

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

S. B. No. 235

Senator Williams

A BILL

To amend sections 2925.01, 4709.01, 4713.01, 1
4713.09, 4713.14, 4713.16, 4713.25, 4713.28, 2
4713.30, 4713.31, 4713.35, 4713.58, 4713.62, and 3
4713.69 of the Revised Code regarding the 4
regulation of natural hair styling and boutique 5
services. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2925.01, 4709.01, 4713.01, 7
4713.09, 4713.14, 4713.16, 4713.25, 4713.28, 4713.30, 4713.31, 8
4713.35, 4713.58, 4713.62, and 4713.69 of the Revised Code be 9
amended to read as follows: 10

Sec. 2925.01. As used in this chapter: 11

(A) "Administer," "controlled substance," "controlled 12
substance analog," "dispense," "distribute," "hypodermic," 13
"manufacturer," "official written order," "person," 14
"pharmacist," "pharmacy," "sale," "schedule I," "schedule II," 15
"schedule III," "schedule IV," "schedule V," and "wholesaler" 16
have the same meanings as in section 3719.01 of the Revised 17
Code. 18

(B) "Drug dependent person" and "drug of abuse" have the 19

same meanings as in section 3719.011 of the Revised Code. 20

(C) "Drug," "dangerous drug," "licensed health 21
professional authorized to prescribe drugs," and "prescription" 22
have the same meanings as in section 4729.01 of the Revised 23
Code. 24

(D) "Bulk amount" of a controlled substance means any of 25
the following: 26

(1) For any compound, mixture, preparation, or substance 27
included in schedule I, schedule II, or schedule III, with the 28
exception of any controlled substance analog, marihuana, 29
cocaine, L.S.D., heroin, any fentanyl-related compound, and 30
hashish and except as provided in division (D) (2), (5), or (6) 31
of this section, whichever of the following is applicable: 32

(a) An amount equal to or exceeding ten grams or twenty- 33
five unit doses of a compound, mixture, preparation, or 34
substance that is or contains any amount of a schedule I opiate 35
or opium derivative; 36

(b) An amount equal to or exceeding ten grams of a 37
compound, mixture, preparation, or substance that is or contains 38
any amount of raw or gum opium; 39

(c) An amount equal to or exceeding thirty grams or ten 40
unit doses of a compound, mixture, preparation, or substance 41
that is or contains any amount of a schedule I hallucinogen 42
other than tetrahydrocannabinol or lysergic acid amide, or a 43
schedule I stimulant or depressant; 44

(d) An amount equal to or exceeding twenty grams or five 45
times the maximum daily dose in the usual dose range specified 46
in a standard pharmaceutical reference manual of a compound, 47
mixture, preparation, or substance that is or contains any 48

amount of a schedule II opiate or opium derivative;	49
(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;	50 51 52
(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;	53 54 55 56 57 58 59 60 61 62 63
(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.	64 65 66 67 68 69
(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;	70 71 72 73 74 75 76
(3) An amount equal to or exceeding twenty grams or five	77

times the maximum daily dose in the usual dose range specified 78
in a standard pharmaceutical reference manual of a compound, 79
mixture, preparation, or substance that is or contains any 80
amount of a schedule III opiate or opium derivative; 81

(4) An amount equal to or exceeding two hundred fifty 82
milliliters or two hundred fifty grams of a compound, mixture, 83
preparation, or substance that is or contains any amount of a 84
schedule V substance; 85

(5) An amount equal to or exceeding two hundred solid 86
dosage units, sixteen grams, or sixteen milliliters of a 87
compound, mixture, preparation, or substance that is or contains 88
any amount of a schedule III anabolic steroid; 89

(6) For any compound, mixture, preparation, or substance 90
that is a combination of a fentanyl-related compound and any 91
other compound, mixture, preparation, or substance included in 92
schedule III, schedule IV, or schedule V, if the defendant is 93
charged with a violation of section 2925.11 of the Revised Code 94
and the sentencing provisions set forth in divisions (C) (10) (b) 95
and (C) (11) of that section will not apply regarding the 96
defendant and the violation, the bulk amount of the controlled 97
substance for purposes of the violation is the amount specified 98
in division (D) (1), (2), (3), (4), or (5) of this section for 99
the other schedule III, IV, or V controlled substance that is 100
combined with the fentanyl-related compound. 101

(E) "Unit dose" means an amount or unit of a compound, 102
mixture, or preparation containing a controlled substance that 103
is separately identifiable and in a form that indicates that it 104
is the amount or unit by which the controlled substance is 105
separately administered to or taken by an individual. 106

(F) "Cultivate" includes planting, watering, fertilizing,	107
or tilling.	108
(G) "Drug abuse offense" means any of the following:	109
(1) A violation of division (A) of section 2913.02 that	110
constitutes theft of drugs, or a violation of section 2925.02,	111
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12,	112
2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36,	113
or 2925.37 of the Revised Code;	114
(2) A violation of an existing or former law of this or	115
any other state or of the United States that is substantially	116
equivalent to any section listed in division (G) (1) of this	117
section;	118
(3) An offense under an existing or former law of this or	119
any other state, or of the United States, of which planting,	120
cultivating, harvesting, processing, making, manufacturing,	121
producing, shipping, transporting, delivering, acquiring,	122
possessing, storing, distributing, dispensing, selling, inducing	123
another to use, administering to another, using, or otherwise	124
dealing with a controlled substance is an element;	125
(4) A conspiracy to commit, attempt to commit, or	126
complicity in committing or attempting to commit any offense	127
under division (G) (1), (2), or (3) of this section.	128
(H) "Felony drug abuse offense" means any drug abuse	129
offense that would constitute a felony under the laws of this	130
state, any other state, or the United States.	131
(I) "Harmful intoxicant" does not include beer or	132
intoxicating liquor but means any of the following:	133
(1) Any compound, mixture, preparation, or substance the	134

gas, fumes, or vapor of which when inhaled can induce 135
intoxication, excitement, giddiness, irrational behavior, 136
depression, stupefaction, paralysis, unconsciousness, 137
asphyxiation, or other harmful physiological effects, and 138
includes, but is not limited to, any of the following: 139

(a) Any volatile organic solvent, plastic cement, model 140
cement, fingernail polish remover, lacquer thinner, cleaning 141
fluid, gasoline, or other preparation containing a volatile 142
organic solvent; 143

(b) Any aerosol propellant; 144

(c) Any fluorocarbon refrigerant; 145

(d) Any anesthetic gas. 146

(2) Gamma Butyrolactone; 147

(3) 1,4 Butanediol. 148

(J) "Manufacture" means to plant, cultivate, harvest, 149
process, make, prepare, or otherwise engage in any part of the 150
production of a drug, by propagation, extraction, chemical 151
synthesis, or compounding, or any combination of the same, and 152
includes packaging, repackaging, labeling, and other activities 153
incident to production. 154

(K) "Possess" or "possession" means having control over a 155
thing or substance, but may not be inferred solely from mere 156
access to the thing or substance through ownership or occupation 157
of the premises upon which the thing or substance is found. 158

(L) "Sample drug" means a drug or pharmaceutical 159
preparation that would be hazardous to health or safety if used 160
without the supervision of a licensed health professional 161
authorized to prescribe drugs, or a drug of abuse, and that, at 162

one time, had been placed in a container plainly marked as a 163
sample by a manufacturer. 164

