



HOUSE BILL No. 4799

May 10, 1995, Introduced by Rep. Varga and referred to the Committee on Regulatory Affairs.

A bill to amend sections 1201, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1214, and 1218 of Act No. 299 of the Public Acts of 1980, entitled as amended "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, 339.1204, 339.1205, 339.1206, 339.1207, 339.1208, 339.1209, 339.1210, 339.1211, 339.1214, and 339.1218 of the Michigan Compiled Laws; to add sections 1203a and 1203b; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 1201, 1204, 1205, 1206, 1207, 1208,
2 1209, 1210, 1211, 1214, and 1218 of Act No. 299 of the Public
3 Acts of 1980, sections 1204, 1205, 1207, 1208, 1209, 1211, and

1 1214 as amended by Act No. 463 of the Public Acts of 1988, being
2 sections 339.1201, 339.1204, 339.1205, 339.1206, 339.1207,
3 339.1208, 339.1209, 339.1210, 339.1211, 339.1214, and 339.1218 of
4 the Michigan Compiled Laws, are amended and sections 1203a and
5 1203b are added to read as follows:

6 Sec. 1201. As used in this article:

7 (a) "Apprentice" means ~~a person~~ AN INDIVIDUAL engaged in
8 learning cosmetology in a ~~cosmetological~~ COSMETOLOGY
9 establishment.

10 (b) "Cosmetologist" means ~~a person~~ AN INDIVIDUAL who
11 ~~engages in~~ RENDERS OR OFFERS TO RENDER cosmetology SERVICES.

12 (c) "COSMETOLOGY" MEANS 1 OF THE FOLLOWING SERVICES OR A
13 COMBINATION OF THE FOLLOWING SERVICES:

14 (i) HAIR CARE SERVICES.

15 (ii) SKIN CARE SERVICES.

16 (iii) MANICURING SERVICES.

17 (iv) ELECTROLOGY.

18 (D) ~~(c) "Cosmetological"~~ "COSMETOLOGY establishment" ~~or~~
19 ~~"school of cosmetology" is a building, or part of a building,~~
20 ~~completely partitioned off from any other business or dwelling,~~
21 ~~except a barbershop licensed under article 11, at which any of~~
22 ~~the occupations regulated by this article are practiced or taught~~
23 ~~for hire or compensation~~ MEANS THE PREMISES ON WHICH COSMETOLOGY
24 OR 1 OR MORE OF ITS SERVICES ARE RENDERED OR ARE OFFERED TO BE
25 RENDERED. COSMETOLOGY ESTABLISHMENT DOES NOT INCLUDE A SCHOOL OF
26 COSMETOLOGY.

1 ~~(d) "Cosmetology" means 1 of the following practices or a~~
 2 ~~combination of the following practices: arranging, cutting,~~
 3 ~~dressing, curling, waving, cleansing, singeing, bleaching, color-~~
 4 ~~ing, or similar work upon hair with the hands, or with mechanical~~
 5 ~~or electrical apparatus or appliances, or by any means; cleans-~~
 6 ~~ing, massaging, stimulating, manipulating, exercising, beautify-~~
 7 ~~ing, or by the use of cosmetic preparations, antiseptics, tonics,~~
 8 ~~lotions, or creams, or similar work upon the scalp, neck, face,~~
 9 ~~arms, bust, or upper part of the body of a person; or the remov-~~
 10 ~~ing of superfluous hair from the upper part of the body of a~~
 11 ~~person by the use of electrolysis, depilatories, waxes, or twee-~~
 12 ~~rs or manicuring the nails of a person.~~

13 (e) "Electrologist" means ~~a person who, for compensation,~~
 14 ~~removes superfluous hair from the upper part of the body of a~~
 15 ~~person by the use of the electric needle. A person may obtain a~~
 16 ~~license as an electrologist without qualifying as a~~
 17 ~~cosmetologist.~~ AN INDIVIDUAL WHO RENDERS OR OFFERS TO RENDER
 18 ELECTROLOGY.

19 (F) "ELECTROLOGY" MEANS THE PERMANENT REMOVAL OF HAIR FROM
 20 THE BODY OF AN INDIVIDUAL BY THE USE OF ELECTRICITY.

21 (G) "ESTHETICIAN" MEANS AN INDIVIDUAL WHO RENDERS OR OFFERS
 22 TO RENDER SKIN CARE SERVICES.

23 (H) "HAIR CARE SERVICES" MEANS ARRANGING, CUTTING, DRESSING,
 24 CURLING, WAVING, CLEANSING, SINGEING, BLEACHING, COLORING, BRAID-
 25 ING, PLAITING, WEAVING, CRIMPING, TINTING, TRIMMING, STYLING,
 26 RELAXING, PERMING, STRAIGHTENING, OR SIMILAR WORK UPON THE HAIR
 27 OF THE HEAD OR A WIG THAT AN INDIVIDUAL IS WEARING.

