



# OHIO LEGISLATIVE SERVICE COMMISSION

## Sub. Bill Comparative Synopsis

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### H.B. 189

132nd General Assembly

(H. Government Accountability and Oversight)

This table summarizes the changes contained in L\_132\_1073-3 and how the substitute bill changes the Introduced version of H.B. 189. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	H.B. 189 (As Introduced)	Sub. Version (L_132_1073-3)
<b>Boutique services</b>	Adds to the definition of "boutique services" eye lash extension services and wig application, the term also includes braiding, threading, shampooing under current law. (R.C. 4713.01.)	Eliminates the "boutique services" definition. (The language removed from the definition of boutique services is added to the definition of the "practice of boutique services"; see " <b>Practice of boutique services</b> ," below). (R.C. 4713.01.)
<b>Braiding</b>	<p>Adds to the definition of "braiding" in current law that braiding may include upright or singled patterns as well as inverted patterns, locking the hair while adding bulk or length with human or synthetic hair, and using simple devices such as clips, combs, and hair pins.</p> <p>Excludes from the definition of braiding in current law "the application of weaving, bonding, and fusion of individual strands or wefts; application of dyes, reactive chemicals, or other</p>	<p>Adds that braiding may include "<i>beading, crocheting, wrapping, or similarly manipulating the hair while adding bulk or length with human hair, synthetic hair, or both, and using simple devices such as clips, combs, <i>crochet hooks, blunt-tipped needles, and hair pins.</i>"</i></p> <p>Clarifies that braiding does not include "the use of <i>chemical hair-joining agents such as synthetic tape, keratin bonds, or fusion bonds to weave or fuse individual strands or wefts.</i>" (R.C. 4713.01.)</p>

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	preparations to alter the color or straighten, curl, or alter the structure of hair; or embellishing or beautifying hair by cutting or singeing, except as needed to finish the ends of synthetic fibers used to add bulk to or lengthen hair." (R.C. 4713.01.)	
<b>Branch of cosmetology</b>	No provision.	Removes "the practice of cosmetology" and "the practice of natural hair styling" from the definition under current law of "branch of cosmetology." Under current law, the definition also includes practice of esthetics, practice of hair design, practice of manicuring, or practice of boutique services. (R.C. 4713.01.)
<b>Cosmetology</b>	Adds to the definition of "cosmetology" the art or practice of cleansing, stimulating or massaging a person's scalp, face, neck, or arms; and treating a person's mustache or beard by arranging, beautifying, coloring, processing, styling, or trimming or shaving with a disposable safety razor. Deletes wigs from the current law definition. (R.C. 4713.01.)	Instead, defines "cosmetology" as "the art or practice of one of the branches of cosmetology." (The language removed from the definition of cosmetology is added to the definition of the "practice of hair design"; see " <b>Practice of hair design</b> ," below). (R.C. 4713.01.)
<b>Distance education</b>	Defines "distance education" as "courses in which instruction is accomplished through use of interactive, electronic media and where the teacher and student are separated by distance, time, or both." (R.C. 4713.01.)	Same, but adds instruction accomplished through correspondence or the Internet. (R.C. 4713.01.)
<b>Disposable safety razor</b>	Defines "disposable safety razor" as "a razor that is fitted with a guard close to the cutting edge of the razor that is intended to prevent the razor from cutting too deeply, to reduce the risk of accidental cuts, and to be used on an individual one time and then thrown away and not used for another purpose." (R.C. 4713.01.)	Instead, defines "disposable safety razor" as "a shaving implement that is designed with a protective device that is intended to prevent the razor from cutting too deeply and reduce the risk of accidental cuts. A "disposable safety razor" can be a razor with the handle and blade joined together, or a razor with a blade attachment that can be detached from a handle. The cutting edge