(M) "Standard pharmaceutical reference manual" means the 165
current edition, with cumulative changes if any, of references 166
that are approved by the state board of pharmacy. 167

(N) "Juvenile" means a person under eighteen years of age. 168

(O) "Counterfeit controlled substance" means any of the 169
following: 170

(1) Any drug that bears, or whose container or label 171
bears, a trademark, trade name, or other identifying mark used 172
without authorization of the owner of rights to that trademark, 173
trade name, or identifying mark; 174

(2) Any unmarked or unlabeled substance that is 175
represented to be a controlled substance manufactured, 176
processed, packed, or distributed by a person other than the 177
person that manufactured, processed, packed, or distributed it; 178

(3) Any substance that is represented to be a controlled 179
substance but is not a controlled substance or is a different 180
controlled substance; 181

(4) Any substance other than a controlled substance that a 182
reasonable person would believe to be a controlled substance 183
because of its similarity in shape, size, and color, or its 184
markings, labeling, packaging, distribution, or the price for 185
which it is sold or offered for sale. 186

(P) An offense is "committed in the vicinity of a school" 187
if the offender commits the offense on school premises, in a 188
school building, or within one thousand feet of the boundaries 189
of any school premises, regardless of whether the offender knows 190

the offense is being committed on school premises, in a school 191
building, or within one thousand feet of the boundaries of any 192
school premises. 193

(Q) "School" means any school operated by a board of 194
education, any community school established under Chapter 3314. 195
of the Revised Code, or any nonpublic school for which the state 196
board of education prescribes minimum standards under section 197
3301.07 of the Revised Code, whether or not any instruction, 198
extracurricular activities, or training provided by the school 199
is being conducted at the time a criminal offense is committed. 200

(R) "School premises" means either of the following: 201

(1) The parcel of real property on which any school is 202
situated, whether or not any instruction, extracurricular 203
activities, or training provided by the school is being 204
conducted on the premises at the time a criminal offense is 205
committed; 206

(2) Any other parcel of real property that is owned or 207
leased by a board of education of a school, the governing 208
authority of a community school established under Chapter 3314. 209
of the Revised Code, or the governing body of a nonpublic school 210
for which the state board of education prescribes minimum 211
standards under section 3301.07 of the Revised Code and on which 212
some of the instruction, extracurricular activities, or training 213
of the school is conducted, whether or not any instruction, 214
extracurricular activities, or training provided by the school 215
is being conducted on the parcel of real property at the time a 216
criminal offense is committed. 217

(S) "School building" means any building in which any of 218
the instruction, extracurricular activities, or training 219

provided by a school is conducted, whether or not any 220
instruction, extracurricular activities, or training provided by 221
the school is being conducted in the school building at the time 222
a criminal offense is committed. 223

(T) "Disciplinary counsel" means the disciplinary counsel 224
appointed by the board of commissioners on grievances and 225
discipline of the supreme court under the Rules for the 226
Government of the Bar of Ohio. 227

(U) "Certified grievance committee" means a duly 228
constituted and organized committee of the Ohio state bar 229
association or of one or more local bar associations of the 230
state of Ohio that complies with the criteria set forth in Rule 231
V, section 6 of the Rules for the Government of the Bar of Ohio. 232

(V) "Professional license" means any license, permit, 233
certificate, registration, qualification, admission, temporary 234
license, temporary permit, temporary certificate, or temporary 235
registration that is described in divisions (W) (1) to (37) of 236
this section and that qualifies a person as a professionally 237
licensed person. 238

(W) "Professionally licensed person" means any of the 239
following: 240

(1) A person who has received a certificate or temporary 241
certificate as a certified public accountant or who has 242
registered as a public accountant under Chapter 4701. of the 243
Revised Code and who holds an Ohio permit issued under that 244
chapter; 245

(2) A person who holds a certificate of qualification to 246
practice architecture issued or renewed and registered under 247
Chapter 4703. of the Revised Code; 248

(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;	249 250 251
(4) A person licensed under Chapter 4707. of the Revised Code;	252 253
(5) A person who has been issued a certificate of registration as a registered barber under Chapter 4709. of the Revised Code;	254 255 256
(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;	257 258 259
(7) A person who has been issued a cosmetologist's license, hair designer'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 instructor's license, independent contractor's license, or tanning facility permit under Chapter 4713. of the Revised Code;	260 261 262 263 264 265 266 267 268 269 270
(8) 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;	271 272 273 274 275
(9) A person who has been issued an embalmer's license, a funeral director's license, a funeral home license, or a	276 277

crematory license, or who has been registered for an embalmer's	278
or funeral director's apprenticeship under Chapter 4717. of the	279
Revised Code;	280
(10) A person who has been licensed as a registered nurse	281
or practical nurse, or who has been issued a certificate for the	282
practice of nurse-midwifery under Chapter 4723. of the Revised	283
Code;	284
(11) A person who has been licensed to practice optometry	285
or to engage in optical dispensing under Chapter 4725. of the	286
Revised Code;	287
(12) A person licensed to act as a pawnbroker under	288
Chapter 4727. of the Revised Code;	289
(13) A person licensed to act as a precious metals dealer	290
under Chapter 4728. of the Revised Code;	291
(14) A person licensed under Chapter 4729. of the Revised	292
Code as a pharmacist or pharmacy intern or registered under that	293
chapter as a registered pharmacy technician, certified pharmacy	294
technician, or pharmacy technician trainee;	295
(15) A person licensed under Chapter 4729. of the Revised	296
Code as a manufacturer of dangerous drugs, outsourcing facility,	297
third-party logistics provider, repackager of dangerous drugs,	298
wholesale distributor of dangerous drugs, or terminal	299
distributor of dangerous drugs;	300
(16) A person who is authorized to practice as a physician	301
assistant under Chapter 4730. of the Revised Code;	302
(17) A person who has been issued a license to practice	303
medicine and surgery, osteopathic medicine and surgery, or	304
podiatric medicine and surgery under Chapter 4731. of the	305

Revised Code or has been issued a certificate to practice a	306
limited branch of medicine under that chapter;	307
(18) A person licensed as a psychologist or school	308
psychologist under Chapter 4732. of the Revised Code;	309
(19) A person registered to practice the profession of	310
engineering or surveying under Chapter 4733. of the Revised	311
Code;	312
(20) A person who has been issued a license to practice	313
chiropractic under Chapter 4734. of the Revised Code;	314
(21) A person licensed to act as a real estate broker or	315
real estate salesperson under Chapter 4735. of the Revised Code;	316
(22) A person registered as a registered sanitarian under	317
Chapter 4736. of the Revised Code;	318
(23) A person licensed to operate or maintain a junkyard	319
under Chapter 4737. of the Revised Code;	320
(24) A person who has been issued a motor vehicle salvage	321
dealer's license under Chapter 4738. of the Revised Code;	322
(25) A person who has been licensed to act as a steam	323
engineer under Chapter 4739. of the Revised Code;	324
(26) A person who has been issued a license or temporary	325
permit to practice veterinary medicine or any of its branches,	326
or who is registered as a graduate animal technician under	327
Chapter 4741. of the Revised Code;	328
(27) A person who has been issued a hearing aid dealer's	329
or fitter's license or trainee permit under Chapter 4747. of the	330
Revised Code;	331
(28) A person who has been issued a class A, class B, or	332

