



# OHIO LEGISLATIVE SERVICE COMMISSION

## Sub. Bill Comparative Synopsis

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### Sub. H.B. 189

132nd General Assembly

(H. Government Accountability & Oversight)

This table summarizes how the As Re-Referred by H. Rules & Reference version differs from L\_132\_1073-5. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two drafts are substantively the same.

Topic	As Re-Referred by H. Rules & Reference (L_132_1073-3)	L_132_1073-5
<b>Hair designer changed to hairstylist</b>	No provision.	Changes all mentions of "hair designer" to "hairstylist" throughout. <i>(R.C. 2925.01(W)(8), 4709.03(D), 4713.01, 4713.28, and 4713.35.)</i>
<b>Natural hair stylist's license</b>	Eliminates the natural hair stylist license, along with natural hair style instructors and natural hair style salons. Makes conforming changes related to the elimination. <i>(R.C. 2925.01(W)(8), 4713.01, and 4713.35.)</i>	Reinstates the natural hair stylist license along with natural hair style instructors and natural hair style salons. Makes conforming changes related to the license reinstatement. <i>(R.C. 2925.01(W)(8), 4713.01, 4713.24, 4713.28, and 4713.35.)</i>
<b>Apprentice cosmetologist</b>	Defines an "apprentice cosmetologist" as an individual who does not hold a license under the Cosmetology Law and is engaged in learning or acquiring knowledge of the practice of cosmetology. <i>(R.C. 4713.01.)</i>	No provision. <i>(R.C. 4713.01.)</i>

Topic	As Re-Referred by H. Rules & Reference (L_132_1073-3)	L_132_1073-5
<b>Apprentice instructor</b>	No provision.	Clarifies in the definition of "apprentice instructor" means an instructor of cosmetology, in addition to a branch of cosmetology. <i>(R.C. 4713.01.)</i>
<b>Practice of hair design</b>	States that the practice of hair design includes "embellishment, cleansing, beautification, and styling of hair, wigs, postiches, face, body, or nails". <i>(R.C. 4713.01.)</i>	Changes the practice of hair design to practice of hairstyling (see " <b>Hair designer changed to hairstylist</b> ," above) and eliminates "face, body, or nails" from the definition. <i>(R.C. 4713.01.)</i>
<b>Hair removal</b>	Defines "hair removal" to include tweezing, waxing, sugaring, and threading, but excluding electrolysis. <i>(R.C. 4713.01.)</i>	Same, and adds "shaving" to the definition. <i>(R.C. 4713.01.)</i>
<b>Acknowledgement form</b>	No provision.	Requires the State Cosmetology and Barber Board to create and provide an acknowledgement form for each type of license to all schools of cosmetology which states the minimum required hours for the license under the Cosmetology Law. Requires the school to provide the form to each student and return a signed acknowledgement form for each student to the Board when the school notifies the Board of the student's enrollment. <i>(R.C. 4713.07(A)(14) and 4713.44.)</i>
<b>Board required to include apprentice cosmetologist numbers and fees in report</b>	No provision.	Requires the Board to include in its annual report the number of individuals participating in the apprenticeship program and, for each school of cosmetology, a description for and the amount of any fees charged to apprentices. <i>(R.C. 4713.071(A)(11).)</i>

Topic	As Re-Referred by H. Rules & Reference (L_132_1073-3)	L_132_1073-5
<b>Intermediate cosmetology license</b>	No provision.	Creates an intermediate cosmetology license and requires the Board to issue an intermediate cosmetology license to any individual who has completed 1,500 hours of cosmetology training on or before December 31, 2019. Requires an intermediate license holder to comply with continuing education requirements. Allows an intermediate license to be renewed indefinitely so long as it does not expire or is not revoked. <i>(R.C. 4713.09, 4713.091, and Section 7.)</i>
<b>Licensure by endorsement fee</b>	Requires the Board to charge and collect a nonrefundable \$45 fee to issue a license by endorsement. <i>(R.C. 4713.10(A)(15).)</i>	No provision.
<b>Licensure by endorsement and reciprocity</b>	Provides for separate processes for reciprocal licensure and licensure by endorsement. In order to obtain a reciprocal licensure, an applicant is required to be at least 18 years old, of good moral character, provide evidence of licensure in another state or country, and pay the applicable fee. <i>(R.C. 4713.34.)</i> In order to obtain a licensure by endorsement, an applicant must file an application including an official certification of licensure including the applicant's name, issuance date, expiration date, exam description and grades, and records of disciplinary actions against the applicant, provide proof of any name change (if applicable) and pay the applicable fee. <i>(R.C. 4713.341.)</i>	Instead, consolidates the processes for reciprocal licensure and licensure by endorsement. The Board is required to issue a license by endorsement to a person licensed in another state or country who is at least 18 years old, is of good moral character, pays the applicable fee, and either submits satisfactory evidence of licensure in another state or, if licensed in another country, submits satisfactory evidence that the standards in that country were similar to those in Ohio at the time the person was trained or licensed. <i>(R.C. 4713.34.)</i>

