

**As Reported by the House Government Accountability and Oversight  
Committee**

**131st General Assembly**

**Regular Session  
2015-2016**

**Sub. H. B. No. 227**

**Representatives Roegner, Reece**

**Cosponsors: Representatives Green, Brenner, Amstutz, Duffey, Lepore-Hagan,  
Rezabek, Kraus, Becker, Hood, Stinziano, Ginter, Brown**

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**A BILL**

To amend sections 2925.01, 4713.01, 4713.02, 1  
4713.03, 4713.06, 4713.07, 4713.08, 4713.081, 2  
4713.082, 4713.09, 4713.10, 4713.13, 4713.14, 3  
4713.141, 4713.16, 4713.17, 4713.20, 4713.21, 4  
4713.22, 4713.24, 4713.25, 4713.26, 4713.28, 5  
4713.30, 4713.31, 4713.34, 4713.35, 4713.36, 6  
4713.37, 4713.39, 4713.41, 4713.42, 4713.44, 7  
4713.45, 4713.48, 4713.55, 4713.56, 4713.57, 8  
4713.58, 4713.59, 4713.60, 4713.61, 4713.62, 9  
4713.63, 4713.64, 4713.641, and 4713.99 and to 10  
enact sections 4713.071, 4713.66, and 4713.69 of 11  
the Revised Code to make changes to the 12  
Cosmetology Licensing Law. 13

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

**Section 1.** That sections 2925.01, 4713.01, 4713.02, 14  
4713.03, 4713.06, 4713.07, 4713.08, 4713.081, 4713.082, 4713.09, 15  
4713.10, 4713.13, 4713.14, 4713.141, 4713.16, 4713.17, 4713.20, 16  
4713.21, 4713.22, 4713.24, 4713.25, 4713.26, 4713.28, 4713.30, 17

4713.31, 4713.34, 4713.35, 4713.36, 4713.37, 4713.39, 4713.41, 18  
4713.42, 4713.44, 4713.45, 4713.48, 4713.55, 4713.56, 4713.57, 19  
4713.58, 4713.59, 4713.60, 4713.61, 4713.62, 4713.63, 4713.64, 20  
4713.641, and 4713.99 be amended and sections 4713.071, 4713.66, 21  
and 4713.69 of the Revised Code be enacted to read as follows: 22

**Sec. 2925.01.** As used in this chapter: 23

(A) "Administer," "controlled substance," "controlled 24  
substance analog," "dispense," "distribute," "hypodermic," 25  
"manufacturer," "official written order," "person," 26  
"pharmacist," "pharmacy," "sale," "schedule I," "schedule II," 27  
"schedule III," "schedule IV," "schedule V," and "wholesaler" 28  
have the same meanings as in section 3719.01 of the Revised 29  
Code. 30

(B) "Drug dependent person" and "drug of abuse" have the 31  
same meanings as in section 3719.011 of the Revised Code. 32

(C) "Drug," "dangerous drug," "licensed health 33  
professional authorized to prescribe drugs," and "prescription" 34  
have the same meanings as in section 4729.01 of the Revised 35  
Code. 36

(D) "Bulk amount" of a controlled substance means any of 37  
the following: 38

(1) For any compound, mixture, preparation, or substance 39  
included in schedule I, schedule II, or schedule III, with the 40  
exception of controlled substance analogs, marihuana, cocaine, 41  
L.S.D., heroin, and hashish and except as provided in division 42  
(D) (2) or (5) of this section, whichever of the following is 43  
applicable: 44

(a) An amount equal to or exceeding ten grams or twenty- 45  
five unit doses of a compound, mixture, preparation, or 46

substance that is or contains any amount of a schedule I opiate 47  
or opium derivative; 48

(b) An amount equal to or exceeding ten grams of a 49  
compound, mixture, preparation, or substance that is or contains 50  
any amount of raw or gum opium; 51

(c) An amount equal to or exceeding thirty grams or ten 52  
unit doses of a compound, mixture, preparation, or substance 53  
that is or contains any amount of a schedule I hallucinogen 54  
other than tetrahydrocannabinol or lysergic acid amide, or a 55  
schedule I stimulant or depressant; 56

(d) An amount equal to or exceeding twenty grams or five 57  
times the maximum daily dose in the usual dose range specified 58  
in a standard pharmaceutical reference manual of a compound, 59  
mixture, preparation, or substance that is or contains any 60  
amount of a schedule II opiate or opium derivative; 61

(e) An amount equal to or exceeding five grams or ten unit 62  
doses of a compound, mixture, preparation, or substance that is 63  
or contains any amount of phencyclidine; 64

(f) An amount equal to or exceeding one hundred twenty 65  
grams or thirty times the maximum daily dose in the usual dose 66  
range specified in a standard pharmaceutical reference manual of 67  
a compound, mixture, preparation, or substance that is or 68  
contains any amount of a schedule II stimulant that is in a 69  
final dosage form manufactured by a person authorized by the 70  
"Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 71  
U.S.C.A. 301, as amended, and the federal drug abuse control 72  
laws, as defined in section 3719.01 of the Revised Code, that is 73  
or contains any amount of a schedule II depressant substance or 74  
a schedule II hallucinogenic substance; 75

(g) An amount equal to or exceeding three grams of a 76  
compound, mixture, preparation, or substance that is or contains 77  
any amount of a schedule II stimulant, or any of its salts or 78  
isomers, that is not in a final dosage form manufactured by a 79  
person authorized by the Federal Food, Drug, and Cosmetic Act 80  
and the federal drug abuse control laws. 81

(2) An amount equal to or exceeding one hundred twenty 82  
grams or thirty times the maximum daily dose in the usual dose 83  
range specified in a standard pharmaceutical reference manual of 84  
a compound, mixture, preparation, or substance that is or 85  
contains any amount of a schedule III or IV substance other than 86  
an anabolic steroid or a schedule III opiate or opium 87  
derivative; 88

(3) An amount equal to or exceeding twenty grams or five 89  
times the maximum daily dose in the usual dose range specified 90  
in a standard pharmaceutical reference manual of a compound, 91  
mixture, preparation, or substance that is or contains any 92  
amount of a schedule III opiate or opium derivative; 93

(4) An amount equal to or exceeding two hundred fifty 94  
milliliters or two hundred fifty grams of a compound, mixture, 95  
preparation, or substance that is or contains any amount of a 96  
schedule V substance; 97

(5) An amount equal to or exceeding two hundred solid 98  
dosage units, sixteen grams, or sixteen milliliters of a 99  
compound, mixture, preparation, or substance that is or contains 100  
any amount of a schedule III anabolic steroid. 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 (36) 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 obtained a license as a manufacturer 241  
of controlled substances or a wholesaler of controlled 242  
substances under Chapter 3719. of the Revised Code; 243

(2) A person who has received a certificate or temporary 244  
certificate as a certified public accountant or who has 245  
registered as a public accountant under Chapter 4701. of the 246

Revised Code and who holds an Ohio permit issued under that	247
chapter;	248
(3) A person who holds a certificate of qualification to	249
practice architecture issued or renewed and registered under	250
Chapter 4703. of the Revised Code;	251
(4) A person who is registered as a landscape architect	252
under Chapter 4703. of the Revised Code or who holds a permit as	253
a landscape architect issued under that chapter;	254
(5) A person licensed under Chapter 4707. of the Revised	255
Code;	256
(6) A person who has been issued a certificate of	257
registration as a registered barber under Chapter 4709. of the	258
Revised Code;	259
(7) A person licensed and regulated to engage in the	260
business of a debt pooling company by a legislative authority,	261
under authority of Chapter 4710. of the Revised Code;	262
(8) A person who has been issued a cosmetologist's	263
license, hair designer's license, manicurist's license,	264
esthetician's license, natural hair stylist's license, <del>managing-</del>	265
<u>advanced</u> cosmetologist's license, <del>managing-</del> <u>advanced</u> hair	266
designer's license, <del>managing-</del> <u>advanced</u> manicurist's license,	267
<del>managing-</del> <u>advanced</u> esthetician's license, <del>managing-</del> <u>advanced</u>	268
natural hair stylist's license, cosmetology instructor's	269
license, hair design instructor's license, manicurist	270
instructor's license, esthetics instructor's license, natural	271
hair style instructor's license, independent contractor's	272
license, or tanning facility permit under Chapter 4713. of the	273
Revised Code;	274
(9) A person who has been issued a license to practice	275

dentistry, a general anesthesia permit, a conscious intravenous 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;	276 277 278 279 280
(10) 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;	281 282 283 284 285
(11) 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;	286 287 288 289
(12) A person who has been licensed to practice optometry or to engage in optical dispensing under Chapter 4725. of the Revised Code;	290 291 292
(13) A person licensed to act as a pawnbroker under Chapter 4727. of the Revised Code;	293 294
(14) A person licensed to act as a precious metals dealer under Chapter 4728. of the Revised Code;	295 296
(15) A person licensed as a pharmacist, a pharmacy intern, a wholesale distributor of dangerous drugs, or a terminal distributor of dangerous drugs under Chapter 4729. of the Revised Code;	297 298 299 300
(16) A person who is authorized to practice as a physician assistant under Chapter 4730. of the Revised Code;	301 302
(17) A person who has been issued a certificate to	303

practice medicine and surgery, osteopathic medicine and surgery,	304
a limited branch of medicine, or podiatry under Chapter 4731. of	305
the Revised Code;	306
(18) A person licensed as a psychologist or school	307
psychologist under Chapter 4732. of the Revised Code;	308
(19) A person registered to practice the profession of	309
engineering or surveying under Chapter 4733. of the Revised	310
Code;	311
(20) A person who has been issued a license to practice	312
chiropractic under Chapter 4734. of the Revised Code;	313
(21) A person licensed to act as a real estate broker or	314
real estate salesperson under Chapter 4735. of the Revised Code;	315
(22) A person registered as a registered sanitarian under	316
Chapter 4736. of the Revised Code;	317
(23) A person licensed to operate or maintain a junkyard	318
under Chapter 4737. of the Revised Code;	319
(24) A person who has been issued a motor vehicle salvage	320
dealer's license under Chapter 4738. of the Revised Code;	321
(25) A person who has been licensed to act as a steam	322
engineer under Chapter 4739. of the Revised Code;	323
(26) A person who has been issued a license or temporary	324
permit to practice veterinary medicine or any of its branches,	325
or who is registered as a graduate animal technician under	326
Chapter 4741. of the Revised Code;	327
(27) A person who has been issued a hearing aid dealer's	328
or fitter's license or trainee permit under Chapter 4747. of the	329
Revised Code;	330

(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;	331 332 333
(29) A person licensed and registered to practice as a nursing home administrator under Chapter 4751. of the Revised Code;	334 335 336
(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised Code;	337 338 339
(31) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;	340 341 342
(32) 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;	343 344 345 346 347 348
(33) A person issued a license to practice dietetics under Chapter 4759. of the Revised Code;	349 350
(34) A person who has been issued a license or limited permit to practice respiratory therapy under Chapter 4761. of the Revised Code;	351 352 353
(35) A person who has been issued a real estate appraiser certificate under Chapter 4763. of the Revised Code;	354 355
(36) A person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and published rules.	356 357 358

(X) "Cocaine" means any of the following:	359
(1) A cocaine salt, isomer, or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine;	360 361
(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;	362 363 364 365
(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.	366 367 368 369 370 371
(Y) "L.S.D." means lysergic acid diethylamide.	372
(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.	373 374 375
(AA) "Marihuana" has the same meaning as in section 3719.01 of the Revised Code, except that it does not include hashish.	376 377 378
(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.	379 380 381 382 383 384 385
(CC) "Presumption for a prison term" or "presumption that	386

a prison term shall be imposed" means a presumption, as 387  
described in division (D) of section 2929.13 of the Revised 388  
Code, that a prison term is a necessary sanction for a felony in 389  
order to comply with the purposes and principles of sentencing 390  
under section 2929.11 of the Revised Code. 391

(DD) "Major drug offender" has the same meaning as in 392  
section 2929.01 of the Revised Code. 393

(EE) "Minor drug possession offense" means either of the 394  
following: 395

(1) A violation of section 2925.11 of the Revised Code as 396  
it existed prior to July 1, 1996; 397

(2) A violation of section 2925.11 of the Revised Code as 398  
it exists on and after July 1, 1996, that is a misdemeanor or a 399  
felony of the fifth degree. 400

(FF) "Mandatory prison term" has the same meaning as in 401  
section 2929.01 of the Revised Code. 402

(GG) "Adulterate" means to cause a drug to be adulterated 403  
as described in section 3715.63 of the Revised Code. 404

(HH) "Public premises" means any hotel, restaurant, 405  
tavern, store, arena, hall, or other place of public 406  
accommodation, business, amusement, or resort. 407

(II) "Methamphetamine" means methamphetamine, any salt, 408  
isomer, or salt of an isomer of methamphetamine, or any 409  
compound, mixture, preparation, or substance containing 410  
methamphetamine or any salt, isomer, or salt of an isomer of 411  
methamphetamine. 412

(JJ) "Lawful prescription" means a prescription that is 413  
issued for a legitimate medical purpose by a licensed health 414

professional authorized to prescribe drugs, that is not altered 415  
or forged, and that was not obtained by means of deception or by 416  
the commission of any theft offense. 417

(KK) "Deception" and "theft offense" have the same 418  
meanings as in section 2913.01 of the Revised Code. 419

**Sec. 4713.01.** As used in this chapter: 420

"Apprentice instructor" means ~~a person~~ an individual 421  
holding a practicing license issued by the state board of 422  
cosmetology who is engaged in learning or acquiring knowledge of 423  
the occupation of an instructor of a branch of cosmetology at a 424  
school of cosmetology. 425

"Beauty salon" means ~~any premises, building, or part of a~~ 426  
~~building salon~~ in which ~~a person~~ an individual is authorized to 427  
engage in all branches of cosmetology. ~~"Beauty salon" does not~~ 428  
~~include a barber shop licensed under Chapter 4709. of the~~ 429  
~~Revised Code in which a person engages in the practice of~~ 430  
~~manicuring.~~ 431

"Biennial licensing period" means the two-year period 432  
beginning on the first day of February of an odd-numbered year 433  
and ending on the last day of January of the next odd-numbered 434  
year. 435

"Boutique salon" means a salon in which an individual 436  
engages in boutique services and no other branch of cosmetology. 437

"Boutique services" means braiding, threading, and 438  
shampooing. 439

"Braiding" means intertwining the hair in a systematic 440  
motion to create patterns in a three-dimensional form, inverting 441  
the hair against the scalp along part of a straight or curved 442



row of intertwined hair, or twisting the hair in a systematic 443  
motion, and includes extending the hair with natural or 444  
synthetic hair fibers. 445

