A BILL

To amend sections 2925.01, 3333.26, 4713.01, 4713.02, 4713.03, 4713.06, 4713.07, 4713.071, 4713.08, 4713.081, 4713.09, 4713.10, 4713.14, 4713.141, 4713.16, 4713.17, 4713.22, 4713.24, 4713.28, 4713.31, 4713.32, 4713.34, 4713.35, 4713.37, 4713.41, 4713.42, 4713.44, 4713.45, 4713.46, 4713.49, 4713.55, 4713.56, 4713.57, 4713.58, 4713.59, 4713.60, 4713.61, 4713.62, 4713.63, 4713.64, 4713.641, 4713.65, 4713.66, 4713.69, 4743.05, 4745.01, 4776.20, and 5502.63; to enact new section 4713.39 and sections 4713.091, 4713.281, 4713.311, 4713.70, and 4713.71; and to repeal sections 4709.01, 4709.02, 4709.03, 4709.05, 4709.07, 4709.08, 4709.09, 4709.10, 4709.11, 4709.12, 4709.13, 4709.14, 4709.23, 4709.99, 4713.25, 4713.26, 4713.30, 4713.36, and 4713.39 of the Revised Code to revise the law governing the regulation of cosmetologists and barbers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:
Section 1. That sections 2925.01, 3333.26, 4713.01, 4713.02, 4713.03, 4713.06, 4713.07, 4713.071, 4713.08, 4713.081, 4713.09, 4713.10, 4713.14, 4713.141, 4713.16, 4713.17, 4713.22, 4713.24, 4713.28, 4713.31, 4713.32, 4713.34, 4713.35, 4713.37, 4713.41, 4713.42, 4713.44, 4713.45, 4713.46, 4713.49, 4713.55, 4713.56, 4713.57, 4713.58, 4713.59, 4713.60, 4713.61, 4713.62, 4713.63, 4713.64, 4713.641, 4713.65, 4713.66, 4713.69, 4743.05, 4776.20, and 5502.63 be amended and new section 4713.39 and sections 4713.091, 4713.281, 4713.311, 4713.70, and 4713.71 of the Revised Code be enacted to read as follows:

Sec. 2925.01. As used in this chapter:


(B) "Drug dependent person" and "drug of abuse" have the same meanings as in section 3719.011 of the Revised Code.

(C) "Drug," "dangerous drug," "licensed health professional authorized to prescribe drugs," and "prescription" have the same meanings as in section 4729.01 of the Revised Code.

(D) "Bulk amount" of a controlled substance means any of the following:

(1) For any compound, mixture, preparation, or substance included in schedule I, schedule II, or schedule III, with the exception of any controlled substance analog, marihuana,
cocaine, L.S.D., heroin, any fentanyl-related compound, and hashish and except as provided in division (D)(2), (5), or (6) of this section, whichever of the following is applicable:

(a) An amount equal to or exceeding ten grams or twenty-five unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I opiate or opium derivative;

(b) An amount equal to or exceeding ten grams of a compound, mixture, preparation, or substance that is or contains any amount of raw or gum opium;

(c) An amount equal to or exceeding thirty grams or ten unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I hallucinogen other than tetrahydrocannabinol or lysergic acid amide, or a schedule I stimulant or depressant;

(d) An amount equal to or exceeding twenty grams or five times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II opiate or opium derivative;

(e) An amount equal to or exceeding five grams or ten unit doses of a compound, mixture, preparation, or substance that is or contains any amount of phencyclidine;

(f) An amount equal to or exceeding one hundred twenty grams or thirty times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II stimulant that is in a final dosage form manufactured by a person authorized by the
"Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and the federal drug abuse control laws, as defined in section 3719.01 of the Revised Code, that is or contains any amount of a schedule II depressant substance or a schedule II hallucinogenic substance;

(g) An amount equal to or exceeding three grams of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II stimulant, or any of its salts or isomers, that is not in a final dosage form manufactured by a person authorized by the Federal Food, Drug, and Cosmetic Act and the federal drug abuse control laws.

(2) An amount equal to or exceeding one hundred twenty grams or thirty times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule III or IV substance other than an anabolic steroid or a schedule III opiate or opium derivative;

(3) An amount equal to or exceeding twenty grams or five times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule III opiate or opium derivative;

(4) An amount equal to or exceeding two hundred fifty milliliters or two hundred fifty grams of a compound, mixture, preparation, or substance that is or contains any amount of a schedule V substance;

(5) An amount equal to or exceeding two hundred solid dosage units, sixteen grams, or sixteen milliliters of a
compound, mixture, preparation, or substance that is or contains any amount of a schedule III anabolic steroid;

(6) For any compound, mixture, preparation, or substance that is a combination of a fentanyl-related compound and any other compound, mixture, preparation, or substance included in schedule III, schedule IV, or schedule V, if the defendant is charged with a violation of section 2925.11 of the Revised Code and the sentencing provisions set forth in divisions (C)(10)(b) and (C)(11) of that section will not apply regarding the defendant and the violation, the bulk amount of the controlled substance for purposes of the violation is the amount specified in division (D)(1), (2), (3), (4), or (5) of this section for the other schedule III, IV, or V controlled substance that is combined with the fentanyl-related compound.

(E) "Unit dose" means an amount or unit of a compound, mixture, or preparation containing a controlled substance that is separately identifiable and in a form that indicates that it is the amount or unit by which the controlled substance is separately administered to or taken by an individual.

(F) "Cultivate" includes planting, watering, fertilizing, or tilling.

(G) "Drug abuse offense" means any of the following:

(1) A violation of division (A) of section 2913.02 that constitutes theft of drugs, or a violation of section 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised Code;

(2) A violation of an existing or former law of this or any other state or of the United States that is substantially
equivalent to any section listed in division (G)(1) of this section;

(3) An offense under an existing or former law of this or any other state, or of the United States, of which planting, cultivating, harvesting, processing, making, manufacturing, producing, shipping, transporting, delivering, acquiring, possessing, storing, distributing, dispensing, selling, inducing another to use, administering to another, using, or otherwise dealing with a controlled substance is an element;

(4) A conspiracy to commit, attempt to commit, or complicity in committing or attempting to commit any offense under division (G)(1), (2), or (3) of this section.

(H) "Felony drug abuse offense" means any drug abuse offense that would constitute a felony under the laws of this state, any other state, or the United States.

(I) "Harmful intoxicant" does not include beer or intoxicating liquor but means any of the following:

(1) Any compound, mixture, preparation, or substance the gas, fumes, or vapor of which when inhaled can induce intoxication, excitement, giddiness, irrational behavior, depression, stupefaction, paralysis, unconsciousness, asphyxiation, or other harmful physiological effects, and includes, but is not limited to, any of the following:

(a) Any volatile organic solvent, plastic cement, model cement, fingernail polish remover, lacquer thinner, cleaning fluid, gasoline, or other preparation containing a volatile organic solvent;

(b) Any aerosol propellant;
(c) Any fluorocarbon refrigerant;

(d) Any anesthetic gas.

(2) Gamma Butyrolactone;

(3) 1,4 Butanediol.

(J) "Manufacture" means to plant, cultivate, harvest, process, make, prepare, or otherwise engage in any part of the production of a drug, by propagation, extraction, chemical synthesis, or compounding, or any combination of the same, and includes packaging, repackaging, labeling, and other activities incident to production.

(K) "Possess" or "possession" means having control over a thing or substance, but may not be inferred solely from mere access to the thing or substance through ownership or occupation of the premises upon which the thing or substance is found.

(L) "Sample drug" means a drug or pharmaceutical preparation that would be hazardous to health or safety if used without the supervision of a licensed health professional authorized to prescribe drugs, or a drug of abuse, and that, at one time, had been placed in a container plainly marked as a sample by a manufacturer.

(M) "Standard pharmaceutical reference manual" means the current edition, with cumulative changes if any, of references that are approved by the state board of pharmacy.

(N) "Juvenile" means a person under eighteen years of age.

(O) "Counterfeit controlled substance" means any of the following:

(1) Any drug that bears, or whose container or label
bears, a trademark, trade name, or other identifying mark used without authorization of the owner of rights to that trademark, trade name, or identifying mark;

(2) Any unmarked or unlabeled substance that is represented to be a controlled substance manufactured, processed, packed, or distributed by a person other than the person that manufactured, processed, packed, or distributed it;

(3) Any substance that is represented to be a controlled substance but is not a controlled substance or is a different controlled substance;

(4) Any substance other than a controlled substance that a reasonable person would believe to be a controlled substance because of its similarity in shape, size, and color, or its markings, labeling, packaging, distribution, or the price for which it is sold or offered for sale.

(P) An offense is "committed in the vicinity of a school" if the offender commits the offense on school premises, in a school building, or within one thousand feet of the boundaries of any school premises, regardless of whether the offender knows the offense is being committed on school premises, in a school building, or within one thousand feet of the boundaries of any school premises.

(Q) "School" means any school operated by a board of education, any community school established under Chapter 3314 of the Revised Code, or any nonpublic school for which the state board of education prescribes minimum standards under section 3301.07 of the Revised Code, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted at the time a criminal offense is committed.
(R) "School premises" means either of the following:

(1) The parcel of real property on which any school is situated, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the premises at the time a criminal offense is committed;

(2) Any other parcel of real property that is owned or leased by a board of education of a school, the governing authority of a community school established under Chapter 3314. of the Revised Code, or the governing body of a nonpublic school for which the state board of education prescribes minimum standards under section 3301.07 of the Revised Code and on which some of the instruction, extracurricular activities, or training of the school is conducted, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the parcel of real property at the time a criminal offense is committed.

(S) "School building" means any building in which any of the instruction, extracurricular activities, or training provided by a school is conducted, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted in the school building at the time a criminal offense is committed.

(T) "Disciplinary counsel" means the disciplinary counsel appointed by the board of commissioners on grievances and discipline of the supreme court under the Rules for the Government of the Bar of Ohio.

(U) "Certified grievance committee" means a duly constituted and organized committee of the Ohio state bar
association or of one or more local bar associations of the state of Ohio that complies with the criteria set forth in Rule V, section 6 of the Rules for the Government of the Bar of Ohio.

(V) "Professional license" means any license, permit, certificate, registration, qualification, admission, temporary license, temporary permit, temporary certificate, or temporary registration that is described in divisions (W)(1) to (27) of this section and that qualifies a person as a professionally licensed person.

(W) "Professionally licensed person" means any of the following:

(1) A person who has received a certificate or temporary certificate as a certified public accountant or who has registered as a public accountant under Chapter 4701 of the Revised Code and who holds an Ohio permit issued under that chapter;

(2) A person who holds a certificate of qualification to practice architecture issued or renewed and registered under Chapter 4703 of the Revised Code;

(3) A person who is registered as a landscape architect under Chapter 4703 of the Revised Code or who holds a permit as a landscape architect issued under that chapter;

(4) A person licensed under Chapter 4707 of the Revised Code;

(5) A person who has been issued a certificate of registration as a registered barber under Chapter 4709 of the Revised Code;

(6) A person licensed and regulated to engage in the
business of a debt pooling company by a legislative authority, under authority of Chapter 4710. of the Revised Code;

(7) (6) A person who has been issued a cosmetologist's license, hair designer's stylist's license, manicurist's license, esthetician's license, natural hair stylist's license, advanced cosmetologist's license, advanced hair designer's license, advanced manicurist's license, advanced esthetician's license, advanced natural hair stylist's license, cosmetology instructor's license, hair design instructor's license, manicurist instructor's license, esthetics instructor's license, natural hair style barber's license, instructor's license, independent contractor's license, or tanning facility permit under Chapter 4713. of the Revised Code;

(8) (7) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious sedation permit, a limited resident's license, a limited teaching license, a dental hygienist's license, or a dental hygienist's teacher's certificate under Chapter 4715. of the Revised Code;

(9) (8) A person who has been issued an embalmer's license, a funeral director's license, a funeral home license, or a crematory license, or who has been registered for an embalmer's or funeral director's apprenticeship under Chapter 4717. of the Revised Code;

(10) (9) A person who has been licensed as a registered nurse or practical nurse, or who has been issued a certificate for the practice of nurse-midwifery under Chapter 4723. of the Revised Code;

(11) (10) A person who has been licensed to practice optometry or to engage in optical dispensing under Chapter 4725.
of the Revised Code;

(12) (11) A person licensed to act as a pawnbroker under Chapter 4727. of the Revised Code;

(13) (12) A person licensed to act as a precious metals dealer under Chapter 4728. of the Revised Code;

(14) (13) A person licensed under Chapter 4729. of the Revised Code as a pharmacist or pharmacy intern or registered under that chapter as a registered pharmacy technician, certified pharmacy technician, or pharmacy technician trainee;

(15) (14) A person licensed under Chapter 4729. of the Revised Code as a manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, repackager of dangerous drugs, wholesale distributor of dangerous drugs, or terminal distributor of dangerous drugs;

(16) (15) A person who is authorized to practice as a physician assistant under Chapter 4730. of the Revised Code;

(17) (16) A person who has been issued a license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery under Chapter 4731. of the Revised Code or has been issued a certificate to practice a limited branch of medicine under that chapter;

(18) (17) A person licensed as a psychologist or school psychologist under Chapter 4732. of the Revised Code;

(19) (18) A person registered to practice the profession of engineering or surveying under Chapter 4733. of the Revised Code;

(20) (19) A person who has been issued a license to practice chiropractic under Chapter 4734. of the Revised Code;
(21) A person licensed to act as a real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;

(22) A person registered as a registered sanitarian under Chapter 4736. of the Revised Code;

(23) A person licensed to operate or maintain a junkyard under Chapter 4737. of the Revised Code;

(24) A person who has been issued a motor vehicle salvage dealer's license under Chapter 4738. of the Revised Code;

(25) A person who has been licensed to act as a steam engineer under Chapter 4739. of the Revised Code;

(26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Chapter 4741. of the Revised Code;

(27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Chapter 4747. of the Revised Code;

(28) A person who has been issued a class A, class B, or class C license or who has been registered as an investigator or security guard employee under Chapter 4749. of the Revised Code;

(29) A person licensed to practice as a nursing home administrator under Chapter 4751. of the Revised Code;

(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised Code;
(31) (30) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;

(32) (31) A person who is licensed as a licensed professional clinical counselor, licensed professional counselor, social worker, independent social worker, independent marriage and family therapist, or marriage and family therapist, or registered as a social work assistant under Chapter 4757. of the Revised Code;

(33) (32) A person issued a license to practice dietetics under Chapter 4759. of the Revised Code;

(34) (33) A person who has been issued a license or limited permit to practice respiratory therapy under Chapter 4761. of the Revised Code;

(35) (34) A person who has been issued a real estate appraiser certificate under Chapter 4763. of the Revised Code;

(36) (35) A person who has been issued a home inspector license under Chapter 4764. of the Revised Code;

(37) (36) A person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and published rules.

(X) "Cocaine" means any of the following:

(1) A cocaine salt, isomer, or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine;

(2) Coca leaves or a salt, compound, derivative, or preparation of coca leaves, including ecgonine, a salt, isomer, or derivative of ecgonine, or a salt of an isomer or derivative of ecgonine;
(3) A salt, compound, derivative, or preparation of a substance identified in division (X)(1) or (2) of this section that is chemically equivalent to or identical with any of those substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves if the extractions do not contain cocaine or ecgonine.

(Y) "L.S.D." means lysergic acid diethylamide.

(Z) "Hashish" means the resin or a preparation of the resin contained in marihuana, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.

(AA) "Marihuana" has the same meaning as in section 3719.01 of the Revised Code, except that it does not include hashish.

(BB) An offense is "committed in the vicinity of a juvenile" if the offender commits the offense within one hundred feet of a juvenile or within the view of a juvenile, regardless of whether the offender knows the age of the juvenile, whether the offender knows the offense is being committed within one hundred feet of or within view of the juvenile, or whether the juvenile actually views the commission of the offense.

