

**SUBSTITUTE FOR  
HOUSE BILL NO. 5224**

A bill to amend 1980 PA 299, entitled  
"Occupational code,"  
by amending sections 1110 and 1205 (MCL 339.1110 and 339.1205),  
section 1110 as amended by 2014 PA 137 and section 1205 as amended  
by 1997 PA 97.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1110. (1) The department shall license a barber college  
2 that meets all of the following requirements:

3       (a) Through its owners or managers, has applied to the  
4 department for a license.

5       (b) ~~Provides~~ **SUBJECT TO SUBSECTION (6), PROVIDES** an  
6 educational program ~~requiring~~ **THAT REQUIRES** completion of 225 hours  
7 of classroom study, demonstrations, and recitations and 1,575 hours

1 of practical barber training.

2 (c) Meets the sanitation standards required of barbershops as  
3 set forth in rules promulgated by the board and determined by  
4 inspection by the department.

5 (d) Files and maintains a corporate surety or cash bond of  
6 \$10,000.00 conditioned on the faithful performance and satisfaction  
7 of the contractual rights of students enrolled in the barber  
8 college.

9 (e) Employs or contracts with not fewer than 2 full-time,  
10 licensed instructors and ensures that both of the following are  
11 met:

12 (i) At any time classroom study or theory training is given to  
13 any number of students, at least 1 instructor is present.

14 (ii) If practical training occurs, there is at least 1  
15 instructor present for every 30 students at all times.

16 (f) ~~Is~~ **EXCEPT AS PROVIDED IN SUBSECTION (7), IS** completely  
17 partitioned from any other place of business or dwelling. ~~A-EXCEPT~~  
18 **AS PROVIDED IN SUBSECTION (7), A** person shall not conduct any other  
19 business from a barber college than the rendering of barber  
20 services and the teaching of barbering, although a barber college  
21 may sell at retail to patrons those preparations used on patrons  
22 who are receiving barbering services from students.

23 (g) Provides reasonable classroom facilities and other  
24 equipment for the proper instruction of students described in this  
25 subdivision and rules promulgated by the board, including 1  
26 stationary wash basin with hot and cold running water and a  
27 connected drain for every 2 barber chairs. A barber college shall

1 arrange its enrollment and course scheduling so that students are  
2 not required to share the use of a training station during any  
3 practical training period.

4 (2) Except as provided in this subsection, a student  
5 instructor may not instruct without a supervising instructor  
6 present in the room. In case of emergency, a student instructor may  
7 instruct up to 30 students, but the barber college shall provide  
8 notice of the emergency to the department in writing and ensure  
9 that an instructor is on the premises at all times. Use of a  
10 student instructor as a substitute instructor under this subsection  
11 shall not continue for more than 7 consecutive days without written  
12 approval of the department certifying the emergency circumstances.

13 (3) The license of a barber college is automatically revoked  
14 if there is a transfer of ownership or change of location of a  
15 barber college. The department shall not grant a new license to new  
16 owners or for a new location unless the requirements of subsection  
17 (1) are met.

18 (4) The classroom courses of a barber college shall include at  
19 least all of the following: scientific fundamentals for barbering;  
20 hygiene; bacteriology; histology of hair, skin, and nails;  
21 structure of the head, face, and neck, including muscles and  
22 nerves; elementary chemistry relating to sterilization and  
23 antiseptics; diseases of the skin, hair, glands, and nails;  
24 massaging and manipulating the head, face, and neck; haircutting  
25 and shaving; cosmetic therapy; arranging, styling, dressing,  
26 coloring, bleaching, curling, permanent waving, and tinting of the  
27 hair; elements of business training; and barber laws and rules of

1 the state.

2 (5) The department by rule shall prescribe the number of hours  
3 of instruction a barber college is required to provide for each  
4 subject set forth in subsection (4). Each barber college shall  
5 provide a written copy of the rules to each student at the  
6 beginning of his or her instruction.