1 (I) ~~(f)~~ "Instructor" means ~~a cosmetologist~~ AN INDIVIDUAL
2 who teaches OR OFFERS TO TEACH in a school of cosmetology.
3 ~~accredited by the department.~~

4 (J) "MANICURING SERVICES" MEANS THE CLEANSING, FILING, SHAP-
5 ING, BUFFING, POLISHING, OR BEAUTIFYING OF THE NAILS OF THE HANDS
6 OR FEET, AND THE CLEANSING, MASSAGING, STIMULATING, EXERCISING,
7 OR BEAUTIFYING OF THE SKIN OF THE HANDS, ARMS, AND FEET, MANUALLY
8 OR WITH THE USE OF TOOLS, APPLIANCES, OR COSMETIC PREPARATIONS,
9 INCLUDING THE REPAIR OF NAILS, OR THE CREATION OR DECORATION OF
10 ARTIFICIAL NAILS. MANICURING SERVICES DO NOT INCLUDE THE PRAC-
11 TICE OF PODIATRIC MEDICINE AND SURGERY AS DEFINED IN SECTION
12 18001 OF THE PUBLIC HEALTH CODE, ACT NO. 368 OF THE PUBLIC ACTS
13 OF 1978, BEING SECTION 333.18001 OF THE MICHIGAN COMPILED LAWS.

14 (K) ~~(g)~~ "Manicurist" means ~~a person who manicures the~~
15 ~~nails of a person. A person may obtain a license as a manicurist~~
16 ~~without qualifying as a cosmetologist.~~ AN INDIVIDUAL WHO RENDERS
17 OR OFFERS TO RENDER MANICURING SERVICES.

18 (L) ~~(h)~~ "Owner" means a person who ~~conducts or~~ owns and
19 conducts a ~~cosmetological~~ COSMETOLOGY establishment or a school
20 of cosmetology.

21 (M) "SCHOOL OF COSMETOLOGY" MEANS THE PREMISES WHERE COSME-
22 TOLOGY IS TAUGHT.

23 (N) "SKIN CARE SERVICES" INCLUDES THE FOLLOWING SERVICES OR
24 COMBINATION OF SERVICES:

25 (i) BEAUTIFYING THE SKIN OF THE BODY OF AN INDIVIDUAL BY THE
26 USE OF COSMETIC PREPARATIONS, ANTISEPTICS, TONICS, LOTIONS, OR
27 CREAMS, INCLUDING BODY WRAPPING.

1 (ii) CLEANSING OR STIMULATING THE SKIN OF THE BODY BY THE
2 USE OF THE HANDS, DEVICES, APPARATUS, OR APPLIANCES, WITH OR
3 WITHOUT THE USE OF COSMETIC PREPARATIONS, ANTISEPTICS, TONICS,
4 LOTIONS, OR CREAMS.

5 (iii) THE TEMPORARY REMOVAL OF HAIR FROM THE BODY OF AN
6 INDIVIDUAL BY THE USE OF DEPILATORIES, WAXES, RAZORS, SCISSORS,
7 CLIPPERS, OR TWEEZERS.

8 (iv) GIVING FACIALS, APPLYING REMOVABLE MAKEUP, APPLYING
9 EYELASHES, OR ANY OTHER APPLICATION OF A PREPARATION OR BEAUTY
10 ENHANCEMENT TO THE BODY OF AN INDIVIDUAL BUT DOES NOT INCLUDE
11 APPLYING PERMANENT MAKEUP OR THE USE OF TANNING EQUIPMENT.

12 (O) ~~(i)~~ "Student" means ~~a person at least 16 years of~~
13 ~~age~~ AN INDIVIDUAL engaged in learning cosmetology in a school of
14 cosmetology. ~~The minimum age requirement shall not apply to a~~
15 ~~student enrolled in a program offered as a part of the regular~~
16 ~~curriculum of a public school and approved by the superintendent~~
17 ~~of public instruction.~~

18 SEC. 1203A. (1) AN INDIVIDUAL SHALL NOT RENDER ANY FORM OF
19 COSMETOLOGY SERVICES, WITH OR WITHOUT COMPENSATION, ON ANY INDIV-
20 VIDUAL OTHER THAN A MEMBER OF HIS OR HER IMMEDIATE FAMILY WITHOUT
21 A LICENSE UNDER THIS ARTICLE. HOWEVER, THIS ARTICLE DOES NOT
22 APPLY TO AN INDIVIDUAL, PERSON, OR PREMISES LICENSED UNDER ARTI-
23 CLE 11 WHILE RENDERING THE SERVICES OF A BARBER.

24 (2) AN INDIVIDUAL LICENSED AS A COSMETOLOGIST UNDER THIS
25 ARTICLE MAY RENDER HAIR CARE SERVICES, SKIN CARE SERVICES, AND
26 MANICURING SERVICES AS PART OF THE PRACTICE OF COSMETOLOGY, BUT

1 SHALL NOT RENDER ELECTROLOGY WITHOUT BEING LICENSED AS AN
2 ELECTROLOGIST.

3 (3) THE DEPARTMENT MAY LICENSE AN INDIVIDUAL TO RENDER
4 EITHER MANICURING SERVICES OR SKIN CARE SERVICES IN ACCORDANCE
5 WITH HIS OR HER TRAINING. AN INDIVIDUAL LICENSED AS A MANICURIST
6 SHALL ONLY RENDER MANICURING SERVICES AND SHALL NOT RENDER ANY
7 OTHER COSMETOLOGY SERVICE WITHOUT BEING LICENSED FOR THAT
8 SERVICE. AN INDIVIDUAL LICENSED AS AN ESTHETICIAN SHALL ONLY
9 RENDER SKIN CARE SERVICES AND SHALL NOT RENDER ANY OTHER COSME-
10 TOLOGY SERVICE WITHOUT BEING LICENSED FOR THAT SERVICE. AN INDI-
11 VIDUAL LICENSED AS A MANICURIST OR ESTHETICIAN SHALL NOT RENDER
12 ELECTROLOGY WITHOUT BEING LICENSED AS AN ELECTROLOGIST.