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		of the razor is to be used on an individual one time and then thrown away and not used for any other purpose." (R.C. 4713.01.)
<b>Independent contractor</b>	Defines "independent contractor" as "an individual who is not an employee of a salon but practices a branch of cosmetology within a salon at a licensed facility." (R.C. 4713.01.)	Excludes from the As Introduced definition of "independent contractor" <i>the practice of boutique services.</i> (R.C. 4713.01.)
<b>Infection control</b>	No provision.	Defines "infection control" as "the practice of ensuring that a salon, including all equipment, implements, and other personal property in the salon, is properly cleaned and disinfected at all times, except for the immediate period during which a person licensed under [the Cosmetology Law] is performing a cosmetology service or preparing the service area for a patron." (R.C. 4713.01.)
<b>Natural hair stylist</b>	No provision.	Eliminates the definition of "natural hair stylist" as part of eliminating the natural hair stylist registration (see " <b>Natural hair stylist registration</b> ," below). (R.C. 4713.01.)
<b>Practice of boutique services</b>	No provision.	Defines "practice of boutique services" as "braiding, threading, and shampooing, eye lash extension services, and wig styling and application." (R.C. 4713.01.)
<b>Practice of esthetics</b>	Deletes from the definition of "practice of esthetics" eye lash extension services. (R.C. 4713.01.)	Adds "eye lash extension services" back into the definition of "practice of esthetics." (R.C. 4713.01.)
<b>Practice of hair design</b>	Removes "wigs" from the definition of "practice of hair design." (R.C. 4713.01.)	Adds the language removed from the definition of cosmetology (see " <b>Cosmetology</b> ," above) to the "practice of hair design" and reinserts "wigs." The new definition provides "embellishing or beautifying hair, wigs, or hairpieces by arranging, dressing, pressing, curling, waving, permanent

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		<p>waving, cleansing, cutting, singeing, bleaching, coloring, braiding, weaving, <i>bonding and fusion of individual strands or wefts</i>, or similar work. "Practice of hair design" includes utilizing techniques performed by hand that result in tension on hair roots such as twisting, wrapping, weaving, extending, locking, or braiding of the hair; <i>the art or practice of cleansing, stimulating, or massaging a person's scalp, face, neck, or arms; embellishment, cleansing, beautification, and styling of hair, wigs, postiches, face, body, or nails; and treating a person's mustache or beard by arranging, beautifying, coloring, processing, styling, or trimming or shaving with a disposable safety razor.</i>" (R.C. 4713.01.)</p>
<b>Practice of natural hair styling</b>	No provision.	Eliminates the definition of "practice of natural hair styling" as part of eliminating the natural hair stylist registration (see " <b>Natural hair stylist registration</b> ," below). (R.C. 4713.01.)
<b>Register or registration</b>	No provision.	Defines "register" or "registration" to mean a requirement that an individual provide notice to the state of the individual's intent to provide certain services in a branch of cosmetology. (R.C. 4713.01.)
<b>Salon</b>	No provision.	Clarifies that the definition in current law of "salon" includes a licensed facility in which an individual engages in instruction or learning of one or more branches of cosmetology. (R.C. 4713.01.)
<b>School of cosmetology</b>	No provision.	Clarifies that the current law definition of "school of cosmetology" means any premises, building, or part of a building <i>licensed</i> as a school by the State Board of Cosmetology. (R.C. 4713.01.)