class C license or who has been registered as an investigator or	333
security guard employee under Chapter 4749. of the Revised Code;	334
(29) A person licensed and registered to practice as a	335
nursing home administrator under Chapter 4751. of the Revised	336
Code;	337
(30) A person licensed to practice as a speech-language	338
pathologist or audiologist under Chapter 4753. of the Revised	339
Code;	340
(31) A person issued a license as an occupational	341
therapist or physical therapist under Chapter 4755. of the	342
Revised Code;	343
(32) A person who is licensed as a licensed professional	344
clinical counselor, licensed professional counselor, social	345
worker, independent social worker, independent marriage and	346
family therapist, or marriage and family therapist, or	347
registered as a social work assistant under Chapter 4757. of the	348
Revised Code;	349
(33) A person issued a license to practice dietetics under	350
Chapter 4759. of the Revised Code;	351
(34) A person who has been issued a license or limited	352
permit to practice respiratory therapy under Chapter 4761. of	353
the Revised Code;	354
(35) A person who has been issued a real estate appraiser	355
certificate under Chapter 4763. of the Revised Code;	356
(36) A person who has been issued a home inspector license	357
under Chapter 4764. of the Revised Code;	358
(37) A person who has been admitted to the bar by order of	359
the supreme court in compliance with its prescribed and	360

published rules.	361
(X) "Cocaine" means any of the following:	362
(1) A cocaine salt, isomer, or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine;	363 364
(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;	365 366 367 368
(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.	369 370 371 372 373 374
(Y) "L.S.D." means lysergic acid diethylamide.	375
(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.	376 377 378
(AA) "Marihuana" has the same meaning as in section 3719.01 of the Revised Code, except that it does not include hashish.	379 380 381
(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.	382 383 384 385 386 387 388

(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.	417
(KK) "Fentanyl-related compound" means any of the	418
following:	419
(1) Fentanyl;	420
(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-	421
phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-	422
phenylethyl)-4-(N-propanilido) piperidine);	423
(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-	424
thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);	425
(4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-	426
piperidinyl]-N-phenylpropanamide);	427
(5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-	428
hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-	429
phenylpropanamide);	430
(6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-	431
piperidyl]-N- phenylpropanamide);	432
(7) 3-methylthiofentanyl (N-[3-methyl-1-[2-	433
(thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide);	434
(8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-	435
phenethyl)-4-piperidinyl]propanamide;	436
(9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-	437
piperidinyl]-propanamide;	438
(10) Alfentanil;	439
(11) Carfentanil;	440
(12) Remifentanil;	441
(13) Sufentanil;	442

- (14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide); and 443
444
- (15) Any compound that meets all of the following fentanyl 445
pharmacophore requirements to bind at the mu receptor, as 446
identified by a report from an established forensic laboratory, 447
including acetylfentanyl, furanylfentanyl, valerylfentanyl, 448
butyrylfentanyl, isobutyrylfentanyl, 4-methoxybutyrylfentanyl, 449
para-fluorobutyrylfentanyl, acrylfentanyl, and ortho- 450
fluorofentanyl: 451
- (a) A chemical scaffold consisting of both of the 452
following: 453
- (i) A five, six, or seven member ring structure containing 454
a nitrogen, whether or not further substituted; 455
- (ii) An attached nitrogen to the ring, whether or not that 456
nitrogen is enclosed in a ring structure, including an attached 457
aromatic ring or other lipophilic group to that nitrogen. 458
- (b) A polar functional group attached to the chemical 459
scaffold, including but not limited to a hydroxyl, ketone, 460
amide, or ester; 461
- (c) An alkyl or aryl substitution off the ring nitrogen of 462
the chemical scaffold; and 463
- (d) The compound has not been approved for medical use by 464
the United States food and drug administration. 465
- (LL) "First degree felony mandatory prison term" means one 466
of the definite prison terms prescribed in division (A) (1) (b) of 467
section 2929.14 of the Revised Code for a felony of the first 468
degree, except that if the violation for which sentence is being 469
imposed is committed on or after the effective date of this 470

amendment, it means one of the minimum prison terms prescribed 471
in division (A) (1) (a) of that section for a felony of the first 472
degree. 473

(MM) "Second degree felony mandatory prison term" means 474
one of the definite prison terms prescribed in division (A) (2) 475
(b) of section 2929.14 of the Revised Code for a felony of the 476
second degree, except that if the violation for which sentence 477
is being imposed is committed on or after the effective date of 478
this amendment, it means one of the minimum prison terms 479
prescribed in division (A) (2) (a) of that section for a felony of 480
the second degree. 481

(NN) "Maximum first degree felony mandatory prison term" 482
means the maximum definite prison term prescribed in division 483
(A) (1) (b) of section 2929.14 of the Revised Code for a felony of 484
the first degree, except that if the violation for which 485
sentence is being imposed is committed on or after the effective 486
date of this amendment, it means the longest minimum prison term 487
prescribed in division (A) (1) (a) of that section for a felony of 488
the first degree. 489

(OO) "Maximum second degree felony mandatory prison term" 490
means the maximum definite prison term prescribed in division 491
(A) (2) (b) of section 2929.14 of the Revised Code for a felony of 492
the second degree, except that if the violation for which 493
sentence is being imposed is committed on or after the effective 494
date of this amendment, it means the longest minimum prison term 495
prescribed in division (A) (2) (a) of that section for a felony of 496
the second degree. 497

Sec. 4709.01. As used in this chapter: 498

(A) (1) Except as provided in division (A) (2) of this 499

section, the "practice of barbering" means any one or more of 500
the following when performed upon the head, neck, or face for 501
cosmetic purposes and when performed upon the public for pay, 502
free, or otherwise: 503

(a) Shaving the face, shaving around the vicinity of the 504
ears and neckline, or trimming facial hair; 505

(b) Cutting or styling hair; 506

(c) Facials, skin care, or scalp massages; 507

(d) Shampooing, bleaching, coloring, straightening, or 508
permanent waving hair; 509

(e) Cutting, fitting, or forming head caps for wigs or 510
hair pieces. 511

(2) The practice of barbering does not include ~~the~~ 512
~~practice of natural hair styling~~braiding. 513

(B) "Sanitary" means free of infectious agents, disease, 514
or infestation by insects or vermin and free of soil, dust, or 515
foreign material. 516

(C) "Barber" means any person who engages in or attempts 517
to engage in the practice of barbering. 518

(D) "Barber school" means any establishment that engages 519
in or attempts to engage in the teaching of the practice of 520
barbering. 521

(E) "Barber teacher" means any person who engages in or 522
attempts to engage in the teaching of the practice of barbering. 523

(F) "Assistant barber teacher" means any person who 524
assists a barber teacher in the teaching of the practice of 525
barbering. 526

(G) "Barber pole" means a cylinder or pole with 527
alternating stripes of any combination including red and white, 528
and red, white, and blue, which run diagonally along the length 529
of the cylinder or pole. 530