"Branch of cosmetology" means the practice of cosmetology, 446  
practice of esthetics, practice of hair design, practice of 447  
manicuring, ~~or~~ practice of natural hair styling, or practice of 448  
boutique services. 449

"Cosmetic therapy" has the same meaning as in section 450  
4731.15 of the Revised Code. 451

"Cosmetologist" means ~~a person~~ an individual authorized to 452  
engage in all branches of cosmetology in a licensed facility. 453

"Cosmetology" means the art or practice of embellishment, 454  
cleansing, beautification, and styling of hair, wigs, postiches, 455  
face, body, or nails. 456

"Cosmetology instructor" means ~~a person~~ an individual 457  
authorized to teach the theory and practice of all branches of 458  
cosmetology at a school of cosmetology. 459

"Esthetician" means ~~a person~~ an individual who engages in 460  
the practice of esthetics but no other branch of cosmetology in 461  
a licensed facility. 462

"Esthetics instructor" means ~~a person~~ an individual who 463  
teaches the theory and practice of esthetics, but no other 464  
branch of cosmetology, at a school of cosmetology. 465

"Esthetics salon" means ~~any premises, building, or part of~~ 466  
a ~~building~~ salon in which ~~a person~~ an individual engages in the 467  
practice of esthetics but no other branch of cosmetology. 468

"Eye lash extensions" include temporary and semi-permanent 469  
enhancements designed to add length, thickness, and fullness to 470

natural eyelashes. 471

"Hair designer" means ~~a person~~ an individual who engages 472  
in the practice of hair design but no other branch of 473  
cosmetology in a licensed facility. 474

"Hair design instructor" means ~~a person~~ an individual who 475  
teaches the theory and practice of hair design, but no other 476  
branch of cosmetology, at a school of cosmetology. 477

"Hair design salon" means ~~any premises, building, or part~~ 478  
~~of a building~~ salon in which ~~a person~~ an individual engages in 479  
the practice of hair design but no other branch of cosmetology. 480

"Hair removal" includes tweezing, waxing, sugaring, and 481  
threading. "Hair removal" does not include electrolysis. 482

"Independent contractor ~~license~~" means ~~a license to~~ 483  
~~practice~~ an individual who is not an employee of a salon but 484  
practices a branch of cosmetology ~~at~~ within a salon in ~~which the~~ 485  
~~license holder rents booth space~~ licensed facility. 486

"Instructor license" means a license to teach the theory 487  
and practice of a branch of cosmetology at a school of 488  
cosmetology. 489

"Licensed facility" means any premises, building, or part 490  
of a building licensed under section 4713.41 of the Revised Code 491  
in which cosmetology services are authorized by the state board 492  
of cosmetology to be performed. 493

~~"Managing Advanced cosmetologist"~~ means ~~a person~~ an 494  
individual authorized to ~~manage work in a~~ beauty salon and 495  
engage in all branches of cosmetology. 496

~~"Managing Advanced esthetician"~~ means ~~a person~~ an 497  
individual authorized to ~~manage work in an~~ esthetics salon, but 498

no other type of salon, and engage in the practice of esthetics, 499  
but no other branch of cosmetology. 500

~~"Managing Advanced hair designer"~~ means ~~a person an~~ 501  
~~individual~~ authorized to ~~manage work in a~~ hair design salon, but 502  
no other type of salon, and engage in the practice of hair 503  
design, but no other branch of cosmetology. 504

~~"Managing Advanced license"~~ means a license to ~~manage work~~ 505  
~~in a~~ salon and practice the branch of cosmetology practiced at 506  
the salon. 507

~~"Managing Advanced manicurist"~~ means ~~a person an~~ 508  
~~individual~~ authorized to ~~manage work in a~~ nail salon, but no 509  
other type of salon, and engage in the practice of manicuring, 510  
but no other branch of cosmetology. 511

~~"Managing Advanced natural hair stylist"~~ means ~~a person an~~ 512  
~~individual~~ authorized to ~~manage work in a~~ natural hair style 513  
salon, but no other type of salon, and engage in the practice of 514  
natural hair styling, but no other branch of cosmetology. 515

"Manicurist" means ~~a person an~~ individual who engages in 516  
the practice of manicuring but no other branch of cosmetology in 517  
a licensed facility. 518

"Manicurist instructor" means ~~a person an~~ individual who 519  
teaches the theory and practice of manicuring, but no other 520  
branch of cosmetology, at a school of cosmetology. 521

"Nail salon" means ~~any premises, building, or part of a~~ 522  
~~building salon~~ in which ~~a person an~~ individual engages in the 523  
practice of manicuring but no other branch of cosmetology. ~~"Nail-~~ 524  
~~salon" does not include a barber shop licensed under Chapter~~ 525  
~~4709. of the Revised Code in which a person engages in the~~ 526  
~~practice of manicuring.~~ 527

"Natural hair stylist" means ~~a person~~ an individual who 528  
engages in the practice of natural hair styling but no other 529  
branch of cosmetology in a licensed facility. 530

"Natural hair style instructor" means ~~a person~~ an 531  
individual who teaches the theory and practice of natural hair 532  
styling, but no other branch of cosmetology, at a school of 533  
cosmetology. 534

"Natural hair style salon" means ~~any premises, building,~~ 535  
~~or part of a building~~ salon in which ~~a person~~ an individual 536  
engages in the practice of natural hair styling but no other 537  
branch of cosmetology. 538

"Practice of braiding" means utilizing the technique of 539  
intertwining hair in a systematic motion to create patterns in a 540  
three-dimensional form, including patterns that are inverted, 541  
upright, or singled against the scalp that follow along straight 542  
or curved partings. It may include twisting or locking the hair 543  
while adding bulk or length with human hair, synthetic hair, or 544  
both and using simple devices such as clips, combs, and 545  
hairpins. "Practice of braiding" does not include application of 546  
weaving, bonding, and fusion of individual strands or wefts; 547  
application of dyes, reactive chemicals, or other preparations 548  
to alter the color or straighten, curl, or alter the structure 549  
of hair; embellishing or beautifying hair by cutting or 550  
singeing, except as needed to finish the ends of synthetic 551  
fibers used to add bulk to or lengthen hair. 552

"Practice of cosmetology" means the practice of all 553  
branches of cosmetology. 554

"Practice of esthetics" means the application of 555  
cosmetics, tonics, antiseptics, creams, lotions, or other 556

preparations for the purpose of skin beautification and includes 557  
preparation of the skin by manual massage techniques or by use 558  
of electrical, mechanical, or other apparatus; enhancement of 559  
the skin by skin care, facials, body treatments, hair removal, 560  
and other treatments; and eye lash extension services. 561

"Practice of hair design" means embellishing or 562  
beautifying hair, wigs, or hairpieces by arranging, dressing, 563  
pressing, curling, waving, permanent waving, cleansing, cutting, 564  
singeing, bleaching, coloring, braiding, weaving, or similar 565  
work. "Practice of hair design" includes utilizing techniques 566  
performed by hand that result in tension on hair roots such as 567  
twisting, wrapping, weaving, extending, locking, or braiding of 568  
the hair. 569

"Practice of manicuring" means ~~manicuring~~ cleaning, 570  
trimming, shaping the free edge of, or applying polish to the 571  
nails of any ~~person, individual;~~ applying ~~artificial or~~ 572  
~~sculptured nails~~ nail enhancements and embellishments to any 573  
~~person, individual;~~ massaging the hands and lower arms up to the 574  
elbow of any ~~person, individual;~~ massaging the feet and lower 575  
legs up to the knee of any ~~person, individual;~~ using lotions or 576  
softeners on the hands and feet of any individual; or any 577  
combination of these ~~four~~ types of services. 578

"Practice of natural hair styling" means utilizing 579  
techniques performed by hand that result in tension on hair 580  
roots such as twisting, wrapping, weaving, extending, locking, 581  
or braiding of the hair. "Practice of natural hair styling" does 582  
not include the application of dyes, reactive chemicals, or 583  
other preparations to alter the color or to straighten, curl, or 584  
alter the structure of the hair. "Practice of natural hair 585  
styling" also does not include embellishing or beautifying hair 586

by cutting or singeing, except as needed to finish off the end 587  
of a braid, or by dressing, pressing, curling, waving, permanent 588  
waving, or similar work. 589

"Practicing license" means a license to practice a branch 590  
of cosmetology in a licensed facility. 591

"Salon" means a ~~beauty salon, esthetics salon, hair design~~ 592  
~~salon, nail salon, or natural hair style salon~~ licensed facility 593  
on any premises, building, or part of a building in which an 594  
individual engages in the practice of one or more branches of 595  
cosmetology. "Salon" does not include a barber shop licensed 596  
under Chapter 4709. of the Revised Code. "Salon" does not mean a 597  
tanning facility, although a tanning facility may be located in 598  
a salon. 599

"School of cosmetology" means any premises, building, or 600  
part of a building in which students are instructed in the 601  
theories and practices of one or more branches of cosmetology. 602

"Shampooing" means the act of cleansing and conditioning 603  
an individual's hair under the supervision of an individual 604  
licensed under this chapter and in preparation to immediately 605  
receive a service from a licensee. 606

"Student" means ~~a person~~ an individual, other than an 607  
apprentice instructor, who is engaged in learning or acquiring 608  
knowledge of the practice of a branch of cosmetology at a school 609  
of cosmetology. 610

"Tanning facility" means any premises, building, or part 611  
of a building that contains one or more rooms or booths with any 612  
of the following: 613

(A) Equipment or beds used for tanning human skin by the 614  
use of fluorescent sun lamps using ultraviolet or other 615

artificial radiation; 616

(B) Equipment or booths that ~~applies use~~ chemicals applied 617  
to human skin ~~to create the appearance of being suntanned,~~ 618  
including chemical applications commonly referred to as spray- 619  
on, mist-on, or sunless tans; 620

(C) Equipment or beds that use visible light for cosmetic 621  
purposes. 622

"Threading" includes a service that results in the removal 623  
of hair from its follicle from around the eyebrows and from 624  
other parts of the face with the use of a single strand of 625  
thread and an astringent, if the service does not use chemicals 626  
of any kind, wax, or any implements, instruments, or tools to 627  
remove hair. 628

**Sec. 4713.02.** (A) There is hereby created the state board 629  
of cosmetology, consisting of all of the following members 630  
appointed by the governor, with the advice and consent of the 631  
senate: 632

(1) One ~~person~~ individual holding a current, valid 633  
cosmetologist, ~~managing cosmetologist,~~ or cosmetology instructor 634  
license at the time of appointment; 635

(2) Two ~~persons~~ individuals holding current, valid 636  
~~managing~~ cosmetologist licenses and actively engaged in managing 637  
beauty salons for a period of not less than five years at the 638  
time of appointment; 639

(3) One ~~person~~ individual who holds a current, valid 640  
independent contractor license at the time of appointment ~~or the~~ 641  
~~owner or manager of a licensed salon in which at least one~~ 642  
~~person holding a current, valid independent contractor license~~ 643  
and practices a branch of cosmetology; 644

(4) One ~~person~~individual who represents individuals who 645  
teach the theory and practice of a branch of cosmetology at a 646  
vocational or career-technical school; 647

(5) One owner or executive actively engaged in the daily 648  
operations of a licensed school of cosmetology; 649

(6) One owner of at least five licensed salons; 650

(7) One ~~person~~individual who is either a certified nurse 651  
practitioner or clinical nurse specialist holding a certificate 652  
of authority issued under Chapter 4723. of the Revised Code, or 653  
a physician authorized under Chapter 4731. of the Revised Code 654  
to practice medicine and surgery or osteopathic medicine and 655  
surgery; 656

(8) One ~~person~~individual representing the general 657  
public.; 658

(9) One individual who holds a current, valid tanning 659  
permit and who has owned or managed a tanning facility for at 660  
least five years immediately preceding the individual's 661  
appointment; 662

(10) One individual who holds a current, valid esthetician 663  
license and who has been actively practicing esthetics for a 664  
period of not less than five years immediately preceding the 665  
individual's appointment. 666

(B) The superintendent of public instruction shall 667  
nominate three ~~persons~~individuals for the governor to choose 668  
from when making an appointment under division (A) (4) of this 669  
section. 670

(C) All members shall be at least twenty-five years of 671  
age, residents of the state, and citizens of the United States. 672



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 or salon.

~~Except for the initial members appointed under divisions (A) (3) and (4) of this section, terms~~ Terms of office are for five years. ~~The term of the initial member appointed under division (A) (3) of this section shall be three years. The term of the initial member appointed under division (A) (4) of this section shall be four 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 703  
their number, a chairperson and a vice-chairperson. The 704  
executive director appointed pursuant to section 4713.06 of the 705  
Revised Code shall serve as the board's secretary. 706

(D) The board shall prescribe the duties of its officers 707  
and establish an office within Franklin-County county. The board 708  
shall keep all records and files at the office and have the 709  
records and files at all reasonable hours open to public 710  
inspection in accordance with section 149.43 of the Revised Code 711  
and any rules adopted by the board in compliance with this 712  
state's record retention policy. The board also shall adopt a 713  
seal. 714

**Sec. 4713.03.** The state board of cosmetology shall hold a- 715  
~~meeting-meetings~~ to transact its business at least four times a 716  
year. The board may hold additional meetings as, in its 717  
judgment, are necessary. The board shall meet at the times and 718  
places it selects. 719

**Sec. 4713.06.** The state board of cosmetology shall 720  
annually appoint an executive director. The executive director 721  
may not be a member of the board, but subsequent to appointment, 722  
shall serve as secretary of the board. The executive director, 723  
before entering upon the discharge of the executive director's 724  
duties, shall file with the secretary of state a good and 725  
sufficient bond payable to the state, to ensure the faithful 726  
performance of duties of the office of executive director. The 727  
bond shall be in an amount the board requires. The premium of 728  
the bond shall be paid from appropriations made to the board for 729  
operating purposes. 730

The board may employ inspectors, examiners, consultants on 731  
contents of examinations, ~~and~~ clerks, or other individuals as 732

necessary for the administration of this chapter. All inspectors 733  
and examiners shall be licensed cosmetologists. 734

The board may appoint inspectors ~~of~~ to inspect and 735  
investigate all facilities regulated by this chapter, including 736  
tanning facilities ~~as needed to make periodic inspections as the~~ 737  
~~board specifies,~~ to ensure compliance with this chapter, the 738  
rules adopted pursuant to it, and the board's policies, in 739  
accordance with division (A) (11) of section 4713.07 of the 740  
Revised Code. 741

**Sec. 4713.07.** (A) The state board of cosmetology shall do 742  
all of the following: 743

~~(A)~~ (1) Regulate the practice of cosmetology and all of its 744  
branches in this state; 745

