

HOUSE BILL No. 4574

April 21, 2011, Introduced by Rep. Walsh and referred to the Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending section 1201 (MCL 339.1201), as amended by 1997 PA 97.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1201. As used in this article:

2 (a) "Apprentice" means an individual engaged in learning
3 cosmetology in a cosmetology establishment.

4 (b) "Braiding" means providing or offering to the general
5 public for compensation any of the following services solely for
6 development or improvement of physical qualities of the natural
7 hair structure:

1 (i) Intertwining in a systematic motion to create patterns in a
2 3-dimensional form.

3 (ii) Inversion or outversion flat against the scalp along the
4 part of a straight or curved row.

5 (iii) Twisting in a systematic motion.

6 (iv) Extension with natural or synthetic fibers.

7 (c) "Cosmetologist" means an individual who renders or offers
8 to render cosmetology services.

9 (d) "Cosmetology" means 1 of the following services or a
10 combination of the following services:

11 (i) Hair care services.

12 (ii) Skin care services.

13 (iii) Manicuring services.

14 (iv) Electrology.

15 (e) "Cosmetology establishment" means the premises ~~on which~~
16 **WHERE** cosmetology or 1 or more of its services are rendered or are
17 offered to be rendered. Cosmetology establishment does not include
18 a school of cosmetology.

19 (f) "Electrologist" means an individual who renders or offers
20 to render electrology.

21 (g) "Electrology" means the permanent removal of hair from the
22 body of an individual by the use of electricity.

23 (h) "Esthetician" means an individual who renders or offers to
24 render skin care services.

25 (i) "Hair care services" means arranging, cutting, dressing,
26 curling, waving, cleansing, singeing, bleaching, coloring, tinting,
27 trimming, styling, relaxing, perming, straightening, or similar

1 work ~~upon~~ **ON** the hair of ~~the~~ **AN INDIVIDUAL'S** head or a wig that an
2 individual is wearing.

3 (j) "Instructor" means an individual who teaches or offers to
4 teach 1 or more cosmetology services in a school of cosmetology.

5 (K) **"MAKEUP ARTISTRY" MEANS THE APPLICATION OF COSMETICS OR**
6 **MAKEUP DESIGNED FOR FILM PRODUCTION, TELEVISION BROADCAST, STAGE**
7 **PRODUCTION, FASHION PHOTOGRAPHY, OR OTHER ENTERTAINMENT-RELATED**
8 **INDUSTRIES.**

9 (l) ~~(k)~~ "Manicuring services" means the cleansing, filing,
10 shaping, buffing, polishing, or beautifying of the nails of the
11 hands or feet, and the cleansing, massaging, stimulating,
12 exercising, or beautifying of the skin of the hands, arms, and
13 feet, manually or with the use of tools, appliances, or cosmetic
14 preparations, including the repair of nails, or the creation or
15 decoration of artificial nails. Manicuring services do not include
16 the practice of podiatric medicine and surgery as defined in
17 section 18001 of the public health code, 1978 PA 368, MCL
18 333.18001.

19 (M) ~~(l)~~ "Manicurist" means an individual who renders or offers
20 to render manicuring services.

21 (N) ~~(m)~~ "Natural hair cultivation" means techniques that
22 result in tension on hair strands such as twisting, wrapping,
23 weaving, extending, locking, or braiding of the hair by hand. ~~7~~
24 ~~which work~~ **THE TERM** does not include the application of dyes,
25 reactive chemicals, or other preparations to alter the color or to
26 straighten, curl, or alter the structure of the hair.

27 (O) ~~(n)~~ "Natural hair culturist" means ~~a person~~ **AN INDIVIDUAL**

1 engaged in natural hair cultivation but does not include a ~~person~~
2 **AN INDIVIDUAL** engaged in natural hair cultivation if that activity
3 is performed as part of the practice of a recognized religion.

4 (P) ~~(e)~~-"Owner" means a person ~~who~~ **THAT** owns and conducts a
5 cosmetology establishment or a school of cosmetology.

6 (Q) ~~(p)~~-"School of cosmetology" means the premises where
7 cosmetology or 1 or more ~~of its~~ **COSMETOLOGY** services are taught.
8 **SCHOOL OF COSMETOLOGY DOES NOT INCLUDE A SCHOOL THAT TEACHES, OR**
9 **OFFERS TO TEACH, MAKEUP ARTISTRY.**

10 (R) ~~(q)~~-"Skin care services" includes the following services
11 or combination of services:

12 (i) Beautifying the skin of the body of an individual by the
13 use of cosmetic preparations, antiseptics, tonics, lotions, or
14 creams, including body wrapping.

15 (ii) Cleansing or stimulating the skin of the body by the use
16 of the hands, devices, apparatus, or appliances, with or without
17 the use of cosmetic preparations, antiseptics, tonics, lotions, or
18 creams.

19 (iii) The temporary removal of hair from the body of an
20 individual by the use of depilatories, waxes, razors, scissors,
21 clippers, or tweezers.

22 (iv) Giving facials, applying removable makeup, applying
23 eyelashes, or any other application of a preparation or beauty
24 enhancement to the body of an individual but does not include
25 applying permanent makeup or the use of tanning equipment.

26 (S) ~~(r)~~-"Student" means an individual engaged in learning
27 cosmetology or 1 or more of its services in a school of

1 cosmetology.