

SENATE BILL No. 857

November 30, 2011, Introduced by Senator GLEASON and referred to the Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending sections 1101 and 1104 (MCL 339.1101 and 339.1104), as
amended by 1984 PA 25.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1101. As used in this article:

- 2 (a) "Barber" means ~~a person who shaves~~ **AN INDIVIDUAL THAT**
3 **PROVIDES ANY OF THE FOLLOWING SERVICES:**
4 (i) **SHAVES** or trims the beard of ~~a person; cuts,~~ **AN INDIVIDUAL.**
5 (ii) **CUTS**, trims, shampoos, relaxes, curls, permanently waves,
6 dresses, tints, bleaches, colors, arranges, or styles the hair of a
7 ~~person; massages~~ **AN INDIVIDUAL.**
8 (iii) **MASSAGES** the face and head of ~~a person; or renders~~ **AN**
9 **INDIVIDUAL.**

1 (iv) PROVIDES personal services of a similar nature TO THOSE
2 DESCRIBED IN SUBPARAGRAPHS (i) TO (iii) THAT ARE customarily done by
3 a barber.

4 (b) "Barber college" means an establishment ~~which~~ THAT renders
5 for compensation the services of a barber, but ~~having~~ HAS for its
6 primary purpose the teaching for compensation of the theory and
7 practice of ~~serving as~~ PROVIDING SERVICES OF a barber.

8 (C) "BARBER POLE" MEANS A CYLINDER OR POLE WITH ALTERNATING
9 RED AND WHITE STRIPES, ALTERNATING RED, WHITE, AND BLUE STRIPES, OR
10 ALTERNATING STRIPES OF ANY OTHER COLOR COMBINATION, THAT RUN
11 DIAGONALLY ALONG THE LENGTH OF THE CYLINDER OR POLE.

12 (D) ~~(c)~~ "Barbershop" means a place, establishment, or premises
13 or part of a premises where ~~a person~~ AN INDIVIDUAL performs ~~as~~
14 SERVICES OF a barber.

15 (E) ~~(d)~~ "Demonstration" means a show, seminar, or contest in
16 which barber services are rendered for the purpose of educating
17 barbers.

18 (F) ~~(e)~~ "Demonstrator" means ~~a person~~ AN INDIVIDUAL who
19 performs a service of a barber at a demonstration.

20 (G) ~~(f)~~ "Immediate family" means ~~persons residing~~ INDIVIDUALS
21 WHO RESIDE together who are related by birth, marriage, or
22 adoption.

23 (H) ~~(g)~~ "Instructor" means ~~a person~~ AN INDIVIDUAL who
24 instructs another in the theory and practice of ~~serving as~~
25 PROVIDING SERVICES OF a barber.

26 (I) ~~(h)~~ "Student" means ~~a person~~ AN INDIVIDUAL learning the
27 theory and practice of ~~serving as~~ PROVIDING SERVICES OF a barber.

1 (J) ~~(i)~~ "Student instructor" means ~~a person~~ **AN INDIVIDUAL**
 2 learning the theory and practice of teaching barbering.

3 Sec. 1104. (1) A person shall not ~~render the~~ **PROVIDE ANY**
 4 services of a barber, with or without compensation, ~~on any person~~
 5 ~~other than his or her immediate family~~ unless the person is
 6 licensed under this article. This section shall not apply to a
 7 **EITHER OF THE FOLLOWING:**

8 (A) A person ~~holding~~ **THAT HOLDS** a demonstration permit issued
 9 under section 1117.

10 (B) **A PERSON WHO IS AN INDIVIDUAL PROVIDING SERVICES OF A**
 11 **BARBER TO HIS OR HER IMMEDIATE FAMILY.**

12 (2) A person shall not use the title "barber" in any way,
 13 including, but not limited to, in the name of an establishment,
 14 unless the person is licensed under this article.

15 (3) **A PERSON SHALL NOT USE OR DISPLAY A BARBER POLE FOR THE**
 16 **PURPOSE OF OFFERING SERVICES OF A BARBER TO THE CONSUMING PUBLIC,**
 17 **OR TO ADVERTISE THOSE SERVICES, UNLESS THE PERSON, AND EACH BARBER**
 18 **EMPLOYED BY THAT PERSON, IS LICENSED UNDER THIS ARTICLE.**

19 (4) ~~(3) Nothing in this~~ **THIS** article shall be construed to
 20 **DOES NOT** prohibit a person licensed under article 12 from ~~rendering~~
 21 **PROVIDING** the services for which ~~he or she~~ **THAT PERSON** is licensed.