(2) Investigate or inspect, when evidence appears to 746  
demonstrate that an individual has violated any provision of 747  
this chapter or any rule adopted pursuant to it, the activities 748  
or premises of a license holder or unlicensed individual; 749

(3) Adopt rules in accordance with section 4713.08 of the 750  
Revised Code; 751

(4) Prescribe and make available application forms to be 752  
used by ~~persons~~ individuals seeking admission to an examination 753  
conducted under section 4713.24 of the Revised Code or a license 754  
or registration issued under this chapter; 755

~~(B)~~ (5) Prescribe and make available application forms to 756  
be used by ~~persons~~ individuals seeking renewal of a license or 757  
registration issued under this chapter; 758

~~(C)~~ (6) Provide a toll-free number and an online service to 759  
receive complaints alleging violations of this chapter; 760

<del>(7)</del> Report to the proper prosecuting officer <del>all</del>	761
violations of section 4713.14 of the Revised Code of which the	762
board is aware;	763
<del>(D)</del> <del>(8)</del> Submit a written report annually to the governor	764
that provides all of the following:	765
<del>(1)</del> <del>(a)</del> A discussion of the conditions in this state of the	766
branches of cosmetology;	767
<del>(2)</del> <del>(b)</del> A brief summary of the board's proceedings during	768
the year the report covers;	769
<del>(3)</del> <del>(c)</del> A statement of all money that the board received	770
and expended during the year the report covers.	771
<del>(E)</del> <del>(9)</del> Keep a record of all of the following:	772
<del>(1)</del> <del>(a)</del> The board's proceedings;	773
<del>(2)</del> <del>(b)</del> The name and last known <u>physical</u> address, <u></u>	774
<u>electronic mail address, and telephone number</u> of each <del>person</del>	775
<u>individual</u> issued a license <u>or registration</u> under <del>section</del>	776
<del>4713.28, 4713.30, 4713.31, 4713.34, or 4713.39 of the Revised</del>	777
<del>Code</del> <u>this chapter</u> ;	778
<del>(3)</del> <del>The name and address of each salon issued a license</del>	779
<del>under section 4713.41 of the Revised Code and each school of</del>	780
<del>cosmetology issued a license under section 4713.44 of the</del>	781
<del>Revised Code;</del>	782
<del>(4)</del> <del>The name and address of each tanning facility issued a</del>	783
<del>permit under section 4713.48 of the Revised Code;</del>	784
<del>(5)</del> <del>(c)</del> The date and number of each license <del>and</del> , <u>permit,</u>	785
<u>and registration</u> that the board issues <del>,</del>	786
<del>(F)</del> <del>(10)</del> Assist ex-offenders and military veterans who hold	787

licenses issued by the board to find employment within salons or 788  
other facilities within this state; 789

~~(G)~~ (11) Require inspectors appointed pursuant to section 790  
4713.06 of the Revised Code to conduct inspections of licensed 791  
or permitted facilities, including salons and boutique salons, 792  
schools of cosmetology, and tanning facilities, within ninety 793  
days of the opening for business of a licensed facility, upon 794  
complaints reported to the board, within ninety days after a 795  
violation was documented at a facility, and at least once every 796  
two years. Any individual, after providing the individual's name 797  
and contact information, may report to the board any information 798  
the individual may have that appears to show a violation of any 799  
provision of this chapter or rule adopted under it. In the 800  
absence of bad faith, any individual who reports information of 801  
that nature or who testifies before the board in any 802  
adjudication conducted under Chapter 119. of the Revised Code 803  
shall not be liable for damages in a civil action as a result of 804  
the report or testimony. For the purpose of inspections, an 805  
independent contractor shall be added to the board's records as 806  
an individual salon. 807

(12) Supply a copy of the poster created pursuant to 808  
division (B) of section 5502.63 of the Revised Code to each 809  
person authorized to operate a salon, school of cosmetology, 810  
tanning facility, or other type of facility under this chapter; 811

(13) All other duties that this chapter imposes on the 812  
board. 813

(B) The board may delegate any of the duties listed in 814  
division (A) of this section to the executive director of the 815  
board or to an individual designated by the executive director. 816

<u>Sec. 4713.071. (A) Beginning one year after the effective</u>	817
<u>date of this section, the state board of cosmetology shall</u>	818
<u>annually submit a written report to the governor, president of</u>	819
<u>the senate, and speaker of the house of representatives. The</u>	820
<u>report shall list all of the following for the preceding twelve-</u>	821
<u>month period:</u>	822
<u>(1) The number of students enrolled in courses at licensed</u>	823
<u>public and private schools of cosmetology;</u>	824
<u>(2) The number of students graduating from licensed public</u>	825
<u>and private schools of cosmetology;</u>	826
<u>(3) The annual cost for students to attend each licensed</u>	827
<u>public or private school of cosmetology;</u>	828
<u>(4) The loan default rates for licensed public and private</u>	829
<u>schools of cosmetology;</u>	830
<u>(5) The first-time licensure passage rate for graduates of</u>	831
<u>all public and private schools;</u>	832
<u>(6) The total number of new and renewal licenses in each</u>	833
<u>profession;</u>	834
<u>(7) The total number of complaint-driven inspections</u>	835
<u>conducted by the board;</u>	836
<u>(8) The total number and type of violations, including a</u>	837
<u>list of the top ten violations, which shall aid in the</u>	838
<u>identification of focus areas for continuing education purposes;</u>	839
<u>(9) The twenty salons and individuals cited with the most</u>	840
<u>violations for unlicensed workers;</u>	841
<u>(10) The number of adjudications or other disciplinary</u>	842
<u>action taken by the board.</u>	843

(B) The board shall include in the final report under 844  
division (A) of this section any recommendations it has for 845  
changes to this chapter. 846

**Sec. 4713.08.** (A) The state board of cosmetology shall 847  
adopt rules in accordance with Chapter 119. of the Revised Code 848  
as necessary to implement this chapter. The rules shall do all 849  
of the following: 850

(1) Govern the practice of the branches of cosmetology ~~and~~ 851  
~~management of salons;~~ 852

(2) Specify conditions ~~a person~~ an individual must satisfy 853  
to qualify for a temporary pre-examination work permit under 854  
section 4713.22 of the Revised Code and the conditions and 855  
method of renewing a temporary pre-examination work permit under 856  
that section; 857

(3) Provide for the conduct of examinations under section 858  
4713.24 of the Revised Code; 859

(4) Specify conditions under which the board will take 860  
into account, under section 4713.32 of the Revised Code, 861  
instruction an applicant for a license under section 4713.28, 862  
4713.30, or 4713.31 of the Revised Code received more than five 863  
years before the date of application for the license; 864

(5) Provide for the granting of waivers under section 865  
4713.29 of the Revised Code; 866

(6) Specify conditions an applicant must satisfy for the 867  
board to issue the applicant a license under section 4713.34 of 868  
the Revised Code without the applicant taking an examination 869  
conducted under section 4713.24 of the Revised Code; 870

(7) Specify locations in which glamour photography 871

services in which a branch of cosmetology is practiced may be provided;	872 873
(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;	874 875 876 877
(9) Specify conditions an applicant must satisfy for the board to issue the applicant an independent contractor license under section 4713.39 of the Revised Code and the fee for issuance and renewal of the license;	878 879 880 881
(10) Establish conditions under which food may be sold at a salon;	882 883
(11) Specify which professions regulated by a professional regulatory board of this state may be practiced in a salon under section 4713.42 of the Revised Code;	884 885 886
(12) Establish standards for the provision of cosmetic therapy, massage therapy, or other professional service in a salon pursuant to section 4713.42 of the Revised Code;	887 888 889
(13) Establish standards for board approval of, and the granting of credits for, training in branches of cosmetology at schools of cosmetology licensed in this state;	890 891 892
(14) Establish the manner in which a school of cosmetology licensed under section 4713.44 of the Revised Code may offer post-secondary and advanced practice programs;	893 894 895
(15) Establish sanitary standards for the practice of the branches of cosmetology, salons, and schools of cosmetology;	896 897
(16) Establish the application process for obtaining a tanning facility permit under section 4713.48 of the Revised	898 899



Code, including the amount of the fee for an initial or renewed permit;	900 901
(17) Establish standards for installing and operating a tanning facility in a manner that ensures the health and safety of consumers, including standards that do all of the following:	902 903 904
(a) Establish a maximum safe time of exposure to radiation and a maximum safe temperature at which sun lamps may be operated;	905 906 907
(b) Require consumers to wear protective eyeglasses;	908
(c) Require consumers to be supervised as to the length of time consumers use the facility's sun lamps;	909 910
(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 <del>persons</del> <u>individuals</u> taking certain medications and of the possible relationship of the radiation to skin cancer;	911 912 913 914 915
(e) Require the installation of protective shielding for sun lamps and handrails for consumers;	916 917
(f) Require floors to be dry during operation of lamps;	918
(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.	919 920 921 922
(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:	923 924 925
(i) Establish a fee for having a license classified	926

inactive that reflects the cost to the board of providing the 927  
inactive license service. If one or more renewal periods have 928  
elapsed since the license was valid, the fee shall not include 929  
lapsed renewal fees for more than three of those renewal 930  
periods; 931

(ii) Specify the continuing education that ~~a person~~ an 932  
individual whose license has been classified inactive must 933  
complete to have the license restored. The continuing education 934  
shall be sufficient to ensure the minimum competency in the use 935  
or administration of a new procedure or product required by a 936  
licensee necessary to protect public health and safety. The 937  
requirement shall not exceed the cumulative number of hours of 938  
continuing education that the ~~person~~ individual would have been 939  
required to complete had the ~~person~~ individual retained an 940  
active license. 941

(b) In addition, the board may specify the conditions and 942  
method for granting a temporary work permit to practice a branch 943  
of cosmetology to ~~a person~~ an individual whose license has been 944  
classified inactive. 945

(19) Establish a fee for approval of a continuing 946  
education program under section 4713.62 of the Revised Code that 947  
is adequate to cover any expense the board incurs in the 948  
approval process; 949

(20) Anything else necessary to implement this chapter. 950

(B) (1) The rules adopted under division (A) (2) of this 951  
section may establish additional conditions for a temporary pre- 952  
examination work permit under section 4713.22 of the Revised 953  
Code that are applicable to ~~persons~~ individuals who practice a 954  
branch of cosmetology in another state or country. 955

(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 ~~persons~~ 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 is a violation of a statute or rule governing the profession.

(E) The sanitary standards established under division (A) (15) of this section 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.

(F) 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.

**Sec. 4713.081.** The state board of cosmetology shall furnish a copy of the sanitary standards established by rules adopted under section 4713.08 of the Revised Code to each ~~person~~ individual to whom the board issues a practicing license, ~~managing advanced license, or~~ license to operate a salon or school of cosmetology, or boutique services registration. The board also shall furnish a copy of the sanitary standards to

each ~~person~~individual providing cosmetic therapy, massage 985  
therapy, or other professional service in a salon under section 986  
4713.42 of the Revised Code. A salon or school of cosmetology 987  
provided a copy of the sanitary standards shall post the 988  
standards in a public and conspicuous place in the salon or 989  
school. 990

**Sec. 4713.082.** The state board of cosmetology shall 991  
furnish a copy of the standards established by rules adopted 992  
under section 4713.08 of the Revised Code for installing and 993  
operating a tanning facility to each ~~person~~individual to whom 994  
the board issues a permit to operate a tanning facility. ~~A~~ 995  
~~person~~An individual provided a copy of the standards shall post 996  
the standards in a public and conspicuous place in the tanning 997  
facility. 998

**Sec. 4713.09.** The state board of cosmetology may adopt 999  
rules in accordance with ~~Chapter 119.~~section 4713.08 of the 1000  
Revised Code to establish a continuing education requirement, 1001  
not to exceed eight hours in a biennial licensing period, as a 1002  
condition of renewal for a practicing license, ~~managing advanced~~ 1003  
license, ~~or~~instructor license, or boutique services 1004  
registration. These hours may include training in identifying 1005  
and addressing the crime of trafficking in persons as described 1006  
in section 2905.32 of the Revised Code. At least two of the 1007  
eight hours of the continuing education requirement must be 1008  
achieved in courses concerning safety and sanitation, and at 1009  
least one hour of the eight hours of the continuing education 1010  
requirement must be achieved in courses concerning law and rule 1011  
updates. 1012

**Sec. 4713.10.** (A) The state board of cosmetology shall 1013  
charge and collect the following fees: 1014

<del>(A)</del> (1) For a temporary pre-examination work permit under section 4713.22 of the Revised Code, <del>five</del> <u>seven</u> <del>dollars and</del> <u>fifty cents</u> ;	1015
	1016
	1017
<del>(B)</del> (2) For initial application to take an examination under section 4713.24 of the Revised Code, <del>twenty one</del> <u>thirty one</u> <del>dollars and</del> <u>fifty cents</u> ;	1018
	1019
	1020
<del>(C)</del> (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, forty dollars;	1021
	1022
	1023
	1024
<del>(D)</del> (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, <del>twenty one</del> <u>thirty one</u> <del>dollars and</del> <u>fifty cents</u> ;	1025
	1026
	1027
	1028
<del>(E)</del> (5) For the issuance of a license under section 4713.28, 4713.30, or 4713.31 of the Revised Code, <del>thirty</del> <u>forty</u> <del>five</del> <u>dollars</u> ;	1029
	1030
	1031
<del>(F)</del> (6) For the issuance of a license under section 4713.34 of the Revised Code, <del>sixty</del> <u>seventy</u> <del>dollars</del> ;	1032
	1033
<del>(G)</del> (7) For renewal of a license issued under section 4713.28, 4713.30, 4713.31, or 4713.34 of the Revised Code, <del>thirty</del> <u>forty</u> <del>five</del> <u>dollars</u> ;	1034
	1035
	1036
<del>(H)</del> (8) For the issuance or renewal of a cosmetology school license, two hundred fifty dollars;	1037
	1038
<del>(I)</del> (9) For the <del>inspection and</del> issuance of a new salon license or the change of name or ownership of a salon license under section 4713.41 of the Revised Code, <del>sixty</del> <u>seventy</u> <del>five</del> <u>dollars</u> ;	1039
	1040
	1041
	1042