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<b>State cosmetology and barber board</b>	Refers to the "State Board of Cosmetology." <i>(R.C. 4713.02, with references throughout.)</i>	Instead, refers to the "State Cosmetology and Barber Board" to reflect the changes made to the Board by Am. Sub. H.B. 49 that are now law. <i>(R.C. 4713.02, with conforming changes throughout.)</i>
<b>Nurse practitioner or certified nurse member of the board</b>	Removes the nurse practitioner or certified nurse member of the Board and adds a second member of the public to the Board. <i>(R.C. 4713.02.)</i>	Restores the nurse practitioner or certified nurse member of the Board and retains one public member as in current law. <i>(R.C. 4713.02.)</i>
<b>Annual report submitted by the Board</b>	No provision.	Requires the annual written report submitted by the Board to address the previous fiscal year, instead of the previous 12-month period under current law, and to be submitted by September 1 of each year. <i>(R.C. 4713.071(A).)</i>  Also requires the information contained in the report to be compiled separately for public and private schools of cosmetology. <i>(R.C. 4713.071(A).)</i>
<b>Instructor license fee</b>	Requires the Board to set the fee for an instructor license in rules adopted by the Board. <i>(R.C. 4713.08(A)(8).)</i>	No provision.
<b>Rules requiring licenses to be granted to students who complete requirements</b>	Requires the Board to adopt rules to establish conditions under which a cosmetology student seeking a practicing license may take the licensure examination before completing the required hours of training, and requires the Board to grant a license to a student who has taken the examination early and satisfied the conditions established by the Board in rules. <i>(R.C. 4713.08(A)(20)(b)(iii).)</i>	Same, but notes that the Board is not required to grant a license to a student who is subject to potential disciplinary action from the Board. <i>(R.C. 4713.08(A)(20)(b)(iii).)</i>

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<b>Board to specify natural hair stylist registration conditions</b>	Requires the Board to specify conditions under which a student may be permitted to register as a natural hair stylist. (R.C. 4713.08(A)(24).)	Eliminates the requirement as part of eliminating the natural hair stylist registration (see " <b>Natural hair stylist registration</b> ," below). (R.C. 4713.08.)
<b>Board fees generally</b>	No provision.	Specifies that the fees that the Board establishes for various applications and permits under current law are nonrefundable. (R.C. 4713.10(A).)
<b>Cosmetology school license fee</b>	No provision.	Adds that the \$250 fee set under current law for the issuance or renewal of a cosmetology school license must also be paid to process the change in name or ownership of a cosmetology school license. (R.C. 4713.10(A)(8).)
<b>Prohibition on using the title "registered" if not registered</b>	No provision.	Prohibits an individual from using the title "registered" if the person does not have a current and valid boutique services or independent contractor registration with the Board. (R.C. 4713.14(R).)
<b>Glamour photography and boutique services registrants</b>	No provision.	Allows boutique services registrants to practice boutique services as a part of glamour photography services in a licensed salon. (R.C. 4713.16(A)(4)(b)(ii).)
<b>Payment plans for disciplinary fines to the Board</b>	No provision.	Increases the time the Board can, upon request of a person fined or its own motion, extend the time for fine repayment from up to 90 days under current law to up to 180 days. (R.C. 4713.64(E)(3).)

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<b>Teaching cosmetology at a salon to certain persons prohibited</b>	No provision.	Removes a current law provision that prohibits a person from teaching a branch of cosmetology at a salon to a person who is not licensed in a branch of cosmetology or has not been granted a temporary pre-examination work permit and makes a conforming change related to its removal ( <i>R.C. 4713.14(K)</i> ); <i>conforming changes in R.C. 4713.141</i> .
<b>Board required to enter into agreement with national testing service</b>	Requires the Board to enter into an agreement with a national testing service for the service to develop and administer licensure examinations. ( <i>R.C. 4713.24(A)</i> .)	No provision.
<b>Oral test</b>	Allows the cosmetology examination to include either written or oral tests of theory and procedure related to the type of license the individual seeks ( <i>R.C. 4713.24(A)(1)</i> .)	Instead, removes references to oral tests and requires theory and procedure tests to be written. ( <i>R.C. 4713.24(A)(1)</i> with <i>conforming changes throughout the section</i> .)
<b>Hours of instruction required before esthetician may take examination</b>	Requires an individual seeking an esthetics license to have completed at least 150 hours of instruction at a licensed school of cosmetology before taking the examination. ( <i>R.C. 4713.24(G)(1)(b)</i> .)	Increases the number of hours of instruction that must be completed before the examination to 300 hours. ( <i>R.C. 4713.24(G)(1)(b)</i> .)
<b>Hours of instruction required before manicurist may take examination</b>	Requires an individual seeking a manicurist license to have completed at least 50 hours of instruction at a licensed school of cosmetology before taking the examination. ( <i>R.C. 4713.24(G)(1)(d)</i> .)	Increases the number of hours of instruction that must be completed before the examination to 100 hours. ( <i>R.C. 4713.24(G)(1)(d)</i> .)
<b>Board required to adopt rules to permit an individual to take the practical portion of the cosmetology examination at the individual's school</b>	No provision.	Requires the Board to adopt rules to permit an individual to take the practical portion of the required cosmetology examination at the individual's school of cosmetology when the individual has completed all the required hours of instruction at a school licensed in Ohio or another state. ( <i>R.C. 4713.24(G)(2)</i> .)