13 (4) AN INDIVIDUAL LICENSED AS AN ELECTROLOGIST SHALL RENDER
14 ONLY ELECTROLOGY SERVICES AND SHALL NOT RENDER ANY OTHER COSME-
15 TOLOGY SERVICE WITHOUT SEPARATELY BEING LICENSED TO RENDER THOSE
16 SERVICES.

17 SEC. 1203B. A PERSON SHALL NOT CONDUCT OR OPERATE A COSME-
18 TOLOGY ESTABLISHMENT OR SCHOOL OF COSMETOLOGY WITHOUT A LICENSE
19 ISSUED UNDER THIS ARTICLE.

20 Sec. 1204. (1) ~~A person desiring to operate a cosmetolo-~~
21 ~~gical establishment shall make application to the department for~~
22 ~~a license. The cosmetological~~ THE DEPARTMENT SHALL ISSUE A
23 LICENSE TO A PERSON FOR THE OPERATION OF A COSMETOLOGY ESTABLISH-
24 MENT IF ALL OF THE FOLLOWING REQUIREMENTS ARE MET:

25 (A) AN APPLICATION IS MADE BY THE OWNERS OR MANAGERS OF THE
26 ESTABLISHMENT.

1 (B) THE APPLICATION INCLUDES A DRAWING OR DIAGRAM INDICATING
2 THE PREMISES TO BE LICENSED AND THE LOCATION OF REQUIRED
3 EQUIPMENT AND FACILITIES.

4 (C) THE PREMISES HAS SATISFACTORILY PASSED AN INSPECTION
5 CONDUCTED BY THE DEPARTMENT FOR THE PURPOSE OF DETERMINING
6 WHETHER THE ESTABLISHMENT HAS MET SANITATION AND EQUIPMENT STANDARDS
7 PRESCRIBED IN RULES PROMULGATED BY THE DEPARTMENT.

8 (D) EXCEPT AS PROVIDED IN SUBSECTION (3), THE COSMETOLOGY
9 establishment shall be under the daily attendance and supervision
10 of a licensed cosmetologist who is not less than 18 years of age
11 and has had not less than 1 year's practical experience ~~in all~~
12 ~~practices of~~ IN cosmetology. ~~A cosmetological establishment~~
13 ~~shall not have more than 2 apprentices at the same time.~~

14 (2) A ~~cosmetological~~ COSMETOLOGY establishment shall be
15 completely separated by full partitions and doors from ~~every~~
16 ~~other activity, business, or~~ A dwelling ~~, except a barbershop~~
17 ~~licensed under article 11 or an area in which the sale of cloth-~~
18 ~~ing and accessories is made~~ OR A SCHOOL OF COSMETOLOGY AND SHALL
19 NOT BE OCCUPIED FOR LODGING OR RESIDENTIAL PURPOSES.

20 (3) THE DEPARTMENT MAY ISSUE A LIMITED COSMETOLOGY ESTAB-
21 LISHMENT LICENSE TO A PERSON WHO SEEKS TO PERFORM ONLY 1 OR MORE
22 SERVICES OF COSMETOLOGY ON THE PREMISES. IF THE ESTABLISHMENT
23 LICENSE IS LIMITED TO ONLY MANICURING SERVICES OR SKIN CARE SERVICES,
24 THE SUPERVISING LICENSEE MAY BE AN INDIVIDUAL LICENSED ONLY
25 IN THAT SERVICE. A LICENSED COSMETOLOGIST WORKING IN A LIMITED
26 LICENSED COSMETOLOGY ESTABLISHMENT SHALL NOT PERFORM COSMETOLOGY
27 SERVICES FOR WHICH THE PREMISES ARE NOT LICENSED. IF THE

1 COSMETOLOGY ESTABLISHMENT LICENSE IS LIMITED TO ELECTROLOGY, THE
2 SUPERVISING LICENSEE SHALL BE A LICENSED ELECTROLOGIST WITH 1
3 YEAR OF EXPERIENCE IN ELECTROLOGY. A LICENSED COSMETOLOGIST
4 SHALL NOT SUPERVISE A COSMETOLOGY ESTABLISHMENT WHOSE COSMETOLOGY
5 LICENSE IS LIMITED TO RENDERING ELECTROLOGY UNLESS THE COSMETOLO-
6 GIST IS LICENSED AS AN ELECTROLOGIST.