<del>(J)</del> (10) For the renewal of a salon license <u>under section</u>	1043
<u>4713.41 of the Revised Code, <del>fifty-sixty</del> dollars;</u>	1044
<del>(K)</del> (11) For the restoration of an expired license that may	1045
be restored pursuant to section 4713.63 of the Revised Code, <del>and</del>	1046
<del>in addition to the payments for all</del> <u>an amount equal to the sum</u>	1047
<u>of the current license renewal fee and a lapsed renewal fees,</u>	1048
<del>thirty</del> <u>fee of forty-five dollars per license renewal period that</u>	1049
<u>has elapsed since the license was last issued or renewed;</u>	1050
<del>(L)</del> (12) For the issuance of a duplicate of any license,	1051
<del>fifteen-twenty</del> dollars;	1052
<del>(M)</del> (13) For the preparation and mailing of a licensee's	1053
records to another state for a reciprocity license, fifty	1054
dollars;	1055
<del>(N)</del> (14) For the processing of any fees related to a check	1056
from a licensee returned to the board for insufficient funds, an	1057
additional <del>twenty-thirty</del> dollars.	1058
<u>(B) The board may establish an installment plan for the</u>	1059
<u>payment of fines and fees and may reduce fees as considered</u>	1060
<u>appropriate by the board.</u>	1061
<u>(C) At the request of a person who is temporarily unable</u>	1062
<u>to pay a fee imposed under division (A) of this section, or on</u>	1063
<u>its own motion, the board may extend the date payment is due by</u>	1064
<u>up to ninety days. If the fee remains unpaid after the date</u>	1065
<u>payment is due, the amount of the fee shall be certified to the</u>	1066
<u>attorney general for collection in the form and manner</u>	1067
<u>prescribed by the attorney general. The attorney general may</u>	1068
<u>assess the collection cost to the amount certified in such a</u>	1069
<u>manner and amount as prescribed by the attorney general.</u>	1070
<b>Sec. 4713.13.</b> Whenever in the judgment of the state board	1071

of cosmetology any ~~person~~individual has engaged in or is about 1072  
to engage in any acts or practices that constitute a violation 1073  
of this chapter, or any rule adopted under this chapter, the 1074  
board may apply to the appropriate court for an order enjoining 1075  
the acts or practices, and upon a showing by the board that the 1076  
~~person~~individual has engaged in the acts or practices, the 1077  
court shall grant an injunction, restraining order, or other 1078  
order as may be appropriate. 1079

**Sec. 4713.14.** No ~~person~~individual shall do any of the 1080  
following: 1081

(A) Use fraud or deceit in making application for a 1082  
~~license or, permit, or registration;~~ 1083

(B) Aid or abet any ~~person~~individual or entity in any of 1084  
the following: 1085

(1) Violating this chapter or a rule adopted under it; 1086

(2) Obtaining a ~~license or, permit, or registration~~ 1087  
fraudulently; 1088

(3) Falsely pretending to hold a current, valid license or 1089  
permit. 1090

(C) Practice a branch of cosmetology, for pay, free, or 1091  
otherwise, without one of the following authorizing the practice 1092  
of that branch of cosmetology: 1093

(1) A current, valid license under section 4713.28, 1094  
4713.30, or 4713.34 of the Revised Code; 1095

(2) A current, valid temporary pre-examination work permit 1096  
issued under section 4713.22 of the Revised Code; 1097

(3) A current, valid temporary special occasion work 1098

permit issued under section 4713.37 of the Revised Code; 1099

(4) A current, valid temporary work permit issued under 1100  
rules adopted by the board pursuant to section 4713.08 of the 1101  
Revised Code; 1102

(5) A current, valid registration under section 4713.69 of 1103  
the Revised Code. 1104

(D) Employ ~~a person~~an individual to practice a branch of 1105  
cosmetology if the ~~person~~individual does not hold one of the 1106  
following authorizing the practice of that branch of 1107  
cosmetology: 1108

(1) A current, valid license under section 4713.28, 1109  
4713.30, or 4713.34 of the Revised Code; 1110

(2) A current, valid temporary pre-examination work permit 1111  
issued under section 4713.22 of the Revised Code; 1112

(3) A current, valid temporary special occasion work 1113  
permit issued under section 4713.37 of the Revised Code; 1114

(4) A current, valid temporary work permit issued under 1115  
rules adopted by the board pursuant to section 4713.08 of the 1116  
Revised Code; 1117

(5) A current, valid registration under section 4713.69 of 1118  
the Revised Code. 1119

(E) ~~Manage a salon without a current, valid license under~~ 1120  
~~section 4713.30 or 4713.34 of the Revised Code to manage that~~ 1121  
~~type of salon;~~ 1122

~~(F)~~ Except for apprentice instructors and as provided in 1123  
section 4713.45 of the Revised Code, teach the theory or 1124  
practice of a branch of cosmetology at a school of cosmetology 1125



without either of the following authorizing the teaching of that 1126  
branch of cosmetology: 1127

(1) A current, valid license under section 4713.31 or 1128  
4713.34 of the Revised Code; 1129

(2) A current, valid temporary special occasion work 1130  
permit issued under section 4713.37 of the Revised Code. 1131

~~(G)~~(F) Advertise or operate a glamour photography service 1132  
in which a branch of cosmetology is practiced unless the ~~person~~ 1133  
individual practicing the branch of cosmetology holds either of 1134  
the following authorizing the practice of that branch of 1135  
cosmetology: 1136

(1) A current, valid license under section 4713.28, 1137  
4713.30, or 4713.34 of the Revised Code; 1138

(2) A current, valid temporary special occasion work 1139  
permit issued under section 4713.37 of the Revised Code. 1140

~~(H)~~(G) Advertise or operate a glamour photography service 1141  
in which a branch of cosmetology is practiced at a location not 1142  
specified by rules adopted under section 4713.08 of the Revised 1143  
Code; 1144

~~(I)~~(H) Practice a branch of cosmetology at a salon ~~in~~ 1145  
~~which the person rents booth space~~ as an independent contractor 1146  
without a current, valid independent contractor license issued 1147  
under section 4713.39 of the Revised Code; 1148

~~(J)~~(I) Operate a salon without a current, valid license 1149  
under section 4713.41 of the Revised Code; 1150

~~(K)~~(J) Provide cosmetic therapy or massage therapy at a 1151  
salon for pay, free, or otherwise without a current, valid 1152  
certificate issued by the state medical board under section 1153

4731.15 of the Revised Code or provide any other professional 1154  
service at a salon for pay, free, or otherwise without a 1155  
current, valid license or certificate issued by the professional 1156  
regulatory board of this state that regulates the profession; 1157

~~(L)~~ (K) Teach a branch of cosmetology at a salon, unless 1158  
the ~~person~~ individual receiving the instruction holds either of 1159  
the following authorizing the practice of that branch of 1160  
cosmetology: 1161

(1) A current, valid license under section 4713.28, 1162  
4713.30, or 4713.34 of the Revised Code; 1163

(2) A current, valid temporary pre-examination work permit 1164  
issued under section 4713.22 of the Revised Code. 1165

~~(M)~~ (L) Operate a school of cosmetology without a current, 1166  
valid license under section 4713.44 of the Revised Code; 1167

~~(N)~~ (M) At a salon or school of cosmetology, do ~~either~~ any 1168  
of the following: 1169

(1) Use or possess a cosmetic product containing an 1170  
ingredient that the United States food and drug administration 1171  
has prohibited by regulation; 1172

(2) Use a cosmetic product in a manner inconsistent with a 1173  
restriction established by the United States food and drug 1174  
administration by regulation; 1175

(3) Use or possess a liquid nail monomer containing any 1176  
trace of methyl methacrylate (MMA). 1177

~~(O)~~ (N) While in charge of a salon or school of 1178  
cosmetology, permit any ~~person~~ individual to sleep in, or use 1179  
for residential purposes, any room used wholly or in part as the 1180  
salon or school of cosmetology; 1181

~~(P)~~(O) Maintain, as an established place of business for 1182  
the practice of one or more of the branches of cosmetology, a 1183  
room used wholly or in part for sleeping or residential 1184  
purposes; 1185

~~(Q)~~(P) Operate a tanning facility that is offered to the 1186  
public for a fee or other compensation without a current, valid 1187  
permit under section 4713.48 of the Revised Code; 1188

(Q) Practice a branch of cosmetology in a location other 1189  
than a licensed facility unless otherwise exempted under section 1190  
4713.16 or 4713.17 of the Revised Code; 1191

(R) Use any of the services or arts that are part of 1192  
cosmetology to treat or attempt to cure a physical or mental 1193  
disease or ailment. 1194

**Sec. 4713.141.** An inspector employed by the state board of 1195  
cosmetology may take a sample of a product used or sold in a 1196  
salon or school of cosmetology for the purpose of examining the 1197  
sample, or causing an examination of the sample to be made, to 1198  
determine whether division ~~(N)~~(M) of section 4713.14 of the 1199  
Revised Code has been violated. 1200

Should the results of the test prove that division (M) of 1201  
section 4713.14 of the Revised Code has been violated, the board 1202  
shall take action in accordance with section 4713.64 of the 1203  
Revised Code. A fine imposed under that section shall include 1204  
the cost of the test. The person's license may be suspended or 1205  
revoked. 1206

**Sec. 4713.16.** (A) This chapter does not prohibit any of 1207  
the following: 1208

~~(A)~~(1) Practicing a branch of cosmetology without a 1209  
license or registration if the ~~person~~individual does so for 1210

free at the ~~person's~~individual's home for a family member who 1211  
resides in the same household as the ~~person~~individual; 1212

~~(B)~~(2) The retail sale, or trial demonstration by 1213  
application to the skin for purposes of retail sale, of 1214  
cosmetics, preparations, tonics, antiseptics, creams, lotions, 1215  
wigs, or hairpieces without a practicing license or 1216  
registration; 1217

~~(C)~~(3) The retailing, at a salon, of cosmetics, 1218  
preparations, tonics, antiseptics, creams, lotions, wigs, 1219  
hairpieces, clothing, or any other items that pose no risk of 1220  
creating unsanitary conditions at the salon; 1221

~~(D)~~(4) The provision of glamour photography services at a 1222  
licensed salon if either of the following is the case: 1223

~~(1)~~(a) A branch of cosmetology is not practiced as part 1224  
of the services. 1225

~~(2)~~(b) If a branch of cosmetology is practiced as part of 1226  
the services, the part of the services that is a branch of 1227  
cosmetology is performed by ~~a person~~an individual who holds 1228  
either of the following authorizing the ~~person~~individual to 1229  
practice that branch of cosmetology: 1230

~~(a)~~(i) A current, valid license under section 4713.28, 1231  
4713.30, or 4713.34 of the Revised Code; 1232

~~(b)~~(ii) A current, valid temporary special occasion work 1233  
permit issued under section 4713.37 of the Revised Code. 1234

~~(E)~~(5) A student engaging, as a student, in work 1235  
connected with a branch of cosmetology taught at the school of 1236  
cosmetology at which the student is enrolled; 1237

(B) A student in a career-technical program learning a 1238

branch of cosmetology may continue developing skills in the 1239  
respective branch of cosmetology after completing the required 1240  
coursework or obtaining a license in the respective branch of 1241  
cosmetology by working in the licensed career-technical school 1242  
clinic if the student does not receive any compensation. This 1243  
allowance terminates upon the graduation of the student from the 1244  
career-technical school. 1245

**Sec. 4713.17.** (A) The following persons are exempt from 1246  
the provisions of this chapter, except, as applicable, section 1247  
4713.42 of the Revised Code: 1248

(1) All ~~persons~~individuals authorized to practice 1249  
medicine, surgery, dentistry, and nursing or any of its branches 1250  
in this state; 1251

(2) Commissioned surgical and medical officers of the 1252  
United States army, navy, air force, or marine hospital service 1253  
when engaged in the actual performance of their official duties, 1254  
and attendants attached to same; 1255

(3) Barbers, insofar as their usual and ordinary vocation 1256  
and profession is concerned; 1257

(4) Funeral directors, embalmers, and apprentices licensed 1258  
or registered under Chapter 4717. of the Revised Code; 1259

(5) Persons who are engaged in the retail sale, cleaning, 1260  
or beautification of wigs and hairpieces but who do not engage 1261  
in any other act constituting the practice of a branch of 1262  
cosmetology; 1263

(6) Volunteers of hospitals, and homes as defined in 1264  
section 3721.01 of the Revised Code, who render service to 1265  
registered patients and inpatients who reside in such hospitals 1266  
or homes. Such volunteers shall not use or work with any 1267

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. 1268  
1269  
1270

(7) 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 on registered patients only as part of general patient care services and who do not charge patients directly on a fee for service basis; 1271  
1272  
1273  
1274  
1275

(8) Cosmetic therapists and massage therapists who hold current, valid certificates 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 certificates to practice; 1276  
1277  
1278  
1279  
1280

(9) Inmates who provide services related to a branch of cosmetology to other inmates, except when those services are provided in a licensed school of cosmetology within a state correctional institution for females. 1281  
1282  
1283  
1284

(B) The director of rehabilitation and correction shall oversee the services described in division (A) (9) of this section with respect to sanitation and adopt rules governing those types of services provided by inmates. 1285  
1286  
1287  
1288

**Sec. 4713.20.** ~~(A) Each person~~ individual who seeks admission to an examination conducted under section 4713.24 of the Revised Code ~~and each person who seeks a license under this chapter shall do all~~ submit both of the following: 1289  
1290  
1291  
1292

~~(1) Submit to the state board of cosmetology a written application containing:~~ 1293  
1294

(A) As part of a license application, proof of the following: 1295  
1296

~~(a) If the person seeks admission to an examination, that~~ 1297  
the ~~person~~ individual satisfies all conditions to obtain the 1298  
license for which the examination is conducted, other than the 1299  
requirement to have passed the examination; 1300

~~(b) If the person seeks a license, that the person~~ 1301  
~~satisfies all conditions for obtaining the license.~~ 1302

~~(2) Pay to the board the applicable fee;~~ 1303

~~(3) Verify by oath that the application is true.~~ 1304

~~(B) An application to operate a salon or school of~~ 1305  
~~cosmetology may be submitted by the owner, manager, or person in~~ 1306  
~~charge of the salon or school. A set of the individual's biometric~~ 1307  
~~fingerprint scan taken at the board's offices.~~ 1308

**Sec. 4713.21.** Both of the following may apply again under 1309  
section 4713.20 of the Revised Code for admission to an 1310  
examination conducted under section 4713.24 of the Revised Code: 1311

(A) ~~A person~~ An individual who failed to appear for an 1312  
examination that the ~~person~~ individual was previously scheduled 1313  
to take; 1314

(B) ~~A person~~ An individual who appeared for a previously 1315  
scheduled examination but failed to pass it. 1316

**Sec. 4713.22.** (A) The state board of cosmetology shall 1317  
issue a temporary pre-examination work permit to ~~a person~~ an 1318  
individual who applies under section 4713.20 of the Revised Code 1319  
for admission to an examination conducted under section 4713.24 1320  
of the Revised Code, if the ~~person~~ individual satisfies all of 1321  
the following conditions: 1322

(1) Is seeking a practicing license or an instructor 1323  
license; 1324

(2) Has not previously failed an examination conducted 1325  
under section 4713.24 of the Revised Code to determine the 1326  
applicant's fitness to practice or instruct the branch of 1327  
cosmetology for which the ~~person~~-individual seeks a license; 1328