(CC) "Presumption for a prison term" or "presumption that a prison term shall be imposed" means a presumption, as described in division (D) of section 2929.13 of the Revised Code, that a prison term is a necessary sanction for a felony in order to comply with the purposes and principles of sentencing under section 2929.11 of the Revised Code.

(DD) "Major drug offender" has the same meaning as in section 2929.01 of the Revised Code.

(EE) "Minor drug possession offense" means either of the
following:

(1) A violation of section 2925.11 of the Revised Code as it existed prior to July 1, 1996;

(2) A violation of section 2925.11 of the Revised Code as it exists on and after July 1, 1996, that is a misdemeanor or a felony of the fifth degree.

(FF) "Mandatory prison term" has the same meaning as in section 2929.01 of the Revised Code.

(GG) "Adulterate" means to cause a drug to be adulterated as described in section 3715.63 of the Revised Code.

(HH) "Public premises" means any hotel, restaurant, tavern, store, arena, hall, or other place of public accommodation, business, amusement, or resort.

(II) "Methamphetamine" means methamphetamine, any salt, isomer, or salt of an isomer of methamphetamine, or any compound, mixture, preparation, or substance containing methamphetamine or any salt, isomer, or salt of an isomer of methamphetamine.

(JJ) "Deception" has the same meaning as in section 2913.01 of the Revised Code.

(KK) "Fentanyl-related compound" means any of the following:

(1) Fentanyl;

(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4- piperidyl]propionanilide; 1-(1-methyl-2- phenylethyl)-4-(N-propanilido) piperidine);

(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-
(4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl)-N-phenylpropanamide);

(5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);

(6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);

(7) 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide);

(8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide;

(9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;

(10) Alfentanil;

(11) Carfentanil;

(12) Remifentanil;

(13) Sufentanil;

(14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide); and

(15) Any compound that meets all of the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory, including acetylfentanyl, furanylfentanyl, valerylfentanyl, butyrylfentanyl, isobutyrylfentanyl, 4-methoxybutyrylfentanyl, para-fluorobutyrylfentanyl, acrylfentanyl, and ortho-fluorofentanyl:
(a) A chemical scaffold consisting of both of the following:

(i) A five, six, or seven member ring structure containing a nitrogen, whether or not further substituted;

(ii) An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen.

(b) A polar functional group attached to the chemical scaffold, including but not limited to a hydroxyl, ketone, amide, or ester;

(c) An alkyl or aryl substitution off the ring nitrogen of the chemical scaffold; and

(d) The compound has not been approved for medical use by the United States food and drug administration.

(LL) "First degree felony mandatory prison term" means one of the definite prison terms prescribed in division (A)(1)(b) of section 2929.14 of the Revised Code for a felony of the first degree, except that if the violation for which sentence is being imposed is committed on or after the effective date of this amendment March 22, 2019, it means one of the minimum prison terms prescribed in division (A)(1)(a) of that section for a felony of the first degree.

(MM) "Second degree felony mandatory prison term" means one of the definite prison terms prescribed in division (A)(2)(b) of section 2929.14 of the Revised Code for a felony of the second degree, except that if the violation for which sentence is being imposed is committed on or after the effective date of this amendment March 22, 2019, it means one of the minimum prison terms prescribed in division (A)(2)(a) of that section for a
felony of the second degree.

(NN) "Maximum first degree felony mandatory prison term" means the maximum definite prison term prescribed in division (A)(1)(b) of section 2929.14 of the Revised Code for a felony of the first degree, except that if the violation for which sentence is being imposed is committed on or after the effective date of this amendment March 22, 2019, it means the longest minimum prison term prescribed in division (A)(1)(a) of that section for a felony of the first degree.

(00) "Maximum second degree felony mandatory prison term" means the maximum definite prison term prescribed in division (A)(2)(b) of section 2929.14 of the Revised Code for a felony of the second degree, except that if the violation for which sentence is being imposed is committed on or after the effective date of this amendment March 22, 2019, it means the longest minimum prison term prescribed in division (A)(2)(a) of that section for a felony of the second degree.

Sec. 3333.26. (A) Any citizen of this state who has resided within the state for one year, who was in the active service of the United States as a soldier, sailor, nurse, or marine between April 6, 1917, and November 11, 1918, and who has been honorably discharged from that service, shall be admitted to any school, college, or university that receives state funds in support thereof, without being required to pay any tuition or matriculation fee, but is not relieved from the payment of laboratory or similar fees.

(B)(1) As used in this division:

(a) "Volunteer firefighter" has the meaning as in division (B)(1) of section 146.01 of the Revised Code.
(b) "Public service officer" means an Ohio firefighter, volunteer firefighter, police officer, member of the state highway patrol, employee designated to exercise the powers of police officers pursuant to section 1545.13 of the Revised Code, or other peace officer as defined by division (B) of section 2935.01 of the Revised Code, or a person holding any equivalent position in another state.

(c) "Qualified former spouse" means the former spouse of a public service officer, or of a member of the armed services of the United States, who is the custodial parent of a minor child of that marriage pursuant to an order allocating the parental rights and responsibilities for care of the child issued pursuant to section 3109.04 of the Revised Code.

(d) "Operation enduring freedom" means that period of conflict which began October 7, 2001, and ends on a date declared by the president of the United States or the congress.

(e) "Operation Iraqi freedom" means that period of conflict which began March 20, 2003, and ends on a date declared by the president of the United States or the congress.

(f) "Combat zone" means an area that the president of the United States by executive order designates, for purposes of 26 U.S.C. 112, as an area in which armed forces of the United States are or have engaged in combat.

(2) Any resident of this state who is under twenty-six years of age, or under thirty years of age if the resident has been honorably discharged from the armed services of the United States, who is the child of a public service officer killed in the line of duty or of a member of the armed services of the United States killed in the line of duty during operation...
enduring freedom or operation Iraqi freedom, and who is admitted to any state university or college as defined in division (A)(1) of section 3345.12 of the Revised Code, community college, state community college, university branch, or technical college shall not be required to pay any tuition or any student fee for up to four academic years of education, which shall be at the undergraduate level.

A child of a member of the armed services of the United States killed in the line of duty during operation enduring freedom or operation Iraqi freedom is eligible for a waiver of tuition and student fees under this division only if the student is not eligible for a war orphans and severely disabled veterans' children scholarship authorized by Chapter 5910. of the Revised Code. In any year in which the war orphans and severely disabled veterans' children scholarship board reduces the percentage of tuition covered by a war orphans and severely disabled veterans' children scholarship below one hundred percent pursuant to division (A) of section 5910.04 of the Revised Code, the waiver of tuition and student fees under this division for a child of a member of the armed services of the United States killed in the line of duty during operation enduring freedom or operation Iraqi freedom shall be reduced by the same percentage.

(3) Any resident of this state who is the spouse or qualified former spouse of a public service officer killed in the line of duty, and who is admitted to any state university or college as defined in division (A)(1) of section 3345.12 of the Revised Code, community college, state community college, university branch, or technical college, shall not be required to pay any tuition or any student fee for up to four academic years of education, which shall be at the undergraduate level.
Any resident of this state who is the spouse or qualified former spouse of a member of the armed services of the United States killed in the line of duty while serving in a combat zone after May 7, 1975, and who is admitted to any state university or college as defined in division (A)(1) of section 3345.12 of the Revised Code, community college, state community college, university branch, or technical college, shall not be required to pay any tuition or any student fee for up to four years of academic education, which shall be at the undergraduate level. In order to qualify under division (B)(4) of this section, the spouse or qualified former spouse shall have been a resident of this state at the time the member was killed in the line of duty.

Any institution that is not subject to division (B) of this section and that holds a valid certificate of registration issued under Chapter 3332. of the Revised Code, a valid certificate issued under Chapter 4709. of the Revised Code, or a valid license issued under Chapter 4713. of the Revised Code, or that is nonprofit and has a certificate of authorization issued under section 1713.02 of the Revised Code, or that is a private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code, which reduces tuition and student fees of a student who is eligible to attend an institution of higher education under the provisions of division (B) of this section by an amount indicated by the chancellor of higher education shall be eligible to receive a grant in that amount from the chancellor.

Each institution that enrolls students under division (B) of this section shall report to the chancellor, by the first day of July of each year, the number of students who were so enrolled and the average amount of all such tuition and student fees.
fees waived during the preceding year. The chancellor shall determine the average amount of all such tuition and student fees waived during the preceding year. The average amount of the tuition and student fees waived under division (B) of this section during the preceding year shall be the amount of grants that participating institutions shall receive under this division during the current year, but no grant under this division shall exceed the tuition and student fees due and payable by the student prior to the reduction referred to in this division. The grants shall be made for four years of undergraduate education of an eligible student.

Sec. 4713.01. As used in this chapter:

(A) "Apprentice barber" means an individual who does not hold a barber license under this chapter and is engaged in learning or acquiring knowledge of the practice of barbering.

(B) "Apprentice cosmetologist" means an individual who does not hold a practicing license under this chapter and is engaged in learning or acquiring knowledge of the practice of cosmetology, hair styling, esthetics, manicuring, or natural hair styling.

(C) "Apprentice instructor" means an individual holding a practicing license issued by the state cosmetology and barber board who is engaged in learning or acquiring knowledge of the occupation of an instructor of a branch of cosmetology at a school of cosmetology.

"Beauty salon" means a salon in which an individual is authorized to engage in all branches of cosmetology.

(D) "Assistant barber instructor" means an individual holding a barber license issued by the state cosmetology and
barber board who is engaged in learning or acquiring knowledge
of the occupation of an instructor of barbering at a barber
school.

(E) "Barber" means an individual who engages in the
practice of barbering.

(F) "Barber instructor" means an individual authorized to
teach the theory and practice of barbering at a barber school.

(G) "Barber pole" means a cylinder or pole with
alternating stripes of any combination including red and white,
and red, white, and blue, which run diagonally along the length
of the cylinder or pole.

(H) "Barber school" means any premises, building, or part
of a building in which students are instructed in the theory and
practice of barbering.

(I) "Barber shop" means any premises, building, or part of
a building in which an individual engages in the practice,
instruction, or learning of barbering or any branch of
cosmetology in which the individual is licensed.

(J) "Biennial licensing period" means both of the
following:

(1) For a practicing, instructor, salon, or school of
cosmetology license, the two-year period beginning on the first
day of February of an odd-numbered year and ending on the last
day of January of the next odd-numbered year.

"Boutique salon" means a salon in which an individual
engages in boutique services and no other branch of cosmetology.

"Boutique services" means braiding, threading, shampooing,
and makeup artistry.
(2) For a barber, barber instructor, barber shop, or barber school license, the two-year period beginning on the first day of September of an even-numbered year and ending on the last day of August of the next even-numbered year.

(K) "Braiding" means intertwining the hair in a systematic motion to create patterns in a three-dimensional form, inverting the hair including patterns that are inverted, upright, or singled against the scalp that follow along part of a straight or curved row of intertwined hair, or partings. "Braiding" may include twisting, locking, beading, crocheting, wrapping, or similarly manipulating the hair in a systematic motion, and includes extending the while adding bulk or length with human hair with natural or, synthetic hair fibers, or both, and using simple devices such as clips, combs, crotchet hooks, blunt-tipped needles, and hairpins. "Braiding" does not include the use of chemical hair-joining agents such as synthetic tape, keratin bonds, or fusion bonds to weave or fuse individual strands or wefts; applications of dyes, reactive chemicals, or other 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.

(L) "Branch of cosmetology" means the practice of cosmetology, practice of esthetics, practice of hair design styling, practice of manicuring, practice of natural hair styling, or practice of boutique services.

(M) "Clean" or "cleaning," as it relates to a salon, barber shop, school of cosmetology, barber school, or mobile salon or barber shop, means the act of preparing nonporous items for disinfection by removing surface and visible debris and
washing with soap and water, detergent, or chemical cleaners to slow the growth of pathogens.

(N) "Cosmetic therapy" has the same meaning as in section 4731.15-4731.04 of the Revised Code.

(O) "Cosmetologist" means an individual authorized to engage in all branches of cosmetology in a licensed facility.

"Cosmetology" means the art or practice of embellishment, cleansing, beautification, and styling of hair, wigs, postiches, face, body, or nails.

(P) "Cosmetology instructor" means an individual authorized to teach the theory and practice of all branches of cosmetology at a school of cosmetology.

(Q) "Disinfect" or "disinfection," as it relates to a salon, barber shop, school of cosmetology, barber school, or mobile salon or barber shop, means the process of making a nonporous item safe for use through the use of a chemical intended to kill or denature bacteria, viruses, or fungi. "Disinfect" does not include the use of ultraviolet light.

(R) "Disposable safety razor" means a shaving implement designed with a protective device that is intended to prevent the razor from cutting too deeply and reduce the risk of accidental cuts and that is designed for the cutting edge of the razor to be used on an individual one time and then discarded and not used for any other purpose. A "disposable safety razor" includes a razor with the handle and blade joined together or a razor with a blade attachment that can be detached from a handle.

(S) "Esthetician" means an individual who engages in the practice of esthetics but no other branch of cosmetology in a
licensed facility.

(T) "Esthetics instructor" means an individual who teaches the theory and practice of esthetics, but no other branch of cosmetology, at a school of cosmetology.

"Esthetics salon" means a salon in which an individual engages in the practice of esthetics but no other branch of cosmetology.

(U) "Eye lash extensions" include temporary and semi-permanent enhancements designed to add length, thickness, and fullness to natural eyelashes.

(V) "Hair designer stylist" means an individual who engages in the practice of hair design styling but no other branch of cosmetology in a licensed facility.

(W) "Hair design styling instructor" means an individual who teaches the theory and practice of hair design styling, but no other branch of cosmetology, at a school of cosmetology.

"Hair design salon" means a salon in which an individual engages in the practice of hair design but no other branch of cosmetology.

(X) "Hair removal" includes, but is not limited to, tweezing, waxing, sugaring, using a disposable safety razor, and threading. "Hair removal" does not include electrolysis.

(Y) "Independent contractor" means an individual who is not an employee of a salon but practices a branch of cosmetology or barbering, other than the practice of boutique services, within a salon in a licensed facility.
(2) An individual who is not an employee of a barber shop but practices barbering or a branch of cosmetology within a barber shop in a licensed facility.

(Z) "Infection control" means the practice of ensuring that a salon, barber shop, school of cosmetology, barber school, or mobile salon or barber shop, including all equipment, implements, and other personal property in the salon, barber shop, school, or mobile salon or barber shop, is properly cleaned and disinfected at all times, except for the immediate period during which an individual licensed under this chapter is performing a cosmetology or barbering service or preparing the service area for a patron.

(AA) "Instructor license" means a license to teach the theory and practice of a branch of cosmetology at a school of cosmetology.

(BB) "Licensed facility" means any premises, building, or part of a building licensed under section 4713.41 of the Revised Code, or any other temporary location identified in rule by the state cosmetology and barber board, in which the practice of one or more branches of cosmetology services or barbering are authorized by the state cosmetology and barber board to be performed.

"Advanced cosmetologist" means an individual authorized to work in a beauty salon and engage in all branches of cosmetology.

"Advanced esthetician" means an individual authorized to work in an esthetics salon, but no other type of salon, and engage in the practice of esthetics, but no other branch of cosmetology.
"Advanced hair designer" means an individual authorized to work in a hair design salon, but no other type of salon, and engage in the practice of hair design, but no other branch of cosmetology.

"Advanced license" means a license to work in a salon and practice the branch of cosmetology practiced at the salon.

"Advanced manicurist" means an individual authorized to work in a nail salon, but no other type of salon, and engage in the practice of manicuring, but no other branch of cosmetology.

"Advanced natural hair stylist" means an individual authorized to work in a natural hair style salon, but no other type of salon, and engage in the practice of natural hair styling, but no other branch of cosmetology.

"Makeup artistry" means the application of cosmetics for the purpose of skin beautification. "Makeup artistry" does not include any other services described in the practice of any other branch of cosmetology.

(CC) "Manicurist" means an individual who engages in the practice of manicuring but no other branch of cosmetology in a licensed facility.