7 (6) FOR THE PURPOSES OF SUBSECTION (1) (B) AND SECTION  
8 1108(1) (C) , IF A STUDENT OF A BARBER COLLEGE HAS SUCCESSFULLY  
9 COMPLETED HOURS OF INSTRUCTION AT A STATE SCHOOL OF COSMETOLOGY  
10 THAT ARE SUBSTANTIALLY SIMILAR IN CONTENT TO HOURS OF INSTRUCTION  
11 INCLUDED IN THE EDUCATIONAL PROGRAM OF THE BARBER COLLEGE, THE  
12 BARBER COLLEGE SHALL ALLOW THE STUDENT TO SUBSTITUTE THOSE HOURS OF  
13 SUBSTANTIALLY SIMILAR INSTRUCTION FOR HOURS OF INSTRUCTION AT THE  
14 BARBER COLLEGE. HOWEVER, A STUDENT SHALL NOT SUBSTITUTE MORE THAN  
15 1,000 HOURS OF SUBSTANTIALLY SIMILAR INSTRUCTION FROM A STATE  
16 SCHOOL OF COSMETOLOGY FOR HOURS OF INSTRUCTION AT THE BARBER  
17 COLLEGE. THE DEPARTMENT BY RULE SHALL ESTABLISH CRITERIA FOR  
18 DETERMINING WHETHER AN HOUR OF INSTRUCTION AT A STATE SCHOOL OF  
19 COSMETOLOGY IS SUBSTANTIALLY SIMILAR TO AN HOUR OF INSTRUCTION AT A  
20 BARBER COLLEGE. AS USED IN THIS SUBSECTION AND SUBSECTION (7) ,  
21 "STATE SCHOOL OF COSMETOLOGY" MEANS A SCHOOL OF COSMETOLOGY THAT IS  
22 LICENSED UNDER ARTICLE 12.

23 (7) A BARBER COLLEGE AND A STATE SCHOOL OF COSMETOLOGY MAY  
24 OCCUPY THE SAME BUILDING AND SHARE FACILITIES.

25 (8) ~~(6)~~ A barber college shall display the license of the  
26 barber college and all instructors, student instructors, and  
27 students in a prominent place visible to the public at all times.

1 An individual's license may be displayed at the individual's work  
2 station.

3 Sec. 1205. (1) The department shall issue a license to a  
4 person for the operation of a school of cosmetology if all of the  
5 following requirements are met:

6 (a) An application is submitted by the owner or manager of the  
7 school.

8 (b) The application includes a drawing or diagram that  
9 indicates the premises to be licensed. ~~/ showing~~ **EXCEPT AS PROVIDED**  
10 **IN SUBSECTION (7), THE DRAWING OR DIAGRAM MUST SHOW** that the  
11 premises are fully partitioned from any other activity, business,  
12 or dwelling. The location of required equipment and facilities  
13 shall also be shown on the diagram.

14 (c) A cash or surety bond of \$10,000.00 has been furnished in  
15 favor of the people of this state for the use and benefit of  
16 students and conditioned upon the faithful performance and  
17 satisfaction of the contractual rights of students.

18 (d) Provisions have been made for the school to be under the  
19 daily supervision of a licensed instructor who has at least 3  
20 years' experience in all services of cosmetology being taught in  
21 the school.

22 (e) The premises has successfully passed an inspection by the  
23 department conducted for the purpose of determining whether the  
24 school has met the standards set forth in this article and rules  
25 promulgated by the director.

26 (2) A school of cosmetology shall fulfill all of the following  
27 requirements:

1           (a) ~~Shall~~ **SUBJECT TO SUBSECTION (6), SHALL** maintain a course  
2 of practical training and technical instruction, as outlined in the  
3 various curricula set forth in rules promulgated by the director,  
4 equal to the requirements for prelicensure training under this  
5 article. A school of cosmetology shall teach hair care services,  
6 skin care services, and manicuring services and may hold a limited  
7 license for the teaching of electrology. However, a school of  
8 cosmetology with a license limited only to the teaching of  
9 electrology shall teach only electrology and not any other  
10 cosmetology service.

11           (b) Shall possess efficient apparatus and equipment prescribed  
12 in rules promulgated by the director sufficient for the ready and  
13 full teaching of each subject in the curriculum.

14           (c) Shall maintain 1 person licensed as an instructor,  
15 competent to impart instruction in each subject of its curriculum,  
16 for every 20 students.

17           (d) Shall be operated for teaching purposes only. Instructors  
18 shall practice on the public only to demonstrate techniques to  
19 students and to correct the work of students.

20           (e) Shall provide for the display of the license of the school  
21 of cosmetology and of each instructor working in the school in a  
22 prominent place that is visible to the public at all times. A sign  
23 shall be displayed indicating that services are rendered by  
24 students of the school.