(3) Pays to the board the applicable fee; 1329

(4) Satisfies all other conditions established by rules 1330  
adopted under section 4713.08 of the Revised Code. 1331

(B) ~~A person~~-An individual issued a temporary pre- 1332  
examination work permit may practice the branch of cosmetology 1333  
for which the ~~person~~-individual seeks a practicing license until 1334  
the date the ~~person~~-individual is scheduled to take an 1335  
examination under section 4713.24 of the Revised Code. The 1336  
~~person~~-individual shall practice under the supervision of a- 1337  
~~person~~-an individual holding a current, valid ~~managing~~-license 1338  
appropriate for the type of salon in which the permit holder 1339  
practices. ~~A~~ 1340

(C) An individual issued a temporary pre-examination work 1341  
permit may instruct the branch of cosmetology for which the 1342  
individual seeks an instructor license for a period not to 1343  
exceed one hundred twenty days. 1344

(D) A temporary pre-examination work permit is renewable 1345  
in accordance with rules adopted under section 4713.08 of the 1346  
Revised Code. 1347

**Sec. 4713.24.** (A) The state board of cosmetology shall 1348  
conduct an examination for each ~~person~~-individual who satisfies 1349  
the requirements established by section 4713.20 of the Revised 1350  
Code for admission to the examination. Examinations for 1351  
licensure for any branch of cosmetology shall assess the ability 1352  
of a prospective cosmetology professional to maintain a safe and 1353



sanitary place of service delivery. The board may develop and 1354  
administer the appropriate examination or enter into an 1355  
agreement with a national testing service to develop the 1356  
examination, administer the examination, or both. The 1357  
examination shall be specific to the type of license the ~~person-~~ 1358  
individual seeks and satisfy all of the following conditions: 1359

~~(A)~~ (1) Include both practical demonstrations and written 1360  
or oral tests related to the type of license the ~~person-~~ 1361  
individual seeks; 1362

~~(B)~~ (2) Relate only to a branch of cosmetology, ~~managing-~~ 1363  
~~license, or both,~~ but not be confined to any special system or 1364  
method; 1365

~~(C)~~ (3) Be consistent in both practical and technical 1366  
requirements for the type of license the ~~person-~~individual 1367  
seeks; 1368

~~(D)~~ (4) Be of sufficient thoroughness to satisfy the board 1369  
as to the ~~person's-~~individual's skill in and knowledge of the 1370  
branch of cosmetology, ~~managing license, or both,~~ for which the 1371  
examination is conducted. 1372

(B) Not later than two years after the effective date of 1373  
this amendment, the board shall create a curriculum and an 1374  
examination for individuals seeking licensure to become an 1375  
instructor and shall conduct an examination for each individual 1376  
who satisfies the requirements established pursuant to section 1377  
4713.31 of the Revised Code for admission to the examination. 1378

(C) The board shall adopt rules regarding the equipment or 1379  
supplies an individual is required to bring to an examination 1380  
described in this section. 1381

(D) The board shall not release the questions developed 1382

for the examinations and the practical demonstrations used in 1383  
the testing process, except for the following purposes: 1384

(1) Reviewing or rewriting of any part of the examination 1385  
on a periodic basis as prescribed in rules adopted under section 1386  
4713.08 of the Revised Code; 1387

(2) Testing of individuals in another state for admission 1388  
to the profession of cosmetology or any of its branches as 1389  
required under a contract or by means of a license with that 1390  
state; 1391

(3) Complying with a public records request after which 1392  
the questions or the demonstrations have become a public record 1393  
under division (F) of this section and otherwise may lawfully be 1394  
released. 1395

(E) The examination papers and the scored results of the 1396  
practical demonstrations of each individual examined by the 1397  
board shall be open for inspection by the individual or the 1398  
individual's attorney for at least ninety days following the 1399  
announcement of the individual's grade, except for papers that 1400  
under the terms of a contract with a testing service are not 1401  
available for inspection. On written request of an individual or 1402  
the individual's attorney made to the board not later than 1403  
ninety days after announcement of the individual's grade, the 1404  
board shall have the individual's practical examination papers 1405  
regraded manually. 1406

(F) Test materials, examinations, or evaluation tools used 1407  
in an examination for licensure under this chapter that the 1408  
board develops or contracts with a private or government entity 1409  
to administer shall become public records under section 149.43 1410  
of the Revised Code fifteen years after the materials, 1411

examinations, or tools were first used in an assessment for 1412  
licensure, unless the release of the record is otherwise 1413  
prohibited by state or federal law, or the record is deemed to 1414  
be the proprietary information of a private entity. 1415

**Sec. 4713.25.** (A) The state board of cosmetology may 1416  
administer a separate ~~managing advanced~~ cosmetologist 1417  
examination for ~~persons individuals~~ who complete a ~~managing an~~ 1418  
advanced cosmetologist training course separate from a 1419  
cosmetologist training course. The board may combine the 1420  
~~managing advanced~~ cosmetologist examination with the 1421  
cosmetologist examination for ~~persons individuals~~ who complete a 1422  
combined ~~eighteen hundred hour~~ cosmetologist and ~~managing~~ 1423  
advanced cosmetologist training course. 1424

(B) The board may administer a separate ~~managing advanced~~ 1425  
esthetician examination for ~~persons individuals~~ who complete a 1426  
~~managing an advanced~~ esthetician training course separate from 1427  
an esthetician training course. The board may combine the 1428  
~~managing advanced~~ esthetician examination with the esthetician 1429  
examination for ~~persons individuals~~ who complete a ~~combined~~ 1430  
~~seven hundred fifty hour an~~ esthetician and ~~managing advanced~~ 1431  
esthetician training course. 1432

(C) The board may administer a separate ~~managing advanced~~ 1433  
hair designer examination for ~~persons individuals~~ who complete a 1434  
~~managing an advanced~~ hair designer training course separate from 1435  
a hair designer training course. The board may combine the 1436  
~~managing advanced~~ hair designer examination with the hair 1437  
designer examination for ~~persons individuals~~ who complete a 1438  
~~combined one thousand four hundred forty hour~~ hair designer and 1439  
~~managing advanced~~ hair designer training course. 1440

(D) The board may administer a separate ~~managing advanced~~ 1441

manicurist examination for ~~persons~~individuals who complete a ~~managing an advanced~~ manicurist training course separate from a manicurist training course. The board may combine the ~~managing advanced~~ manicurist examination with the manicurist examination for ~~persons~~individuals who complete a ~~combined three hundred hour~~ manicurist and ~~managing advanced~~ manicurist training course.

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

**Sec. 4713.26.** Each ~~person~~individual admitted to an examination conducted under section 4713.24 of the Revised Code shall furnish the ~~person's~~individual's own model.

**Sec. 4713.28.** (A) The state board of cosmetology shall issue a practicing license to an applicant who, ~~except as provided in section 4713.30 of the Revised Code,~~ satisfies all of the following applicable conditions:

~~(A)~~ (1) Is at least sixteen years of age;

~~(B)~~ (2) Is of good moral character;

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

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

<u>(a) The name of the individual and any other identifying information required by the board;</u>	1471
	1472
<u>(b) A recent photograph of the individual that meets the specifications established by the board;</u>	1473
	1474
<u>(c) A photocopy of the individual's current driver's license or other proof of legal residence;</u>	1475
	1476
<u>(d) Proof that the individual is qualified to take the applicable examination as required by section 4713.20 of the Revised Code;</u>	1477
	1478
	1479
<u>(e) An oath verifying that the information in the application is true;</u>	1480
	1481
<u>(f) The applicable application fee.</u>	1482
<u>(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;</u>	1483
	1484
	1485
<del>(E)</del> <u>(6) Pays to the board the applicable license fee;</u>	1486
<del>(F)</del> <u>(7) In the case of an applicant for an initial cosmetologist license, has successfully completed at least fifteen 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 a person an individual licensed as a barber under Chapter 4709. of the Revised Code;</u>	1487
	1488
	1489
	1490
	1491
	1492
	1493
	1494
<del>(G)</del> <u>(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;</u>	1495
	1496
	1497
	1498

~~(H)~~(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 ~~a person~~ an individual licensed as a barber under Chapter 4709. of the Revised Code;

~~(I)~~(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;

~~(J)~~(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~~+~~.

~~(K)~~(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 board of cosmetology shall issue ~~a~~ managing 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; 1528
- (E) Passes the appropriate ~~managing~~ advanced license examination; 1529  
1530
- (F) In the case of an applicant for an initial ~~managing~~ advanced cosmetologist license, does either of the following: 1531  
1532
- (1) Has a licensed ~~managing~~ 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 ~~two~~ one thousand eight hundred hours in a licensed beauty salon; 1533  
1534  
1535  
1536  
1537
- (2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as a cosmetologist, at least three hundred hours of board-approved ~~managing~~ advanced cosmetologist training. 1538  
1539  
1540  
1541  
1542
- (G) In the case of an applicant for an initial ~~managing~~ advanced esthetician license, does either of the following: 1543  
1544
- (1) Has the licensed ~~managing~~ advanced esthetician, licensed ~~managing~~ advanced cosmetologist, or owner of a licensed esthetics salon or licensed beauty salon located in this or another state certify to the board that the applicant has practiced esthetics for at least ~~two~~ one thousand eight hundred hours as an esthetician in a licensed esthetics salon or as a cosmetologist in a licensed beauty salon; 1545  
1546  
1547  
1548  
1549  
1550  
1551
- (2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as an esthetician or cosmetologist, at least one hundred fifty hours of board-approved ~~managing~~ advanced esthetician training. 1552  
1553  
1554  
1555  
1556

(H) In the case of an applicant for an initial ~~managing-~~ 1557  
advanced hair designer license, does either of the following: 1558

(1) Has the licensed ~~managing-advanced~~ hair designer, 1559  
licensed ~~managing-advanced~~ cosmetologist, or owner of a licensed 1560  
hair design salon or licensed beauty salon located in this or 1561  
another state certify to the board that the applicant has 1562  
practiced hair design for at least ~~two thousand~~ one thousand 1563  
eight hundred hours as a hair designer in a licensed hair design 1564  
salon or as a cosmetologist in a licensed beauty salon; 1565

(2) Has a school of cosmetology licensed in this state 1566  
certify to the board that the applicant has successfully 1567  
completed, in addition to the hours required for licensure as a 1568  
hair designer or cosmetologist, at least two hundred forty hours 1569  
of board-approved ~~managing-advanced~~ hair designer training. 1570

(I) In the case of an applicant for an initial ~~managing-~~ 1571  
advanced manicurist license, does either of the following: 1572

(1) Has the licensed ~~managing-advanced~~ manicurist, 1573  
licensed ~~managing-advanced~~ cosmetologist, or owner of a licensed 1574  
nail salon, licensed beauty salon, or licensed barber shop 1575  
located in this or another state certify to the board that the 1576  
applicant has practiced manicuring for at least ~~two~~ one thousand 1577  
eight hundred hours as a manicurist in a licensed nail salon or 1578  
licensed barber shop or as a cosmetologist in a licensed beauty 1579  
salon or licensed barber shop; 1580

(2) Has a school of cosmetology licensed in this state 1581  
certify to the board that the applicant has successfully 1582  
completed, in addition to the hours required for licensure as a 1583  
manicurist or cosmetologist, at least one hundred hours of 1584  
board-approved ~~managing-advanced~~ manicurist training. 1585



(J) In the case of an applicant for an initial ~~managing-~~ 1586  
advanced natural hair stylist license, does either of the 1587  
following: 1588

(1) Has the licensed ~~managing-~~ advanced natural hair 1589  
stylist, licensed ~~managing-~~ advanced cosmetologist, or owner of a 1590  
licensed natural hair style salon or licensed beauty salon 1591  
located in this or another state certify to the board that the 1592  
applicant has practiced natural hair styling for at least ~~two-~~ 1593  
one thousand eight hundred hours as a natural hair stylist in a 1594  
licensed natural hair style salon or as a cosmetologist in a 1595  
licensed beauty salon; 1596

(2) Has a school of cosmetology licensed in this state 1597  
certify to the board that the applicant has successfully 1598  
completed, in addition to the hours required for licensure as 1599  
natural hair stylist or cosmetologist, at least one hundred 1600  
fifty hours of board-approved ~~managing-~~ advanced natural hair 1601  
stylist training. 1602

**Sec. 4713.31.** The state board of cosmetology shall issue 1603  
an instructor license to an applicant who satisfies all of the 1604  
following applicable conditions: 1605

(A) Is at least eighteen years of age; 1606

(B) Is of good moral character; 1607

(C) Has the equivalent of an Ohio public school twelfth 1608  
grade education; 1609

(D) Pays to the board the applicable fee; 1610

(E) In the case of an applicant for an initial cosmetology 1611  
instructor license, holds a current, valid ~~managing-~~ advanced 1612  
cosmetologist license issued in this state and does either of 1613

the following: 1614

(1) Has the licensed ~~managing-advanced~~ cosmetologist or 1615  
owner of the licensed beauty salon in which the applicant has 1616  
been employed certify to the board that the applicant has 1617  
engaged in the practice of cosmetology in a licensed beauty 1618  
salon for at least ~~two-one~~ thousand eight hundred hours; 1619

(2) Has a school of cosmetology licensed in this state 1620  
certify to the board that the applicant has successfully 1621  
completed one thousand hours of board-approved cosmetology 1622  
instructor training as an apprentice instructor. 1623

(F) In the case of an applicant for an initial esthetics 1624  
instructor license, holds a current, valid ~~managing-advanced~~ 1625  
esthetician or ~~managing-advanced~~ cosmetologist license issued in 1626  
this state and does either of the following: 1627

(1) Has the licensed ~~managing-advanced~~ esthetician, 1628  
licensed ~~managing-advanced~~ cosmetologist, or owner of the 1629  
licensed esthetics salon or licensed beauty salon in which the 1630  
applicant has been employed certify to the board that the 1631  
applicant has engaged in the practice of esthetics in a licensed 1632  
esthetics salon or practice of cosmetology in a licensed beauty 1633  
salon for at least ~~two-one~~ thousand eight hundred hours; 1634

(2) Has a school of cosmetology licensed in this state 1635  
certify to the board that the applicant has successfully 1636  
completed at least five hundred hours of board-approved 1637  
esthetics instructor training as an apprentice instructor. 1638

(G) In the case of an applicant for an initial hair design 1639  
instructor license, holds a current, valid ~~managing-advanced~~ 1640  
hair designer or ~~managing-advanced~~ cosmetologist license and 1641  
does either of the following: 1642