(DD) "Manicurist instructor" means an individual who teaches the theory and practice of manicuring, but no other branch of cosmetology, at a school of cosmetology.

"Nail salon" means a salon in which an individual engages in the practice of manicuring but no other branch of cosmetology. (EE) "Mobile barber shop" or "mobile salon" means either a self-contained facility that can be moved, towed, or transported from one location to another and in which barbering or one or more branches of cosmetology is practiced, or a
business that provides services in barbering or one or more branches of cosmetology at a special event venue, residential home, or nursing home or residential care facility as those terms are defined in section 5701.13 of the Revised Code.

(FF) "Natural hair stylist" means an individual who engages in the practice of natural hair styling but no other branch of cosmetology in a licensed facility.

(GG) "Natural hair style instructor" means an individual who teaches the theory and practice of natural hair styling, but no other branch of cosmetology, at a school of cosmetology.

"Natural hair style salon" means a salon in which an individual engages in the practice of natural hair styling but no other branch of cosmetology.

"Practice of braiding" means utilizing the technique of intertwining hair in a systematic motion to create patterns in a three-dimensional form, including patterns that are inverted, upright, or singled against the scalp that follow along straight or curved partings. It may include twisting or locking the hair while adding bulk or length with human hair, synthetic hair, or both and using simple devices such as clips, combs, and hairpins. "Practice of braiding" does not include application of weaving, bonding, and fusion of individual strands or wefts; application of dyes, reactive chemicals, or other preparations to alter the color or straighten, curl, or alter the structure of hair; 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.

(HH) "Nonporous" means material that does not have any minute openings or holes and that does not allow liquids to pass.
through or be absorbed. "Nonporous" includes, but is not limited to, glass, metal, and plastic.

   (II) "Porous" means material that has minute openings or holes through which liquid or air may pass. "Porous" includes, but is not limited to, nail files, pumice, and buffers.

   (JJ) "Practice of barbering" includes, but is not limited to, when performed on the head, neck, or face for cosmetic purposes and when performed on the public for pay, free, or otherwise, shaving the face, shaving around the vicinity of the ears and neckline, or trimming facial hair with a straight razor or a disposable safety razor; cutting or styling hair; facials, skin care, or scalp massages; shampooing, bleaching, coloring, straightening, or permanent waving hair; and cutting, fitting, or forming head caps for wigs or hair pieces.

   (KK) "Practice of boutique services" means braiding, threading, shampooing, eye lash extension services, and wig styling and application.

   (LL) "Practice of cosmetology" means includes, but is not limited to, the practice of all branches of cosmetology.

   (MM) "Practice of esthetics" means includes, but is not limited to, the application of cosmetics, tonics, antiseptics, creams, lotions, or other preparations for the purpose of skin beautification and includes preparation of the skin by manual massage techniques or by use of electrical, mechanical, or other apparatus; enhancement of the skin by skin care, facials, body treatments, hair removal, and other treatments; and eye lash extension services.

   (NN) "Practice of hair design styling" means includes, but is not limited to, embellishing or beautifying hair, wigs, or
hairpieces by arranging, dressing, pressing, curling, waving, permanent waving, cleansing, cutting, singeing, bleaching, coloring, braiding, weaving, bonding and fusion of individual strands or wefts, or similar work. "Practice of hair design-styling" 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; the art or practice of cleansing, stimulating, or massaging a person's scalp, face, neck, and 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.

(00) "Practice of manicuring" means includes, but is not limited to, cleaning, trimming, shaping the free edge of, or applying polish to the nails of any individual; applying nail enhancements and embellishments to any individual; massaging the hands and lower arms up to the elbow of any individual; massaging the feet and lower legs up to the knee of any individual; using lotions or softeners on the hands and feet of any individual; or any combination of these types of services.

(PP) "Practice of natural hair styling" means includes, but is not limited to, utilizing techniques performed by hand that result in tension on hair roots such as twisting, wrapping, weav, extending, locking, or braiding of the hair. "Practice of natural hair styling" does not include the application of dyes, reactive chemicals, or other preparations to alter the color or to straighten, curl, or alter the structure of the hair. "Practice of natural hair styling" also does not include embellishing or beautifying hair by cutting or singeing, except as needed to finish off the end of a braid, or by dressing,
pressing, curling, waving, permanent waving, or similar work.

(QQ) "Practicing license" means a license to practice a branch of cosmetology in a licensed facility.

(RR) "Salon" means a licensed facility on any premises, building, or part of a building in which an individual engages in the practice, instruction, or learning of one or more branches of cosmetology or barbering. "Salon" does not include a barber shop licensed under Chapter 4709. of the Revised Code. "Salon" does not mean a tanning facility, although a tanning facility may be located in a salon.

(SS) "School of cosmetology" means any premises, building, or part of a building in which students are instructed in the theories and practices of one or more branches of cosmetology.

(TT) "Shampooing" means the act of cleansing and conditioning an individual's hair under the supervision of an individual licensed under this chapter and in preparation to immediately receive a service from a licensee.

(UU) "Student" means any of the following:

(1) An individual, other than an apprentice instructor, who is engaged in learning or acquiring knowledge of the practice of a branch of cosmetology at a school of cosmetology.

(2) An individual, other than an assistant barber instructor, engaged in learning or acquiring knowledge of the practice of barbering at a barber school.

(VV) "Tanning facility" means any premises, building, or part of a building that contains one or more rooms or booths with any of the following:

(A) (1) Equipment or beds used for tanning human skin by
the use of fluorescent sun lamps using ultraviolet or other artificial radiation;

(B) Equipment or booths that use chemicals applied to human skin, including chemical applications commonly referred to as spray-on, mist-on, or sunless tans;

(C) Equipment or beds that use visible light for cosmetic purposes.

"Threading" includes a service that results in the removal of hair from its follicle from around the eyebrows and from other parts of the face with the use of a single strand of thread and an astringent, if the service does not use chemicals of any kind, wax, or any implements, instruments, or tools to remove hair.

Sec. 4713.02. (A) There is hereby created the state cosmetology and barber board, consisting of all of the following members appointed by the governor, with the advice and consent of the senate:

(1) One individual holding a current, valid cosmetologist or cosmetology instructor license at the time of appointment;

(2) Two individuals holding current, valid cosmetologist licenses and actively engaged in managing beauty salons for a period of not less than five years at the time of appointment;

(3) One individual who holds a current, valid independent contractor license registered in accordance with section 4713.39 of the Revised Code at the time of appointment and practices a branch of cosmetology;

(4) One individual who represents individuals who teach the theory and practice of a branch of cosmetology at a
vocational or career-technical school;

(5) One owner or executive actively engaged in the daily operations of a licensed school of cosmetology;

(6) One owner of at least five licensed salons;

(7) One individual who is either a certified nurse practitioner or clinical nurse specialist holding a current, valid license to practice nursing as an advanced practice registered nurse issued under Chapter 4723. of the Revised Code or a physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;

(8) One individual representing the general public;

(9) One individual who holds a current, valid tanning permit and who has owned or managed a tanning facility for at least five years immediately preceding the individual's appointment;

(10) One individual who holds a current, valid esthetician or cosmetologist license and who has been actively practicing esthetics for a period of not less than five years immediately preceding the individual's appointment;

(11) Two barbers, one of whom is an employer barber and one of whom is employed as a barber, both of whom have been licensed as barbers in this state for at least five years immediately preceding their appointment.

(B) The superintendent of public instruction shall nominate three individuals for the governor to choose from when making an appointment under division (A)(4) of this section.

(C) All members shall be at least twenty-five years of
age, residents of the state, and citizens of the United States. No more than two members, at any time, shall be graduates of the same school of cosmetology. Not more than one member shall have a common financial connection with any school of cosmetology, salon, barber school, or barber shop.

Terms of office are for five years. Terms shall commence on the first day of November and end on the thirty-first day of October. Each member shall hold office from the date of appointment until the end of the term for which appointed. In case of a vacancy occurring on the board, the governor shall, in the same manner prescribed for the regular appointment to the board, fill the vacancy by appointing a member. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of such term. Any member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. Before entering upon the discharge of the duties of the office of member, each member shall take, and file with the secretary of state, the oath of office required by Section 7 of Article XV, Ohio Constitution.

The members of the board shall receive an amount fixed pursuant to Chapter 124. of the Revised Code per diem for every meeting of the board which they attend, together with their necessary expenses, and mileage for each mile necessarily traveled.

The members of the board shall annually elect, from among their number, a chairperson and a vice-chairperson. The executive director appointed pursuant to section 4713.06 of the
Revised Code shall serve as the board's secretary.

(D) The board shall prescribe the duties of its officers and establish an office within Franklin county. The board shall keep all records and files at the office and have the records and files at all reasonable hours open to public inspection in accordance with section 149.43 of the Revised Code and any rules adopted by the board in compliance with this state's record retention policy. The board also shall adopt a seal for the authentication of its orders, communications, and records.

(E) The governor may remove any member for cause prior to the expiration of the member's term of office.

(F) Whenever the term "state board of cosmetology" is used, referred to, or designated in statute, rule, contract, grant, or other document, the use, reference, or designation shall be deemed to mean the "state cosmetology and barber board" or the executive director of the state cosmetology and barber board, whichever is appropriate in context. Whenever the term "barber board" is used, referred to, or designated in statute, rule, contract, grant, or other document, the use, reference, or designation shall be deemed to mean the "state cosmetology and barber board" or the executive director of the state cosmetology and barber board, whichever is appropriate in context.

Sec. 4713.03. (A) The state cosmetology and barber board shall hold meetings to transact its business at least four times a year. The board may hold additional meetings as, in its judgment, are necessary. The board shall meet at the times and places it selects.

(B) The board shall adhere to the following agenda items as it conducts its duties as prescribed in this chapter:
(1) Call meeting to order;
(2) Approval of previous meeting minutes;
(3) Officer and staff reports;
(4) Committee reports;
(5) Unfinished business;
(6) Old business;
(7) New business;
(8) Executive session;
(9) Adjournment.

Sec. 4713.06. The state cosmetology and barber board shall annually appoint an executive director. The executive director may not be a member of the board, but subsequent to appointment, shall serve as secretary of the board. The executive director, before entering upon the discharge of the executive director's duties, shall file with the secretary of state a good and sufficient bond payable to the state, to ensure the faithful performance of duties of the office of executive director. The bond shall be in an amount the board requires. The premium of the bond shall be paid from appropriations made to the board for operating purposes. Whenever the term "executive director of the state board of cosmetology" or the term "executive director of the barber board," or variations thereof, is used, referred to, or designated in statute, rule, contract, grant, or other document, the use, reference, or designation shall be deemed to mean the "executive director of the state cosmetology and barber board."

The board may employ inspectors, examiners, consultants on
contents of examinations, clerks, or other individuals as necessary for the administration of this chapter and Chapter 4709. of the Revised Code. All inspectors and examiners shall be licensed cosmetologists or barbers pursuant to this chapter or licensed barbers pursuant to Chapter 4709. of the Revised Code.

The board may appoint inspectors to inspect and investigate all facilities regulated by this chapter and Chapter 4709. of the Revised Code, including tanning facilities, to ensure compliance with this chapter and Chapter 4709. of the Revised Code, the rules adopted by the board, and the board's policies, in accordance with division (A)(11) of section 4713.07 of the Revised Code.

**Sec. 4713.07.** (A) The state cosmetology and barber board shall do all of the following:

(1) Regulate the practice of cosmetology and all of its branches and the practice of barbering in this state;

(2) Investigate or inspect, when evidence appears to demonstrate that an individual has violated any provision of this chapter or any rule adopted pursuant to it, the activities or premises of a license holder or unlicensed individual;

(3) Adopt rules in accordance with section 4713.08 of the Revised Code;

(4) Prescribe and make available application forms to be used by individuals seeking admission to an examination conducted under section 4713.24 of the Revised Code or a license or registration issued under this chapter;

(5) Prescribe and make available application forms to be used by individuals seeking renewal of a license or registration issued under this chapter;
(6) Provide a toll-free number and an online service to receive complaints alleging violations of this chapter or Chapter 4709. of the Revised Code;

(7) Report to the proper prosecuting officer violations of section 4713.14 of the Revised Code of which the board is aware at the board's discretion;

(8) Submit a written report annually to the governor that provides all of the following:

(a) A discussion of the conditions in this state of the practice of barbering and the branches of cosmetology;

(b) An evaluation of board activities intended to aid or protect consumers;

(c) A brief summary of the board's proceedings during the year the report covers;

(d) A statement of all money that the board received and expended during the year the report covers.

(9) Keep a record of all of the following:

(a) The board's proceedings;

(b) The name and last known physical address, electronic mail address, and telephone number of each individual issued a license or registration under this chapter;

(c) The date and number of each license, permit, and registration that the board issues.

(10) Assist ex-offenders and military veterans who hold licenses issued by the board to find employment within salons, barber shops, or other facilities within this state;

(11) Require inspectors appointed pursuant to section
4713.06 of the Revised Code to conduct inspections of licensed
or permitted facilities, including salons and boutique salons,
schools of cosmetology, barber schools, barber shops, and
tanning facilities, within ninety days of the opening for
business of a licensed facility, upon complaints reported to the
board, within ninety days after a violation was documented at a
facility, and at least once every two years. Any individual,
after providing the individual's name and contact information,
may report to the board any information the individual may have
that appears to show a violation of any provision of this
chapter or rule adopted under it or a violation of any provision
of Chapter 4709. of the Revised Code or rule adopted by the
board pursuant to Chapter 4709. of the Revised Code. In the
absence of bad faith, any individual who reports information of
that nature or who testifies before the board in any
adjudication conducted under Chapter 119. of the Revised Code
shall not be liable for damages in a civil action as a result of
the report or testimony. For the purpose of inspections, an
independent contractor shall be added to the board's records as
an individual salon or barber shop.

(12) Supply a copy of the poster created pursuant to
division (B) of section 5502.63 of the Revised Code to each
person authorized to operate a salon, barber shop, school of
cosmetology, barber school, tanning facility, or other type of
facility under this chapter;

(13) Process applications to open a new salon or barber
shop under section 4713.41 of the Revised Code within five days
from receipt of the application;

(14) Prescribe and provide to each school of cosmetology
or barber school in this state, for each type of license, an
acknowledgment form that states the minimum required number of
hours of instruction for that license under this chapter. When a
student enrolls at a school of cosmetology or barber school, the
school shall provide the appropriate acknowledgment form to the
student, the student shall sign the form, and the school shall
provide the form to the board when the school notifies the board
of the student's enrollment under division (A)(4) of section
4713.44 of the Revised Code:

(15) All other duties that this chapter imposes on the
board.

(B) The board may delegate any of the duties listed in
division (A) of this section to the executive director of the
board or to an individual designated by the executive director.

Sec. 4713.071. (A) Before the first day of September
of each year, the state cosmetology and barber board shall
annually submit a written report to the governor, president of
the senate, and speaker of the house of representatives. The
report shall list all of the following, compiled separately for
public and private schools of cosmetology and public and private
barber schools, for the preceding twelve month fiscal year:

(1) The number of students enrolled in courses at licensed
public and private schools of cosmetology and barbering;

(2) The number of students graduating from licensed public
and private schools of cosmetology and barbering;

(3) The annual cost for students to attend each licensed
public or private school of cosmetology and barbering;

(4) The loan default rates for licensed public and private
schools of cosmetology and barbering;
(5) The first-time licensure passage rate for graduates of all public and private schools of cosmetology and barbering;

(6) The total number of new and renewal licenses in each profession;

(7) The total number of complaint-driven inspections conducted by the board;

(8) The total number and type of violations, including a list of the top ten violations, which shall aid in the identification of focus areas for continuing education purposes;

(9) The twenty salons and individuals cited with the most violations for unlicensed workers;

(10) The number of adjudications or other disciplinary action taken by the board;

(11) The number of individuals participating in the apprenticeship program established in section 4713.71 of the Revised Code.

(B) The board shall include in the final report under division (A) of this section any recommendations it has for changes to this chapter or Chapter 4709. of the Revised Code.