~~(H) The practice of natural hair styling means work done 531
for a fee or other form of compensation, by any person, 532
utilizing techniques performed by hand that result in tension on 533
hair roots such as twisting, wrapping, weaving, extending, 534
locking, or braiding of the hair, and which work does not 535
include the application of dyes, reactive chemicals, or other 536
preparations to alter the color or to straighten, curl, or alter 537
the structure of the hair. 538~~

~~(I) "Braiding means intertwining the hair in a systematic 539
motion to create patterns in a three dimensional form, inverting 540
the hair against the scalp along part of a straight or curved 541
row of intertwined hair, or twisting the hair in a systematic 542
motion, and includes extending the hair with natural or 543
synthetic hair fibers" has the same meaning as in section 544
4713.01 of the Revised Code. 545~~

Sec. 4713.01. As used in this chapter: 546

"Apprentice instructor" means an individual holding a 547
practicing license issued by the state cosmetology and barber 548
board who is engaged in learning or acquiring knowledge of the 549
occupation of an instructor of a branch of cosmetology at a 550
school of cosmetology. 551

"Beauty salon" means a salon in which an individual is 552
authorized to engage in all branches of cosmetology. 553

"Biennial licensing period" means the two-year period 554
beginning on the first day of February of an odd-numbered year 555

and ending on the last day of January of the next odd-numbered 556
year. 557

"Boutique salon" means a salon in which an individual 558
engages in the practice of boutique services and no other branch 559
of cosmetology. 560

~~"Boutique services" means braiding, threading, shampooing,~~ 561
~~and makeup artistry.~~ 562

"Braiding" means intertwining the hair in a systematic 563
motion to create patterns in a three-dimensional form, ~~inverting~~ 564
~~the hair including patters that are inverted, upright, or~~ 565
singled against the scalp that follow along part of a straight 566
or curved row of intertwined hair, or partings. "Braiding" may 567
include twisting, beading, coiling, crocheting, extending, 568
locking, raking, scrunching, shingling, wrapping, or similarly 569
manipulating the hair in a systematic motion, and includes 570
extending the while adding bulk or length with human hair with 571
natural or, synthetic hair fibers, or both, and using simple 572
devices such as clips, combs, crochet hooks, blunt-tipped 573
needles, hairpins, rollers, thread, and hair binders. "Braiding" 574
also may include the concurrent use of topical agents such as 575
conditioners, gels, moisturizers, mousse, oils, pomades, 576
shampoos, and water-based sprays. "Braiding" does not include 577
the use of dyes, reactive chemicals, or chemical hair-joining 578
agents to bond, curl, fuse, relax, straighten, weave, or alter 579
the structure or color of hair; or cutting or singeing hair, 580
except to finish the ends of synthetic fibers used to add bulk 581
to or lengthen hair. 582

"Branch of cosmetology" means the ~~practice of cosmetology,~~ 583
practice of esthetics, practice of hair design, practice of 584
manicuring, ~~practice of natural hair styling,~~ or practice of 585

boutique services.	586
"Cosmetic therapy" has the same meaning as in section 4731.15 of the Revised Code.	587 588
"Cosmetologist" means an individual authorized to engage in all branches of cosmetology in a licensed facility.	589 590
"Cosmetology" means the art or practice of embellishment, cleansing, beautification, and styling of hair, wigs, postiches, face, body, or nails.	591 592 593
"Cosmetology instructor" means an individual authorized to teach the theory and practice of all branches of cosmetology at a school of cosmetology.	594 595 596
"Esthetician" means an individual who engages in the practice of esthetics but no other branch of cosmetology in a licensed facility.	597 598 599
"Esthetics instructor" means an individual who teaches the theory and practice of esthetics, but no other branch of cosmetology, at a school of cosmetology.	600 601 602
"Esthetics salon" means a salon in which an individual engages in the practice of esthetics but no other branch of cosmetology.	603 604 605
"Eye lash extensions" include temporary and semi-permanent enhancements designed to add length, thickness, and fullness to natural eyelashes.	606 607 608
"Hair designer" means an individual who engages in the practice of hair design but no other branch of cosmetology in a licensed facility.	609 610 611
"Hair design instructor" means an individual who teaches	612

the theory and practice of hair design, but no other branch of 613
cosmetology, at a school of cosmetology. 614

"Hair design salon" means a salon in which an individual 615
engages in the practice of hair design but no other branch of 616
cosmetology. 617

"Hair removal" includes tweezing, waxing, sugaring, and 618
threading. "Hair removal" does not include electrolysis. 619

"Independent contractor" means an individual who is not an 620
employee of a salon but practices a branch of cosmetology within 621
a salon in a licensed facility. 622

"Instructor license" means a license to teach the theory 623
and practice of a branch of cosmetology at a school of 624
cosmetology. 625

"Licensed facility" means any premises, building, or part 626
of a building licensed under section 4713.41 of the Revised Code 627
in which cosmetology services are authorized by the state 628
cosmetology and barber board to be performed. 629

"Advanced cosmetologist" means an individual authorized to 630
work in a beauty salon and engage in all branches of 631
cosmetology. 632

"Advanced esthetician" means an individual authorized to 633
work in an esthetics salon, but no other type of salon, and 634
engage in the practice of esthetics, but no other branch of 635
cosmetology. 636

"Advanced hair designer" means an individual authorized to 637
work in a hair design salon, but no other type of salon, and 638
engage in the practice of hair design, but no other branch of 639
cosmetology. 640

"Advanced license" means a license to work in a salon and practice the branch of cosmetology practiced at the salon. 641
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"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. 643
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~~"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.~~ 646
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"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. 650
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"Manicurist" means an individual who engages in the practice of manicuring but no other branch of cosmetology in a licensed facility. 654
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"Manicurist instructor" means an individual who teaches the theory and practice of manicuring, but no other branch of cosmetology, at a school of cosmetology. 657
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"Nail salon" means a salon in which an individual engages in the practice of manicuring but no other branch of cosmetology. 660
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~~"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.~~ 663
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~~"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.~~ 666
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~~"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.~~ 669
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~~"Practice of braiding" means utilizing the technique of intertwinning 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. "Practice of boutique services" means braiding, threading, shampooing, and make up artistry.~~ 672
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"Practice of cosmetology" means the practice of all branches of cosmetology. 688
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"Practice of esthetics" means 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. 690
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"Practice of hair design" means embellishing or beautifying hair, wigs, or hairpieces by arranging, dressing, 697
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pressing, curling, waving, permanent waving, cleansing, cutting, 699
singeing, bleaching, coloring, braiding, weaving, or similar 700
work. "Practice of hair design" includes utilizing techniques 701
performed by hand that result in tension on hair roots such as 702
twisting, wrapping, weaving, extending, locking, or braiding of 703
the hair. 704

"Practice of manicuring" means cleaning, trimming, shaping 705
the free edge of, or applying polish to the nails of any 706
individual; applying nail enhancements and embellishments to any 707
individual; massaging the hands and lower arms up to the elbow 708
of any individual; massaging the feet and lower legs up to the 709
knee of any individual; using lotions or softeners on the hands 710
and feet of any individual; or any combination of these types of 711
services. 712