(1) Has the licensed ~~managing-advanced~~ hair designer, 1643  
licensed ~~managing-advanced~~ cosmetologist, or owner of the 1644  
licensed hair design salon or licensed beauty salon in which the 1645  
applicant has been employed certify to the board that the 1646  
applicant has engaged in the practice of hair design in a 1647  
licensed hair design salon or practice of cosmetology in a 1648  
licensed beauty salon for at least ~~two-one~~ thousand eight 1649  
hundred hours; 1650

(2) Has a school of cosmetology licensed in this state 1651  
certify to the board that the applicant has successfully 1652  
completed at least eight hundred hours of board-approved hair 1653  
design instructor's training as an apprentice instructor. 1654

(H) In the case of an applicant for an initial manicurist 1655  
instructor license, holds a current, valid ~~managing-advanced~~ 1656  
manicurist or ~~managing-advanced~~ cosmetologist license and does 1657  
either of the following: 1658

(1) Has the licensed ~~managing-advanced~~ manicurist, 1659  
licensed ~~managing-advanced~~ cosmetologist, or owner of the 1660  
licensed nail salon or licensed beauty salon in which the 1661  
applicant has been employed certify to the board that the 1662  
applicant has engaged in the practice of manicuring in a 1663  
licensed nail salon or practice of cosmetology in a licensed 1664  
beauty salon for at least ~~two-one~~ thousand eight hundred hours; 1665

(2) Has a school of cosmetology licensed in this state 1666  
certify to the board that the applicant has successfully 1667  
completed at least three hundred hours of board-approved 1668  
manicurist instructor training as an apprentice instructor. 1669

(I) In the case of an applicant for an initial natural 1670  
hair style instructor license, holds a current, valid ~~managing-~~ 1671

advanced natural hair stylist or ~~managing-advanced~~ cosmetologist 1672  
license and does either of the following: 1673

(1) Has the licensed ~~managing-advanced~~ natural hair 1674  
stylist, licensed ~~managing-advanced~~ cosmetologist, or owner of 1675  
the licensed natural hair style salon or licensed beauty salon 1676  
in which the applicant has been employed certify to the board 1677  
that the applicant has engaged in the practice of natural hair 1678  
styling in a licensed natural hair style salon or practice of 1679  
cosmetology in a licensed beauty salon for at least ~~two-one~~ 1680  
thousand eight hundred hours; 1681

(2) Has a school of cosmetology licensed in this state 1682  
certify to the board that the applicant has successfully 1683  
completed at least four hundred hours of board-approved natural 1684  
hair style instructor training as an apprentice instructor. 1685

(J) In the case of all applicants, passes an examination 1686  
conducted under division (B) of section 4713.24 of the Revised 1687  
Code for the branch of cosmetology the applicant seeks to 1688  
instruct. 1689

**Sec. 4713.34.** The state board of cosmetology shall issue a 1690  
license to practice a branch of cosmetology, ~~managing license,~~ 1691  
or instructor license to an applicant who is licensed or 1692  
registered in another state or country to practice that branch 1693  
of cosmetology, ~~manage that type of salon,~~ or teach the theory 1694  
and practice of that branch of cosmetology, as appropriate, if 1695  
all of the following conditions are satisfied: 1696

(A) The applicant satisfies all of the following 1697  
conditions: 1698

(1) Is not less than eighteen years of age; 1699

(2) Is of good moral character; 1700

(3) In the case of an applicant for a practicing licensee ~~or~~ 1701  
~~managing license~~, passes an examination conducted under section 1702  
4713.24 of the Revised Code for the license the applicant seeks, 1703  
unless the applicant satisfies conditions specified in rules 1704  
adopted under section 4713.08 of the Revised Code for the board 1705  
to issue the applicant a license without taking the examination; 1706

(4) Pays the applicable fee. 1707

(B) At the time the applicant obtained the license or 1708  
registration in the other state or country, the requirements in 1709  
this state for obtaining the license the applicant seeks were 1710  
substantially equal to the other state or country's 1711  
requirements. 1712

(C) The jurisdiction that issued the applicant's license 1713  
or registration extends similar reciprocity to ~~persons~~ 1714  
individuals holding a license issued by the board. 1715

**Sec. 4713.35.** ~~A person~~ An individual who holds a current, 1716  
valid cosmetologist or advanced cosmetologist license issued by 1717  
the state board of cosmetology may engage in the practice of one 1718  
or more branches of cosmetology as the ~~person~~ individual chooses 1719  
in a licensed facility. 1720

~~A person~~ An individual who holds a current, valid 1721  
esthetician or advanced esthetician license issued by the board 1722  
may engage in the practice of esthetics but no other branch of 1723  
cosmetology in a licensed facility. 1724

~~A person~~ An individual who holds a current, valid hair 1725  
designer or advanced hair designer license issued by the board 1726  
may engage in the practice of hair design but no other branch of 1727  
cosmetology in a licensed facility. 1728

~~A person~~ An individual who holds a current, valid 1729

~~manicurist or advanced manicurist~~ license issued by the board 1730  
may engage in the practice of manicuring but no other branch of 1731  
cosmetology in a licensed facility. 1732

~~A person~~An individual who holds a current, valid natural 1733  
~~hair stylist or advanced natural hair stylist~~ license issued by 1734  
the board may engage in the practice of natural hair styling but 1735  
no other branch of cosmetology in a licensed facility. 1736

~~A person who holds a current, valid managing cosmetologist~~ 1737  
~~license issued by the board may manage all types of salons and~~ 1738  
~~engage in the practice of one or more branches of cosmetology as~~ 1739  
~~the person chooses.~~ 1740

~~A person who holds a current, valid managing esthetician~~ 1741  
~~license issued by the board may manage an esthetics salon, but~~ 1742  
~~no other type of salon, and engage in the practice of esthetics,~~ 1743  
~~but no other branch of cosmetology.~~ 1744

~~A person who holds a current, valid managing hair designer~~ 1745  
~~license issued by the board may manage a hair design salon, but~~ 1746  
~~no other type of salon, and engage in the practice of hair~~ 1747  
~~design, but no other branch of cosmetology.~~ 1748

~~A person who holds a current, valid managing manicurist~~ 1749  
~~license issued by the board may manage a nail salon, but no~~ 1750  
~~other type of salon, and engage in the practice of manicuring,~~ 1751  
~~but no other branch of cosmetology.~~ 1752

~~A person who holds a current, valid managing natural hair~~ 1753  
~~stylist license issued by the board may manage a natural hair~~ 1754  
~~style salon, but no other type of salon, and engage in the~~ 1755  
~~practice of natural hair styling, but no other branch of~~ 1756  
~~cosmetology.~~ 1757

~~A person~~An individual who holds a current, valid 1758

cosmetology instructor license issued by the board may teach the 1759  
theory and practice of one or more branches of cosmetology at a 1760  
school of cosmetology as the ~~person~~individual chooses. 1761

~~A person~~An individual who holds a current, valid 1762  
esthetics instructor license issued by the board may teach the 1763  
theory and practice of esthetics, but no other branch of 1764  
cosmetology, at a school of cosmetology. 1765

~~A person~~An individual who holds a current, valid hair 1766  
design instructor license issued by the board may teach the 1767  
theory and practice of hair design, but no other branch of 1768  
cosmetology, at a school of cosmetology. 1769

~~A person~~An individual who holds a current, valid 1770  
manicurist instructor license issued by the board may teach the 1771  
theory and practice of manicuring, but no other branch of 1772  
cosmetology, at a school of cosmetology. 1773

~~A person~~An individual who holds a current, valid natural 1774  
hair style instructor license issued by the board may teach the 1775  
theory and practice of natural hair styling, but no other branch 1776  
of cosmetology, at a school of cosmetology. 1777

An individual who holds a current, valid boutique 1778  
registration with the board may engage in the practice of 1779  
boutique services but no other branch of cosmetology. 1780

**Sec. 4713.36.** A licensed manicurist or licensed ~~managing~~ 1781  
~~advanced~~ manicurist may engage in the practice of manicuring at 1782  
a nail salon or beauty salon licensed under section 4713.41 of 1783  
the Revised Code or a barber shop licensed under Chapter 4709. 1784  
of the Revised Code. 1785

**Sec. 4713.37.** (A) The state board of cosmetology may issue 1786  
a temporary special occasion work permit to ~~a person~~an 1787

individual who satisfies all of the following conditions: 1788

(1) Has been licensed or registered in another state or 1789  
country to practice a branch of cosmetology or teach the theory 1790  
and practice of a branch of cosmetology for at least five years; 1791

(2) Is a recognized expert in the practice or teaching of 1792  
the branch of cosmetology the ~~person~~individual practices or 1793  
teaches; 1794

(3) Is to practice that branch of cosmetology or teach the 1795  
theory and practice of that branch of cosmetology in this state 1796  
as part of a promotional or instructional program for not more 1797  
than the amount of time a temporary special occasion work permit 1798  
is effective; 1799

(4) Satisfies all other conditions for a temporary special 1800  
occasion work permit established by rules adopted under section 1801  
4713.08 of the Revised Code; 1802

(5) Pays the fee established by rules adopted under 1803  
section 4713.08 of the Revised Code. 1804

(B) ~~A person~~An individual issued a temporary special 1805  
occasion work permit may practice the branch of cosmetology the 1806  
~~person~~individual practices in another state or country, or 1807  
teach the theory and practice of the branch of cosmetology the 1808  
~~person~~individual teaches in another state or country, until the 1809  
expiration date of the permit. A temporary special occasion work 1810  
permit is valid for the period of time specified in rules 1811  
adopted under section 4713.08 of the Revised Code. 1812

**Sec. 4713.39.** The state board of cosmetology shall issue a 1813  
license to engage in the practice of a branch of cosmetology as 1814  
an independent contractor to an applicant who pays the 1815  
applicable fee; holds a current, valid license ~~to manage~~for the 1816



type of salon in which the applicant will practice that branch 1817  
of cosmetology; and satisfies the conditions for the license 1818  
established by rules adopted under section 4713.08 of the 1819  
Revised Code. 1820

**Sec. 4713.41.** The state board of cosmetology shall issue a 1821  
license to operate a salon, including a boutique salon, to an 1822  
applicant who pays the applicable fee and affirms that all of 1823  
the following conditions will be met: 1824

(A) (1) ~~A person~~ An individual holding a current, valid 1825  
~~managing~~ cosmetologist license or license to manage that type of 1826  
~~salon has charge of and immediate supervision over~~ or boutique 1827  
services registration pertaining to the branch of cosmetology 1828  
services performed at the salon or boutique salon, shall have 1829  
charge of and immediate supervision over the salon at all times 1830  
when the salon is open for business except as permitted under 1831  
division (A) (2) of this section. 1832

(2) A business establishment that is engaged primarily in 1833  
retail sales but is also licensed as a salon shall have ~~a person~~ 1834  
present an individual holding a current, valid ~~managing~~ license 1835  
~~for or registration to practice in~~ that type of salon in charge 1836  
of and in immediate supervision of the salon during posted or 1837  
advertised service hours, if the practice of cosmetology is 1838  
restricted to those posted or advertised service hours. 1839

(B) The salon is equipped to do all of the following: 1840

(1) Provide potable running hot and cold water and proper 1841  
drainage; 1842

(2) Sanitize all instruments and supplies used in the 1843  
branch of cosmetology provided at the salon; 1844

(3) If cosmetic therapy, massage therapy, or other 1845

professional service is provided at the salon under section 1846  
4713.42 of the Revised Code, sanitize all instruments and 1847  
supplies used in the cosmetic therapy, massage therapy, or other 1848  
professional service. 1849

(C) Except as provided in sections 4713.42 and 4713.49 of 1850  
the Revised Code, only the branch of cosmetology that the salon 1851  
is licensed to provide is practiced at the salon. 1852

(D) The salon is kept in a clean and sanitary condition 1853  
and properly ventilated. 1854

(E) No food is sold at the salon in a manner inconsistent 1855  
with rules adopted under section 4713.08 of the Revised Code. 1856

(F) A notice that contains a toll-free number and online 1857  
process for reporting alleged violations of this chapter, as 1858  
prescribed by the board of cosmetology, is posted at the salon 1859  
in a common area for all customers of salon services. 1860

**Sec. 4713.42.** ~~A person~~ An individual holding a current, 1861  
valid certificate issued under section 4731.15 of the Revised 1862  
Code to provide cosmetic therapy or massage therapy may provide 1863  
cosmetic therapy or massage therapy, as appropriate, in a salon. 1864  
~~A person~~ An individual holding a current, valid license or 1865  
certificate issued by a professional regulatory board of this 1866  
state may practice the ~~person's~~ individual's profession in a 1867  
salon if the ~~person's~~ individual's profession is authorized by 1868  
rules adopted under section 4713.08 of the Revised Code to 1869  
practice in a salon. 1870

~~A person~~ An individual providing cosmetic therapy, massage 1871  
therapy, or other professional service in a salon pursuant to 1872  
this section shall satisfy the standards established by rules 1873  
adopted under section 4713.08 of the Revised Code. 1874

**Sec. 4713.44.** (A) The state board of cosmetology shall 1875  
issue a license to operate a school of cosmetology to an 1876  
applicant who pays the applicable fee and satisfies all of the 1877  
following requirements: 1878

(1) Maintains a course of practical training and technical 1879  
instruction for the branch or branches of cosmetology to be 1880  
taught at the school equal to the requirements for admission to 1881  
an examination under section 4713.24 of the Revised Code that ~~a~~ 1882  
~~person~~ an individual must pass to obtain a license to practice 1883  
that branch or those branches of cosmetology; 1884

(2) Possesses or makes available apparatus and equipment 1885  
sufficient for the ready and full teaching of all subjects of 1886  
the curriculum; 1887

(3) Maintains ~~persons~~ individuals licensed under section 1888  
4713.31 or 4713.34 of the Revised Code to teach the theory and 1889  
practice of the branches of cosmetology; 1890

(4) Notifies the board of the enrollment of each new 1891  
student, keeps a record devoted to the different practices, 1892  
establishes grades, and holds examinations in order to certify 1893  
the students' completion of the prescribed course of study 1894  
before the issuance of certificates of completion; 1895

(5) In the case of a school of cosmetology that offers 1896  
clock hours for the purpose of satisfying minimum hours of 1897  
training and instruction, keeps a daily record of the attendance 1898  
of each student; 1899

(6) On the date that an apprentice cosmetology instructor 1900  
begins cosmetology instructor training at the school, certifies 1901  
the name of the apprentice cosmetology instructor to the board 1902  
along with the date on which the apprentice's instructor 1903

training began; 1904

(7) Instructs not more than six apprentice cosmetology 1905  
instructors at any one time; 1906