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<b>Recent photograph must be submitted with license application</b>	No provision.	Removes a current law provision that requires an applicant for a practicing license to submit a recent photograph of the individual that meets the specifications established by the Board. <i>(R.C. 4713.28(A)(4)(b).)</i>
<b>Standards for a licensed barber to receive a cosmetology license</b>	Allows a barber licensed in Ohio to apply for an initial cosmetology license after completing 200 hours of Board-approved cosmetology training in a licensed school of cosmetology, instead of 1,000 hours as required under current law. <i>(R.C. 4713.28(A)(7)(a).)</i>	Instead, allows a barber licensed in Ohio to apply for an initial cosmetology license after completing 400 hours of Board-approved cosmetology training in a licensed school of cosmetology. <i>(R.C. 4713.28(A)(7)(a).)</i>
<b>Hours in specific subjects required for cosmetology license</b>	States that the 1,000 hours of required training under the bill may be completed with the following curriculum offered by a school of cosmetology: <ul style="list-style-type: none"> <li>• 50 hours of professional and business development instruction;</li> <li>• 70 hours of general sciences instruction;</li> <li>• 75 hours of shampoo, rinse, and scalp treatment training;</li> <li>• 150 hours of texture services training;</li> <li>• 175 hours of hair coloring training;</li> <li>• 175 hours of hairstyling and design training;</li> <li>• 175 hours of hair cutting instruction;</li> <li>• 65 hours of nail care instruction; and</li> <li>• 65 hours of skin care instruction. <i>(R.C. 4713.28(A)(7).)</i></li> </ul>	Instead, requires the 1,000 hours of training to include the following subjects and hours assigned to each: <ul style="list-style-type: none"> <li>• 24 hours of professional requirements instruction;</li> <li>• 26 hours of safety, health, and infection control training;</li> <li>• 15 hours of anatomy and physiology training;</li> <li>• 10 hours of hair analysis training;</li> <li>• 10 hours of hair and scalp disorders and diseases training;</li> <li>• 5 hours of chemistry as applied to cosmetology training;</li> <li>• 30 hours of shampoos, rinses, conditioners, and treatments training;</li> <li>• 175 hours of hair cutting and shaping training;</li> <li>• 245 hours of hair styling training;</li> </ul>

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		<ul style="list-style-type: none"> <li>• 180 hours of chemical restructuring training;</li> <li>• 180 hours of hair coloring and lightening training;</li> <li>• 40 hours of nail care and procedures training; and</li> <li>• 60 hours of training in skin care and procedures. <i>(R.C. 4713.28(A)(7).)</i></li> </ul>
<b>Hours required for esthetician license</b>	Lowers from 600 to 300 hours the number of hours an applicant for an initial esthetician license must complete of Board-approved esthetics training in a licensed school of cosmetology. <i>(R.C. 4713.28(A)(8).)</i>	Restores the 600-hour requirement. <i>(R.C. 4713.28(A)(8).)</i>
<b>Hours required for hair design license</b>	Lowers from 1,200 to 600 hours the number of hours an applicant for an initial hair design license must complete of Board-approved hair designer training in a licensed school of cosmetology. <i>(R.C. 4713.28(A)(9).)</i>	Increases the required hours to 800. <i>(R.C. 4713.28(A)(9).)</i>
<b>Standards for a licensed barber to receive a hair designer license</b>	<p>Allows a barber licensed in Ohio to apply for an initial hair designer license after completing 400 hours of Board-approved cosmetology training in a licensed school of cosmetology, instead of 1,000 hours under current law. <i>(R.C. 4713.28(A)(9).)</i></p> <p>No provision.</p>	<p>Instead, allows a barber licensed in Ohio to apply for an initial hair designer license after completing 200 hours of Board-approved cosmetology training in a licensed school of cosmetology. <i>(R.C. 4713.28(A)(9).)</i></p> <p>Also allows a barber licensed in Ohio who has been in active practice for five years to take a written and practical examination for licensure in lieu of hair designer training. <i>(R.C. 4713.28(A)(9).)</i></p>