~~"Practice of natural hair styling" means utilizing 713
techniques performed by hand that result in tension on hair 714
roots such as twisting, wrapping, weaving, extending, locking, 715
or braiding of the hair. "Practice of natural hair styling" does 716
not include the application of dyes, reactive chemicals, or 717
other preparations to alter the color or to straighten, curl, or 718
alter the structure of the hair. "Practice of natural hair 719
styling" also does not include embellishing or beautifying hair 720
by cutting or singeing, except as needed to finish off the end 721
of a braid, or by dressing, pressing, curling, waving, permanent 722
waving, or similar work. 723~~

"Practicing license" means a license to practice a branch 724
of cosmetology in a licensed facility. 725

"Salon" means a licensed facility on any premises, 726
building, or part of a building in which an individual engages 727
in the practice of one or more branches of cosmetology. "Salon" 728

does not include a barber shop licensed under Chapter 4709. of 729
the Revised Code. "Salon" does not mean a tanning facility, 730
although a tanning facility may be located in a salon. 731

"School of cosmetology" means any premises, building, or 732
part of a building in which students are instructed in the 733
theories and practices of one or more branches of cosmetology. 734

"Shampooing" means the act of cleansing and conditioning 735
an individual's hair under the supervision of an individual 736
licensed under this chapter and in preparation to immediately 737
receive a service from a licensee. 738

"Student" means an individual, other than an apprentice 739
instructor, who is engaged in learning or acquiring knowledge of 740
the practice of a branch of cosmetology at a school of 741
cosmetology. 742

"Tanning facility" means any premises, building, or part 743
of a building that contains one or more rooms or booths with any 744
of the following: 745

(A) Equipment or beds used for tanning human skin by the 746
use of fluorescent sun lamps using ultraviolet or other 747
artificial radiation; 748

(B) Equipment or booths that use chemicals applied to 749
human skin, including chemical applications commonly referred to 750
as spray-on, mist-on, or sunless tans; 751

(C) Equipment or beds that use visible light for cosmetic 752
purposes. 753

"Threading" includes a service that results in the removal 754
of hair from its follicle from around the eyebrows and from 755
other parts of the face with the use of a single strand of 756

thread and an astringent, if the service does not use chemicals 757
of any kind, wax, or any implements, instruments, or tools to 758
remove hair. 759

Sec. 4713.09. The state cosmetology and barber board may 760
adopt rules in accordance with section 4713.08 of the Revised 761
Code to establish a continuing education requirement, not to 762
exceed eight hours in a biennial licensing period, as a 763
condition of renewal for a practicing license, advanced license, 764
or instructor license, ~~or boutique services registration~~. These 765
hours may include training in identifying and addressing the 766
crime of trafficking in persons as described in section 2905.32 767
of the Revised Code. At least two of the eight hours of the 768
continuing education requirement must be achieved in courses 769
concerning safety and sanitation, and at least one hour of the 770
eight hours of the continuing education requirement must be 771
achieved in courses concerning law and rule updates. 772

Sec. 4713.14. No individual shall do any of the following: 773

(A) Use fraud or deceit in making application for a 774
license, permit, or registration; 775

(B) Aid or abet any individual or entity in any of the 776
following: 777

(1) Violating this chapter or a rule adopted under it; 778

(2) Obtaining a license, permit, or registration 779
fraudulently; 780

(3) Falsely pretending to hold a current, valid license or 781
permit. 782

(C) Practice a branch of cosmetology, for pay, free, or 783
otherwise, without one of the following authorizing the practice 784

of that branch of cosmetology:	785
(1) A current, valid license under section 4713.28,	786
4713.30, or 4713.34 of the Revised Code;	787
(2) A current, valid temporary pre-examination work permit	788
issued under section 4713.22 of the Revised Code;	789
(3) A current, valid temporary special occasion work	790
permit issued under section 4713.37 of the Revised Code;	791
(4) A current, valid temporary work permit issued under	792
rules adopted by the board pursuant to section 4713.08 of the	793
Revised Code;	794
(5) A current, valid registration under section 4713.69 of	795
the Revised Code.	796
(D) Employ an individual to practice a branch of	797
cosmetology if the individual does not hold one of the following	798
authorizing the practice of that branch of cosmetology:	799
(1) A current, valid license under section 4713.28,	800
4713.30, or 4713.34 of the Revised Code;	801
(2) A current, valid temporary pre-examination work permit	802
issued under section 4713.22 of the Revised Code;	803
(3) A current, valid temporary special occasion work	804
permit issued under section 4713.37 of the Revised Code;	805
(4) A current, valid temporary work permit issued under	806
rules adopted by the board pursuant to section 4713.08 of the	807
Revised Code;	808
(5) A current, valid registration under section 4713.69 of	809
the Revised Code.	810
(E) Except for apprentice instructors and as provided in	811

section 4713.45 of the Revised Code, teach the theory or 812
practice of a branch of cosmetology at a school of cosmetology 813
without either of the following authorizing the teaching of that 814
branch of cosmetology: 815

(1) A current, valid license under section 4713.31 or 816
4713.34 of the Revised Code; 817

(2) A current, valid temporary special occasion work 818
permit issued under section 4713.37 of the Revised Code. 819

(F) Advertise or operate a glamour photography service in 820
which a branch of cosmetology is practiced unless the individual 821
practicing the branch of cosmetology holds either of the 822
following authorizing the practice of that branch of 823
cosmetology: 824

(1) A current, valid license under section 4713.28, 825
4713.30, or 4713.34 of the Revised Code; 826

(2) A current, valid temporary special occasion work 827
permit issued under section 4713.37 of the Revised Code. 828

(G) Advertise or operate a glamour photography service in 829
which a branch of cosmetology is practiced at a location not 830
specified by rules adopted under section 4713.08 of the Revised 831
Code; 832

(H) Practice a branch of cosmetology at a salon as an 833
independent contractor without a current, valid independent 834
contractor license issued under section 4713.39 of the Revised 835
Code; 836

(I) Operate a salon without a current, valid license under 837
section 4713.41 of the Revised Code; 838

(J) Provide cosmetic therapy or massage therapy at a salon 839

for pay, free, or otherwise without a current, valid certificate 840
issued by the state medical board under section 4731.15 of the 841
Revised Code or provide any other professional service at a 842
salon for pay, free, or otherwise without a current, valid 843
license or certificate issued by the professional regulatory 844
board of this state that regulates the profession; 845

(K) Teach a branch of cosmetology at a salon, unless the 846
individual receiving the instruction holds either of the 847
following authorizing the practice of that branch of 848
cosmetology: 849

(1) A current, valid license under section 4713.28, 850
4713.30, or 4713.34 of the Revised Code; 851

(2) A current, valid temporary pre-examination work permit 852
issued under section 4713.22 of the Revised Code. 853

(L) Operate a school of cosmetology without a current, 854
valid license under section 4713.44 of the Revised Code; 855

(M) At a salon or school of cosmetology, do any of the 856
following: 857

(1) Use or possess a cosmetic product containing an 858
ingredient that the United States food and drug administration 859
has prohibited by regulation; 860

(2) Use a cosmetic product in a manner inconsistent with a 861
restriction established by the United States food and drug 862
administration by regulation; 863

(3) Use or possess a liquid nail monomer containing any 864
trace of methyl methacrylate (MMA). 865