25           (f) At the time of the enrollment of a student, shall furnish  
26 the student a financial contract showing the total cost and all  
27 charges involved in the complete course of study. Advertising

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

4 (3) A cosmetology establishment exacting a fee for the  
5 teaching of cosmetology or 1 or more services of cosmetology is  
6 considered a school of cosmetology and is required to comply with  
7 this section. A cosmetology establishment conducting an  
8 apprenticeship program without charging a fee for the teaching of  
9 cosmetology shall comply with subsection (5). A cosmetology  
10 establishment which has successfully trained 1 apprentice is  
11 eligible to train additional apprentices except that a cosmetology  
12 establishment shall not have more than 2 apprentices at the same  
13 time.

14 (4) The department may issue a limited school of cosmetology  
15 license to a school teaching only electrology. A school of  
16 cosmetology whose license is limited to teaching only electrology  
17 shall fulfill all of the requirements of this section, except that  
18 daily supervision of the school shall be provided by an electrology  
19 instructor and the curriculum offered and equipment and facilities  
20 required shall be only those required for the teaching of  
21 electrology.

22 (5) A school of cosmetology or a cosmetology establishment  
23 conducting an apprenticeship program shall comply with all of the  
24 following requirements:

25 (a) Require that a student or apprentice be in attendance not  
26 more than 7 hours per day or not more than 40 hours per week.

27 (b) Keep a daily record of the attendance of each student or

1 apprentice, a copy of which shall be sent to the department  
2 monthly, establish grades, and require a student or apprentice to  
3 pass an examination before certifying to the department that an  
4 individual has completed training.

5 (c) Permit a cosmetology student or apprentice to practice on  
6 the public only after completing at least 350 hours of instruction  
7 in the general cosmetology curriculum, including both theory and  
8 practical hours. A student or apprentice in a natural hair  
9 cultivation, manicuring, skin care, or electrology curriculum may  
10 practice on the public only after completing at least 1/4 of the  
11 hours required by the applicable curriculum, including both theory  
12 and practical hours.

13 (6) FOR THE PURPOSES OF SUBSECTION (2) (A) AND SECTION 1207(D) ,  
14 IF A STUDENT OF A SCHOOL OF COSMETOLOGY HAS SUCCESSFULLY COMPLETED  
15 HOURS OF INSTRUCTION AT A STATE BARBER COLLEGE THAT ARE  
16 SUBSTANTIALLY SIMILAR IN CONTENT TO HOURS OF INSTRUCTION INCLUDED  
17 IN THE EDUCATIONAL PROGRAM OF THE SCHOOL OF COSMETOLOGY, THE SCHOOL  
18 OF COSMETOLOGY SHALL ALLOW THE STUDENT TO SUBSTITUTE THOSE HOURS OF  
19 SUBSTANTIALLY SIMILAR INSTRUCTION FOR HOURS OF INSTRUCTION AT THE  
20 SCHOOL OF COSMETOLOGY. HOWEVER, A STUDENT SHALL NOT SUBSTITUTE MORE  
21 THAN 1,000 HOURS OF SUBSTANTIALLY SIMILAR INSTRUCTION FROM A STATE  
22 BARBER COLLEGE FOR HOURS OF INSTRUCTION AT THE SCHOOL OF  
23 COSMETOLOGY. THE DEPARTMENT BY RULE SHALL ESTABLISH CRITERIA FOR  
24 DETERMINING WHETHER AN HOUR OF INSTRUCTION AT A STATE BARBER  
25 COLLEGE IS SUBSTANTIALLY SIMILAR TO AN HOUR OF INSTRUCTION AT A  
26 SCHOOL OF COSMETOLOGY. AS USED IN THIS SUBSECTION AND SUBSECTION  
27 (7) , "STATE BARBER COLLEGE" MEANS A BARBER COLLEGE THAT IS LICENSED



1 UNDER ARTICLE 11.

2 (7) A SCHOOL OF COSMETOLOGY AND A STATE BARBER COLLEGE MAY  
3 OCCUPY THE SAME BUILDING AND SHARE FACILITIES.

4 (8) ~~(6)~~—The transfer of ownership or location of a school of  
5 cosmetology voids the license. The filing of a new license  
6 application is a predicate to the change in ownership or location  
7 of a school.

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