7 (4) THE DEPARTMENT MAY GRANT A TEMPORARY ESTABLISHMENT
8 LICENSE TO A PERSON WHO HAS FULFILLED ALL LICENSURE REQUIREMENTS
9 EXCEPT FOR THE COMPLETION OF THE INSPECTION.

10 (5) THE TRANSFER OF OWNERSHIP OR LOCATION OF A COSMETOLOGY
11 ESTABLISHMENT OPERATES AS AN AUTOMATIC REVOCATION OF THE
12 LICENSE. THE FILING OF A NEW LICENSE APPLICATION IS A PREDICATE
13 TO THE CHANGE IN OWNERSHIP OR LOCATION OF AN ESTABLISHMENT.

14 (6) THE LICENSE OF THE ESTABLISHMENT AND ALL INDIVIDUALS
15 WORKING IN THE ESTABLISHMENT SHALL BE DISPLAYED IN A PROMINENT
16 PLACE WHICH IS VISIBLE TO THE PUBLIC AT ALL TIMES. THE LICENSES
17 OF INDIVIDUALS WORKING IN THE ESTABLISHMENT MAY BE POSTED AT THE
18 INDIVIDUAL'S WORK STATION.

19 Sec. 1205. (1) ~~A person desiring to conduct a school of~~
20 ~~cosmetology, shall make application to the department for a~~
21 ~~license. A school of cosmetology shall be completely separated~~
22 ~~by a full partition and door from every other activity, business,~~
23 ~~or dwelling.~~ THE DEPARTMENT SHALL ISSUE A LICENSE TO A PERSON
24 FOR THE OPERATION OF A SCHOOL OF COSMETOLOGY IF ALL OF THE FOL-
25 LOWING REQUIREMENTS ARE MET:

26 (A) AN APPLICATION IS MADE BY THE OWNER, IDENTIFYING THE
27 OWNERS AND MANAGERS OF THE SCHOOL.

1 (B) THE APPLICATION INCLUDES A DRAWING OR DIAGRAM THAT
2 INDICATES THE PREMISES TO BE LICENSED, SHOWING THAT THE PREMISES
3 ARE FULLY PARTITIONED FROM ANY OTHER ACTIVITY, BUSINESS, OR
4 DWELLING. THE LOCATION OF REQUIRED EQUIPMENT AND FACILITIES
5 SHALL ALSO BE SHOWN ON THE DIAGRAM.

6 (C) A CASH OR SURETY BOND OF \$10,000.00 HAS BEEN FURNISHED
7 IN FAVOR OF THE PEOPLE OF THIS STATE FOR THE USE AND BENEFIT OF
8 STUDENTS AND CONDITIONED UPON THE FAITHFUL PERFORMANCE AND SATIS-
9 FACTION OF THE CONTRACTUAL RIGHTS OF STUDENTS.

10 (D) PROVISIONS HAVE BEEN MADE FOR THE SCHOOL TO BE UNDER THE
11 DAILY SUPERVISION OF A LICENSED INSTRUCTOR WHO HAS AT LEAST 3
12 YEARS' EXPERIENCE IN ALL SERVICES OF COSMETOLOGY BEING TAUGHT IN
13 THE SCHOOL.

14 (E) THE PREMISES HAS SUCCESSFULLY PASSED AN INSPECTION BY
15 THE DEPARTMENT CONDUCTED FOR THE PURPOSE OF DETERMINING WHETHER
16 THE SCHOOL HAS MET THE STANDARDS SET FORTH IN THIS ARTICLE AND
17 RULES PROMULGATED BY THE BOARD.

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

21 ~~(a) Is licensed as an instructor who has had at least 3~~
22 ~~years' practical experience in all practices of cosmetology in a~~
23 ~~licensed cosmetological establishment or at least 1 year's prac-~~
24 ~~tical experience in all practices of cosmetology in a licensed~~
25 ~~cosmetological establishment, and at least 2 years' practical~~
26 ~~experience in teaching all practices of cosmetology.~~

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

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

4 ~~(d) Has passed an examination approved by the department and~~
5 ~~the board.~~

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

7 (2) ~~(3)~~ A school of cosmetology shall fulfill all of the
8 following requirements:

9 (a) ~~It shall~~ SHALL maintain a ~~school term of not less~~
10 ~~than 1,500 hours, extending over a period of 10 consecutive~~
11 ~~months, and shall maintain a~~ course of practical training and
12 technical instruction, as outlined in the ~~department approved~~
13 ~~curriculum~~ VARIOUS CURRICULA SET FORTH IN RULES PROMULGATED BY
14 THE BOARD, equal to the requirements for ~~examination for a~~
15 ~~license as a cosmetologist as set forth in section 1207~~
16 PRELICENSURE TRAINING UNDER THIS ARTICLE. A SCHOOL OF COSMETOL-
17 OGY SHALL TEACH HAIR CARE SERVICES, SKIN CARE SERVICES, AND MANI-
18 CURING SERVICES AND MAY ALSO HOLD A LIMITED LICENSE FOR THE
19 TEACHING OF ELECTROLOGY. HOWEVER, A SCHOOL OF COSMETOLOGY WITH A
20 LICENSE LIMITED ONLY TO THE TEACHING OF ELECTROLOGY SHALL TEACH
21 ONLY ELECTROLOGY AND NOT ANY OTHER COSMETOLOGY SERVICE.