Sec. 4713.08. (A) The state cosmetology and barber board shall adopt rules in accordance with Chapter 119. of the Revised Code as necessary to implement this chapter. The rules shall do all of the following:

(1) Govern the practice of the branches of cosmetology and the practice of barbering;

(2) Specify conditions an individual must satisfy to qualify for a temporary pre-examination work permit under
section 4713.22 of the Revised Code and the conditions and
method of renewing a temporary pre-examination work permit under
that section;

(3) Provide for the conduct of examinations under section
4713.24 of the Revised Code;

(4) Specify conditions under which the board will take
into account, under section 4713.32 of the Revised Code,
instruction an applicant for a license under section 4713.28,
_4713.281_, or 4713.31 of the Revised Code received more
than five years before the date of application for the license;

(5) Provide for the granting of waivers under section
4713.29 of the Revised Code;

(6) Specify conditions an applicant must satisfy for the
board to issue the applicant a license under section 4713.34 of
the Revised Code without the applicant taking an examination
conducted under section 4713.24 of the Revised Code;

(7) Specify locations in which glamour photography
services in which a branch of cosmetology is practiced may be
provided;

(8) Establish conditions and the fee for a temporary
special occasion work permit under section 4713.37 of the
Revised Code and specify the amount of time such a permit is
valid;

(8) Specify conditions an applicant must satisfy for the
board to issue the applicant an instructor or barber instructor
license under section 4713.31 of the Revised Code;

(9) Specify conditions an applicant must satisfy for the
board to issue permit the applicant to register as an
independent contractor license under section 4713.39 of the Revised Code and the fee for issuance and renewal of the license;

(10) Establish conditions under which food may be sold at a salon or barber shop;

(11) Specify which professions regulated by a professional regulatory board of this state may be practiced in a salon or barber shop under section 4713.42 of the Revised Code;

(12) Establish standards for the provision of cosmetic therapy, massage therapy, or other professional service in a salon or barber shop pursuant to section 4713.42 of the Revised Code;

(13) Establish standards for board approval of, and the granting of credits for, training in branches of cosmetology or barbering by schools of cosmetology or barber schools licensed in this or another state offered through classroom instruction or distance education;

(14) Establish the manner in which a school of cosmetology or barber school licensed under section 4713.44 of the Revised Code may offer post-secondary and advanced practice programs, including classroom instruction or distance education;

(15) Establish sanitary safety and infection control standards for the practice of the branches of cosmetology and barbering and the operation of salons, barber shops, barber schools, and mobile salons and barber shops;

(16) Establish the application process for obtaining a tanning facility permit under section 4713.48 of the Revised Code, including the amount of the fee for an initial or renewed
permit;

(17) Establish standards for installing and operating a tanning facility in a manner that ensures the health and safety of consumers, including infection control standards and standards that do all of the following:

(a) Establish a maximum safe time of exposure to radiation and a maximum safe temperature at which sun lamps may be operated;

(b) Require consumers to wear protective eyeglasses;

(c) Require consumers to be supervised as to the length of time consumers use the facility's sun lamps;

(d) Require the operator to prohibit consumers from standing too close to sun lamps and to post signs warning consumers of the potential effects of radiation on individuals taking certain medications and of the possible relationship of the radiation to skin cancer;

(e) Require the installation of protective shielding for sun lamps and handrails for consumers;

(f) Require floors to be dry during operation of lamps;

(g) Establish procedures an operator must follow in making reasonable efforts in compliance with section 4713.50 of the Revised Code to determine the age of an individual seeking to use sun lamp tanning services.

(18) (a) If the board, under section 4713.61 of the Revised Code, develops a procedure for classifying licenses inactive, do both of the following:

(1) Establish a fee for having a license classified
inactive that reflects the cost to the board of providing the inactive license service. If one or more renewal periods have elapsed since the license was valid, the fee shall not include lapsed renewal fees for more than three of those renewal periods;

(ii) (b) Specify the continuing education that an individual whose license has been classified inactive must complete to have the license restored. The continuing education shall be sufficient to ensure the minimum competency in the use or administration of a new procedure or product required by a licensee necessary to protect public health and safety. The requirement shall not exceed the cumulative number of hours of continuing education that the individual would have been required to complete had the individual retained an active license.

(b) In addition, the board may specify the conditions and method for granting a temporary work permit to practice a branch of cosmetology to an individual whose license has been classified inactive.

(19) Establish a fee for approval of a continuing education program under section 4713.62 of the Revised Code that is adequate to cover any expense the board incurs in the approval process;

(20) Establish requirements for an individual holding a practicing or barber license to become an apprentice instructor or assistant barber instructor at a school of cosmetology or barber school;

(21) Establish requirements for students of barber schools;
(22) Establish conditions under which a cosmetology student seeking a practicing license may take the written portion of the examination required by section 4713.24 of the Revised Code before the student has completed the minimum number of hours of training required under section 4713.28 of the Revised Code for the license;

(23) Specify conditions and the fee for a special event permit under section 4713.70 of the Revised Code and specify the amount of time such a permit is valid;

(24) Require each mobile salon or mobile barber shop to hold a license in accordance with this chapter and specify the requirements that must be met for the board to issue a mobile salon or mobile barber shop license;

(25) Establish requirements regarding the apprenticeship program established in section 4713.71 of the Revised Code;

(26) Anything else necessary to implement this chapter.

(B)(1) The rules adopted under division (A)(2) of this section may establish additional conditions for a temporary pre-examination work permit under section 4713.22 of the Revised Code that are applicable to individuals who practice a branch of cosmetology in another state or country.

(2) The rules adopted under division (A)(18)(b) of this section may establish additional conditions for a temporary work permit that are applicable to individuals who practice a branch of cosmetology in another state.

(C) The conditions specified in rules adopted under division (A)(6) of this section may include that an applicant is applying for a license to practice a branch of cosmetology for which the board determines an examination is unnecessary.
(D) The rules adopted under division (A)(11) of this section shall not include a profession if practice of the profession in a salon or barber shop is a violation of a statute or rule governing the profession.

(E) (D) The sanitary board shall review the standards established under division (A)(15) of this section on an annual basis to ensure that the standards incorporate industry best practices and update the standards as necessary to reflect those practices. The infection control standards shall focus in particular on precautions to be employed to prevent infectious or contagious diseases being created or spread. The board shall consult with the Ohio department of health when establishing the sanitary standards. The standards must require porous instruments and supplies that cannot be disinfected to be disposed of immediately after a single use.

(F) (E) The fee established by rules adopted under division (A)(16) of this section shall cover the cost the board incurs in inspecting tanning facilities and enforcing the board's rules but may not exceed one hundred dollars per location of such facilities.

(F) The rules adopted under division (A)(22) of this section shall do all of the following:

(1) Permit a cosmetology student to take the written portion of the examination required by section 4713.24 of the Revised Code after the student has completed the minimum hours of training for that license described in division (G) of section 4713.24 of the Revised Code;

(2) Require the student to complete the remainder of the required training before licensure;
(3) Require the board to grant the student a license on successful completion of the requirements established in the rules, unless the individual is subject to potential disciplinary action under section 4713.64 of the Revised Code.

Sec. 4713.081. (A) The state cosmetology and barber board shall furnish a copy summary of the sanitary infection control standards established by rules adopted under section 4713.08 of the Revised Code. The summary shall be written at no higher than a sixth grade reading level. The board shall furnish a copy of the summary to each of the following:

(1) Each individual to whom the board issues a practicing license, advanced license, barber license, license to operate a salon, barber shop, barber school, or school of cosmetology, or boutique services registration. The board also shall furnish a copy of the sanitary standards to each;

(2) Each individual providing cosmetic therapy, massage therapy, or other professional service in a salon or barber shop under section 4713.42 of the Revised Code.

(B) A salon, barber shop, barber school, or school of cosmetology provided a copy summary of the sanitary infection control standards under division (A) of this section shall post the standards summary in a public and conspicuous place in the salon, barber shop, or school.

Sec. 4713.09. (A) The state cosmetology and barber board may adopt rules in accordance with section 4713.08 of the Revised Code to establish a continuing education requirement, not to exceed eight hours in a biennial licensing period, as a condition of renewal for a practicing license, advanced license, instructor license, barber license, barber instructor license,
or boutique services independent contractor registration. These hours may include training in identifying and addressing the crime of trafficking in persons as described in section 2905.32 of the Revised Code. At least two of the eight hours of the continuing education requirement must be achieved in courses concerning safety and sanitation, and at least one hour of the eight hours of the continuing education requirement must be achieved in courses concerning law and rule updates.

(B) The rules adopted in accordance with division (A) of this section shall permit the continuing education requirement to be satisfied by either classroom instruction or distance education.

Sec. 4713.091. (A) The state cosmetology and barber board shall issue an intermediate cosmetology license to either of the following:

(1) An individual who has completed one thousand five hundred hours of board-approved cosmetology training and has otherwise qualified to take and has passed the cosmetology examination conducted under section 4713.24 of the Revised Code on or before the effective date of this section;

(2) An individual who is enrolled as a student at a school of cosmetology on or before the effective date of this section who chooses to meet the requirement to complete one thousand five hundred hours of board-approved cosmetology training under the version of division (A)(7) of section 4713.28 of the Revised Code as it existed immediately before the effective date of this section and otherwise qualifies to take and passes the cosmetology examination conducted under section 4713.24 of the Revised Code.
(B) An intermediate cosmetology license is a cosmetology license for purposes of this chapter and an intermediate cosmetology license holder shall comply with the requirements of this chapter and rules adopted under this chapter that apply to a cosmetology license. An intermediate cosmetology license may be renewed in accordance with section 4713.60 of the Revised Code.

Sec. 4713.10. (A) The state cosmetology and barber board shall charge and collect the following nonrefundable fees:

(1) For a temporary pre-examination work permit under section 4713.22 of the Revised Code, not more than fifteen dollars;

(2) For initial application to take an examination under section 4713.24 of the Revised Code, not more than forty ninety dollars;

(3) For application to take an examination under section 4713.24 of the Revised Code by an applicant who has previously applied to take, but failed to appear for, the examination, not more than fifty five one hundred dollars;

(4) For application to re-take an examination under section 4713.24 of the Revised Code by an applicant who has previously appeared for, but failed to pass, the examination, not more than forty dollars;

(5) For the issuance of a license under section 4713.28, 4713.30, 4713.281, or 4713.31 of the Revised Code, not more than seventy-five one hundred eighty-five dollars;

(6) For the issuance of a license under section 4713.34 of the Revised Code, not more than seventy-three hundred dollars;
(7) For renewal of a license issued under section 4713.28, 4713.30, 4713.281, 4713.31, or 4713.34 of the Revised Code, not more than seventy-one hundred fifty dollars;  

(8) For the issuance or renewal of a cosmetology or barber school license, or the change of name or ownership of a licensed cosmetology or barber school, not more than two hundred fifty-one thousand dollars;  

(9) For the issuance of a new salon or barber shop license or the change of name or ownership of a salon or barber shop license under section 4713.41 of the Revised Code, not more than one hundred ten dollars;  

(10) For the renewal of a salon or barber shop license under section 4713.41 of the Revised Code, not more than ninety dollars;  

(11) For the restoration of an expired license or registration that may be restored pursuant to section 4713.63 of the Revised Code, an amount equal to the sum of the current license renewal fee and a lapsed renewal fee of not more than forty-five two hundred twenty-five dollars per, and not more than seventy-five dollars for each license or registration renewal period that has elapsed since the license or registration was last issued or renewed for up to three license or registration renewal periods;  

(12) For the issuance of a duplicate of any license issued under this chapter, not more than thirty forty-five dollars;  

(13) For the preparation and mailing of a licensee's the records of an individual licensed under section 4713.28, 4713.281, or 4713.31 of the Revised Code to another state for a
reciprocity license, not more than fifty dollars;

(14) For the processing of any fees related to a check from a licensee returned to the board for insufficient funds, an additional thirty dollars.

(B) The board shall adjust the fees biennially, by rule, within the limits established by division (A) of this section, to provide sufficient revenues to meet its expenses.

(C) The board may establish an installment plan for the payment of fines and fees and may reduce fines and fees as considered appropriate by the board.

(D) At the request of a person who is temporarily unable to pay a fee imposed under division (A) of this section, or on its own motion, the board may extend the date payment is due by up to ninety days. If the fee remains unpaid after the date payment is due, the amount of the fee shall be certified to the attorney general for collection in the form and manner prescribed by the attorney general. The attorney general may assess the collection cost to the amount certified in such a manner and amount as prescribed by the attorney general.

Sec. 4713.14. No individual shall do any of the following:

(A) Use fraud or deceit in obtaining or making application for a license, permit, or registration;

(B) Aid or abet any individual or entity in any of the following:

(1) Violating this chapter or a rule adopted under it;

(2) Obtaining a license, permit, or registration fraudulently;
(3) Falsely pretending to hold a current, valid license or permit.

(C)(1) Practice a branch of cosmetology, for pay, free, or otherwise, without one of the following authorizing the practice of that branch of cosmetology:

(1) (a) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;

(2) (b) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code;

(3) (c) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code;

(4) A current, valid temporary work permit issued under rules adopted by the board pursuant to section 4713.08 of the Revised Code;

(5) (d) A current, valid registration under section 4713.39 or 4713.69 of the Revised Code.

(2) Practice barbering without a current, valid barber license under section 4713.281 or 4713.34 of the Revised Code or a current, valid registration under section 4713.39 of the Revised Code.

(D)(1) Employ an individual to practice a branch of cosmetology if the individual does not hold one of the following authorizing the practice of that branch of cosmetology:

(1) (a) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;

(2) (b) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code;
(3) (c) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code;

(4) A current, valid temporary work permit issued under rules adopted by the board pursuant to section 4713.08 of the Revised Code;

(5) (d) A current, valid registration under section 4713.69 of the Revised Code.

(2) Employ an individual to practice barbering if the individual does not hold a current, valid barber license under section 4713.281 or 4713.34 of the Revised Code.

(E) Except for apprentice instructors or assistant barber instructors and as provided in section 4713.45 of the Revised Code, teach the theory or practice of a branch of cosmetology or barbering at a school of cosmetology or barber school without either of the following authorizing the teaching of that branch of cosmetology or barbering:

(1) A current, valid license under section 4713.31 or 4713.34 of the Revised Code;

(2) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code.

(F) Advertise or operate a glamour photography service in which a branch of cosmetology is practiced unless the individual practicing the branch of cosmetology holds either of the following authorizing the practice of that branch of cosmetology:

(1) A current, valid license under section 4713.28, 4713.30 or 4713.34 of the Revised Code;

(2) A current, valid temporary special occasion work
permit issued under section 4713.37 of the Revised Code.

(G) Advertise or operate a glamour photography service in which a branch of cosmetology is practiced at a location not specified by rules adopted under section 4713.08 of the Revised Code;

(H) Practice a branch of cosmetology or barbering at a salon or barber shop as an independent contractor without a current, valid registering as an independent contractor license issued under section 4713.39 of the Revised Code;

(I) Operate a salon or barbershop without a current, valid license under section 4713.41 of the Revised Code;

(J) Provide cosmetic therapy or massage therapy at a salon or barber shop for pay, free, or otherwise without a current, valid license issued by the state medical board under section 4731.15 of the Revised Code or provide any other professional service at a salon or barber shop for pay, free, or otherwise without a current, valid license or certificate issued by the professional regulatory board of this state that regulates the profession;

(K) Teach a branch of cosmetology at a salon, unless the individual receiving the instruction holds either of the following authorizing the practice of that branch of cosmetology:

(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;

(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code.

(L) Operate a school of cosmetology or barber school
without a current, valid license under section 4713.44 of the Revised Code;

(M) (L) At a salon, barber shop, barber school, or school of cosmetology, do any of the following:

(1) Use or possess a cosmetic product containing an ingredient that the United States food and drug administration has prohibited by regulation;

(2) Use a cosmetic product in a manner inconsistent with a restriction established by the United States food and drug administration by regulation;

(3) Use or possess a liquid nail monomer containing any trace of methyl methacrylate (MMA).

