

HOUSE BILL No. 5366

October 25, 2007, Introduced by Reps. Young, Gillard, Johnson, Warren, Lahti, Kathleen Law, Miller, Donigan, Hammon, Cushingberry, Gonzales, Hopgood, Lemmons, Condino, Griffin, Cheeks, Tobocman, Meisner, Bennett, Jackson, Constan, Espinoza, Robert Jones, Meadows, Melton, Simpson, Sheltroun and Scott and referred to the Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending sections 1206, 1207, 1208, 1209, 1210, and 1210a (MCL 339.1206, 339.1207, 339.1208, 339.1209, 339.1210, and 339.1210a), sections 1206, 1207, 1208, 1209, and 1210 as amended and section 1210a as added by 1997 PA 97.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1206. (1) The department shall issue a license as a
2 cosmetology instructor to an individual who meets all of the
3 following requirements:

4 (a) Is of good moral character. **FOR PURPOSES OF THIS**
5 **SUBDIVISION, AN INDIVIDUAL DOES NOT LACK GOOD MORAL CHARACTER IF HE**

1 OR SHE HAS BEEN CONVICTED OF A FELONY DETERMINED BY THE DEPARTMENT
2 TO BE NONVIOLENT.

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

4 (c) Is licensed as a cosmetologist under this article.

5 (d) Has at least 3 years of practical experience in natural
6 hair cultivation, hair care services, skin care services, and
7 manicuring services, at least 1 year of which shall be in a
8 cosmetology establishment.

9 (e) Has completed not less than 500 hours of instructor
10 training.

11 (f) Has passed an examination approved by the department and
12 the board.

13 (2) The department shall issue a license as an electrology
14 instructor to an individual who meets all of the following
15 requirements:

16 (a) Is of good moral character. **FOR PURPOSES OF THIS**
17 **SUBDIVISION, AN INDIVIDUAL DOES NOT LACK GOOD MORAL CHARACTER IF HE**
18 **OR SHE HAS BEEN CONVICTED OF A FELONY DETERMINED BY THE DEPARTMENT**
19 **TO BE NONVIOLENT.**

20 (b) Has a high school diploma or its equivalent.

21 (c) Is licensed as an electrologist under this article.

22 (d) Has at least 3 years of practical experience in
23 electrology, at least 1 year of which shall be in a cosmetology
24 establishment holding a limited license for the practice of
25 electrology.

26 (e) Has completed not less than 300 hours of instructor
27 training.

1 (f) Has passed an examination approved by the department and
2 the board.

3 (3) The department may issue a limited instructor's license to
4 an individual who meets all of the requirements of either
5 subsection (1) except for subsection (1)(d) or subsection (2)
6 except for subsection (2)(d). The holder of a limited instructor's
7 license shall not supervise a school of cosmetology at any time.

8 (4) The department may issue a limited specialist instructor's
9 license to an individual who meets all of the following
10 requirements:

11 (a) Is of good moral character. **FOR PURPOSES OF THIS**
12 **SUBDIVISION, AN INDIVIDUAL DOES NOT LACK GOOD MORAL CHARACTER IF HE**
13 **OR SHE HAS BEEN CONVICTED OF A FELONY DETERMINED BY THE DEPARTMENT**
14 **TO BE NONVIOLENT.**

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

16 (c) Is licensed as a manicurist, natural hair culturist, or
17 esthetician.

18 (d) Has completed not less than 300 hours of instructor
19 training.

20 (e) Has passed an examination approved by the department and
21 the board.

22 (5) The specialist instructor's license shall limit the
23 instruction given by that individual to only the service in which
24 he or she is licensed.

25 Sec. 1207. The department shall issue a cosmetologist license
26 to an individual who fulfills all of the following requirements:

27 (a) Is not less than 17 years of age.

1 (b) Is of good moral character. **FOR PURPOSES OF THIS**
2 **SUBDIVISION, AN INDIVIDUAL DOES NOT LACK GOOD MORAL CHARACTER IF HE**
3 **OR SHE HAS BEEN CONVICTED OF A FELONY DETERMINED BY THE DEPARTMENT**
4 **TO BE NONVIOLENT.**

5 (c) Has had an education equivalent to the completion of the
6 ninth grade.

7 (d) Has completed either not less than a 1,500-hour course of
8 study in a licensed school of cosmetology or has served as an
9 apprentice for not less than 2 years in a licensed cosmetology
10 establishment in which hair care services, skin care services, and
11 manicuring services are offered. The training shall include a
12 minimum number of practical applications as prescribed in rules
13 promulgated by the director.

14 (e) Has passed an examination prescribed by the department and
15 the board.

16 Sec. 1208. The department shall issue a license as an
17 electrologist to an individual who fulfills all of the following:

18 (a) Is not less than 18 years of age.

19 (b) Is of good moral character. **FOR PURPOSES OF THIS**
20 **SUBDIVISION, AN INDIVIDUAL DOES NOT LACK GOOD MORAL CHARACTER IF HE**
21 **OR SHE HAS BEEN CONVICTED OF A FELONY DETERMINED BY THE DEPARTMENT**
22 **TO BE NONVIOLENT.**

23 (c) Has had an education equivalent to the completion of the
24 ninth grade.

25 (d) Has completed not less than 400 hours of training in a
26 licensed school of cosmetology in which the practice is taught or
27 has studied for not less than 6 months as an apprentice in a

1 licensed cosmetology establishment where electrology services are
2 offered. The training shall include a minimum number of practical
3 applications as prescribed in rules promulgated by the director.