Topic	As Re-Referred by H. Rules & Reference (L_132_1073-3)	L_132_1073-5
<b>Prohibited conduct by instructor's licensed in a branch of cosmetology but not cosmetology</b>	Eliminates provisions in current law permitting an individual licensed as an esthetics, hair design, manicurist, or natural hair stylist instructor to teach the theory and practice of only the branch of cosmetology in which the instructor is licensed. <i>(R.C. 4713.35.)</i>	Reinstates the provisions restricting instructors in a branch of cosmetology other than cosmetology to teaching the branch of cosmetology in which the instructor is licensed. <i>(R.C. 4713.35.)</i>
<b>Surety bond amount</b>	Requires a school of cosmetology seeking licensure to file a \$10,000 surety bond. <i>(R.C. 4713.44(A)(8).)</i>	Instead, requires the amount of the bond to be equal to 10% of the school's gross income from tuition, fees, and other required instructional charges during the preceding calendar year, provided that the required amount must not be less than \$10,000 and not more than \$250,000. Permits a private school to obtain a bond in a greater amount. <i>(R.C. 4713.44(A)(8).)</i>
<b>Identification to be produced on request</b>	Requires a license holder or registrant to maintain the license, certification, or registration, and a current government-issued photo identification that can be produced upon request. <i>(R.C. 4713.56.)</i>	Instead, requires the license holder or registrant to maintain the license, certification, or registration, but only to produce a current government-issued photo identification upon request. <i>(R.C. 4713.56.)</i>
<b>Continuing education requirement for boutique services registrants</b>	Eliminates the continuing education requirement for boutique services registrants. <i>(R.C. 4713.62 and 4713.69.)</i>	Reinstates the continuing education requirement for boutique services registrants. <i>(R.C. 4713.62 and 4713.69.)</i>
<b>Apprentice program fees</b>	Limits a sponsor of the cosmetology apprentice program from charging schools a fee of more than \$2,500. Limits schools from charging a participant tuition of more than \$2,500, and allows a salon to charge up to \$2,500 as an instruction fee if no	Removes the fee limits and instead requires a post-secondary school of cosmetology and salon sponsor to provide the Board with a description and the amount of any fees to be charged to apprentices. <i>(R.C. 4713.71.)</i>

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	<p>school is working with the salon. Limits the total out-of-pocket expenses that can be charged to an apprentice to a total of \$5,000. (R.C. 4713.71.)</p>	
<b>Cosmetology apprentice training program approval</b>	<p>Requires a cosmetology apprentice to complete a year-long training program with at least 1,800 hours of on-the-job instruction and 200 hours of related instruction incorporating the best safety and infection control practices of curricula approved by the Board. (R.C. 4713.71.)</p>	<p>Same, but requires the training program to be approved by the Board. (R.C. 4713.71.)</p>
<b>Cosmetology apprentice training program length</b>	<p>No provision.</p>	<p>Prohibits the Board from requiring an apprentice to complete a training program with a number of mandated formal training hours that exceeds 150% of the number of hours of instruction required to obtain an initial license of the type the apprentice is seeking. (R.C. 4713.71.)</p>
<b>Maintaining advanced licensure</b>	<p>Requires the Board to issue a new instructor's license in cosmetology or a branch of cosmetology to anyone holding a valid managing or advanced license on the effective date of the act. (Section 3.)</p>	<p>Instead allows an advanced license holder to either be issued an instructor's license or continue to hold an advanced license, to be considered an instructor's license for purposes of the Cosmetology Law, so long as the advanced license does not expire. If the advanced license expires the individual may not renew the license as an advanced license, but may instead apply to renew the license as if it were an instructor's license. (Section 3.)</p>

Topic	As Re-Referred by H. Rules & Reference (L_132_1073-3)	L_132_1073-5
<b>Independent contractor license validity</b>	No provision.	Provides that a valid independent contractor license held by a person on or after the effective date of the act is valid until the license expires. Requires a person to register as an independent contractor when the person's independent contractor license expires. <i>(Section 6.)</i>