(N) (M) While in charge of a salon, barber shop, barber school, or school of cosmetology, permit any individual to sleep in, or use for residential purposes, any room used wholly or in part as the salon, barber shop, barber school, or school of cosmetology;

(O) (N) Maintain, as an established place of business for the practice of one or more of the branches of cosmetology or barbing, a room used wholly or in part for sleeping or residential purposes;

(P) (O) Operate a tanning facility that is offered to the public for a fee or other compensation without a current, valid permit under section 4713.48 of the Revised Code;

(Q) (P) Practice a branch of cosmetology or barbing in a location other than a licensed facility unless otherwise exempted under section 4713.16 or 4713.17 of the Revised Code;

(R) (Q) Use any of the services or arts that are part of
the practice of a branch of cosmetology to treat or attempt to
cure a physical or mental disease or ailment;

(R) Use the title "registered" if the individual does not
have a current, valid registration under section 4713.39 or
4713.69 of the Revised Code;

(S) Use or display a barber pole for the purpose of
advertising or offering barber services without a current, valid
barber shop license under section 4713.41 of the Revised Code.

Sec. 4713.141. An inspector employed by the state
cosmetology and barber board may take a sample of a product used
or sold in a salon, barber shop, barber school, or school of
cosmetology for the purpose of examining the sample, or causing
an examination of the sample to be made, to determine whether
division (M) (L) of section 4713.14 of the Revised Code has been
violated.

Should the results of the test prove that division (M) (L)
of section 4713.14 of the Revised Code has been violated, the
board shall take action in accordance with section 4713.64 of
the Revised Code. A fine imposed under that section shall
include the cost of the test. The person's license may be
suspended or revoked.

Sec. 4713.16. (A) This chapter does not prohibit any of
the following:

(1) Practicing a branch of cosmetology without a license
or registration if the individual does so for free at the
individual's home for a family member who resides in the same
household as the individual;

(2) The retail sale, or trial demonstration by application
to the skin for purposes of retail sale, of cosmetics,
preparations, tonics, antiseptics, creams, lotions, wigs, or hairpieces without a practicing license or registration;

(3) The retailing, at a salon, of cosmetics, preparations, tonics, antiseptics, creams, lotions, wigs, hairpieces, clothing, or any other items that pose no risk of creating unsanitary conditions at the salon;

(4) The provision of glamour photography services at a licensed salon if either of the following is the case:

(a) A branch of cosmetology is not practiced as part of the services.

(b) If a branch of cosmetology is practiced as part of the services, the part of the services that is a branch of cosmetology is performed by an individual who holds either one of the following authorizing the individual to practice that branch of cosmetology:

(i) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;

(ii) A current, valid registration under section 4713.69 of the Revised Code;

(iii) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code.

(5) A student engaging, as a student, in work connected with a branch of cosmetology taught at the school of cosmetology at which the student is enrolled;

(6) Practicing a branch of cosmetology without a license or registration if the individual does so for free for the purpose of researching or developing a cosmetic as defined in section 3715.01 of the Revised Code.
(B) A student in a career-technical program learning a branch of cosmetology may continue developing skills in the respective branch of cosmetology after completing the required coursework or obtaining a license in the respective branch of cosmetology by working in the licensed career-technical school clinic if the student does not receive any compensation. This allowance terminates upon the graduation of the student from the career-technical school.

Sec. 4713.17. (A) The following persons are exempt from the provisions of this chapter, except, as applicable, section 4713.42 of the Revised Code:

(1) All individuals authorized to practice medicine, surgery, dentistry, and nursing or any of its branches in this state, while acting within the scope of practice for the license, permit, or certificate held;

(2) Commissioned surgical and medical officers of the United States army, navy, air force, or marine hospital service when engaged in the actual performance of their official duties, and attendants attached to same, while acting within the scope of practice for the license, permit, or certificate held;

(3) Funeral directors, embalmers, and apprentices licensed or registered under Chapter 4717. of the Revised Code, while acting within the scope of practice for the license, permit, or registration held;

(4) Persons who are engaged in the retail sale, cleaning, or beautification of wigs and hairpieces but who do not engage in any other act constituting the practice of a branch of cosmetology;

(5) Volunteers of hospitals, and homes as defined in
section 3721.01 of the Revised Code, who render service to registered patients and inpatients who reside in such hospitals or homes. Such volunteers shall not use or work with any chemical products such as permanent wave, hair dye, or chemical hair relaxer, which without proper training would pose a health or safety problem to the patient.

(6) Nurse aides and other employees of hospitals and homes as defined in section 3721.01 of the Revised Code, who practice a branch of cosmetology or barbering on registered patients only as part of general patient care services and who do not charge patients directly on a fee for service basis;

(7) Cosmetic therapists and massage therapists who hold current, valid licenses to practice cosmetic or massage therapy issued by the state medical board under section 4731.15 of the Revised Code, to the extent their actions are authorized by their licenses while acting within the scope of practice for the license held;

(8) Inmates who provide services related to the practice of a branch of cosmetology or barbering to other inmates, except when those services are provided in a licensed barber shop, barber school, or school of cosmetology within a state correctional institution for females.

(B) The director of rehabilitation and correction shall oversee the services described in division (A)(8) of this section with respect to sanitation, infection control and adopt rules governing those types of services provided by inmates.

Sec. 4713.22. (A) The state cosmetology and barber board shall issue a temporary pre-examination work permit to an individual who applies under section 4713.20 or 4713.281 of the
Revised Code for admission to an examination conducted under section 4713.24 of the Revised Code, if the individual satisfies all of the following conditions:

(1) Is seeking a practicing or barber license or an instructor or barber instructor license;

(2) Has not previously failed an examination conducted under section 4713.24 of the Revised Code to determine the applicant's fitness to practice or instruct the branch of cosmetology or barbering for which the individual seeks a license;

(3) Pays to the board the applicable fee;

(4) Satisfies all other conditions established by rules adopted under section 4713.08 of the Revised Code.

(B) An individual issued a temporary pre-examination work permit may practice the branch of cosmetology or barbering for which the individual seeks a practicing or barber license until the date the individual is scheduled to take an examination under section 4713.24 of the Revised Code. The individual shall practice under the supervision of an individual holding a current, valid license appropriate for the type of salon or barber shop in which the permit holder practices.

(C) An individual issued a temporary pre-examination work permit may instruct the branch of cosmetology or barbering for which the individual seeks an instructor or barber instructor license for a period not to exceed one hundred twenty days.

(D) A temporary pre-examination work permit is renewable in accordance with rules adopted under section 4713.08 of the Revised Code.
Sec. 4713.24. (A) The state cosmetology and barber board shall conduct an examination for each individual who satisfies the requirements established by section 4713.20 of the Revised Code for admission to the examination. Examinations for licensure for any branch of cosmetology or barbering shall assess the ability of a prospective cosmetology or barber professional to maintain a safe and sanitary place of service delivery. The board may develop and administer the appropriate examination or enter into an agreement with a national testing service to develop the examination, administer the examination, or both. The examination shall be a national, standardized examination that is specific to the type of license the individual seeks and shall satisfy all of the following conditions:

(1) Include both practical demonstrations and written or oral tests related to the type of license the individual seeks and any written portion of the examination shall include both theoretical and procedural skill questions as prescribed by the board in rules adopted in accordance with section 4713.08 of the Revised Code;

(2) Relate only to a branch of cosmetology or barbering, but not be confined to any special system or method;

(3) Be consistent in both practical and technical requirements for the type of license the individual seeks;

(4) Be of sufficient thoroughness to satisfy the board as to the individual's skill in and knowledge of the branch of cosmetology or barbering for which the examination is conducted.

(B) Not later than two years after September 13, 2016, the board shall create a curriculum and an examination for
individuals seeking licensure to become an instructor or barber instructor and shall conduct an examination for each individual who satisfies the requirements established pursuant to section 4713.31 of the Revised Code for admission to the examination.

(C) The board shall adopt rules regarding the equipment or supplies an individual is required to bring to an examination described in this section.

(D) The board shall not release the questions developed for the examinations and the practical demonstrations used in the testing process, except for the following purposes:

(1) Reviewing or rewriting of any part of the examination on a periodic basis as prescribed in rules adopted under section 4713.08 of the Revised Code;

(2) Testing of individuals in another state for admission to the profession of cosmetology or any of its branches or barbering as required under a contract or by means of a license with that state;

(3) Complying with a public records request after which the questions or the demonstrations have become a public record under division (F) of this section and otherwise may lawfully be released.

(E) The examination papers and the scored results of the practical demonstrations of each individual examined by the board shall be open for inspection by the individual or the individual's attorney for at least ninety days following the announcement of the individual's grade, except for papers that under the terms of a contract with a testing service are not available for inspection. On written request of an individual or the individual's attorney made to the board not later than
ninety days after announcement of the individual's grade, the board shall have the individual's practical examination papers regraded manually.

(F) Test materials, examinations, or evaluation tools used in an examination for licensure under this chapter that the board develops or contracts with a private or government entity to administer shall become public records under section 149.43 of the Revised Code fifteen years after the materials, examinations, or tools were first used in an assessment for licensure, unless the release of the record is otherwise prohibited by state or federal law, or the record is deemed to be the proprietary information of a private entity.

(G) The board shall adopt rules in accordance with section 4713.08 of the Revised Code to do both of the following:

(1) To permit an individual to take any written portion of the examination required by division (A) of this section when the individual has completed the following amount of hours of instruction at a licensed school of cosmetology in this or another state:

(a) For an individual seeking a cosmetology license, at least seven hundred fifty hours;

(b) For an individual seeking an esthetics license, at least four hundred fifty hours;

(c) For an individual seeking a hair stylist license, at least six hundred hours;

(d) For an individual seeking a natural hair stylist license, at least three hundred thirty-seven and one-half hours;

(e) For an individual seeking a manicurist license, at
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at least one hundred fifty hours.

(2) To permit an individual to take the practical portion of the examination required by division (A) of this section at the individual's school of cosmetology when the individual has completed all required hours of instruction at a school of cosmetology licensed in this or another state.

Sec. 4713.28. (A) The state cosmetology and barber board shall issue a practicing license to an applicant who satisfies all of the following applicable conditions:

(1) Is at least sixteen years of age;

(2) Is of good moral character;

(3) Has the equivalent of an Ohio public school tenth grade education;

(4) Has submitted a written application on a form furnished by the board that contains all of the following:

(a) The name of the individual and any other identifying information required by the board;

(b) A recent photograph of the individual that meets the specifications established by the board;

(c) A photocopy of the individual's current driver's license or other proof of legal residence;

(d) Proof that the individual is qualified to take the applicable examination as required by section 4713.20 of the Revised Code;

(e) An oath verifying that the information in the application is true;

(f) The applicable application fee.
(5) Submits to having a photograph taken by the board;

(6) Passes an examination conducted under division (A) of section 4713.24 of the Revised Code for the branch of cosmetology the applicant seeks to practice;

(6) (7) Pays to the board the applicable license fee;

(7) (8) (a) In the case of an applicant for an initial cosmetologist license, has successfully completed at least one thousand five hundred hours of board-approved cosmetology training in a school of cosmetology licensed in this or another state, except that only one thousand four hundred hours of board-approved cosmetology training in a licensed school of cosmetology licensed in this state is required of an individual licensed as a barber under Chapter 4709, section 4713.281 of the Revised Code;

(8) (b) The training required by division (A)(8)(a) of this section shall, at a minimum, include all of the following subjects and the hours assigned to each:

(i) Twenty-four hours of professional requirements instruction;

(ii) Twenty-six hours of safety, health, and infection control training;

(iii) Fifteen hours of anatomy and physiology training;

(iv) Ten hours of hair analysis training;

(v) Ten hours of hair and scalp disorders and diseases training;

(vi) Five hours of chemistry as applied to cosmetology training;
(vii) Thirty hours of shampoos, rinses, conditioners, and treatments training;

(viii) One hundred seventy-five hours of hair cutting and shaping training;

(ix) Two hundred forty-five hours of hair styling training;

(x) One hundred eighty hours of chemical restructuring training;

(xi) One hundred eighty hours of hair coloring and lightening training;

(xii) Forty hours of nail care and procedures training;

(xiii) Sixty hours of training in skin care and procedures.

(9) In the case of an applicant for an initial esthetician license, has successfully completed at least six hundred hours of board-approved esthetics training in a school of cosmetology licensed in this or another state;

(9) (10) In the case of an applicant for an initial hair designer stylist license, has successfully completed at least one thousand two hundred hours of board-approved hair designer stylist training in a school of cosmetology licensed in this or another state, except that only one thousand two hundred hours of board-approved hair designer stylist training in a school of cosmetology licensed in this state is required of an individual licensed as a barber under Chapter 4709. section 4713.281 of the Revised Code or, for an applicant with at least five years' experience as a licensed barber, a written and practical examination, administered by the board, which if
passed shall serve in lieu of the hair stylist training required under this division;

(10) (11) In the case of an applicant for an initial manicurist license, has successfully completed at least two hundred hours of board-approved manicurist training in a school of cosmetology licensed in this or another state;

(11) (12) In the case of an applicant for an initial natural hair stylist license, has successfully completed at least four hundred fifty hours of instruction in subjects relating to sanitation, infection control, scalp care, anatomy, hair styling, communication skills, and laws and rules governing the practice of cosmetology.

(B) A licensed career-technical school shall meet in its cosmetology curriculum the minimum hours of training required by this section for the applicable branch of cosmetology.

(C) The board shall not deny a license to any applicant based on prior incarceration or conviction for any crime. If the board denies an individual a license or license renewal, the reasons for such denial shall be put in writing.

Sec. 4713.281. (A) The state cosmetology and barber board shall admit an applicant to take the required barber examination under section 4713.24 of the Revised Code who satisfies all of the following requirements:

(1) Is not less than eighteen years of age;

(2) Is of good moral character;

(3) Has an eighth grade education or an equivalent education as determined by the state board of education in the state where the applicant resides;
(4) Has submitted a written application on a form furnished by the board that contains all of the following:

   (a) The name of the individual and any other identifying information required by the board;

   (b) A photocopy of the individual's current driver's license or other proof of legal residence;

   (c) An oath verifying that the information in the application is true.

(5) Submits to having a photograph taken by the board;

(6) Has completed at least one thousand hours of training from a board-approved barber school or has completed at least four hundred hours of training from a board-approved barber school and has a current cosmetology or hair stylist license issued under section 4713.28 of the Revised Code;

(7) Has paid the applicable application fee.

(B) The board shall issue a barber license to an applicant who passes the examination and pays the applicable license fee.

(C) If the applicant fails to pass any part of the examination, the applicant is ineligible for licensure; however, the applicant may reapply for examination and pay the required reexamination fee. An applicant is only required to take that part or parts of the examination that the applicant did not pass. If the applicant fails the second examination, the applicant shall complete an additional course of study of not less than two hundred hours in a board-approved barber school to reapply for examination. The board shall provide to an applicant, on request, a report that explains the reasons for the applicant's failure to pass the examination.
Sec. 4713.31. The state cosmetology and barber board shall issue an instructor or barber instructor license to an applicant who satisfies all of the following applicable conditions:

(A) Is at least eighteen years of age;

(B) Is of good moral character;

(C) Has the equivalent of an Ohio public school twelfth grade education;

(D) Provides proof of sufficient relevant experience, as determined by the board;

(E) Pays to the board the applicable application fee;

(F) Submits to having a photograph taken by the board;

(G) In the case of an applicant for an initial cosmetology instructor or barber instructor license, holds a current, valid advanced cosmetologist license issued in this state and does either of the following:

(1) Has the licensed advanced cosmetologist or owner of the licensed beauty salon in which the applicant has been employed certify to the board that the applicant has engaged in the practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed one thousand hours of board-approved cosmetology instructor training as an apprentice instructor.