22 (b) ~~It shall~~ SHALL possess efficient apparatus and equip-
23 ment prescribed IN RULES PROMULGATED by the ~~department and the~~
24 board sufficient for the ready and full teaching of each subject
25 in the curriculum. ~~approved by the department and the board.~~

26 (c) ~~It shall~~ SHALL maintain 1 person licensed as an
27 instructor, ~~for every 20 enrolled students,~~ competent to impart

1 instruction in each subject of its curriculum, FOR EVERY 20
2 STUDENTS. ~~The department shall license as an instructor an~~
3 ~~individual who passes an examination prescribed by the board and~~
4 ~~department. The instructor shall not be in charge of or super-~~
5 ~~vise a school unless the instructor meets the experience require-~~
6 ~~ment described in this section.~~

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

11 (D) ~~(e) It shall~~ SHALL be operated for teaching purposes
12 only and ~~a student~~ shall not ~~practice on the public until~~
13 ~~having completed at least 350 hours of instruction in the cosme-~~
14 ~~tology curriculum~~ BE USED FOR RESIDENTIAL OR SLEEPING PURPOSES.
15 INSTRUCTORS SHALL PRACTICE ON THE PUBLIC ONLY TO DEMONSTRATE
16 TECHNIQUES TO STUDENTS AND TO CORRECT THE WORK OF STUDENTS.

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

19 ~~(4) A school of cosmetology shall furnish a bond of~~
20 ~~\$10,000.00 in favor of the people of the state, for the use and~~
21 ~~benefit of students and conditioned upon the faithful performance~~
22 ~~and satisfaction of the contractual rights of students.~~

23 (E) SHALL PROVIDE FOR THE DISPLAY OF THE LICENSE OF THE
24 SCHOOL OF COSMETOLOGY AND ALL INSTRUCTORS WORKING IN THE SCHOOL
25 IN A PROMINENT PLACE WHICH IS VISIBLE TO THE PUBLIC AT ALL
26 TIMES. A SIGN SHALL BE DISPLAYED INDICATING THAT ALL SERVICES
27 ARE RENDERED BY STUDENTS OF THE SCHOOL.

1 (F) ~~(5) A school of cosmetology, at~~ AT the time of the
 2 enrollment of a student, shall furnish the student a financial
 3 contract showing the total cost and all charges involved in the
 4 complete course of study. Advertising matter put out by schools,
 5 when mentioning the cost of tuition or related subjects, shall
 6 furnish the same financial ~~statement~~ INFORMATION as described
 7 in this subsection.

8 (3) ~~(6) A cosmetological~~ COSMETOLOGY establishment
 9 exacting a fee for the teaching of cosmetology ~~shall be classed~~
 10 ~~as~~ IS CONSIDERED a school of cosmetology and ~~shall be~~ IS
 11 required to comply with this section. A COSMETOLOGY ESTABLISH-
 12 MENT CONDUCTING AN APPRENTICESHIP PROGRAM WITHOUT CHARGING A FEE
 13 FOR THE TEACHING OF COSMETOLOGY SHALL COMPLY WITH
 14 SUBSECTION (5). A COSMETOLOGY ESTABLISHMENT WHICH HAS SUCCESS-
 15 FULLY TRAINED 1 APPRENTICE SHALL BE ELIGIBLE TO TRAIN ADDITIONAL
 16 APPRENTICES EXCEPT THAT A COSMETOLOGY ESTABLISHMENT SHALL NOT
 17 HAVE MORE THAN 2 APPRENTICES AT THE SAME TIME.

18 (4) THE DEPARTMENT MAY ISSUE A LIMITED SCHOOL OF COSMETOLOGY
 19 LICENSE TO A SCHOOL TEACHING ONLY ELECTROLOGY. A SCHOOL OF COS-
 20 METOLOGY WHOSE LICENSE IS LIMITED TO TEACHING ONLY ELECTROLOGY
 21 SHALL FULFILL ALL OF THE REQUIREMENTS OF THIS SECTION, EXCEPT
 22 THAT DAILY SUPERVISION OF THE SCHOOL SHALL BE PROVIDED BY AN
 23 ELECTROLOGY INSTRUCTOR AND THE CURRICULUM OFFERED AND EQUIPMENT
 24 AND FACILITIES REQUIRED SHALL BE ONLY THOSE REQUIRED FOR THE
 25 TEACHING OF ELECTROLOGY.

1 (5) A SCHOOL OF COSMETOLOGY OR A COSMETOLOGY ESTABLISHMENT
2 CONDUCTING AN APPRENTICESHIP PROGRAM SHALL COMPLY WITH ALL OF THE
3 FOLLOWING REQUIREMENTS:

4 (A) REQUIRE THAT A STUDENT OR APPRENTICE BE IN ATTENDANCE
5 NOT MORE THAN 7 HOURS PER DAY OR NOT MORE THAN 40 HOURS PER
6 WEEK.