(N) While in charge of a salon or school of cosmetology, 866
permit any individual to sleep in, or use for residential 867

purposes, any room used wholly or in part as the salon or school 868
of cosmetology; 869

(O) Maintain, as an established place of business for the 870
practice of one or more of the branches of cosmetology, a room 871
used wholly or in part for sleeping or residential purposes; 872

(P) Operate a tanning facility that is offered to the 873
public for a fee or other compensation without a current, valid 874
permit under section 4713.48 of the Revised Code; 875

(Q) Practice a branch of cosmetology in a location other 876
than a licensed facility unless otherwise exempted under section 877
4713.16 or 4713.17 of the Revised Code; 878

(R) Use any of the services or arts that are part of 879
cosmetology to treat or attempt to cure a physical or mental 880
disease or ailment; 881

(S) Use the title "registered" if the individual does not 882
have a current, valid registration issued under section 4713.69 883
of the Revised Code. 884

Sec. 4713.16. (A) This chapter does not prohibit any of 885
the following: 886

(1) Practicing a branch of cosmetology without a license 887
or registration if the individual does so for free at the 888
individual's home for a family member who resides in the same 889
household as the individual; 890

(2) The retail sale, or trial demonstration by application 891
to the skin for purposes of retail sale, of cosmetics, 892
preparations, tonics, antiseptics, creams, lotions, wigs, or 893
hairpieces without a practicing license or registration; 894

(3) The retailing, at a salon, of cosmetics, preparations, 895

tonics, antiseptics, creams, lotions, wigs, hairpieces, 896
clothing, or any other items that pose no risk of creating 897
unsanitary conditions at the salon; 898

(4) The provision of glamour photography services at a 899
licensed salon if either of the following is the case: 900

(a) A branch of cosmetology is not practiced as part of 901
the services. 902

(b) If a branch of cosmetology is practiced as part of the 903
services, the part of the services that is a branch of 904
cosmetology is performed by an individual who holds ~~either one~~ 905
of the following authorizing the individual to practice that 906
branch of cosmetology: 907

(i) A current, valid license under section 4713.28, 908
4713.30, or 4713.34 of the Revised Code; 909

(ii) A current, valid registration under section 4713.69 910
of the Revised Code; 911

(iii) A current, valid temporary special occasion work 912
permit issued under section 4713.37 of the Revised Code. 913

(5) A student engaging, as a student, in work connected 914
with a branch of cosmetology taught at the school of cosmetology 915
at which the student is enrolled~~+~~. 916

(B) A student in a career-technical program learning a 917
branch of cosmetology may continue developing skills in the 918
respective branch of cosmetology after completing the required 919
coursework or obtaining a license in the respective branch of 920
cosmetology by working in the licensed career-technical school 921
clinic if the student does not receive any compensation. This 922
allowance terminates upon the graduation of the student from the 923

career-technical school. 924

Sec. 4713.25. (A) The state cosmetology and barber board 925
may administer a separate advanced cosmetologist examination for 926
individuals who complete an advanced cosmetologist training 927
course separate from a cosmetologist training course. The board 928
may combine the advanced cosmetologist examination with the 929
cosmetologist examination for individuals who complete a 930
combined cosmetologist and advanced cosmetologist training 931
course. 932

(B) The board may administer a separate advanced 933
esthetician examination for individuals who complete an advanced 934
esthetician training course separate from an esthetician 935
training course. The board may combine the advanced esthetician 936
examination with the esthetician examination for individuals who 937
complete an esthetician and advanced esthetician training 938
course. 939

(C) The board may administer a separate advanced hair 940
designer examination for individuals who complete an advanced 941
hair designer training course separate from a hair designer 942
training course. The board may combine the advanced hair 943
designer examination with the hair designer examination for 944
individuals who complete a hair designer and advanced hair 945
designer training course. 946

(D) The board may administer a separate advanced 947
manicurist examination for individuals who complete an advanced 948
manicurist training course separate from a manicurist training 949
course. The board may combine the advanced manicurist 950
examination with the manicurist examination for individuals who 951
complete a manicurist and advanced manicurist training course. 952

~~(E) The board may administer a separate advanced natural hair stylist examination for individuals who complete an advanced natural hair stylist training course separate from a natural hair stylist training course. The board may combine the advanced natural hair stylist examination with the natural hair stylist examination for individuals who complete a natural hair stylist and advanced natural hair stylist training course.~~

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.	980
(5) 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;	981 982 983
(6) Pays to the board the applicable license fee;	984
(7) 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 state, except that only one thousand hours of board-approved cosmetology training in a school of cosmetology licensed in this state is required of an individual licensed as a barber under Chapter 4709. of the Revised Code;	985 986 987 988 989 990 991 992
(8) 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 state;	993 994 995 996
(9) In the case of an applicant for an initial hair designer license, has successfully completed at least one thousand two hundred hours of board-approved hair designer training in a school of cosmetology licensed in this state, except that only one thousand hours of board-approved hair designer training in a school of cosmetology licensed in this state is required of an individual licensed as a barber under Chapter 4709. of the Revised Code;	997 998 999 1000 1001 1002 1003 1004
(10) 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 state;	1005 1006 1007 1008

~~(11) 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, scalp care, anatomy, hair styling, communication skills, and laws and rules governing the practice of cosmetology.~~

(B) 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. 4713.30. The state cosmetology and barber board shall issue an advanced license to an applicant who satisfies all of the following applicable conditions:

(A) Is at least sixteen years of age;

(B) Is of good moral character;

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

(D) Pays to the board the applicable fee;

(E) Passes the appropriate advanced license examination;

(F) In the case of an applicant for an initial advanced cosmetologist license, does either of the following:

(1) Has a licensed advanced cosmetologist or owner of a licensed beauty salon located in this or another state certify to the board that the applicant has practiced as a cosmetologist for at least one thousand eight hundred hours in a licensed beauty salon;

(2) Has a school of cosmetology licensed in this state

certify to the board that the applicant has successfully 1036
completed, in addition to the hours required for licensure as a 1037
cosmetologist, at least three hundred hours of board-approved 1038
advanced cosmetologist training. 1039

(G) In the case of an applicant for an initial advanced 1040
esthetician license, does either of the following: 1041

(1) Has the licensed advanced esthetician, licensed 1042
advanced cosmetologist, or owner of a licensed esthetics salon 1043
or licensed beauty salon located in this or another state 1044
certify to the board that the applicant has practiced esthetics 1045
for at least one thousand eight hundred hours as an esthetician 1046
in a licensed esthetics salon or as a cosmetologist in a 1047
licensed beauty salon; 1048

(2) Has a school of cosmetology licensed in this state 1049
certify to the board that the applicant has successfully 1050
completed, in addition to the hours required for licensure as an 1051
esthetician or cosmetologist, at least one hundred fifty hours 1052
of board-approved advanced esthetician training. 1053

(H) In the case of an applicant for an initial advanced 1054
hair designer license, does either of the following: 1055

(1) Has the licensed advanced hair designer, licensed 1056
advanced cosmetologist, or owner of a licensed hair design salon 1057
or licensed beauty salon located in this or another state 1058
certify to the board that the applicant has practiced hair 1059
design for at least one thousand eight hundred hours as a hair 1060
designer in a licensed hair design salon or as a cosmetologist 1061
in a licensed beauty salon; 1062