(8) Files with the board a good and sufficient surety bond 1907  
executed by the ~~person~~individual, firm, or corporation operating 1908  
the school of cosmetology as principal and by a surety company 1909  
as surety in the amount of ten thousand dollars; provided, that 1910  
this requirement does not apply to a vocational or career- 1911  
technical school program conducted by a city, exempted village, 1912  
local, or joint vocational school district. The bond shall be in 1913  
the form prescribed by the board and be conditioned upon the 1914  
school's continued instruction in the theory and practice of the 1915  
branches of cosmetology. Every bond shall continue in effect 1916  
until notice of its termination is given to the board by 1917  
registered mail and every bond shall so provide. 1918

(9) Establishes and maintains an internal procedure for 1919  
processing complaints filed against the school and for providing 1920  
students with instructions on how to file a complaint directly 1921  
with the board pursuant to section 4713.641 of the Revised Code. 1922

(B) A school of cosmetology holding a license issued under 1923  
division (A) of this section is an educational institution and 1924  
is authorized to offer educational programs beyond secondary 1925  
education, advanced practice programs, or both in accordance 1926  
with rules adopted by the board pursuant to section 4713.08 of 1927  
the Revised Code. 1928

(C) A school of cosmetology holding a license to operate a 1929  
school of cosmetology on ~~the effective date of this amendment~~ 1930  
September 29, 2013, shall establish and maintain an internal 1931  
procedure for processing complaints filed against the school and 1932

shall provide each of the school's students with instructions on 1933  
how to file a complaint directly with the board pursuant to 1934  
section 4713.641 of the Revised Code. 1935

**Sec. 4713.45.** (A) A school of cosmetology may do the 1936  
following: 1937

(1) In accordance with rules adopted under section 4713.08 1938  
of the Revised Code, a school of cosmetology operated by a 1939  
public entity or a private person may offer clock hours, credit 1940  
hours, or competency-based credits, ~~and a school of cosmetology~~ 1941  
~~that is operated by a private person may offer clock or credit~~ 1942  
~~hours,~~ for the purpose of satisfying minimum hours of training 1943  
and instruction; 1944

(2) Allow an apprentice cosmetology instructor the regular 1945  
quota of students prescribed by the state board of cosmetology 1946  
if a cosmetology instructor is present; 1947

(3) Compensate an apprentice cosmetology instructor; 1948

(4) Subject to division (B) of this section, employ ~~a~~ 1949  
~~person~~ an individual who does not hold a current, valid 1950  
instructor license to teach subjects related to a branch of 1951  
cosmetology. 1952

(B) A school of cosmetology shall have a licensed 1953  
cosmetology instructor present when ~~a person~~ an individual 1954  
employed pursuant to division (A) (4) of this section teaches at 1955  
the school, unless the ~~person~~ individual is one of the 1956  
following: 1957

(1) ~~A person~~ An individual with a current, valid teacher's 1958  
certificate or educator license issued by the state board of 1959  
education; 1960

(2) ~~A person~~ An individual with a bachelor's degree in the 1961  
subject the person teaches at the school; 1962

(3) ~~A person~~ An individual also employed by a university 1963  
or college to teach the subject the person teaches at the 1964  
school. 1965

(C) A school of cosmetology shall annually review the 1966  
subjects and coursework required to receive an initial 1967  
cosmetology license and advanced license and, in doing so, shall 1968  
incorporate standards adopted by the state board of cosmetology 1969  
pursuant to division (A) (13) of section 4713.08 of the Revised 1970  
Code. 1971

**Sec. 4713.48.** (A) The state board of cosmetology shall 1972  
issue a permit to operate a tanning facility to an applicant if 1973  
all of the following conditions are satisfied: 1974

(1) The applicant applies in accordance with the 1975  
application process adopted by rules adopted under section 1976  
4713.08 of the Revised Code. 1977

(2) The applicant pays to the treasurer of state the fee 1978  
established by those rules. 1979

(3) An initial inspection of the premises indicates that 1980  
the tanning facility has been installed and will be operated in 1981  
accordance with those rules. 1982

(B) A permit holder shall post the permit in a public and 1983  
conspicuous place on any premises where the tanning facility is 1984  
located. ~~A person~~ An individual shall obtain a separate permit 1985  
for each of the premises owned or operated by that ~~person~~ 1986  
individual at which the ~~person~~ individual seeks to operate a 1987  
tanning facility. 1988

(C) ~~A~~ To continue operating, a permit holder may shall 1989  
biennially renew ~~a~~ the permit by the last day of January of each 1990  
odd-numbered year ~~upon~~. The board shall renew the permit upon 1991  
the holder's payment to the treasurer of state of the biennial 1992  
renewal fee. 1993

**Sec. 4713.55.** Every license issued by the state board of 1994  
cosmetology shall be signed by the chairperson and attested by 1995  
the executive director ~~thereof~~ of the board, with the seal of the 1996  
board attached. 1997

The board shall specify on each practicing license that 1998  
the board issues the branch of cosmetology that the license 1999  
entitles the holder to practice. The board shall specify on each 2000  
~~managing advanced~~ license that the board issues the type of 2001  
salon ~~that in which~~ the license entitles the holder to ~~manage~~ 2002  
work and the branch of cosmetology that the license entitles the 2003  
holder to practice. The board shall specify on each instructor 2004  
license that the board issues the branch of cosmetology that the 2005  
license entitles the holder to teach. The board shall specify on 2006  
each salon license that the board issues the branch of 2007  
cosmetology that the license entitles the holder to offer. The 2008  
board shall specify on each independent contractor license that 2009  
the board issues the branch of cosmetology that the license 2010  
entitles the holder to offer within a licensed salon. Such 2011  
licenses are prima-facie evidence of the right of the holder to 2012  
practice or teach the branch of cosmetology, ~~or manage the type~~ 2013  
~~of salon,~~ that the license specifies. 2014

**Sec. 4713.56.** Every holder of a practicing license, ~~or~~ 2015  
~~managing license,~~ instructor license, ~~or~~ independent contractor 2016  
license, or boutique service registration issued by the state 2017  
board of cosmetology shall ~~display~~ maintain the board-issued, 2018

~~wallet-sized license in a public and conspicuous place in the~~ 2019  
~~place of employment of the holder or electronically generated~~ 2020  
~~license certification or registration and a current government-~~ 2021  
~~issued photo identification that can be produced upon inspection~~ 2022  
~~or request.~~ 2023

Every holder of a license to operate a salon issued by the 2024  
board shall display the license in a public and conspicuous 2025  
place in the salon. 2026

Every holder of a license to operate a school of 2027  
cosmetology issued by the board shall display the license in a 2028  
public and conspicuous place in the school. 2029

Every ~~person~~individual who provides cosmetic therapy, 2030  
massage therapy, or other professional service in a salon under 2031  
section 4713.42 of the Revised Code shall ~~display~~maintain the 2032  
~~person's~~individual's professional license or certificate in a 2033  
~~public and conspicuous place in the room used for the therapy or~~ 2034  
~~other service~~and a state of Ohio issued photo identification 2035  
that can be produced upon inspection or request. 2036

**Sec. 4713.57.** A license or registration issued by the 2037  
state board of cosmetology is valid until the last day of 2038  
January of the odd-numbered year following its original issuance 2039  
or renewal, unless the license is revoked or suspended prior to 2040  
that date. Renewal shall be done in accordance with the standard 2041  
renewal procedure of Chapter 4745. of the Revised Code. The 2042  
board may refuse to renew a license if the ~~person~~individual 2043  
holding the license has an outstanding unpaid fine levied under 2044  
section 4713.64 of the Revised Code. 2045

**Sec. 4713.58.** (A) Except as provided in division (B) of 2046  
this section, on payment of the renewal fee and submission of 2047



proof satisfactory to the state board of cosmetology that any 2048  
applicable continuing education requirements have been 2049  
completed, ~~a person~~ an individual currently licensed as: 2050

(1) A cosmetology instructor who has previously been 2051  
licensed as a cosmetologist or ~~a managing~~ an advanced 2052  
cosmetologist, is entitled to the reissuance of a cosmetologist 2053  
or ~~managing~~ advanced cosmetologist license; 2054

(2) An esthetics instructor who has previously been 2055  
licensed as an esthetician or ~~a managing~~ an advanced 2056  
esthetician, is entitled to the reissuance of an esthetician or 2057  
~~managing~~ advanced esthetician license; 2058

(3) A hair design instructor who has previously been 2059  
licensed as a hair designer or ~~a managing~~ an advanced hair 2060  
designer, is entitled to the reissuance of a hair designer or 2061  
~~managing~~ advanced hair designer license; 2062

(4) A manicurist instructor who has previously been 2063  
licensed as a manicurist or ~~a managing~~ an advanced manicurist, 2064  
is entitled to the reissuance of a manicurist or ~~managing~~ 2065  
advanced manicurist license; 2066

(5) A natural hair style instructor who has previously 2067  
been licensed as a natural hair stylist or ~~a managing~~ an 2068  
advanced natural hair stylist, is entitled to the reissuance of 2069  
a natural hair stylist or ~~managing~~ advanced natural hair stylist 2070  
license. 2071

(B) No ~~person~~ individual is entitled to the reissuance of 2072  
a license under division (A) of this section if the license was 2073  
revoked or suspended or the ~~person~~ individual has an outstanding 2074  
unpaid fine levied under section 4713.64 of the Revised Code. 2075

**Sec. 4713.59.** If the state board of cosmetology adopts 2076

rules under section 4713.09 of the Revised Code to establish a 2077  
continuing education requirement as a condition of renewal for a 2078  
practicing license, ~~managing advanced~~ license, or instructor 2079  
license, the board shall inform each affected licensee of the 2080  
continuing education requirement that applies to the next 2081  
biennial licensing period by including ~~that information in the~~ 2082  
renewal notification ~~in the license renewal application form it~~ 2083  
sends the licensee. The notification shall state that the 2084  
licensee must complete the continuing education requirement by 2085  
the ~~last~~ fifteenth day of January of the next odd-numbered year. 2086

Hours completed in excess of the continuing education 2087  
requirement may not be applied to the next biennial licensing 2088  
period. 2089

**Sec. 4713.60.** (A) Except as provided in division (C) of 2090  
this section, ~~a person~~ an individual seeking a renewal of a 2091  
license to practice a branch of cosmetology, ~~managing advanced~~ 2092  
license, ~~or~~ instructor license, or boutique services 2093  
registration shall include in the renewal application proof 2094  
satisfactory to the board of completion of any applicable 2095  
continuing education requirements established by rules adopted 2096  
under section 4713.09 of the Revised Code. 2097

(B) If an applicant fails to provide satisfactory proof of 2098  
completion of any applicable continuing education requirements, 2099  
the board shall notify the applicant that the application is 2100  
incomplete. The board shall not renew the license or 2101  
registration until the applicant provides satisfactory proof of 2102  
completion of any applicable continuing education requirements. 2103  
The board may provide the applicant with an extension of up to 2104  
ninety days in which to complete the continuing education 2105  
requirement. In providing for the extension, the board may 2106

charge the licensee or registrant a fine of up to one hundred 2107  
dollars. 2108

(C) The board may waive, or extend the period for 2109  
completing, any continuing education requirement if a licensee 2110  
or registrant applies to the board and provides proof 2111  
satisfactory to the board of being unable to complete the 2112  
requirement within the time allowed because of any of the 2113  
following: 2114

(1) An emergency; 2115

(2) An unusual or prolonged illness; 2116

(3) Active duty service in any branch of the armed forces 2117  
of the United States or a reserve component of the armed forces 2118  
of the United States, including the Ohio national guard or the 2119  
national guard of any other state. 2120

The board shall determine the period of time during which 2121  
each extension is effective and shall inform the applicant. The 2122  
board shall also inform the applicant of the continuing 2123  
education requirements that must be met to have the license or 2124  
registration renewed. If an extension is granted for less than 2125  
one year, the continuing education requirement for that year, in 2126  
addition to the required continuing education for the succeeding 2127  
year, must be completed in the succeeding year. In all other 2128  
cases the board may waive all or part of the continuing 2129  
education requirement on a case-by-case basis. Any required 2130  
continuing education shall be completed and satisfactory proof 2131  
of its completion submitted to the board by a date specified by 2132  
the board. Every license ~~which~~ or registration that has not been 2133  
~~renewed in any odd-numbered year by the last day of January in~~ 2134  
the timeframe specified in section 4713.57 of the Revised Code 2135

and for which the continuing education requirement has not been 2136  
waived or extended shall be considered expired. 2137

**Sec. 4713.61.** (A) If the state board of cosmetology adopts 2138  
a continuing education requirement under section 4713.09 of the 2139  
Revised Code, it may develop a procedure by which ~~a person~~an 2140  
individual who holds a license to practice a branch of 2141  
cosmetology, ~~managing an advanced~~ license, or instructor license 2142  
and who is not currently engaged in the practice of the branch 2143  
of cosmetology, ~~managing a salon,~~ or teaching the theory and 2144  
practice of the branch of cosmetology, but who desires to be so 2145  
engaged in the future, may apply to the board to have the 2146  
~~person's~~individual's license classified inactive. If the board 2147  
develops such a procedure, ~~a person~~an individual seeking to 2148  
have the ~~person's~~individual's license classified inactive shall 2149  
apply to the board on a form provided by the board and pay the 2150  
fee established by rules adopted under section 4713.08 of the 2151  
Revised Code. 2152

(B) The board shall not restore an inactive license until 2153  
the later of the following: 2154

(1) The date that the ~~person~~individual holding the 2155  
license submits proof satisfactory to the board that the ~~person~~individual 2156  
individual has completed the continuing education that a rule 2157  
adopted under section 4713.08 of the Revised Code requires; 2158

(2) The last day of January of the next odd-numbered year 2159  
following the year the license is classified inactive. 2160

(C) ~~A person~~An individual who holds an inactive license 2161  
may engage in the practice of a branch of cosmetology if the 2162  
~~person~~individual holds a temporary work permit as specified in 2163  
rules adopted by the board under section 4713.08 of the Revised 2164

Code. 2165

**Sec. 4713.62.** (A) ~~A person~~ An individual holding a 2166  
practicing license, ~~managing advanced license, or instructor~~ 2167  
license, or boutique services registration may satisfy a 2168  
continuing education requirement established by rules adopted 2169  
under section 4713.09 of the Revised Code only by completing 2170  
continuing education programs approved under division (B) of 2171  
this section ~~or developed under division (C) of this section.~~ 2172

(B) The state board of cosmetology shall approve a 2173  
continuing education program if all of the following conditions 2174  
are satisfied: 2175

(1) The person operating the program submits to the board 2176  
a written application for approval. 2177

(2) The person operating the program pays to the board a 2178  
fee established by rules adopted under section 4713.08 of the 2179  
Revised Code. 2180