7 (B) KEEP A DAILY RECORD OF THE ATTENDANCE OF EACH STUDENT OR
8 APPRENTICE, A COPY OF WHICH SHALL BE SENT TO THE DEPARTMENT
9 MONTHLY, ESTABLISH GRADES, AND REQUIRE A STUDENT OR APPRENTICE TO
10 PASS AN EXAMINATION BEFORE CERTIFYING TO THE DEPARTMENT THAT AN
11 INDIVIDUAL HAS COMPLETED TRAINING.

12 (C) PERMIT A COSMETOLOGY STUDENT OR APPRENTICE TO PRACTICE
13 ON THE PUBLIC ONLY AFTER COMPLETING AT LEAST 350 HOURS OF
14 INSTRUCTION IN THE GENERAL COSMETOLOGY CURRICULUM, INCLUDING BOTH
15 THEORY AND PRACTICAL HOURS. A STUDENT OR APPRENTICE IN A MANI-
16 CURING, SKIN CARE, OR ELECTROLOGY CURRICULUM MAY PRACTICE ON THE
17 PUBLIC ONLY AFTER COMPLETING AT LEAST 1/4 OF THE HOURS REQUIRED
18 BY THE APPLICABLE CURRICULUM, INCLUDING BOTH THEORY AND PRACTICAL
19 HOURS.

20 (6) THE TRANSFER OF OWNERSHIP OR LOCATION OF A SCHOOL OF
21 COSMETOLOGY OPERATES AS AN AUTOMATIC REVOCATION OF THE LICENSE.
22 THE FILING OF A NEW LICENSE APPLICATION IS A PREDICATE TO THE
23 CHANGE IN OWNERSHIP OR LOCATION OF A SCHOOL.

24 Sec. 1206. (1) ~~An owner, or person in charge of a cosmeto-~~
25 ~~logical establishment or school of cosmetology, shall not permit~~
26 ~~a person to sleep in, or use for residential purposes a room~~
27 ~~used, wholly or in part, for a school of cosmetology or a~~

1 ~~cosmetological establishment.~~ THE DEPARTMENT SHALL ISSUE A
2 LICENSE AS A COSMETOLOGY INSTRUCTOR TO AN INDIVIDUAL WHO MEETS
3 ALL OF THE FOLLOWING REQUIREMENTS:

4 (A) IS OF GOOD MORAL CHARACTER.

5 (B) HAS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT.

6 (C) IS LICENSED AS A COSMETOLOGIST UNDER THIS ARTICLE.

7 (D) HAS AT LEAST 3 YEARS OF PRACTICE EXPERIENCE IN HAIR CARE
8 SERVICES, SKIN CARE SERVICES, AND MANICURING SERVICES, AT LEAST 1
9 YEAR OF WHICH SHALL BE IN A COSMETOLOGY ESTABLISHMENT.

10 (E) HAS COMPLETED NOT LESS THAN 500 HOURS OF INSTRUCTOR
11 TRAINING.

12 (F) HAS PASSED AN EXAMINATION APPROVED BY THE DEPARTMENT AND
13 THE BOARD.

14 (2) THE DEPARTMENT SHALL ISSUE A LICENSE AS AN ELECTROLOGY
15 INSTRUCTOR TO AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING
16 REQUIREMENTS:

17 (A) IS OF GOOD MORAL CHARACTER.

18 (B) HAS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT.

19 (C) IS LICENSED AS AN ELECTROLOGIST UNDER THIS ARTICLE.

20 (D) HAS AT LEAST 3 YEARS OF PRACTICAL EXPERIENCE IN ELEC-
21 TROLOGY, AT LEAST 1 YEAR OF WHICH SHALL BE IN A COSMETOLOGY
22 ESTABLISHMENT HOLDING A LIMITED LICENSE FOR THE PRACTICE OF
23 ELECTROLOGY.

24 (E) HAS COMPLETED NOT LESS THAN 500 HOURS OF INSTRUCTOR
25 TRAINING.

26 (F) HAS PASSED AN EXAMINATION APPROVED BY THE DEPARTMENT AND
27 THE BOARD.

1 (3) THE DEPARTMENT MAY ISSUE A LIMITED INSTRUCTOR'S LICENSE
2 TO AN INDIVIDUAL WHO MEETS ALL OF THE REQUIREMENTS OF EITHER
3 SUBSECTION (1) OR SUBSECTION (2) EXCEPT SUBDIVISION (D) OF
4 SUBSECTION (2). A LIMITED INSTRUCTOR SHALL NOT SUPERVISE A
5 SCHOOL OF COSMETOLOGY AT ANY TIME.

6 (4) THE DEPARTMENT MAY ISSUE A LIMITED SPECIALIST
7 INSTRUCTOR'S LICENSE TO AN INDIVIDUAL WHO MEETS ALL OF THE FOL-
8 LOWING REQUIREMENTS:

9 (A) IS OF GOOD MORAL CHARACTER.

10 (B) HAS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT.

11 (C) IS LICENSED AS A MANICURIST OR ESTHETICIAN.

12 (D) HAS COMPLETED NOT LESS THAN 500 HOURS OF INSTRUCTOR
13 TRAINING.