(F) In the case of an applicant for an initial esthetics instructor license, holds a current, valid advanced esthetician or advanced cosmetologist license issued in this state and does
either of the following:

(1) Has the licensed advanced esthetician, licensed advanced cosmetologist, or owner of the licensed esthetics salon or licensed beauty salon in which the applicant has been employed certify to the board that the applicant has engaged in the practice of esthetics in a licensed esthetics salon or practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed at least five hundred hours of board-approved esthetics instructor training as an apprentice instructor.

(G) In the case of an applicant for an initial hair design instructor license, holds a current, valid advanced hair designer or advanced cosmetologist license and does either of the following:

(1) Has the licensed advanced hair designer, licensed advanced cosmetologist, or owner of the licensed hair design salon or licensed beauty salon in which the applicant has been employed certify to the board that the applicant has engaged in the practice of hair design in a licensed hair design salon or practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed at least eight hundred hours of board-approved hair design instructor's training as an apprentice instructor.

(H) In the case of an applicant for an initial manicurist instructor license, holds a current, valid advanced manicurist
or advanced cosmetologist license and does either of the following:

(1) Has the licensed advanced manicurist, licensed advanced cosmetologist, or owner of the licensed nail salon or licensed beauty salon in which the applicant has been employed certify to the board that the applicant has engaged in the practice of manicuring in a licensed nail salon or practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed at least three hundred hours of board-approved manicurist instructor training as an apprentice instructor.

(I) In the case of an applicant for an initial natural hair style instructor license, holds a current, valid advanced natural hair stylist or advanced cosmetologist license and does either of the following:

(1) Has the licensed advanced natural hair stylist, licensed advanced cosmetologist, or owner of the licensed natural hair style salon or licensed beauty salon in which the applicant has been employed certify to the board that the applicant has engaged in the practice of natural hair styling in a licensed natural hair style salon or practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed at least four hundred hours of board-approved natural hair style instructor training as an apprentice instructor.
(I) meets the training and experience requirements established in rules the board adopts in accordance with section 4713.08 of the Revised Code;

(H) In the case of all applicants, passes an examination conducted under division (B) of section 4713.24 of the Revised Code for the branch of cosmetology or barbering the applicant seeks to instruct;

(I) Pays to the board the applicable license fee.

Sec. 4713.311. An individual who holds a valid advanced license in a branch of cosmetology issued under former section 4713.30 of the Revised Code as of the effective date of this section may do either of the following:

(A) Convert the individual's advanced license to a cosmetology instructor license or an instructor license in a branch of cosmetology, as applicable. Not later than two years after the effective date of this section, the state cosmetology and barber board shall issue a cosmetology instructor license or an instructor license in a branch of cosmetology, as applicable, to each individual who holds a valid advanced license as of the effective date of this section and who notifies the board not later than a date determined by the board that the individual wishes to convert the individual's license.

(B) Maintain and renew the individual's advanced license in accordance with section 4713.60 of the Revised Code. A valid advanced license shall be deemed to be a cosmetology instructor license or an instructor license in a branch of cosmetology, as applicable, for purposes of Chapter 4713. of the Revised Code. If the individual fails to timely renew the individual's license, the individual may not renew the license as an advanced
license and instead may apply to renew the license as though it were a cosmetology instructor license or an instructor license in a branch of cosmetology, as applicable.

Sec. 4713.32. When determining the total hours of instruction received by an applicant for a license under section 4713.28, 4713.30, 4713.281, or 4713.31 of the Revised Code, the state cosmetology and barber board shall not take into account more than ten hours of instruction per day. The board shall take into account instruction received more than five years prior to the date of application for the license in accordance with rules adopted under section 4713.08 of the Revised Code.

Sec. 4713.34. (A) The state cosmetology and barber board shall issue a license by endorsement to practice a branch of cosmetology or barbering or an instructor or barber instructor license to an applicant who is licensed or registered in another state or country to practice that branch of cosmetology or barbering or to teach the theory and practice of that branch of cosmetology or barbering, as appropriate, if all of the following conditions are satisfied:

(A) The applicant satisfies all of the following applicable conditions:

(1) Is not less than eighteen years of age;

(2) Is of good moral character;

(3) In the case of an applicant for a practicing license, passes an examination conducted under section 4713.24 of the Revised Code for the license the applicant seeks, unless the applicant satisfies conditions specified in rules adopted under section 4713.08 of the Revised Code for the board to issue the applicant a license without taking the examination.
(4) Pays the applicable fee;

(4) If the person is licensed or registered in another state, submits to the board satisfactory evidence of that fact;

(5) If the person is licensed or registered or was trained in another country, submits to the board satisfactory evidence of that fact and that the standards for licensure, registration, or training in that country were substantially similar to those of this state at the time the person was licensed, registered, or trained.

(B) At the time of the application, if the applicant obtained the license or training in the other state or country, the requirements in this state for obtaining the license the applicant seeks were substantially equal to the other state or country’s requirements to practice barbering under division (A) of this section, the board may waive any of the conditions listed in that division or require the applicant to pass an examination.

(C) The jurisdiction that issued the applicant’s license or registration extends similar reciprocity to individuals holding a license issued by the board.

**Sec. 4713.35.** An individual who holds a current, valid cosmetologist or advanced cosmetologist license issued by the state cosmetology and barber board may engage in the practice of one or more branches of cosmetology as the individual chooses in a licensed facility.

An individual who holds a current, valid esthetician or advanced esthetician license issued by the board may engage in the practice of esthetics but no other branch of cosmetology in a licensed facility.
An individual who holds a current, valid hair designer or advanced hair designer stylist license issued by the board may engage in the practice of hair design styling but no other branch of cosmetology in a licensed facility.

An individual who holds a current, valid manicurist or advanced manicurist license issued by the board may engage in the practice of manicuring but no other branch of cosmetology in a licensed facility.

An individual who holds a current, valid natural hair stylist or advanced natural hair stylist license issued by the board may engage in the practice of natural hair styling but no other branch of cosmetology in a licensed facility.

An individual who holds a current, valid cosmetology instructor license issued by the board may teach the theory and practice of one or more branches of cosmetology at a school of cosmetology as the individual chooses.

An individual who holds a current, valid esthetics instructor license issued by the board may teach the theory and practice of esthetics, but no other branch of cosmetology, at a school of cosmetology.

An individual who holds a current, valid hair design stylist instructor license issued by the board may teach the theory and practice of hair design styling, but no other branch of cosmetology, at a school of cosmetology.

An individual who holds a current, valid manicurist instructor license issued by the board may teach the theory and practice of manicuring, but no other branch of cosmetology, at a school of cosmetology.

An individual who holds a current, valid natural hair
style instructor license issued by the board may teach the
teach the theory and practice of natural hair styling, but no other branch
of cosmetology, at a school of cosmetology.

An individual who holds a current, valid boutique services
registration with the board may engage in the practice of
boutique services but no other branch of cosmetology.

Sec. 4713.37. (A) The state cosmetology and barber board
may issue a temporary special occasion work permit to an
individual who satisfies all of the following conditions:

1. Has been licensed or registered in another state or
country to practice a branch of cosmetology or barbering or
   teach the theory and practice of a branch of cosmetology or
   barbering for at least five years;

2. Is a recognized expert in the practice or teaching of
   the branch of cosmetology or barbering the individual practices
   or teaches;

3. Is to practice that branch of cosmetology or barbering
   or teach the theory and practice of that branch of cosmetology
   or barbering in this state as part of a promotional or
   instructional program for not more than the amount of time a
   temporary special occasion work permit is effective;

4. Satisfies all other conditions for a temporary special
   occasion work permit established by rules adopted under section
   4713.08 of the Revised Code;

5. Pays the fee established by rules adopted under
   section 4713.08 of the Revised Code.

(B) An individual issued a temporary special occasion work
permit may practice the branch of cosmetology or barbering the
individual practices in another state or country, or teach the
theory and practice of the branch of cosmetology or barbering
the individual teaches in another state or country, until the
expiration date of the permit. A temporary special occasion work
permit is valid for the period of time specified in rules
adopted under section 4713.08 of the Revised Code.

Sec. 4713.39. The state cosmetology and barber board shall
develop rules in accordance with section 4713.08 of the Revised
Code to permit an applicant to register as an independent
contractor if the applicant is an independent contractor in a
licensed facility and meets the conditions established by the
board.

Sec. 4713.41. The state cosmetology and barber board shall
issue a license to operate a salon, including a boutique salon,
or barber shop to an applicant who pays the applicable fee and
affirms that all of the following conditions will be met:

(A)(1) An individual holding a current, valid
cosmetologist or barber license or boutique services
registration pertaining to the branch of cosmetology services
or barbering performed at the salon or boutique salon or
barber shop, shall have charge of and immediate supervision over the
salon or barber shop at all times when the salon or barber shop
is open for business except as permitted under division (A)(2)
of this section.

(2) A business establishment that is engaged primarily in
retail sales but is also licensed as a salon or barber shop
shall have present an individual holding a current, valid
license or registration to practice in that type of salon or
barber shop in charge of and in immediate supervision of the
salon or barber shop during posted or advertised service hours,
if the practice of cosmetology or barbering is restricted to those posted or advertised service hours.

(B)(1) The salon or barber shop is equipped to do all of the following:

(1) (a) Provide potable running hot and cold water and proper drainage;

(2) Sanitize (b) Clean and disinfect all nonporous instruments and supplies used in the branch of cosmetology or barbering provided at the salon or barber shop;

(2) (c) If cosmetic therapy, massage therapy, or other professional service is provided at the salon or barber shop under section 4713.42 of the Revised Code, sanitize disinfect all instruments and supplies used in the cosmetic therapy, massage therapy, or other professional service.

(2) For purposes of division (B)(1)(b) of this section, cleaning does not make multi-use items safe for subsequent use, and disinfection must be done after cleaning.

(C) Except as provided in sections 4713.42 and 4713.49 of the Revised Code, only the branch of cosmetology that the salon is licensed to provide is practiced at the salon.

(D) The salon or barber shop is kept in a clean and sanitary condition and properly ventilated.

(E)(D) The salon or barber shop, including all of its equipment, implements, and other personal property, is properly cleaned and disinfected at all times, except for the immediate period during which a licensee performs a cosmetology or barbering service or prepares the service area after a patron in preparation for the next patron.
(E) No food is sold at the salon or barber shop in a manner inconsistent with rules adopted under section 4713.08 of the Revised Code.

(F) A notice that contains a toll-free number and online process for reporting alleged violations of this chapter, as prescribed by the board of cosmetology, is posted at the salon or barber shop in a common area for all customers of salon or barbering services.

Sec. 4713.42. An individual holding a current, valid license issued under section 4731.15 of the Revised Code to provide cosmetic therapy or massage therapy may provide cosmetic therapy or massage therapy, as appropriate, in a salon or barber shop. An individual holding a current, valid license or certificate issued by a professional regulatory board of this state may practice the individual's profession in a salon or barber shop if the individual's profession is authorized by rules adopted under section 4713.08 of the Revised Code to practice in a salon or barber shop.

An individual providing cosmetic therapy, massage therapy, or other professional service in a salon or barber shop pursuant to this section shall satisfy the standards established by rules adopted under section 4713.08 of the Revised Code.

Sec. 4713.44. (A) The state cosmetology and barber board shall issue a license to operate a school of cosmetology or barber school to an applicant who pays the applicable fee and satisfies all of the following requirements:

(1) Maintains a course of practical training and technical instruction for the branch or branches of cosmetology or barbering to be taught at the school equal to the requirements
for admission to an examination under section 4713.24 of the Revised Code that an individual must pass to obtain a license to practice that branch or those branches of cosmetology or barbering;

(2) Possesses or makes available apparatus and equipment sufficient for the ready and full teaching of all subjects of the curriculum;

(3) Maintains individuals licensed under section 4713.31 or 4713.34 of the Revised Code to teach the theory and practice of the branches of cosmetology or barbering;

(4) Notifies the board of the enrollment of each new student and provides to the board the student's signed acknowledgment form, as described in division (A)(14) of section 4713.07 of the Revised Code; keeps a record devoted to the different practices, establishes grades and holds examinations in order to certify the students' completion of the prescribed course of study before the issuance of certificates of completion;

(5) In the case of a school of cosmetology or barber school that offers clock hours for the purpose of satisfying minimum hours of training and instruction, keeps a daily record of the attendance of each student;

(6) On the date that an apprentice cosmetology instructor or assistant barber instructor begins cosmetology or barber instructor training at the school, certifies the name of the apprentice cosmetology instructor or assistant barber instructor to the board along with the date on which the apprentice's instructor training began;

(7) Instructs not more than six apprentice cosmetology
instructors or assistant barber instructors at any one time;

(8) **Files** Except as otherwise provided in this division, files with the board a good and sufficient surety bond executed by the individual, firm, or corporation operating the school of cosmetology as principal and by a surety company or security in the amount of ten thousand dollars; provided, that this requirement does not apply to a vocational or career-technical school program conducted by a city, exempted village, local, or joint vocational school district. The amount of the bond shall be equal to ten per cent of the school's gross income from tuition, fees, and other required institutional charges during the preceding calendar year, provided that the required amount of the bond shall be not less than ten thousand dollars and not more than two hundred fifty thousand dollars. A private career school may obtain a bond in a greater amount.

The bond shall be in the form prescribed by the board and be conditioned upon the school's continued instruction in the theory and practice of the branches of cosmetology or barbering. Every bond shall continue in effect until notice of its termination is given to the board by registered mail and every bond shall so provide.

This division does not apply to a vocational or career-technical school program conducted by a city, exempted village, local, or joint vocational school district.

(9) Establishes and maintains an internal procedure for processing complaints filed against the school and for providing students with instructions on how to file a complaint directly with the board pursuant to section 4713.641 of the Revised Code.

(B) A school of cosmetology or barber school holding a
license issued under division (A) of this section is an educational institution and is authorized to offer educational programs beyond secondary education, advanced practice programs, or both in accordance with rules adopted by the board pursuant to section 4713.08 of the Revised Code.

(C) A school of cosmetology holding a license to operate a school of cosmetology on September 29, 2013, shall establish and maintain an internal procedure for processing complaints filed against the school and shall provide each of the school's students with instructions on how to file a complaint directly with the board pursuant to section 4713.641 of the Revised Code.

Sec. 4713.45. (A) A school of cosmetology or barber school may do the following:

(1) In accordance with rules adopted under section 4713.08 of the Revised Code, a school of cosmetology or barber school operated by a public entity or a private person may offer clock hours, credit hours, or competency-based credits by classroom instruction or distance education for the purpose of satisfying minimum hours of training and instruction;

(2) Allow an apprentice cosmetology instructor or assistant barber instructor the regular quota of students prescribed by the state cosmetology and barber board if a cosmetology instructor or barber instructor is present;

(3) Compensate an apprentice cosmetology instructor or assistant barber instructor;

(4) Subject to division (B) of this section, employ an individual who does not hold a current, valid instructor or barber instructor license to teach subjects related to a branch of cosmetology or barbering.
(B) A school of cosmetology or barber school shall have a licensed cosmetology instructor or barber instructor present when an individual employed pursuant to division (A)(4) of this section teaches at the school, unless the individual is one of the following:

(1) An individual with a current, valid teacher's certificate or educator license issued by the state board of education;

(2) An individual with a bachelor's degree in the subject the person teaches at the school;

(3) An individual also employed by a university or college to teach the subject the person teaches at the school.

(C) A school of cosmetology or barber school shall annually review the subjects and coursework required to receive an initial cosmetology or barber license and advanced license and, in doing so, shall incorporate standards adopted by the state cosmetology and barber board pursuant to division (A)(13) of section 4713.08 of the Revised Code.

Sec. 4713.46. A student who is injured or damaged by reason of the failure of a school of cosmetology or barber school to continue instruction in the theory and practice of a branch of cosmetology or barbering may maintain an action on the bond against the school, or surety named therein, or both of them, for the recovery of any money or tuition paid in advance for instruction in the theory and practice of a branch of cosmetology or barbering that was not received. The aggregate liability of the surety to all students shall not exceed the sum of the bond.

