURS OF THE CURRICULUM PRESCRIBED IN RULES
13 PROMULGATED BY THE BOARD. A STUDENT SHALL NOT PRACTICE ON MEM-
14 BERS OF THE PUBLIC UNTIL HE OR SHE HAS COMPLETED NOT LESS THAN
15 200 HOURS OF TRAINING, INCLUDING NOT LESS THAN 80 HOURS OF THEORY
16 AND 80 HOURS OF PRACTICAL TRAINING.

17 (3) AT THE TIME A STUDENT IS ENROLLED, A SCHOOL OF ELECTROL-
18 OGY SHALL EXECUTE A CONTRACT WITH THE STUDENT PROVIDING FOR ALL
19 OF THE FOLLOWING:

20 (A) THE TOTAL COST OF THE COURSE AND SUPPLIES, INCLUDING THE
21 COST OF A KIT IF THAT COST IS NOT INCLUDED IN THE COST OF THE
22 COURSE.

23 (B) THE TOTAL HOURS OF INSTRUCTION REQUIRED.

24 (C) A PAYMENT SCHEDULE.

25 (D) IF A KIT IS SUPPLIED, A LIST OF EQUIPMENT CONTAINED IN
26 THE KIT.

1 (E) A STATEMENT OF THE STUDENT'S RESPONSIBILITIES.

2 (F) A STATEMENT OF THE SCHOOL'S RESPONSIBILITY TO PROVIDE
3 INSTRUCTION IN ALL PHASES OF ELECTROLOGY ACCORDING TO THE CURRIC-
4 ULUM PRESCRIBED BY THE BOARD AND TO PROVIDE PROPER EQUIPMENT AND
5 MATERIALS AS PRESCRIBED IN RULES PROMULGATED BY THE BOARD.

6 (G) A STATEMENT THAT TRAINING SHALL NOT BE DENIED TO A STU-
7 DENT ON THE BASIS OF A LACK OF GOOD MORAL CHARACTER, BUT THAT A
8 PRIOR CRIMINAL CONVICTION MAY ADVERSELY AFFECT OR DELAY HIS OR
9 HER ABILITY TO MEET THE LICENSURE REQUIREMENTS OF THIS ARTICLE.

10 (4) ADVERTISING BY A SCHOOL OF ELECTROLOGY WHICH INCLUDES
11 THE COST OF TUITION SHALL INCLUDE IN THE ADVERTISING THE INFORMA-
12 TION SET FORTH IN SUBSECTION (3)(A) AND (B).

13 (5) AN ELECTROLOGY ESTABLISHMENT WHICH TEACHES ELECTROLOGY
14 TO INDIVIDUALS WHO HAVE NEVER POSSESSED AN ELECTROLOGY LICENSE
15 SHALL BE CONSIDERED A SCHOOL AND SHALL BE SUBJECT TO THE LICEN-
16 SURE REQUIREMENTS OF THIS ARTICLE CONCERNING SCHOOLS.

17 SEC. 3023. (1) ANY STUDENT ENROLLED IN A PROGRAM OF TRAIN-
18 ING FOR LICENSURE AS AN ELECTROLOGIST ON THE EFFECTIVE DATE OF
19 THIS AMENDATORY ACT SHALL BE PERMITTED TO FINISH THE TRAINING
20 PROGRAM AND BECOME LICENSED UNDER THE STANDARDS EFFECTIVE AT THE
21 TIME HE OR SHE WAS ENROLLED.

22 (2) THIS SECTION IS REPEALED EFFECTIVE JANUARY 1, 1992.

23 SEC. 3025. (1) A PERSON WHO DEMONSTRATES AN ELECTROLOGY
24 DEVICE, TECHNIQUE, OR PREPARATION IN A LICENSED SCHOOL OF ELEC-
25 TROLOGY NEED NOT BE LICENSED AS AN INSTRUCTOR, BUT SHALL BE
26 LICENSED AS AN ELECTROLOGIST IN THIS OR ANY OTHER STATE, AND A
27 LICENSED INSTRUCTOR SHALL BE PRESENT DURING THE DEMONSTRATION.

1 SUCH DEMONSTRATIONS SHALL NOT BE USED TO EVADE THE REQUIREMENT
2 FOR MAINTAINING A PROPER STUDENT-INSTRUCTOR RATIO OR TO PROVIDE
3 THE TRAINING NECESSARY FOR LICENSURE, BUT ONLY TO DEMONSTRATE
4 UNIQUE OR NEW DEVICES, TECHNIQUES, AND PREPARATIONS TO STUDENTS
5 AND INSTRUCTORS.

6 (2) IF, AS PART OF A CONVENTION, SHOW, OR SEMINAR, A DEMON-
7 STRATION IS TO BE GIVEN TO LICENSEES ON PREMISES WHICH ARE NOT
8 LICENSED AS AN ESTABLISHMENT OR SCHOOL UNDER THIS ARTICLE, ARTI-
9 CLE 11, OR ARTICLE 12, THE PREMISES SHALL PROVIDE SUFFICIENT
10 FACILITIES AND EQUIPMENT TO PERMIT THE SANITARY AND SAFE DEMON-
11 STRATION OF THE DEVICE, TECHNIQUE, OR PREPARATION, BUT SHALL NOT
12 BE REQUIRED TO FULFILL ALL EQUIPMENT OR FACILITY STANDARDS
13 REQUIRED OF LICENSED ESTABLISHMENTS AND SCHOOLS AS PRESCRIBED IN
14 RULES PROMULGATED BY THE BOARD. A DEMONSTRATION ON UNLICENSED
15 PREMISES SHALL CONTINUE NOT LONGER THAN 7 DAYS.

