

Act No. 387
Public Acts of 2018
Approved by the Governor
December 19, 2018
Filed with the Secretary of State
December 19, 2018
EFFECTIVE DATE: March 19, 2019

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Senators Knollenberg and Warren

ENROLLED SENATE BILL No. 751

AN ACT to amend 1980 PA 299, entitled “An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations and to regulate certain persons and activities relative to those occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to provide immunity from certain civil liability for certain entities and certain related occupations under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 1203a (MCL 339.1203a), as added by 1997 PA 97.

The People of the State of Michigan enact:

Sec. 1203a. (1) Subject to subsection (5), an individual shall not perform any form of cosmetology services, with or without compensation, on any individual other than a member of his or her immediate family without a license under this article. However, this article does not apply to an individual, person, or premises that is licensed under article 11 while performing the services of a barber.

(2) An individual who is licensed as a cosmetologist under this article may perform hair care services, skin care services, natural hair cultivation, and manicuring services as part of the practice of cosmetology, but shall not perform electrology unless he or she is licensed as an electrologist.

(3) The department may license an individual to perform manicuring services, natural hair cultivation, or skin care services in accordance with his or her training. An individual who is licensed as a manicurist, natural hair culturist, or esthetician shall only perform that particular service and shall not perform any other cosmetology service unless he or she is licensed for that service. An individual who is licensed as a manicurist, natural hair culturist, or esthetician shall not perform electrology unless he or she is licensed as an electrologist.

(4) An individual who is licensed as an electrologist shall only perform electrology services and shall not perform any other cosmetology service unless he or she is separately licensed to perform those services.

(5) An individual who is a cosmetology student may perform shampoo services in a cosmetology establishment on members of the public without a license under this article if all of the following are met at the time the individual performs the shampooing services:

(a) Except as provided in subsection (6), he or she is enrolled in a school of cosmetology.

(b) He or she has completed at least the 350 hours of instruction in the school’s general cosmetology curriculum that is required under section 1205(5)(c). The instruction must include at least the minimum number of practical applications established by the director by rule.

(c) The cosmetology establishment that is employing the individual to perform shampoo services has received written verification from the school of cosmetology the individual attends, in the form of a letter on the school's letterhead, dated and signed by the director or manager of that school, that states all of the following:

- (i) The individual's full name.
- (ii) That the individual is currently enrolled in the school.
- (iii) That the individual meets the requirements described in subdivision (b).
- (iv) His or her expected graduation date.

(6) An individual who is performing shampooing services under subsection (5) without a license under this article may continue to perform those services at the cosmetology establishment without a license for a period of 30 days after the date the individual is scheduled to graduate from the school of cosmetology.

(7) A cosmetology establishment that employs a cosmetology student to perform shampoo services under subsection (5) must do all of the following:

(a) Maintain records of the student's employment and keep the records on file for at least 3 years after the end of the employment relationship. The records must include the verification letter described in subsection (5)(c).

(b) Allow the department access to the records described in subdivision (a).

(c) Ensure that the student does not perform cosmetology services other than shampoo services while employed by the establishment.

(d) Ensure that a licensed cosmetologist is present in the establishment when the student is performing shampoo services.

(8) A school of cosmetology that provides a verification letter described in subsection (5)(c) to a cosmetology establishment must retain a copy of the letter in the student's school record for at least 3 years after the student's expected graduation date.

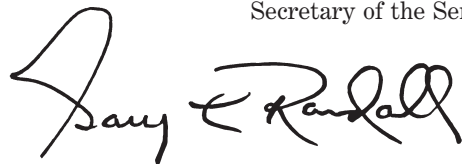
(9) As used in this section, "shampoo services" means preparing a customer for a shampoo, or shampooing or blow-drying a customer, for a licensed cosmetologist.

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

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

.....
Governor