Sec. 4713.49. The owner or manager of a salon, barber
shop, school of cosmetology, or barber school that has a permit issued under section 4713.48 of the Revised Code may operate a tanning facility at the salon, barber shop, or school.

Sec. 4713.55. Every license issued by the state cosmetology and barber board shall be signed by the chairperson and attested by the executive director of the board, with the seal of the board attached.

The board shall specify on each practicing license that the board issues the branch of cosmetology that the license entitles the holder to practice. The board shall specify on each advanced license that the board issues the type of salon in which the license entitles the holder to work and the branch of cosmetology that the license entitles the holder to practice. The board shall specify on each instructor license that the board issues the branch of cosmetology that the license entitles the holder to teach. The board shall specify on each salon license that the board issues the branch of cosmetology that the license entitles the holder to offer. The board shall specify on each independent contractor license that the board issues the branch of cosmetology that the license entitles the holder to offer within a licensed salon. Such licenses are prima-facie evidence of the right of the holder to practice or teach the branch of cosmetology that the license specifies.

Sec. 4713.56. Every holder of a practicing license, barber license, instructor license, barber instructor license, independent contractor license registration, or boutique service services registration issued by the state cosmetology and barber board shall maintain the board-issued, wallet-sized license or electronically generated license certification or registration and a current government-issued photo identification that can be
produced upon inspection or request.

Every holder of a license to operate a salon issued by the board shall display the license in a public and conspicuous place in the salon.

Every holder of a license to operate a school of cosmetology issued by the board shall display the license in a public and conspicuous place in the school.

Every individual who provides cosmetic therapy, massage therapy, or other professional service in a salon or barber shop under section 4713.42 of the Revised Code shall maintain the individual's professional license or certificate or electronically generated license certification or registration and a state of Ohio issued photo identification that can be produced upon inspection or request.

Sec. 4713.57. (A) A practicing, instructor, salon, or school of cosmetology license, independent contractor registration to practice a branch of cosmetology, or boutique services registration issued by the state cosmetology and barber board pursuant to this chapter is valid until the last day of January of the odd-numbered year following its original issuance or renewal, unless the license is revoked or suspended prior to that date. Renewal

(B) A barber, barber instructor, barber shop, or barber school license or independent contractor registration to practice barbergining issued by the board pursuant to this chapter is valid until the last day of August of each even-numbered year following its original issuance or renewal, unless the license is revoked or suspended before that date.

(C) The renewal of a license or registration under this
section shall be done in accordance with the standard renewal procedure of Chapter 4745. of the Revised Code. The board may refuse to renew a license if the individual holding the license has an outstanding unpaid fine levied under section 4713.64 of the Revised Code.

Sec. 4713.58. (A) Except as provided in division (B) of this section, on payment of the renewal fee and submission of proof satisfactory to the state cosmetology and barber board that any applicable continuing education requirements have been completed, an individual currently licensed as:

(1) A cosmetology instructor who has previously been licensed as a cosmetologist or an advanced cosmetologist, is entitled to the reissuance of a cosmetologist or advanced cosmetologist license;

(2) An esthetics instructor who has previously been licensed as an esthetician or an advanced esthetician, is entitled to the reissuance of an esthetician or advanced esthetician license;

(3) A hair design instructor or barber instructor who has previously been licensed as held a hair designer or an advanced hair designer, is entitled to the reissuance of a hair designer or advanced hair designer practicing or barber license;

(4) A manicurist instructor who has previously been licensed as a manicurist or an advanced manicurist, is entitled to the reissuance of a manicurist or advanced manicurist practicing or barber license;

(5) A natural hair style instructor who has previously been licensed as a natural hair stylist or an advanced natural hair stylist, is entitled to the reissuance of a natural hair
stylist or advanced natural hair stylist license.

(B) No individual is entitled to the reissuance of a license under division (A) of this section if the license was revoked or suspended or the individual has an outstanding unpaid fine levied under section 4713.64 of the Revised Code.

Sec. 4713.59. If the state cosmetology and barber board adopts rules under section 4713.09 of the Revised Code to establish a continuing education requirement as a condition of renewal for a practicing license, advanced license, or instructor license, barber license, barber instructor license, or independent contractor registration, the board shall inform each affected licensee or registrant of the continuing education requirement that applies to the next biennial licensing period by including that information in the renewal notification it sends the licensee or registrant. The notification shall state that the licensee or registrant must complete the continuing education requirement, via classroom instruction or distance education, by the fifteenth day of January of the next odd-numbered year for a practicing license, instructor license, or independent contractor registration to practice a branch of cosmetology, or by the fifteenth day of August of the next even-numbered year for a barber license, barber instructor license, or independent contractor registration to practice barbering.

Hours completed in excess of the continuing education requirement may not be applied to the next biennial licensing period.

Sec. 4713.60. (A) Except as provided in division (C) of this section, an individual seeking a renewal of a license to practice a branch of cosmetology, advanced license, instructor license, or boutique services independent contractor...
registration, barber license, or barber instructor license shall include attest in the renewal application proof satisfactory to the board of completion of any applicable continuing education requirements established by rules adopted under section 4713.09 of the Revised Code.

(B) If an applicant fails to provide satisfactory proof of completion of any applicable continuing education requirements, the board shall notify the applicant that the application is incomplete. The board shall not renew the license or registration until the applicant provides satisfactory proof of completion of any applicable continuing education requirements. The board may provide the applicant with an extension of up to ninety days in which to complete the continuing education requirement. In providing for the extension, the board may charge the licensee or registrant a fine of up to one hundred dollars.

(C) The board may waive, or extend the period for completing, any continuing education requirement if a licensee or registrant applies to the board and provides proof satisfactory to the board of being unable to complete the requirement within the time allowed because of any of the following:

(1) An emergency;

(2) An unusual or prolonged illness;

(3) Active duty service in any branch of the armed forces of the United States or a reserve component of the armed forces of the United States, including the Ohio national guard or the national guard of any other state.

The board shall determine the period of time during which
each extension is effective and shall inform the applicant. The board shall also inform the applicant of the continuing education requirements that must be met to have the license or registration renewed. If an extension is granted for less than one year, the continuing education requirement for that year, in addition to the required continuing education for the succeeding year, must be completed in the succeeding year. In all other cases the board may waive all or part of the continuing education requirement on a case-by-case basis. Any required continuing education shall be completed and satisfactory proof of its completion submitted to the board by a date specified by the board. Every license or registration that has not been renewed in the timeframe specified in section 4713.57 of the Revised Code and for which the continuing education requirement has not been waived or extended shall be considered expired.

Sec. 4713.61. (A) If the state cosmetology and barber board adopts a continuing education requirement under section 4713.09 of the Revised Code, it may develop a procedure by which an individual who holds a license to practice a branch of cosmetology, advanced license, instructor license, barber license, barber instructor license, or instructor license independent contractor registration and who is not currently engaged in the practice of the branch of cosmetology or barbering or teaching the theory and practice of the branch of cosmetology or barbering, but who desires to be so engaged in the future, may apply to the board to have the individual's license or registration classified inactive. If the board develops such a procedure, an individual seeking to have the individual's license or registration classified inactive shall apply to the board on a form provided by the board and pay the fee established by rules adopted under section 4713.08 of the
Revised Code.

(B) The board shall not restore an inactive license or registration until the later of the following:

1. The date that the individual holding the license or registration submits proof satisfactory to the board that the individual has completed the continuing education that a rule adopted under section 4713.08 of the Revised Code requires.

2. The last day of January of the next odd-numbered year following the year the license is classified inactive.

(C) An individual who holds an inactive license may engage in the practice of a branch of cosmetology if the individual holds a temporary work permit as specified in rules adopted by the board under section 4713.08 of the Revised Code.

Sec. 4713.62. (A) An individual holding a practicing license, advanced license, instructor license, barber license, barber instructor license, or boutique services independent contractor registration may satisfy a continuing education requirement established by rules adopted under section 4713.09 of the Revised Code only by completing continuing education programs approved under division (B) of this section.

(B) The state cosmetology and barber board shall approve a continuing education program if all of the following conditions are satisfied:

1. The person operating the program submits to the board a written application for approval.

2. The person operating the program pays to the board a fee established by rules adopted under section 4713.08 of the Revised Code.
(3) The program is operated by an employee, officer, or director of a nonprofit professional association, college or university, proprietary continuing education institutions providing programs approved by the board, vocational school, postsecondary proprietary school of cosmetology licensed by the board, salon licensed by the board, barber school licensed by the board, barber shop licensed by the board, or manufacturer of supplies or equipment used in the practice of a branch of cosmetology or barbering.

(4) The program will do at least one of the following:

(a) Enhance the professional competency of the affected licensees or registrants;

(b) Protect the public;

(c) Educate the affected licensees or registrants in the application of the laws and rules regulating the practice of a branch of cosmetology or barbering.

(5) The person operating the program provides the board a tentative schedule of when the program will be available so that the board can make the schedule readily available to all licensees and registrants throughout the state.

Sec. 4713.63. (A) A practicing license, advanced instructor license, or barber license, barber instructor license, or independent contractor registration that has not been renewed for any reason other than because it has been revoked, suspended, or classified inactive, or because the license or registration holder has been given a waiver or extension under section 4713.60 of the Revised Code, is expired. An expired license or registration may be restored if the individual who held the license meets all of the following...
applicable conditions:

(A) Pays or registration pays to the state cosmetology and barber board the restoration fee established under section 4713.10 of the Revised Code, and meets either of the following requirements:

(B) (1) In the case of a practicing license or advanced license a registration that has been expired for more than two consecutive license or registration renewal periods, completes eight hours of continuing education for each license or registration renewal period that has elapsed since the license was last issued or renewed, up to a maximum of twenty-four hours;

(2) In the case of a barber license that has been expired for more than two consecutive license renewal periods, completes any outstanding continuing education requirements for each license renewal period that has elapsed since the license was last issued or renewed, up to a maximum of twenty-four hours.

(B) At least four of those the continuing education hours required under division (A)(1) or (2) of this section shall include a course pertaining to sanitation, infection control and safety methods.

The board shall deposit all fees it receives under division (B) of this section into the general revenue fund.

Sec. 4713.64. (A) The state cosmetology and barber board may take disciplinary action under this chapter for any of the following:

(1) Failure to comply with the safety, sanitation, infection control, and licensing requirements of this chapter or rules adopted under it;
(2) Continued practice by an individual knowingly having an infectious or contagious disease;

(3) Habitual drunkenness or addiction to any habit-forming drug;

(4) Willful false and fraudulent or deceptive advertising;

(5) Falsification of any record or application required to be filed with the board;

(6) Failure to pay a fine or abide by a suspension order issued by the board;

(7) Failure to cooperate with an investigation or inspection;

(8) Failure to respond to a subpoena;

(9) Conviction of or plea of guilty to a violation of section 2905.32 of the Revised Code;

(10) In the case of a salon or barber shop, any individual’s conviction of or plea of guilty to a violation of section 2905.32 of the Revised Code for an activity that took place on the premises of the salon or barber shop.

(B) On determining that there is cause for disciplinary action, the board may do one or more of the following:

(1) Deny, revoke, or suspend, or impose conditions on a license, permit, or registration issued by the board under this chapter;

(2) Impose a fine;

(3) Require the holder of a license, permit, or registration issued under this chapter to take corrective action courses.
(C)(1) Except as provided in divisions (C)(2) and (3) of this section, the board shall take disciplinary action pursuant to an adjudication under Chapter 119. of the Revised Code.

(2) The board may take disciplinary action without conducting an adjudication under Chapter 119. of the Revised Code against an individual who or salon who or barber shop that violates division (A)(9) or (10) of this section. After the board takes such disciplinary action, the board shall give written notice to the subject of the disciplinary action of the right to request a hearing under Chapter 119. of the Revised Code.

(3) In lieu of an adjudication, the board may enter into a consent agreement with the holder of a license, permit, or registration issued under this chapter. A consent agreement that is ratified by a majority vote of a quorum of the board members is considered to constitute the findings and orders of the board with respect to the matter addressed in the agreement. If the board does not ratify a consent agreement, the admissions and findings contained in the agreement are of no effect, and the case shall be scheduled for adjudication under Chapter 119. of the Revised Code.

(D) The amount and content of corrective action courses and other relevant criteria shall be established by the board in rules adopted under section 4713.08 of the Revised Code.

(E)(1) The board may impose a separate fine for each offense listed in division (A) of this section. The amount of the first fine issued for a violation as the result of an inspection shall be not more than two hundred fifty dollars if the violator has not previously been fined for that offense. Any fines issued for additional violations during such an inspection
shall not be more than one hundred dollars for each additional violation. The fine shall be not more than five hundred dollars if the violator has been fined for the same offense once before. Any fines issued for additional violations during a second inspection shall not be more than two hundred dollars for each additional violation. The fine shall be not more than one thousand dollars if the violator has been fined for the same offense two or more times before. Any fines issued for additional violations during a third inspection shall not be more than three hundred dollars for each additional violation.

(2) The board shall issue an order notifying a violator of a fine imposed under division (E)(1) of this section. The notice shall specify the date by which the fine is to be paid. The date shall be less than forty-five days after the board issues the order.

(3) At the request of a violator who is temporarily unable to pay a fine, or upon its own motion, the board may extend the time period within which the violator shall pay the fine up to ninety-one hundred eighty days after the date the board issues the order.

(4) If a violator fails to pay a fine by the date specified in the board's order and does not request an extension within ten days after the date the board issues the order, or if the violator fails to pay the fine within the extended time period as described in division (E)(3) of this section, the board shall add to the fine an additional penalty equal to ten per cent of the fine.

(5) If a violator fails to pay a fine within ninety days after the board issues the order, the board shall add to the fine interest at a rate specified by the board in rules adopted
under section 4713.08 of the Revised Code.

(C) If the fine, including any interest or additional penalty, remains unpaid on the ninety-first one hundred eighty-first day after the board issues an order under division (E)(2) of this section, the amount of the fine and any interest or additional penalty shall be certified to the attorney general for collection in the form and manner prescribed by the attorney general. The attorney general may assess the collection cost to the amount certified in such a manner and amount as prescribed by the attorney general.

(F) In the case of an offense of failure to comply with division (A) or (B)(2) or (3) of section 4713.50 of the Revised Code, the board shall impose a fine of five hundred dollars if the violator has not previously been fined for that offense. If the violator has previously been fined for the offense, the board may impose a fine in accordance with this division or take another action in accordance with division (B) of this section.

(G) The board shall notify a licensee or registrant who is in violation of division (A) of this section and the owner of the salon or barber shop in which the conditions constituting the violation were found. The individual receiving the notice of violation and the owner of the salon or barber shop may request a hearing pursuant to section 119.07 of the Revised Code. If the individual or owner fails to request a hearing or enter into a consent agreement thirty days after the date the board, in accordance with section 119.07 of the Revised Code and division (J) of this section, notifies the individual or owner of the board's intent to act against the individual or owner under division (A) of this section, the board by a majority vote of a quorum of the board members may take the action against the
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individual or owner without holding an adjudication hearing.

(H) The board, after a hearing in accordance with Chapter 119. of the Revised Code or pursuant to a consent agreement, may suspend a license, permit, or registration if the licensee, permit holder, or registrant fails to correct an unsafe condition that exists in violation of the board's rules or fails to cooperate in an inspection. If a violation of this chapter or rules adopted under it has resulted in a condition reasonably believed by an inspector to create an immediate danger to the health and safety of any individual using the facility, the inspector may suspend the license or permit of the facility or the individual responsible for the violation without a prior hearing until the condition is corrected or until a hearing in accordance with Chapter 119. of the Revised Code is held or a consent agreement is entered into and the board either upholds the suspension or reinstates the license, permit, or registration.

(I) The board shall not take disciplinary action against an individual licensed to operate a salon, barber shop, barber school, or school of cosmetology for a violation of this chapter that was committed by an individual licensed to practice a branch of cosmetology or barbering, while practicing within the salon, barber shop, or school, when the individual's actions were beyond the control of the salon owner or school.