14 (E) HAS PASSED AN EXAMINATION APPROVED BY THE DEPARTMENT AND
15 THE BOARD.

16 (5) THE SPECIALTY LICENSE SHALL LIMIT THE INSTRUCTION GIVEN
17 BY THAT INDIVIDUAL TO ONLY THE SERVICE IN WHICH HE OR SHE IS
18 LICENSED.

19 Sec. 1207. The department shall issue a COSMETOLOGIST
20 license to ~~practice cosmetology to~~ an individual who fulfills
21 all of the following requirements:

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

26 ~~(b) Presents a diploma, issued to the applicant by a school~~
27 ~~of cosmetology licensed by the department, showing that the~~

1 ~~applicant has completed the course of study in the school~~
 2 ~~prescribed by the department, or furnishes proof of having com-~~
 3 ~~pleted the required time in a licensed school of cosmetology as~~
 4 ~~prescribed by the department.~~

5 (A) ~~(c)~~ Is ~~at least~~ NOT LESS THAN 17 years of age.

6 (B) ~~(d)~~ Is of good moral character.

7 (C) ~~(e)~~ Has had an education equivalent to the completion
 8 of the ninth grade. ~~of public school.~~

9 (D) ~~(f)~~ Has ~~had training of at least 1,500 hours extend-~~
 10 ~~ing over a period of at least 10 months~~ COMPLETED EITHER NOT
 11 LESS THAN A 1,500-HOUR COURSE OF STUDY in a LICENSED school of
 12 cosmetology ~~approved by the department,~~ or has served ~~at least~~
 13 ~~2 years~~ as an apprentice FOR NOT LESS THAN 2 YEARS in a licensed
 14 ~~cosmetological~~ COSMETOLOGY establishment in which ~~cosmetology~~
 15 ~~is practiced~~ HAIR CARE SERVICES, SKIN CARE SERVICES, AND MANI-
 16 CURING SERVICES ARE OFFERED. THE TRAINING SHALL INCLUDE A MINI-
 17 MUM NUMBER OF PRACTICAL APPLICATIONS AS PRESCRIBED IN RULES
 18 PROMULGATED BY THE BOARD.

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

21 Sec. 1208. The department shall ~~admit to examination for~~
 22 ISSUE a license as an electrologist ~~,~~ TO an individual who ~~has~~
 23 ~~made application to the department, is~~ FULFILLS ALL OF THE
 24 FOLLOWING:

25 (A) IS not less than 18 years of age. ~~is~~

1 (B) Is of good moral character. ~~and has had a minimum~~
2 ~~training of 300 hours under the immediate supervision of a~~
3 ~~licensed electrologist in a school of cosmetology~~

4 (C) HAS HAD AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE
5 NINTH GRADE.

6 (D) HAS COMPLETED NOT LESS THAN 400 HOURS OF TRAINING IN A
7 LICENSED SCHOOL OF COSMETOLOGY in which the practice is taught or
8 has studied ~~under a licensed electrologist who has had at least~~
9 ~~3 years' practical experience as an electrologist for a period of~~
10 ~~12 months~~ FOR NOT LESS THAN 1 YEAR AS AN APPRENTICE IN A
11 LICENSED COSMETOLOGY ESTABLISHMENT WHERE ELECTROLOGY SERVICES ARE
12 OFFERED. THE TRAINING SHALL INCLUDE A MINIMUM NUMBER OF PRACTICAL
13 APPLICATIONS AS PRESCRIBED IN RULES PROMULGATED BY THE BOARD.

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

16 Sec. 1209. The department shall ~~admit to examination for~~
17 ISSUE a license as a manicurist ~~TO an individual who has~~
18 ~~made an application to the department, is~~ FULFILLS ALL OF THE
19 FOLLOWING:

20 (A) IS at least 17 years of age. ~~is~~

21 (B) IS of good moral character. ~~and has had a minimum~~
22 ~~training of 300 hours under the supervision of a licensed mani-~~
23 ~~curist, or a licensed cosmetologist~~

24 (C) HAS HAD AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE
25 NINTH GRADE.

26 (D) HAS COMPLETED NOT LESS THAN 400 HOURS OF TRAINING EITHER
27 in a licensed school of cosmetology ~~or shall have spent at~~

1 ~~least~~ AS AN APPRENTICE FOR NOT LESS THAN 6 months in a licensed
2 ~~cosmetological~~ COSMETOLOGY establishment where ~~the subject~~
3 MANICURING is practiced. THE TRAINING SHALL INCLUDE A MINIMUM
4 NUMBER OF PRACTICAL APPLICATIONS AS PRESCRIBED IN RULES PROMUL-
5 GATED BY THE BOARD.

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

8 Sec. 1210. (1) ~~An application for admission to examina-~~
9 ~~tion, and an application for licensure as a cosmetologist, elec-~~
10 ~~trologist, or manicurist shall be in writing on a blank prepared~~
11 ~~and furnished by the department. An application shall contain~~
12 ~~proof of the qualifications of the applicant for examination as~~
13 ~~provided in this article, and shall be verified by the oath of~~
14 ~~the applicant.~~ THE DEPARTMENT SHALL ISSUE A LICENSE AS AN
15 ESTHETICIAN TO AN INDIVIDUAL WHO FULFILLS ALL OF THE FOLLOWING
16 REQUIREMENTS:

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

18 (B) IS OF GOOD MORAL CHARACTER.