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<b>Hours required for manicurist license</b>	Decreases from 200 to 100 the number of hours an applicant for an initial manicurist license must complete of Board-approved manicurist training in a licensed school of cosmetology. (R.C. 4713.28(A)(10).)	Restores the 200-hour requirement. (R.C. 4713.28(A)(10).)
<b>Required experience for instructor's license</b>	Requires an applicant for an instructor license to have at least five years of experience in the beauty industry. (R.C. 4713.31(D).)	Instead, requires an applicant for an instructor license to provide proof of sufficient relevant experience, as determined by the Board. (R.C. 4713.31(D).)
<b>Standards for license reciprocity</b>	No provision.	Removes a provision in current law that allows the Board to issue a reciprocal license to an individual licensed in another state or country only if the state or country has similar requirements for obtaining a license at the time the individual obtained the license. (R.C. 4713.34(B).)
<b>Licensure by endorsement</b>	No provision.	Permits an individual to apply for licensure by endorsement if the individual is licensed in another state or territory, files an application with the Board that includes information about the individual's license and licensure status in the other state, and pays the applicable fee. (R.C. 4713.341.)  Requires an applicant for a license by endorsement to pay a fee of \$45. (R.C. 4713.10(A)(15).)
<b>Natural hair stylist registration</b>	No provision.	Eliminates the natural hair stylist registration. (R.C. 4713.35 and 4713.72, with conforming changes throughout.)

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<b>Salon licensure sanitation requirements</b>	<p>Requires an applicant for a license to operate a salon to affirm that the salon will clean and disinfect all nonporous instruments and supplies at the salon before they will be used on a patron.</p> <p>Requires items that are porous and cannot be disinfected to be disposed of immediately after a single use. (R.C. 4713.41(B)(2).)</p>	<p>Removes the specification that the cleaning and disinfection be done before use on a patron. (R.C. 4713.41(B)(2).)</p> <p>Requires the sanitation standards adopted by the Board to require porous instruments and supplies that cannot be disinfected to be disposed of immediately after a single use. (R.C. 4713.08(A)(15).)</p>
<b>Individual with inactive license may practice with temporary work permit</b>	No provision.	Removes a provision of current law that provides that a person with an inactive license in a branch of cosmetology may practice that branch of cosmetology if the person holds a temporary work permit under rules adopted by the Board. (R.C. 4713.61(C).)
<b>Continuing education for boutique services registrants</b>	Technical change, only. (R.C. 4713.69(C).)	Removes the continuing education requirements for boutique services registrants. (R.C. 4713.62, 4713.69, and 4713.09, with conforming changes throughout.)
<b>Title for boutique services registrants</b>	No provision.	Allows boutique services registrants to use "registered" as a designated title. (R.C. 4713.69(D).)
<b>Transferability of boutique services registration</b>	No provision.	Specifies that a boutique services registration is nontransferable. (R.C. 4713.69(E).)
<b>Special event permits and registrants</b>	No provision.	Clarifies that registrants, not only licensees, may obtain special event permits. (R.C. 4713.70(B).)