(2) Has a school of cosmetology licensed in this state 1063
certify to the board that the applicant has successfully 1064

completed, in addition to the hours required for licensure as a 1065
hair designer or cosmetologist, at least two hundred forty hours 1066
of board-approved advanced hair designer training. 1067

(I) In the case of an applicant for an initial advanced 1068
manicurist license, does either of the following: 1069

(1) Has the licensed advanced manicurist, licensed 1070
advanced cosmetologist, or owner of a licensed nail salon, 1071
licensed beauty salon, or licensed barber shop located in this 1072
or another state certify to the board that the applicant has 1073
practiced manicuring for at least one thousand eight hundred 1074
hours as a manicurist in a licensed nail salon or licensed 1075
barber shop or as a cosmetologist in a licensed beauty salon or 1076
licensed barber shop; 1077

(2) Has a school of cosmetology licensed in this state 1078
certify to the board that the applicant has successfully 1079
completed, in addition to the hours required for licensure as a 1080
manicurist or cosmetologist, at least one hundred hours of 1081
board-approved advanced manicurist training. 1082

~~(J) In the case of an applicant for an initial advanced~~ 1083
~~natural hair stylist license, does either of the following:~~ 1084

~~(1) Has the licensed advanced natural hair stylist,~~ 1085
~~licensed advanced cosmetologist, or owner of a licensed natural~~ 1086
~~hair style salon or licensed beauty salon located in this or~~ 1087
~~another state certify to the board that the applicant has~~ 1088
~~practiced natural hair styling for at least one thousand eight~~ 1089
~~hundred hours as a natural hair stylist in a licensed natural~~ 1090
~~hair style salon or as a cosmetologist in a licensed beauty~~ 1091
~~salon;~~ 1092

~~(2) Has a school of cosmetology licensed in this state~~ 1093

~~certify to the board that the applicant has successfully~~ 1094
~~completed, in addition to the hours required for licensure as~~ 1095
~~natural hair stylist or cosmetologist, at least one hundred~~ 1096
~~fifty hours of board-approved advanced natural hair stylist~~ 1097
~~training.~~ 1098

Sec. 4713.31. The state cosmetology and barber board shall 1099
issue an instructor license to an applicant who satisfies all of 1100
the following applicable conditions: 1101

(A) Is at least eighteen years of age; 1102

(B) Is of good moral character; 1103

(C) Has the equivalent of an Ohio public school twelfth 1104
grade education; 1105

(D) Pays to the board the applicable fee; 1106

(E) In the case of an applicant for an initial cosmetology 1107
instructor license, holds a current, valid advanced 1108
cosmetologist license issued in this state and does either of 1109
the following: 1110

(1) Has the licensed advanced cosmetologist or owner of 1111
the licensed beauty salon in which the applicant has been 1112
employed certify to the board that the applicant has engaged in 1113
the practice of cosmetology in a licensed beauty salon for at 1114
least one thousand eight hundred hours; 1115

(2) Has a school of cosmetology licensed in this state 1116
certify to the board that the applicant has successfully 1117
completed one thousand hours of board-approved cosmetology 1118
instructor training as an apprentice instructor. 1119

(F) In the case of an applicant for an initial esthetics 1120
instructor license, holds a current, valid advanced esthetician 1121

or advanced cosmetologist license issued in this state and does 1122
either of the following: 1123

(1) Has the licensed advanced esthetician, licensed 1124
advanced cosmetologist, or owner of the licensed esthetics salon 1125
or licensed beauty salon in which the applicant has been 1126
employed certify to the board that the applicant has engaged in 1127
the practice of esthetics in a licensed esthetics salon or 1128
practice of cosmetology in a licensed beauty salon for at least 1129
one thousand eight hundred hours; 1130

(2) Has a school of cosmetology licensed in this state 1131
certify to the board that the applicant has successfully 1132
completed at least five hundred hours of board-approved 1133
esthetics instructor training as an apprentice instructor. 1134

(G) In the case of an applicant for an initial hair design 1135
instructor license, holds a current, valid advanced hair 1136
designer or advanced cosmetologist license and does either of 1137
the following: 1138

(1) Has the licensed advanced hair designer, licensed 1139
advanced cosmetologist, or owner of the licensed hair design 1140
salon or licensed beauty salon in which the applicant has been 1141
employed certify to the board that the applicant has engaged in 1142
the practice of hair design in a licensed hair design salon or 1143
practice of cosmetology in a licensed beauty salon for at least 1144
one thousand eight hundred hours; 1145

(2) Has a school of cosmetology licensed in this state 1146
certify to the board that the applicant has successfully 1147
completed at least eight hundred hours of board-approved hair 1148
design instructor's training as an apprentice instructor. 1149

(H) In the case of an applicant for an initial manicurist 1150

instructor license, holds a current, valid advanced manicurist 1151
or advanced cosmetologist license and does either of the 1152
following: 1153

(1) Has the licensed advanced manicurist, licensed 1154
advanced cosmetologist, or owner of the licensed nail salon or 1155
licensed beauty salon in which the applicant has been employed 1156
certify to the board that the applicant has engaged in the 1157
practice of manicuring in a licensed nail salon or practice of 1158
cosmetology in a licensed beauty salon for at least one thousand 1159
eight hundred hours; 1160

(2) Has a school of cosmetology licensed in this state 1161
certify to the board that the applicant has successfully 1162
completed at least three hundred hours of board-approved 1163
manicurist instructor training as an apprentice instructor. 1164

~~(1) In the case of an applicant for an initial natural 1165
hair style instructor license, holds a current, valid advanced 1166
natural hair stylist or advanced cosmetologist license and does 1167
either of the following: 1168~~

~~(1) Has the licensed advanced natural hair stylist, 1169
licensed advanced cosmetologist, or owner of the licensed 1170
natural hair style salon or licensed beauty salon in which the 1171
applicant has been employed certify to the board that the 1172
applicant has engaged in the practice of natural hair styling in 1173
a licensed natural hair style salon or practice of cosmetology 1174
in a licensed beauty salon for at least one thousand eight 1175
hundred hours; 1176~~

~~(2) Has a school of cosmetology licensed in this state 1177
certify to the board that the applicant has successfully 1178
completed at least four hundred hours of board-approved natural 1179~~

~~hair style instructor training as an apprentice instructor.~~ 1180

~~(J)~~In the case of all applicants, passes an examination 1181
conducted under division (B) of section 4713.24 of the Revised 1182
Code for the branch of cosmetology the applicant seeks to 1183
instruct. 1184

Sec. 4713.35. An individual who holds a current, valid 1185
cosmetologist or advanced cosmetologist license issued by the 1186
state cosmetology and barber board may engage in the practice of 1187
one or more branches of cosmetology as the individual chooses in 1188
a licensed facility. 1189

An individual who holds a current, valid esthetician or 1190
advanced esthetician license issued by the board may engage in 1191
the practice of esthetics but no other branch of cosmetology in 1192
a licensed facility. 1193

An individual who holds a current, valid hair designer or 1194
advanced hair designer license issued by the board may engage in 1195
the practice of hair design but no other branch of cosmetology 1196
in a licensed facility. 1197