19 (C) HAS HAD AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE
20 NINTH GRADE.

21 (D) HAS COMPLETED NOT LESS THAN 400 HOURS OF TRAINING EITHER
22 IN A LICENSED SCHOOL OF COSMETOLOGY OR AS AN APPRENTICE FOR NOT
23 LESS THAN 8 MONTHS IN A LICENSED COSMETOLOGY ESTABLISHMENT WHERE
24 SKIN CARE SERVICES ARE RENDERED. THE TRAINING SHALL INCLUDE A
25 MINIMUM NUMBER OF PRACTICAL APPLICATIONS AS PRESCRIBED IN RULES
26 PROMULGATED BY THE BOARD.

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

3 (2) UNTIL DECEMBER 31, 1997, THE DEPARTMENT SHALL ISSUE A
4 LICENSE AS AN ESTHETICIAN TO AN INDIVIDUAL WHO FULFILLS ALL OF
5 THE FOLLOWING REQUIREMENTS:

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

7 (B) IS OF GOOD MORAL CHARACTER.

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

10 (D) PROVIDES EVIDENCE OF HAVING BEEN TRAINED IN SKIN CARE
11 SERVICES IN THIS OR ANY OTHER STATE PRIOR TO JANUARY 1, 1995.

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

14 Sec. 1211. (1) Upon an application to the department, an
15 individual licensed ~~as a cosmetologist~~ TO PERFORM COSMETOLOGY
16 SERVICES under the laws of another state shall, without examina-
17 tion, be granted a license to practice the ~~occupation in~~
18 SERVICES FOR which that individual was previously licensed if the
19 applicant is not less than 17 years of age, is of good moral
20 character, and the requirements for registration or licensure ~~as~~
21 ~~a cosmetologist~~ in the particular state were substantially equal
22 to the requirements then in force in this state.

23 (2) Years or months of experience ~~as a licensed cosmetolo-~~
24 ~~gist, electrologist, or manicurist~~ may be substituted for hours
25 of training in a ratio of 100 hours of training credited for each
26 6 months of experience. An individual applying for licensure
27 having qualifications acquired outside of the United States shall

1 provide proof of training or experience, or both. ~~as a~~
 2 ~~cosmetologist.~~ The department may determine whether or not an
 3 applicant is qualified to be ~~admitted for~~ LICENSED WITHOUT
 4 examination. ~~for licensure.~~

5 Sec. 1214. (1) A school of cosmetology UPON ENROLLING A
 6 STUDENT or ~~an~~ A COSMETOLOGY establishment ~~of cosmetology~~ upon
 7 ~~enrolling a student or~~ ACCEPTING AN apprentice shall file an
 8 application with the department and shall obtain proof of at
 9 least a ninth grade education or the equivalent of a ninth grade
 10 education. The application and proof of education shall be kept
 11 on file until the student or apprentice ~~makes application~~
 12 APPLIES for examination to obtain a license. ~~as a~~
 13 ~~cosmetologist.~~

14 (2) The ninth grade education requirement shall not apply to
 15 a student enrolling in a program offered as a part of the regular
 16 curriculum of a public school and approved by the state board of
 17 education.

18 Sec. 1218. (1) ~~Each cosmetological~~ THE DEPARTMENT SHALL
 19 INSPECT EACH COSMETOLOGY establishment ~~shall be inspected~~ at
 20 least once annually. ~~and~~ THE DEPARTMENT SHALL INSPECT each
 21 school of cosmetology ~~shall be inspected~~ OR COSMETOLOGY ESTAB-
 22 LISHMENT TRAINING APPRENTICES at least twice annually.

23 (2) A ~~board member or an inspector or investigator from~~
 24 REPRESENTATIVE OF the department ~~may~~ SHALL BE ALLOWED TO enter
 25 and inspect, during regular business hours, a ~~cosmetological~~
 26 COSMETOLOGY establishment or school of cosmetology to ~~ascertain~~

1 ~~that~~ DETERMINE WHETHER the licensee is conforming ~~with~~ TO this
2 article and the rules promulgated under this article.

3 (3) A REPRESENTATIVE OF THE DEPARTMENT, WHEN INSPECTING A
4 COSMETOLOGY ESTABLISHMENT OR SCHOOL OF COSMETOLOGY, MAY REQUIRE
5 AN INDIVIDUAL WORKING IN THE ESTABLISHMENT OR SCHOOL TO PRESENT
6 IDENTIFICATION IN ORDER TO SUBSTANTIATE HIS OR HER IDENTITY AS
7 THE HOLDER OF A POSTED LICENSE.

8 Section 2. Section 1216 of Act No. 299 of the Public Acts
9 of 1980, being section 339.1216 of the Michigan Compiled Laws, is
10 repealed.

11 Section 3. This amendatory act shall not take effect unless
12 Senate Bill No. _____ or House Bill No. 4798 (request
13 no. 03962'95 a) of the 88th Legislature is enacted into law.