(J) In addition to the methods of notification required under section 119.07 of the Revised Code, the board may send the notices required under divisions (C)(2), (E)(2), and (G) of this section by any delivery method that is traceable and requires that the delivery person obtain a signature to verify that the notice has been delivered. The board also may send the notices
by electronic mail, provided that the electronic mail delivery
system certifies that a notice has been received.

Sec. 4713.641. Any student or former student of a school
of cosmetology licensed under division (A) of section 4713.44 of
the Revised Code individual may file a complaint with the state
cosmetology and barber board alleging that the an individual,
salon, barber shop, barber school, school of cosmetology, or
tanning facility has violated division (A) of section 4713.64 of
the Revised Code this chapter or rules adopted under it. The
complaint shall be in writing and signed by the individual
bringing the complaint. Upon receiving a complaint, the board
shall initiate a preliminary investigation to determine whether
it is probable that a violation was committed. If the board
determines after preliminary investigation that it is not
probable that a violation was committed, the board shall notify
the individual who filed the complaint of the board's findings
and that the board will not pursue formal complaint
action in the matter. If the board determines after a
preliminary investigation that it is probable that a violation
was committed, the board shall proceed against the
individual, salon, barber shop, barber school, school of
cosmetology, or tanning facility pursuant to the board's
authority under section 4713.64 of the Revised Code and in
accordance with the hearing and notice requirements prescribed
in Chapter 119. of the Revised Code. A complaint filed under
this section is confidential and is not a public record under
section 149.43 of the Revised Code.

Sec. 4713.65. On receipt of a notice pursuant to section
3123.43 of the Revised Code, the state cosmetology and barber
board shall comply with sections 3123.41 to 3123.50 of the
Revised Code and any applicable rules adopted under section
3123.63 of the Revised Code with respect to a license issued pursuant to this chapter or licenses issued pursuant to Chapter 4709 of the Revised Code.

Sec. 4713.66. (A) The state cosmetology and barber board, on its own motion or on receipt of a written complaint, may investigate or inspect the activities or premises of an individual or entity who is alleged to have violated this chapter or rules adopted under it, regardless of whether the individual or entity holds a license or registration issued under this chapter.

(B) If, based on its investigation, the board determines that there is reasonable cause to believe that an individual or entity has violated this chapter or rules adopted under it, the board shall afford the individual or entity an opportunity for a hearing. Notice shall be given and any hearing conducted in accordance with Chapter 119. of the Revised Code.

(C) The board shall maintain a transcript of the hearing and issue a written opinion to all parties, citing its findings and ground for any action it takes. Any action shall be taken in accordance with section 4713.64 of the Revised Code.

Sec. 4713.69. (A) The state cosmetology and barber board shall issue a boutique services registration to an applicant who satisfies all of the following applicable conditions:

(1) Is at least sixteen years of age;

(2) Is of good moral character;

(3) Has the equivalent of an Ohio public school tenth grade education;

(4) Has submitted a written application on a form
prescribed by the board containing all of the following:

(a) The applicant's name and home address;

(b) The applicant's home telephone number and cellular telephone number, if any;

(c) The applicant's electronic mail address, if any;

(d) The applicant's date of birth;

(e) The address and telephone number where boutique services will be performed. The address shall not contain a post office box number.

(f) Whether the applicant has an occupational license, certification, or registration to provide beauty services in another state, and if so, what type of license and in what state;

(g) Whether the applicant has ever had an occupational license, certification, or registration suspended, revoked, or denied in any state;

(h) An affidavit or certificate providing proof of formal training or apprenticeship under an individual providing such services.

(B) The place of business where boutique services are performed must comply with the safety and sanitation requirements for licensed salon facilities as described in section 4713.41 of the Revised Code.

(C) The board shall specify the manner by which boutique services registrants shall fulfill the continuing education requirements set forth in section 4713.09 of the Revised Code. An individual may use "registered" as a designated title after
receiving a boutique services registration.

(C) A boutique services registration is not transferable to an individual other than the individual to whom the registration was issued.

Sec. 4713.70. (A) The state cosmetology and barber board shall issue a special event permit to an applicant who satisfies all of the requirements established by the board in rules adopted pursuant to section 4713.08 of the Revised Code.

(B) A special event permit issued under division (A) of this section shall permit a licensee or registrant to practice barbering or the branch of cosmetology for which the individual is licensed or registered on a limited and temporary basis in a place that is not licensed as a salon, barber shop, school of cosmetology, or barber school.

(C) The board may inspect special events without notice.

Sec. 4713.71. (A) The state cosmetology and barber board shall adopt rules, in accordance with section 4713.08 of the Revised Code, to establish an apprenticeship program for apprentice cosmetologists and barbers. The program shall allow for both of the following:

(1) Apprentice cosmetologists to train in the practice of cosmetology, hair styling, esthetics, manicuring, or natural hair styling in a licensed salon under a person holding an applicable practicing or instructor license issued under this chapter;

(2) Apprentice barbers to train in the practice of barbering in a licensed barber shop under a person holding a barber or barber instructor license issued under this chapter.
(B) An approved apprenticeship program under this section shall not require an apprentice cosmetologist or barber to complete more than one hundred fifty per cent of the number of hours of instruction required for an individual to obtain an initial license of the type the apprentice is seeking.

(C) A post-secondary school of cosmetology or barber school and salon or barber shop sponsor shall not charge fees for each apprentice that enrolls in these services.

(D) The rules shall require an applicant to the program to meet all of the following conditions:

1. Be at least eighteen years of age;
2. Be of good moral character;
3. Have the equivalent of an Ohio public school tenth grade education;
4. Have a valid social security number or taxpayer identification number;
5. Complete the initial hour preapprentice training course established by the board;
6. Complete an application, as prescribed by board rules, and pay a fee of twenty-five dollars.

(E) Applicants who are admitted to the apprenticeship program shall do all of the following:

1. Work a minimum of thirty-two hours in a calendar week;
2. Work under a trainer who holds a valid practicing, barber, or instructor license in cosmetology or a barber instructor license and has at least five years of experience in the practice of cosmetology, barbering, or a branch of
cosmetology;

(3) Complete a board-approved training program with the trainer including related instruction incorporating the best safety and infection control practices developed through curricula approved by the board.

(F) Apprentices shall receive compensation from the licensed salon or barber shop for participating in the training program and related instruction that is, at minimum, equal to the minimum wage applicable under sections 4111.01 to 4111.17 of the Revised Code.

(G) At the conclusion of the program, an apprentice may take the examination required under section 4713.24 of the Revised Code.

Sec. 4743.05. Except as otherwise provided in sections 4701.20, 4723.062, 4723.082, 4729.65, 4781.121, and 4781.28 of the Revised Code, all money collected under Chapters 3773., 4701., 4703., 4709., 4713., 4715., 4717., 4723., 4725., 4729., 4732., 4733., 4734., 4736., 4741., 4744., 4747., 4753., 4755., 4757., 4758., 4771., 4775., 4779., and 4781. of the Revised Code shall be paid into the state treasury to the credit of the occupational licensing and regulatory fund, which is hereby created for use in administering such chapters.

At the end of each quarter, the director of budget and management shall transfer from the occupational licensing and regulatory fund to the nurse education assistance fund created in section 3333.28 of the Revised Code the amount certified to the director under division (B) of section 4723.08 of the Revised Code.

At the end of each quarter, the director shall transfer...
from the occupational licensing and regulatory fund to the certified public accountant education assistance fund created in section 4701.26 of the Revised Code the amount certified to the director under division (H)(2) of section 4701.10 of the Revised Code.


(B) "Licensing agency," as used in this chapter, means any department, division, board, section of a board, or other state governmental unit subject to the standard renewal procedure, as defined in this section, and authorized by the Revised Code to issue a license to engage in a specific profession, occupation, or occupational activity, or to have charge of and operate certain specified equipment, machinery, or premises.

(C) "License," as used in this chapter, means a license, certificate, permit, card, or other authority issued or conferred by a licensing agency by authority of which the licensee has or claims the privilege to engage in the profession, occupation, or occupational activity, or to have control of and operate certain specific equipment, machinery, or premises, over which the licensing agency has jurisdiction.

(D) "Licensee," as used in this chapter, means either the person to whom the license is issued or renewed by a licensing
agency, or the person, partnership, or corporation at whose request the license is issued or renewed.

(E) "Renewal" and "renewed," as used in this chapter and in the chapters of the Revised Code specified in division (A) of this section, includes the continuing licensing procedure provided in Chapter 3748. of the Revised Code and rules adopted under it and in sections 1321.05 and 3921.33 of the Revised Code, and as applied to those continuing licenses any reference in this chapter to the date of expiration of any license shall be construed to mean the due date of the annual or other fee for the continuing license.

Sec. 4776.20. (A) As used in this section:

(1) "Licensing agency" means, in addition to each board identified in division (C) of section 4776.01 of the Revised Code, the board or other government entity authorized to issue a license under Chapters 4703., 4707., 4709., 4712., 4713., 4719., 4723., 4727., 4728., 4733., 4735., 4736., 4737., 4738., 4740., 4742., 4747., 4749., 4752., 4753., 4758., 4759., 4763., 4764., 4765., 4766., 4771., 4773., and 4781. of the Revised Code. "Licensing agency" includes an administrative officer that has authority to issue a license.

(2) "Licensee" means, in addition to a licensee as described in division (B) of section 4776.01 of the Revised Code, the person to whom a license is issued by the board or other government entity authorized to issue a license under Chapters 4703., 4707., 4709., 4712., 4713., 4719., 4723., 4727., 4728., 4733., 4735., 4736., 4737., 4738., 4740., 4742., 4747., 4749., 4751., 4752., 4753., 4758., 4759., 4763., 4764., 4765., 4766., 4771., 4773., and 4781. of the Revised Code.
(3) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code.

(B) On a licensee's conviction of, plea of guilty to, judicial finding of guilt of, or judicial finding of guilt resulting from a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code, the prosecutor in the case shall promptly notify the licensing agency of the conviction, plea, or finding and provide the licensee's name and residential address. On receipt of this notification, the licensing agency shall immediately suspend the licensee's license.

(C) If there is a conviction of, plea of guilty to, judicial finding of guilt of, or judicial finding of guilt resulting from a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code and all or part of the violation occurred on the premises of a facility that is licensed by a licensing agency, the prosecutor in the case shall promptly notify the licensing agency of the conviction, plea, or finding and provide the facility's name and address and the offender's name and residential address. On receipt of this notification, the licensing agency shall immediately suspend the facility's license.

(D) Notwithstanding any provision of the Revised Code to the contrary, the suspension of a license under division (B) or (C) of this section shall be implemented by a licensing agency without a prior hearing. After the suspension, the licensing agency shall give written notice to the subject of the suspension of the right to request a hearing under Chapter 119. of the Revised Code. After a hearing is held, the licensing
agency shall either revoke or permanently revoke the license of the subject of the suspension, unless it determines that the license holder has not been convicted of, pleaded guilty to, been found guilty of, or been found guilty based on a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code.

Sec. 5502.63. (A) The division of criminal justice services in the department of public safety shall prepare a poster and a brochure that describe safe firearms practices. The poster and brochure shall contain typeface that is at least one-quarter inch tall. The division shall furnish copies of the poster and brochure free of charge to each federally licensed firearms dealer in this state.

As used in this division, "federally licensed firearms dealer" means an importer, manufacturer, or dealer having a license to deal in destructive devices or their ammunition, issued and in effect pursuant to the federal "Gun Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 923 et seq., and any amendments or additions to that act or reenactments of that act.

(B)(1) The division of criminal justice services shall create a poster that provides information regarding the national human trafficking resource center hotline. The poster shall be no smaller than eight and one-half inches by eleven inches in size and shall include a statement in substantially the following form:

"If you or someone you know is being forced to engage in any activity and cannot leave - whether it is commercial sex, housework, farm work, or any other activity - call the National Human Trafficking Resource Center Hotline at 1-888-373-7888 to access help and services."
Victims of human trafficking are protected under U.S. and Ohio law.

The toll-free Hotline is:
- Available 24 hours a day, 7 days a week
- Operated by a non-profit, non-governmental organization
- Anonymous & confidential
- Accessible in 170 languages
- Able to provide help, referral to services, training, and general information."

The statement shall appear on each poster in English, Spanish, and, for each county, any other language required for voting materials in that county under section 1973aa-1a of the "Voting Rights Act of 1965," 79 Stat. 437, 42 U.S.C. 1973, as amended. In addition to the national human trafficking resource center hotline, the statement may contain any additional hotlines regarding human trafficking for access to help and services.

(2) The division shall make the poster available for print on its public web site and shall make the poster available to and encourage its display at each of the following places:

(a) A highway truck stop;

(b) A hotel, as defined in section 3731.01 of the Revised Code;

(c) An adult entertainment establishment, as defined in section 2907.39 of the Revised Code;

(d) A beauty salon, as defined in section 4713.01 of the Revised Code;
(e) An agricultural labor camp, as defined in section 3733.41 of the Revised Code;

(f) A hospital or urgent care center;

(g) Any place where there is occurring a contest for the championship of a division, conference, or league of a professional athletic association or of a national collegiate athletic association division I intercollegiate sport or where there is occurring an athletic competition at which cash prizes are awarded to individuals or teams;

(h) Any establishment operating as a massage parlor, massage spa, alternative health clinic, or similar entity by persons who do not hold a valid license from the state medical board to practice massage therapy under Chapter 4731. of the Revised Code;

(i) A fair.

(3) As used in this section:

(a) "Fair" means the annual exposition conducted by any county or independent agricultural society or the Ohio expositions commission.

(b) "Highway truck stop" means a gas station with a sign that is visible from a highway, as defined in section 5501.01 of the Revised Code, that offers amenities to commercial vehicles.

Section 2. That existing sections 2925.01, 3333.26, 4713.01, 4713.02, 4713.03, 4713.06, 4713.07, 4713.071, 4713.08, 4713.081, 4713.09, 4713.10, 4713.14, 4713.141, 4713.16, 4713.17, 4713.22, 4713.24, 4713.28, 4713.31, 4713.32, 4713.34, 4713.35, 4713.37, 4713.41, 4713.42, 4713.44, 4713.45, 4713.46, 4713.49, 4713.55, 4713.56, 4713.57, 4713.58, 4713.59, 4713.60, 4713.61,
4713.62, 4713.63, 4713.64, 4713.641, 4713.65, 4713.66, 4713.69, 4743.05, 4745.01, 4776.20, and 5502.63 of the Revised Code are hereby repealed.

Section 3. That sections 4709.01, 4709.02, 4709.03, 4709.05, 4709.07, 4709.09, 4709.10, 4709.11, 4709.12, 4709.13, 4709.14, 4709.23, 4709.99, 4713.25, 4713.26, 4713.30, 4713.36, and 4713.39 of the Revised Code are hereby repealed.

Section 4. Not later than two years after the effective date of this section and in accordance with division (A)(22) of section 4713.08 of the Revised Code, the State Cosmetology and Barber Board shall adopt rules under Chapter 119. of the Revised Code to specify the circumstances under which an applicant for a practicing license may take the examination required by section 4713.24 of the Revised Code before having successfully completed the minimum number of hours required for the license under section 4713.28 of the Revised Code.

Section 5. Notwithstanding the amendment of sections in Chapter 4713. of the Revised Code in this act, which no longer provides for independent contractor licenses, the member of the State Cosmetology and Barber Board who holds a seat pursuant to division (A)(3) of section 4713.02 of the Revised Code as it appeared immediately before the effective date of this section shall retain that seat until the current term of the seat expires, at which point the seat is to be filled with a person who is an independent contractor registered in accordance with section 4713.39 of the Revised Code as enacted by this act.

Section 6. Notwithstanding the amendment of sections in Chapter 4713. of the Revised Code in this act, which no longer provides for independent contractor licenses, a valid independent contractor license held by a person on or after the
effective date of this act is valid for the duration of that license term. For the duration of the license, the license shall be deemed to be the appropriate registration for the purposes of Chapter 4713. of the Revised Code. On the expiration of that license, the licensee shall register in accordance with section 4713.39 of the Revised Code.