An individual who holds a current, valid manicurist or 1198
advanced manicurist license issued by the board may engage in 1199
the practice of manicuring but no other branch of cosmetology in 1200
a licensed facility. 1201

~~An individual who holds a current, valid natural hair~~ 1202
~~stylist or advanced natural hair stylist license issued by the~~ 1203
~~board may engage in the practice of natural hair styling but no~~ 1204
~~other branch of cosmetology in a licensed facility.~~ 1205

An individual who holds a current, valid cosmetology 1206
instructor license issued by the board may teach the theory and 1207
practice of one or more branches of cosmetology at a school of 1208

cosmetology as the individual chooses. 1209

An individual who holds a current, valid esthetics 1210
instructor license issued by the board may teach the theory and 1211
practice of esthetics, but no other branch of cosmetology, at a 1212
school of cosmetology. 1213

An individual who holds a current, valid hair design 1214
instructor license issued by the board may teach the theory and 1215
practice of hair design, but no other branch of cosmetology, at 1216
a school of cosmetology. 1217

An individual who holds a current, valid manicurist 1218
instructor license issued by the board may teach the theory and 1219
practice of manicuring, but no other branch of cosmetology, at a 1220
school of cosmetology. 1221

~~An individual who holds a current, valid natural hair-~~ 1222
~~style instructor license issued by the board may teach the-~~ 1223
~~theory and practice of natural hair styling, but no other branch-~~ 1224
~~of cosmetology, at a school of cosmetology.~~ 1225

An individual who holds a current, valid boutique 1226
registration with the board may engage in the practice of 1227
boutique services but no other branch of cosmetology. 1228

Sec. 4713.58. (A) Except as provided in division (B) of 1229
this section, on payment of the renewal fee and submission of 1230
proof satisfactory to the state cosmetology and barber board 1231
that any applicable continuing education requirements have been 1232
completed, an individual currently licensed as: 1233

(1) A cosmetology instructor who has previously been 1234
licensed as a cosmetologist or an advanced cosmetologist, is 1235
entitled to the reissuance of a cosmetologist or advanced 1236
cosmetologist license; 1237

(2) An esthetics instructor who has previously been 1238
licensed as an esthetician or an advanced esthetician, is 1239
entitled to the reissuance of an esthetician or advanced 1240
esthetician license; 1241

(3) A hair design instructor who has previously been 1242
licensed as a hair designer or an advanced hair designer, is 1243
entitled to the reissuance of a hair designer or advanced hair 1244
designer license; 1245

(4) A manicurist instructor who has previously been 1246
licensed as a manicurist or an advanced manicurist, is entitled 1247
to the reissuance of a manicurist or advanced manicurist 1248
license;— 1249

~~(5) A natural hair style instructor who has previously~~ 1250
~~been licensed as a natural hair stylist or an advanced natural~~ 1251
~~hair stylist, is entitled to the reissuance of a natural hair~~ 1252
~~stylist or advanced natural hair stylist license.~~ 1253

(B) No individual is entitled to the reissuance of a 1254
license under division (A) of this section if the license was 1255
revoked or suspended or the individual has an outstanding unpaid 1256
fine levied under section 4713.64 of the Revised Code. 1257

Sec. 4713.62. (A) An individual holding a practicing 1258
license, advanced license, or instructor license, ~~or boutique~~ 1259
~~services registration~~ may satisfy a continuing education 1260
requirement established by rules adopted under section 4713.09 1261
of the Revised Code only by completing continuing education 1262
programs approved under division (B) of this section. 1263

(B) The state cosmetology and barber board shall approve a 1264
continuing education program if all of the following conditions 1265
are satisfied: 1266

(1) The person operating the program submits to the board	1267
a written application for approval.	1268
(2) The person operating the program pays to the board a	1269
fee established by rules adopted under section 4713.08 of the	1270
Revised Code.	1271
(3) The program is operated by an employee, officer, or	1272
director of a nonprofit professional association, college or	1273
university, proprietary continuing education institutions	1274
providing programs approved by the board, vocational school,	1275
postsecondary proprietary school of cosmetology licensed by the	1276
board, salon licensed by the board, or manufacturer of supplies	1277
or equipment used in the practice of a branch of cosmetology.	1278
(4) The program will do at least one of the following:	1279
(a) Enhance the professional competency of the affected	1280
licensees or registrants;	1281
(b) Protect the public;	1282
(c) Educate the affected licensees or registrants in the	1283
application of the laws and rules regulating the practice of a	1284
branch of cosmetology.	1285
(5) The person operating the program provides the board a	1286
tentative schedule of when the program will be available so that	1287
the board can make the schedule readily available to all	1288
licensees and registrants throughout the state.	1289
Sec. 4713.69. (A) The state cosmetology and barber board	1290
shall issue a boutique services registration to an applicant who	1291
satisfies all <u>both</u> of the following applicable conditions:	1292
(1) Is at least sixteen years of age;	1293

(2) Is of good moral character;	1294
(3) Has the equivalent of an Ohio public school tenth grade education;	1295
(4) Has submitted a written application on a form prescribed by the board containing all of the following:	1296
(a) The applicant's name and home address;	1297
(b) The applicant's home telephone number and cellular telephone number, if any;	1298
(c) The applicant's electronic mail address, if any;	1299
(d) The applicant's date of birth;	1300
(e) The address and telephone number where boutique services will be performed. The address shall not contain a post office box number.	1301
(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;	1302
(g) Whether the applicant has ever had an occupational license, certification, or registration suspended, revoked, or denied in any state;	1303
(h) An affidavit or certificate providing proof of formal training or apprenticeship under an individual providing such services in the two years before the date of application.	1304
(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.	1305
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~~(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.~~ 1321
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(D) A boutique services registration is not transferable. 1326

Section 2. That existing sections 2925.01, 4709.01, 1327
4713.01, 4713.09, 4713.14, 4713.16, 4713.25, 4713.28, 4713.30, 1328
4713.31, 4713.35, 4713.58, 4713.62, and 4713.69 of the Revised 1329
Code are hereby repealed. 1330

Section 3. Notwithstanding the amendment of sections in 1331
Chapter 4713. of the Revised Code in this act, which no longer 1332
provides for natural hair stylist licenses, a valid natural hair 1333
stylist license held by a person on or after the effective date 1334
of this act is valid for the duration of that license term. For 1335
the duration of the license, the license shall be deemed to be 1336
the appropriate registration for the purposes of this act. On 1337
the expiration of that license, the licensee shall register in 1338
accordance with this act. 1339

Section 4. Section 2925.01 of the Revised Code is 1340
presented in this act as a composite of the section as amended 1341
by Am. Sub. H.B. 49, Am. Sub. S.B. 1, Am. Sub. S.B. 201, Sub. 1342
S.B. 229, Am. Sub. S.B. 255, and Sub. S.B. 259, all of the 132nd 1343
General Assembly. The General Assembly, applying the principle 1344
stated in division (B) of section 1.52 of the Revised Code that 1345
amendments are to be harmonized if reasonably capable of 1346
simultaneous operation, finds that the composite is the 1347
resulting version of the section in effect prior to the 1348
effective date of the section as presented in this act. 1349