(3) The program is operated by an employee, officer, or 2181  
director of a nonprofit professional association, college or 2182  
university, proprietary continuing education institutions 2183  
providing programs approved by the board, vocational school, 2184  
postsecondary proprietary school of cosmetology licensed by the 2185  
board, salon licensed by the board, or manufacturer of supplies 2186  
or equipment used in the practice of a branch of cosmetology. 2187

(4) The program will do at least one of the following: 2188

(a) Enhance the professional competency of the affected 2189  
licensees or registrants; 2190

(b) Protect the public; 2191

(c) Educate the affected licensees or registrants in the 2192

application of the laws and rules regulating the practice of a 2193  
branch of cosmetology. 2194

(5) The person operating the program provides the board a 2195  
tentative schedule of when the program will be available so that 2196  
the board can make the schedule readily available to all 2197  
licensees and registrants throughout the state. 2198

**Sec. 4713.63.** A practicing license, ~~managing~~ advanced 2199  
license, or instructor license that has not been renewed for any 2200  
reason other than because it has been revoked, suspended, or 2201  
classified inactive, or because the license holder has been 2202  
given a waiver or extension under section 4713.60 of the Revised 2203  
Code, is expired. An expired license may be restored if the 2204  
~~person~~ individual who held the license meets all of the 2205  
following applicable conditions: 2206

(A) Pays to the state board of cosmetology the restoration 2207  
~~fee, the current renewal fee, and any applicable late fees~~ 2208  
established under section 4713.10 of the Revised Code; 2209

(B) ~~Pays a lapsed renewal fee of forty five dollars per~~ 2210  
~~license renewal period that has elapsed since the license was~~ 2211  
~~last issued or renewed;~~ 2212

~~(C)~~ In the case of a practicing license or ~~managing~~ 2213  
advanced license that has been expired for more than two 2214  
consecutive license renewal periods, completes eight hours of 2215  
continuing education for each license renewal period that has 2216  
elapsed since the license was last issued or renewed, up to a 2217  
maximum of twenty-four hours. At least four of those hours shall 2218  
include a course pertaining to sanitation and safety methods. 2219

The board shall deposit all fees it receives under 2220  
division (B) of this section into the general revenue fund. 2221

<b>Sec. 4713.64.</b> (A) The state board of cosmetology may take	2222
disciplinary action for any of the following:	2223
(1) Failure to comply with the <u>safety, sanitation, and</u>	2224
<u>licensing</u> requirements of this chapter or rules adopted under	2225
it;	2226
(2) Continued practice by <del>a person</del> <u>an individual</u> knowingly	2227
having an infectious or contagious disease;	2228
(3) Habitual drunkenness or addiction to any habit-forming	2229
drug;	2230
(4) Willful false and fraudulent or deceptive advertising;	2231
(5) Falsification of any record or application required to	2232
be filed with the board;	2233
(6) Failure to pay a fine or abide by a suspension order	2234
issued by the board;	2235
<u>(7) Failure to cooperate with an investigation or</u>	2236
<u>inspection;</u>	2237
<u>(8) Failure to respond to a subpoena;</u>	2238
<u>(9) Conviction of or plea of guilty to a violation of</u>	2239
<u>section 2905.32 of the Revised Code;</u>	2240
<u>(10) In the case of a salon, any individual's conviction</u>	2241
<u>of or plea of guilty to a violation of section 2905.32 of the</u>	2242
<u>Revised Code for an activity that took place on the premises of</u>	2243
<u>the salon.</u>	2244
(B) On determining that there is cause for disciplinary	2245
action, the board may do one or more of the following:	2246
(1) Deny, revoke, or suspend a license <del>or</del> <u>, permit, or</u>	2247
<u>registration</u> issued by the board;	2248

(2) Impose a fine; 2249

(3) Require the holder of a license ~~or~~, permit, or  
registration to take corrective action courses. 2250  
2251

(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. 2252  
2253  
2254

(2) The board may take disciplinary action without  
conducting an adjudication under Chapter 119. of the Revised  
Code against an individual or salon who 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. 2255  
2256  
2257  
2258  
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(3) In lieu of an adjudication, the board may enter into a  
consent agreement with the holder of a license, permit, or  
registration. 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. 2262  
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(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. 2272  
2273  
2274

~~(D)~~ (E) (1) The board may impose a separate fine for each  
offense listed in division (A) of this section. The amount of ~~a~~  
the first fine issued for a violation as the result of an 2275  
2276  
2277



inspection shall be not more than ~~five~~two hundred fifty dollars 2278  
if the violator has not previously been fined for that offense. 2279  
Any fines issued for additional violations during such an 2280  
inspection shall not be more than one hundred dollars for each 2281  
additional violation. The fine shall be not more than ~~one~~ 2282  
~~thousand~~five hundred dollars if the violator has been fined for 2283  
the same offense once before. Any fines issued for additional 2284  
violations during a second inspection shall not be more than two 2285  
hundred dollars for each additional violation. The fine shall be 2286  
not more than one thousand ~~five hundred~~ dollars if the violator 2287  
has been fined for the same offense two or more times before. 2288  
Any fines issued for additional violations during a third 2289  
inspection shall not be more than three hundred dollars for each 2290  
additional violation. 2291

(2) The board shall issue an order notifying a violator of 2292  
a fine imposed under division (E) (1) of this section. The notice 2293  
shall specify the date by which the fine is to be paid. The date 2294  
shall be less than forty-five days after the board issues the 2295  
order. 2296

(3) At the request of a violator who is temporarily unable 2297  
to pay a fine, or upon its own motion, the board may extend the 2298  
time period within which the violator shall pay the fine up to 2299  
ninety days after the date the board issues the order. 2300

(4) If a violator fails to pay a fine by the date 2301  
specified in the board's order and does not request an extension 2302  
within ten days after the date the board issues the order, or if 2303  
the violator fails to pay the fine within the extended time 2304  
period as described in division (E) (3) of this section, the 2305  
board shall add to the fine an additional penalty equal to ten 2306  
per cent of the fine. 2307

(5) If a violator fails to pay a fine within ninety days 2308  
after the board issues the order, the board shall add to the 2309  
fine interest at a rate specified by the board in rules adopted 2310  
under section 4713.08 of the Revised Code. 2311

(6) If the fine, including any interest or additional 2312  
penalty, remains unpaid on the ninety-first day after the board 2313  
issues an order under division (E) (2) of this section, the 2314  
amount of the fine and any interest or additional penalty shall 2315  
be certified to the attorney general for collection in the form 2316  
and manner prescribed by the attorney general. The attorney 2317  
general may assess the collection cost to the amount certified 2318  
in such a manner and amount as prescribed by the attorney 2319  
general. 2320

(F) In the case of an offense of failure to comply with 2321  
division (A) or (B) (2) or (3) of section 4713.50 of the Revised 2322  
Code, the board shall impose a fine of five hundred dollars if 2323  
the violator has not previously been fined for that offense. If 2324  
the violator has previously been fined for the offense, the 2325  
board may impose a fine in accordance with this division or take 2326  
another action in accordance with division (B) of this section. 2327

~~(E)~~(G) The board shall notify a licensee or registrant 2328  
who is in violation of division (A) of this section and the 2329  
owner of the salon in which the conditions constituting the 2330  
violation were found. The individual receiving the notice of 2331  
violation and the owner of the salon may request a hearing 2332  
pursuant to section 119.07 of the Revised Code. If a person—the 2333  
individual or owner fails to request a hearing within or enter 2334  
into a consent agreement thirty days of—after the date the 2335  
board, in accordance with section 119.07 of the Revised Code and 2336  
division (J) of this section, notifies the person—individual or 2337

owner of the board's intent to act against the ~~person~~individual 2338  
or owner under division (A) of this section, the board by a 2339  
majority vote of a quorum of the board members may take the 2340  
action against the ~~person~~individual or owner without holding an 2341  
adjudication hearing. 2342

~~(F)~~(H) The board, after a hearing in accordance with 2343  
Chapter 119. of the Revised Code or pursuant to a consent 2344  
agreement, may suspend a ~~tanning facility license, permit, or~~ 2345  
registration if the ~~owner or operator~~licensee, permit holder, 2346  
or registrant fails to correct an unsafe condition that exists 2347  
in violation of the board's rules or fails to cooperate in an 2348  
inspection ~~of the tanning facility~~. If a violation of this 2349  
chapter or rules adopted under it has resulted in a condition 2350  
reasonably believed by an inspector to create an immediate 2351  
danger to the health and safety of any ~~person~~individual using 2352  
the ~~tanning facility~~, the inspector may suspend the license or 2353  
permit of the facility or the individual responsible for the 2354  
violation without a prior hearing until the condition is 2355  
corrected or until a hearing in accordance with Chapter 119. of 2356  
the Revised Code is held or a consent agreement is entered into 2357  
and the board either upholds the suspension or reinstates the 2358  
license, permit, or registration. 2359

(I) The board shall not take disciplinary action against 2360  
an individual licensed to operate a salon or school of 2361  
cosmetology for a violation of this chapter that was committed 2362  
by an individual licensed to practice a branch of cosmetology, 2363  
while practicing within the salon or school, when the 2364  
individual's actions were beyond the control of the salon owner 2365  
or school. 2366

(J) In addition to the methods of notification required 2367

under section 119.07 of the Revised Code, the board may send the 2368  
notices required under divisions (C) (2), (E) (2), and (G) of this 2369  
section by any delivery method that is traceable and requires 2370  
that the delivery person obtain a signature to verify that the 2371  
notice has been delivered. The board also may send the notices 2372  
by electronic mail, provided that the electronic mail delivery 2373  
system certifies that a notice has been received. 2374

**Sec. 4713.641.** Any student or former student of a school 2375  
of cosmetology licensed under division (A) of section 4713.44 of 2376  
the Revised Code may file a complaint with the state board of 2377  
cosmetology alleging that the school has violated division (A) 2378  
of section 4713.64 of the Revised Code. The complaint shall be 2379  
in writing and signed by the ~~person~~individual bringing the 2380  
complaint. Upon receiving a complaint, the board shall initiate 2381  
a preliminary investigation to determine whether it is probable 2382  
that a violation was committed. If the board determines after 2383  
preliminary investigation that it is not probable that a 2384  
violation was committed, the board shall notify the ~~person~~ 2385  
individual who filed the complaint of the board's findings and 2386  
that the board will not issue a formal complaint in the matter. 2387  
If the board determines after a preliminary investigation that 2388  
it is probable that a violation was committed, the board shall 2389  
proceed against the school pursuant to the board's authority 2390  
under section 4713.64 of the Revised Code and in accordance with 2391  
the hearing and notice requirements prescribed in Chapter 119. 2392  
of the Revised Code. 2393

**Sec. 4713.66.** (A) The state board of cosmetology, on its 2394  
own motion or on receipt of a written complaint, may investigate 2395  
or inspect the activities or premises of an individual or entity 2396  
who is alleged to have violated this chapter or rules adopted 2397  
under it, regardless of whether the individual or entity holds a 2398

license or registration issued under this chapter. 2399

(B) If, based on its investigation, the board determines 2400  
that there is reasonable cause to believe that an individual or 2401  
entity has violated this chapter or rules adopted under it, the 2402  
board shall afford the individual or entity an opportunity for a 2403  
hearing. Notice shall be given and any hearing conducted in 2404  
accordance with Chapter 119. of the Revised Code. 2405

(C) The board shall maintain a transcript of the hearing 2406  
and issue a written opinion to all parties, citing its findings 2407  
and ground for any action it takes. Any action shall be taken in 2408  
accordance with section 4713.64 of the Revised Code. 2409

**Sec. 4713.69.** (A) The state board of cosmetology shall 2410  
issue a boutique services registration to an applicant who 2411  
satisfies all of the following applicable conditions: 2412

(1) Is at least sixteen years of age; 2413

(2) Is of good moral character; 2414

(3) Has the equivalent of an Ohio public school tenth 2415  
grade education; 2416

(4) Has submitted a written application on a form 2417  
prescribed by the board containing all of the following: 2418

(a) The applicant's name and home address; 2419

(b) The applicant's home telephone number and cellular 2420  
telephone number, if any; 2421

(c) The applicant's electronic mail address, if any; 2422

(d) The applicant's date of birth; 2423

(e) The address and telephone number where boutique 2424  
services will be performed. The address shall not contain a post 2425

<u>office box number.</u>	2426
<u>(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;</u>	2427
	2428
	2429
	2430
<u>(g) Whether the applicant has ever had an occupational license, certification, or registration suspended, revoked, or denied in any state;</u>	2431
	2432
	2433
<u>(h) An affidavit providing proof of formal training or apprenticeship under an individual providing such services.</u>	2434
	2435
<u>(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.</u>	2436
	2437
	2438
	2439
<u>(C) Within six months of the effective date of this section, 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.</u>	2440
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<b>Sec. 4713.99.</b> Whoever violates section 4713.14 of the Revised Code is guilty of a misdemeanor of the fourth degree on a first offense; on each subsequent offense, such <del>person</del> <u>individual</u> is guilty of a misdemeanor of the third degree.	2444
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<b>Section 2.</b> That existing sections 2925.01, 4713.01, 4713.02, 4713.03, 4713.06, 4713.07, 4713.08, 4713.081, 4713.082, 4713.09, 4713.10, 4713.13, 4713.14, 4713.141, 4713.16, 4713.17, 4713.20, 4713.21, 4713.22, 4713.24, 4713.25, 4713.26, 4713.28, 4713.30, 4713.31, 4713.34, 4713.35, 4713.36, 4713.37, 4713.39, 4713.41, 4713.42, 4713.44, 4713.45, 4713.48, 4713.55, 4713.56, 4713.57, 4713.58, 4713.59, 4713.60, 4713.61, 4713.62, 4713.63,	2448
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4713.64, 4713.641, and 4713.99 of the Revised Code are hereby 2455  
repealed. 2456

**Section 3.** Not more than two years after the effective 2457  
date of this act, the State Board of Cosmetology shall issue an 2458  
advanced license to all individuals holding a valid managing 2459  
license for the level of licensure attained by the individual 2460  
prior to the effective date of this act. 2461

**Section 4.** On or before December 31, 2016, the Governor 2462  
shall appoint the member of the State Board of Cosmetology who 2463  
holds a tanning permit, and the member who holds an esthetician 2464  
license as described in section 4713.02 of the Revised Code. The 2465  
initial terms of office shall be from the date of appointment 2466  
until October 31, 2021. 2467

**Section 5.** Notwithstanding division (A) of section 4713.02 2468  
of the Revised Code which, as a result of amendments made by 2469  
this act, no longer permits an owner or manager of a licensed 2470  
salon in which at least one person holding a current, valid 2471  
independent contractor license practices a branch of cosmetology 2472  
to be appointed to a seat on the Board of Cosmetology, an owner 2473  
or manager of such a salon who holds a seat on the Board on the 2474  
effective date of this act may retain that seat until the 2475  
current term of the seat expires. 2476