4 (e) Has passed an examination prescribed by the board and the
5 department.

6 Sec. 1209. The department shall issue a license as a
7 manicurist to an individual who fulfills all of the following:

8 (a) Is at least 17 years of age.

9 (b) Is of good moral character. **FOR PURPOSES OF THIS**
10 **SUBDIVISION, AN INDIVIDUAL DOES NOT LACK GOOD MORAL CHARACTER IF HE**
11 **OR SHE HAS BEEN CONVICTED OF A FELONY DETERMINED BY THE DEPARTMENT**
12 **TO BE NONVIOLENT.**

13 (c) Has had an education equivalent to the completion of the
14 ninth grade.

15 (d) Has completed not less than 400 hours of training either
16 in a licensed school of cosmetology or as an apprentice for not
17 less than 6 months in a licensed cosmetology establishment where
18 manicuring is practiced. The training shall include a minimum
19 number of practical applications as prescribed in rules promulgated
20 by the director.

21 (e) Has passed an examination prescribed by the board and the
22 department.

23 Sec. 1210. (1) ~~After the expiration of 12 months after the~~
24 ~~effective date of the 1997 amendatory act that amended this section~~
25 **AUGUST 7, 1998**, the department shall issue a license as an
26 esthetician to an individual who fulfills all of the following
27 requirements:

1 (a) Is at least 17 years of age.

2 (b) Is of good moral character. **FOR PURPOSES OF THIS**
3 **SUBDIVISION, AN INDIVIDUAL DOES NOT LACK GOOD MORAL CHARACTER IF HE**
4 **OR SHE HAS BEEN CONVICTED OF A FELONY DETERMINED BY THE DEPARTMENT**
5 **TO BE NONVIOLENT.**

6 (c) Has had an education equivalent to the completion of the
7 ninth grade.

8 (d) Has completed not less than 400 hours of training either
9 in a licensed school of cosmetology or as an apprentice for not
10 less than 6 months in a licensed cosmetology establishment where
11 skin care services are rendered. The training shall include a
12 minimum number of practical applications as prescribed in rules
13 promulgated by the director.

14 (e) If an examination is available, has passed an examination
15 prescribed by the board and the department.

16 (2) ~~Until the expiration of 12 months after the effective date~~
17 ~~of the 1997 amendatory act that added this subsection~~ **AUGUST 7,**
18 **1998,** the department shall issue a license as an esthetician to an
19 individual who fulfills all of the following requirements:

20 (a) Is at least 17 years of age.

21 (b) Is of good moral character. **FOR PURPOSES OF THIS**
22 **SUBDIVISION, AN INDIVIDUAL DOES NOT LACK GOOD MORAL CHARACTER IF HE**
23 **OR SHE HAS BEEN CONVICTED OF A FELONY DETERMINED BY THE DEPARTMENT**
24 **TO BE NONVIOLENT.**

25 (c) Has had an education equivalent to the completion of the
26 ninth grade.

27 (d) Provides evidence of having obtained the equivalent of 6

1 months of full-time experience in skin care services in this or any
2 other state within the 12 months immediately preceding the date of
3 application.

4 (e) If an examination is available, has passed an examination
5 prescribed by the board and the department.

6 Sec. 1210a. (1) After December 31, 1999, the department shall
7 issue a license to practice natural hair cultivation to an
8 individual who fulfills all of the following:

9 (a) If an examination is available, has passed an examination
10 prescribed by the department and the board. In lieu of an
11 examination being available, the department shall evaluate the
12 experience of an applicant, which experience shall include at least
13 6 months of field practice or experience.

14 (b) Is at least 17 years of age.

15 (c) Is of good moral character. **FOR PURPOSES OF THIS**
16 **SUBDIVISION, AN INDIVIDUAL DOES NOT LACK GOOD MORAL CHARACTER IF HE**
17 **OR SHE HAS BEEN CONVICTED OF A FELONY DETERMINED BY THE DEPARTMENT**
18 **TO BE NONVIOLENT.**

19 (d) Has an education equivalent to the completion of the ninth
20 grade.

21 (e) Has training either of at least 400 hours extending over a
22 period of at least 3 months in a school of cosmetology approved by
23 the department where services relating to natural hair cultivation
24 are rendered or has served at least 6 months as an apprentice in a
25 licensed cosmetology establishment in which natural hair
26 cultivation is practiced.

27 (2) Until December 31, 1999, the department shall issue a

1 license to practice natural hair cultivation to an individual who
2 fulfills all of the following:

3 (a) If an examination is available, has passed an examination
4 prescribed by the board and the department. In lieu of an
5 examination being available, the department shall evaluate the
6 experience of an applicant, which experience shall include at least
7 6 months of field practice or experience.

8 (b) Is at least 17 years of age.

9 (c) Is of good moral character. **FOR PURPOSES OF THIS**
10 **SUBDIVISION, AN INDIVIDUAL DOES NOT LACK GOOD MORAL CHARACTER IF HE**
11 **OR SHE HAS BEEN CONVICTED OF A FELONY DETERMINED BY THE DEPARTMENT**
12 **TO BE NONVIOLENT.**

13 (d) Has an education equivalent to the completion of the ninth
14 grade.

15 (3) Notwithstanding any other provision in this article, an
16 individual may engage in natural hair cultivation for compensation
17 and may operate an establishment where natural hair cultivation
18 only is practiced without having first obtained an individual or
19 establishment license under this article.