

BARBER COLLEGES AND SCHOOLS OF COSMETOLOGY

Phone: (517) 373-8080
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House Bill 4335 as enacted
Public Act 27 of 2020

Analysis available at
<http://www.legislature.mi.gov>

Sponsor: Rep. Jeff Yaroch
1st House Committee: Regulatory Reform
2nd House Committee: Ways and Means
Senate Committee: Regulatory Reform
Complete to 3-27-20

BRIEF SUMMARY: House Bill 4335 allows a barber college and a school of cosmetology to occupy the same building and share facilities. Additionally, under the bill, each institution can allow students who are licensed in the other profession to substitute up to 1,000 hours of instruction earned at the other type of institution for hours of substantially similar instruction at their current institution.

FISCAL IMPACT: The bill would not have a significant fiscal impact on the Department of Licensing and Regulatory Affairs (LARA) or on other units of state or local government. Under the bill, LARA would be required to promulgate rules establishing criteria for determining whether hours of instruction at barber colleges and schools of cosmetology are similar. This promulgation would not result in any significant costs for the department.

THE APPARENT PROBLEM:

Michigan law regulates schools that provide instruction for students of barbering or students of cosmetology under separate provisions within the Occupational Code and does not allow a barber college and a school of cosmetology to share the same facilities. Barbering and cosmetology, though sharing a focus on hair services, are different in philosophy and approach to hair services and also offer different types of services. For example, barbers are trained and licensed to offer straight razor shaving, whereas cosmetologists are not. A fully licensed cosmetologist may offer nail services in addition to styling, cutting, and dying hair, whereas barbers may not perform nail services.

It has been noted, though, that many of the required educational and theory components are similar, if not substantially the same. However, a student in one type of school is often not able to have completed hours of instruction accepted at the other type of school should he or she either switch midcourse to the other type of school or, if already licensed, decide to become licensed in the other profession as well. Some feel that this disadvantages students who decide to switch emphasis while in school and professionals who wish to expand their career or business opportunities. Besides the time involved in repeating hours of instruction already successfully completed, some financial aid programs will not reimburse for a similar or identical class or course of study, even if necessary for a different type of license. Further, an operator of a barber college and a school of cosmetology cannot operate the two programs in the same building unless separate entrances are used, instruction is provided in different classrooms, and separate facilities, such as sinks and sterilizers, are provided.

Legislation has been offered to address the above concerns.

THE CONTENT OF THE BILL:

House Bill 4335 amends sections 1110 and 1205 of the Occupational Code, which provide for licensure as a barber or as a cosmetologist, respectively. Among other requirements, a person seeking licensure as a barber must complete 225 hours of classroom study, demonstrations, and recitations and 1,575 hours of practical barber training. For full licensure as a cosmetologist, a person must, among other things, complete 1,500 hours of theory and practice.

Under the bill, if a student of a barber college is licensed as a cosmetologist, the barber college may allow the student to substitute hours of instruction completed at a state school of cosmetology for hours of instruction with substantially similar content at the barber college. Likewise, if a student of cosmetology is licensed as a barber, the school of cosmetology may allow the student to substitute hours of instruction completed at a state barber college for hours of instruction with substantially similar content at the school of cosmetology.

In both cases, the number of hours that can be substituted is capped at 1,000, and the bill applies only to schools licensed by the state under the code.

The bill also adds to the general requirements for cosmetology schools. In addition to requirements as to courses, equipment, instructors, and the provision of certain information to students and the public, it requires the following:

- That, if a specialist demonstrator gives a classroom demonstration, the school must ensure that a licensed instructor supervises the demonstration.
- That the premises of the school must be completely separated by full partitions and doors from any other activity, business, or dwelling.

Additionally, the bill removes a provision specifying which cosmetology establishments must fulfill the requirements under section 1205, as well as a provision describing the requirements for a cosmetology school conducting an apprenticeship program.

LARA must establish criteria through departmental rules for determining whether an hour of instruction at one licensed entity is substantially similar to an hour of instruction at the other.

Finally, the bill allows a school of cosmetology and a barber college to occupy the same building and share facilities.

The bill takes effect May 4, 2020.

MCL 339.1110 and 339.1205

ARGUMENTS:

For:

Requiring these institutions to accept some of the completed training earned at the other type of entity could expedite the ability of students who switch from one emphasis to the other to enter the workforce and could reduce the financial burden of having to pay twice for essentially the same instruction. The bill would similarly help a person who is already

licensed and practicing as a barber or cosmetologist to expand his or her expertise to serve the needs of clients or to continue working in a changing business climate.

Against:

No arguments against the bill were presented in House committee.

Legislative Analysts: Jenny McInerney
Susan Stutzky
Fiscal Analyst: Marcus Coffin

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