



Senate Fiscal Agency  
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## BILL ANALYSIS



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Senate Bill 751 (as introduced 1-17-18)  
Sponsor: Senator Marty Knollenberg  
Committee: Regulatory Reform

Date Completed: 3-20-18

**CONTENT**

**The bill would amend Article 12 (Cosmetology) of the Occupational Code to do the following:**

- **Exempt from licensing requirements a cosmetology student performing shampoo services in a cosmetology establishment if certain education requirements were met.**
- **Specify that the licensure exemption would expire 30 days after the student was scheduled to graduate from a school of cosmetology.**
- **Require a cosmetology establishment that employed a student to perform shampoo service to maintain certain records and give the Department of Licensing and Regulatory Affairs access to them.**
- **Require a cosmetology establishment to prohibit a student from performing cosmetology services other than shampoo services while employed by the establishment.**

The bill would define "shampoo services" as preparing a customer for a shampoo, or shampooing or blow-drying a customer, for a licensed cosmetologist.

The Code specifies that an individual must 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. ("Cosmetology" means one or more of the following services: hair care services, skin care services, manicuring services, and electrology.)

Under the bill, this prohibition would not apply to a cosmetology student who was performing shampoo services on members of the public in a cosmetology establishment if all of the following were met:

- The student was currently registered as a senior cosmetology student at a school of cosmetology.
- The student had completely the 350 hours of instruction required under Section 1205(5)(c) and had met the academic requirements regarding those courses in client safety, sanitation, bacteriology, hair and scalp disorders, scalp manipulations, and proper shampooing procedure.
- The cosmetology establishment that was employing the student to perform shampoo services applied to the school of cosmetology the student was attending, on an application form provided by the Department of Licensing and Regulatory Affairs, for verification that the student was currently registered as a senior cosmetology student and had completed the required 350 hours of instruction.

- If the student were currently registered as a senior cosmetology student and had completed the required 350 hours of instruction, the school of cosmetology would have to determine if the student met those criteria and, if so, would have to provide verification by returning a signed copy of the application to the cosmetology establishment.

(Under Section 1205(5)(c), a cosmetology student or apprentice is permitted to practice on the public only after completing at least 350 hours of instruction in the general cosmetology curriculum of a school of cosmetology or a cosmetology establishment conducting an apprenticeship program, including both theory and practical hours. A student or apprentice in a natural hair cultivation, manicuring, skin care, or electrology curriculum may practice on the public only after completing at least one-quarter of the hours required by the applicable curriculum, including both theory and practical hours.)

An exception to the prohibition for a student authorized to perform shampoo services would expire 30 days after the date the student was scheduled to graduate from the school of cosmetology.

A cosmetology establishment that employed a student to perform shampoo services would have to do all of the following:

- Maintain records of the student's employment and keep the records on file for at least three years after the end of the employment relationship.
- Allow the Department access to the records.
- Post the student's approved application with the cosmetology licenses in the establishment.
- Not allow the student to perform cosmetology services other than shampoo services while employed by the establishment.

The bill would take effect 90 days after its enactment.

MCL 339.1203a

Legislative Analyst: Stephen Jackson

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Elizabeth Raczkowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.