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<b>Branches of cosmetology and the apprentice program</b>	Directs the Board to adopt rules to establish a cosmetology apprentice program, and to allow apprentices to train in the practice of esthetics, hair design, manicuring, or hair styling under a licensed person in a licensed salon. (R.C. 4713.71(A).)	Same, but allows apprentices to be trained in cosmetology only and removes references to the practice of esthetics, hair design, manicuring, and hair styling. (R.C. 4713.71(A).)
<b>Apprentice generally must be enrolled in cosmetology school</b>	No provision.	Requires participants in the apprenticeship program to be enrolled in an existing cosmetology program through an approved and licensed post-secondary school of cosmetology, unless there is no school located near the salon or willing to work with the salon.  Requires the school of cosmetology to provide oversight over the sponsoring salon's training and instruction. (R.C. 4713.71(B) with conforming changes throughout the section.)
<b>Fee to sponsoring salon for apprentice program</b>	Permits sponsors of the apprenticeship program to charge participants a fee of not more than \$2,500. (R.C. 4713.71(E).)	Instead allows a sponsoring salon to charge a cosmetology school or, if no school is working with the apprentice, allows the salon to charge the apprentice directly \$2,500. (R.C. 4713.71(B).)
<b>Fee to cosmetology school for apprentice program</b>	No provision.	Allows schools of cosmetology to charge students serving as apprentices \$2,500 for oversight services. (R.C. 4713.71(B).)
<b>Limit on fee charged to apprentice</b>	No provision.	Limits the total expenses that can be charged to an apprentice to \$5,000. (R.C. 4713.71(B).)
<b>Apprentice age</b>	Requires an apprentice to be at least 16 years old to apply for the apprentice program. (R.C. 4713.71(B)(1).)	Instead, requires an apprentice to be at least 18 years old (R.C. 4713.71(C)(1).)

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<b>Apprentices required to pass apprentice examination</b>	Requires the Board to adopt rules to require an applicant to the cosmetology apprenticeship program to pass an apprentice examination developed in Board rules. (R.C. 4713.71(B)(5).)	Instead, requires the Board to adopt rules to require an applicant to have completed an initial hour pre-apprentice training course as established by the Board. (R.C. 4713.71(C)(5).)
<b>Required experience for apprentice trainer</b>	Requires an apprentice to work under a trainer with a valid practicing or instructor license and at least five years of experience in the <i>beauty industry</i> . (R.C. 4713.71(C)(2).)	Instead, requires an apprentice trainer with a practicing or instructor license to have at least five years of experience in the <i>practice of cosmetology or a branch of cosmetology</i> . (R.C. 4713.71(D)(2).)
<b>Best practices to be incorporated into apprentice training program</b>	Requires apprentices take 200 hours of instruction incorporating the best practices developed through the Milady and Pivot Point curricula. (R.C. 4713.71(C)(3).)	Instead, requires apprentices to take 200 hours of instruction incorporating the best safety and infection control practices developed through curricula approved by the Board, and requires a licensed post-secondary school of cosmetology to assist in providing and coordinating the 200 hours of related instruction and ongoing reporting of the apprentice's progress. (R.C. 4713.71(D)(3).)
<b>Apprentice compensation</b>	States that apprentices must receive compensation that is at a minimum equal to the state minimum wage. (R.C. 4713.71(D).)	Same, but clarifies that the apprentices are to be compensated by the licensed salon in which they are an apprentice. (R.C. 4713.71(E).)
<b>Apprentice examination</b>	Requires the apprentice to take an examination at the end of the program and requires the Board to grant a license upon passage of the examination. (R.C. 4713.71(F).)	Instead, allows the apprentice to take the examination and does not require the Board to grant the appropriate license upon passage of an apprentice examination. (R.C. 4713.71(F).)
<b>Board to issue replacement licenses to holders of valid managing or advanced licenses</b>	Requires the Board to issue a cosmetology license or a license to practice in a branch of cosmetology to all individuals holding a valid managing or advanced license in that branch of cosmetology before the bill's effective date.	Instead, requires the Board to issue instructor's licenses in cosmetology or a branch of cosmetology to holders of valid managing or advanced licenses.