16 SEC. 3027. A PERSON WHO DOES 1 OR MORE OF THE FOLLOWING IS
17 IN VIOLATION OF THIS ARTICLE AND SHALL BE SUBJECT TO THE PENAL-
18 TIES SET FORTH IN ARTICLE 6:

19 (A) PRACTICES, CONTINUES PRACTICE, OR ALLOWS ANOTHER TO
20 PRACTICE WHILE KNOWINGLY HAVING A COMMUNICABLE DISEASE AS DEFINED
21 BY SECTION 5101 OF THE PUBLIC HEALTH CODE, ACT NO. 368 OF THE
22 PUBLIC ACTS OF 1978, BEING SECTION 333.5101 OF THE MICHIGAN
23 COMPILED LAWS.

24 (B) PROVIDES ANY SERVICE REGULATED BY THIS ARTICLE ON
25 PREMISES NOT LICENSED AS AN ELECTROLOGY ESTABLISHMENT OR SCHOOL
26 OF ELECTROLOGY EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE.

1 (C) RENDERS OR OFFERS TO RENDER ELECTROLOGY OR OPERATES AN
2 ELECTROLOGY ESTABLISHMENT OR SCHOOL WITHOUT PROPER LICENSURE
3 UNDER THIS ARTICLE.

4 (D) EMPLOYS OR USES AN UNLICENSED PERSON TO PRACTICE OR TO
5 TEACH THE PRACTICE REGULATED UNDER THIS ARTICLE.

6 (E) USES ANOTHER PERSON'S LICENSE OR ALLOWS A PERSON'S
7 LICENSE TO BE USED BY ANY OTHER PERSON.

8 (F) PROVIDES SERVICES IN A NEGLIGENT OR INCOMPETENT MANNER
9 WHICH CAUSES DAMAGE TO A PERSON'S SKIN OR ANY OTHER BODY PART.

10 (G) FAILS OR REFUSES TO PERMIT INSPECTION OF AN ESTABLISH-
11 MENT OR SCHOOL BY A REPRESENTATIVE OF THE DEPARTMENT.

12 (H) RECEIVES COMPENSATION FOR PERFORMING SERVICES REGULATED
13 UNDER THIS ARTICLE WHILE A STUDENT.

14 (I) AS AN INSTRUCTOR, RENDERS SERVICES TO THE PUBLIC OTHER
15 THAN TO INSTRUCT OR TO CORRECT THE WORK OF A STUDENT.

16 (J) FAILS TO ABIDE BY SANITATION STANDARDS SET FORTH IN
17 RULES PROMULGATED BY THE BOARD.

18 (K) MISREPRESENTS A MATERIAL FACT TO THE DEPARTMENT.

19 (L) FAILS TO NOTIFY THE DEPARTMENT OF A CHANGE OF ADDRESS
20 WITHIN 30 DAYS OF THE CHANGE.

21 SEC. 3029. (1) THE DEPARTMENT SHALL INSPECT EACH ELECTROL-
22 OGY ESTABLISHMENT NOT LESS THAN ONCE A YEAR. THE DEPARTMENT
23 SHALL INSPECT EACH SCHOOL OF ELECTROLOGY NOT LESS THAN TWICE A
24 YEAR.

25 (2) AN EMPLOYEE OR CONTRACTOR OF THE DEPARTMENT OR A BOARD
26 MEMBER SHALL BE ALLOWED TO ENTER AND INSPECT AN ESTABLISHMENT OR
27 SCHOOL DURING REGULAR BUSINESS HOURS TO DETERMINE WHETHER A

1 LICENSEE IS CONFORMING TO THIS ARTICLE AND THE RULES PROMULGATED
2 UNDER THIS ARTICLE.

3 (3) A REPRESENTATIVE OF THE DEPARTMENT, WHEN INSPECTING AN
4 ESTABLISHMENT, SHALL BE PERMITTED TO REQUIRE ANY INDIVIDUAL
5 CLAIMING TO BE A LICENSEE TO PRESENT IDENTIFICATION TO SUBSTANTI-
6 ATE HIS OR HER IDENTITY AS THE HOLDER OF A POSTED LICENSE.

7 SEC. 3031. (1) A PERSON SEEKING LICENSURE UNDER THIS ARTI-
8 CLE SHALL SUBMIT AN APPLICATION AND PAY THE APPROPRIATE FEE AS
9 PRESCRIBED IN ARTICLE 4.

10 (2) ALL APPLICATIONS SHALL BE MADE TO THE DEPARTMENT ON
11 FORMS PROVIDED BY THE DEPARTMENT AND SHALL CONTAIN ANY INFORMA-
12 TION THE DEPARTMENT MAY REQUIRE.

13 Section 2. Sections 1216, 1217, 1217a, and 1218 of Act
14 No. 299 of the Public Acts of 1980, being sections 339.1216,
15 339.1217, 339.1217a, and 339.1218 of the Michigan Compiled Laws,
16 are repealed.