

**As Reported by the Senate Government Oversight and Reform Committee**

**131st General Assembly**

**Regular Session**

**2015-2016**

**Sub. S. B. No. 213**

**Senators Jordan, Tavares**

**Cosponsors: Senators Beagle, Brown, Eklund, Uecker, Yuko, Coley**

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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 building, or within one thousand feet of the boundaries of any school premises.

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

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

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

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

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



provided by a school is conducted, whether or not any 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 practice architecture issued or renewed and registered under Chapter 4703. of the Revised Code;	249 250 251
(4) A person who is registered as a landscape architect under Chapter 4703. of the Revised Code or who holds a permit as a landscape architect issued under that chapter;	252 253 254
(5) A person licensed under Chapter 4707. of the Revised Code;	255 256
(6) A person who has been issued a certificate of registration as a registered barber under Chapter 4709. of the Revised Code;	257 258 259
(7) A person licensed and regulated to engage in the business of a debt pooling company by a legislative authority, under authority of Chapter 4710. of the Revised Code;	260 261 262
(8) A person who has been issued a cosmetologist's license, hair designer's license, manicurist's license, esthetician's license, natural hair stylist's license, <del>managing</del> <u>advanced</u> cosmetologist's license, <del>managing</del> <u>advanced</u> hair designer's license, <del>managing</del> <u>advanced</u> manicurist's license, <del>managing</del> <u>advanced</u> esthetician's license, <del>managing</del> <u>advanced</u> natural hair stylist's license, cosmetology instructor's license, hair design instructor's license, manicurist instructor's license, esthetics instructor's license, natural hair style instructor's license, independent contractor's license, or tanning facility permit under Chapter 4713. of the Revised Code;	263 264 265 266 267 268 269 270 271 272 273 274
(9) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious intravenous sedation permit, a limited resident's license, a limited	275 276 277

teaching license, a dental hygienist's license, or a dental	278
hygienist's teacher's certificate under Chapter 4715. of the	279
Revised Code;	280
(10) A person who has been issued an embalmer's license, a	281
funeral director's license, a funeral home license, or a	282
crematory license, or who has been registered for an embalmer's	283
or funeral director's apprenticeship under Chapter 4717. of the	284
Revised Code;	285
(11) A person who has been licensed as a registered nurse	286
or practical nurse, or who has been issued a certificate for the	287
practice of nurse-midwifery under Chapter 4723. of the Revised	288
Code;	289
(12) A person who has been licensed to practice optometry	290
or to engage in optical dispensing under Chapter 4725. of the	291
Revised Code;	292
(13) A person licensed to act as a pawnbroker under	293
Chapter 4727. of the Revised Code;	294
(14) A person licensed to act as a precious metals dealer	295
under Chapter 4728. of the Revised Code;	296
(15) A person licensed as a pharmacist, a pharmacy intern,	297
a wholesale distributor of dangerous drugs, or a terminal	298
distributor of dangerous drugs under Chapter 4729. of the	299
Revised Code;	300
(16) A person who is authorized to practice as a physician	301
assistant under Chapter 4730. of the Revised Code;	302
(17) A person who has been issued a 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 psychologist under Chapter 4732. of the Revised Code;	307 308
(19) A person registered to practice the profession of engineering or surveying under Chapter 4733. of the Revised Code;	309 310 311
(20) A person who has been issued a license to practice chiropractic under Chapter 4734. of the Revised Code;	312 313
(21) A person licensed to act as a real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;	314 315
(22) A person registered as a registered sanitarian under Chapter 4736. of the Revised Code;	316 317
(23) A person licensed to operate or maintain a junkyard under Chapter 4737. of the Revised Code;	318 319
(24) A person who has been issued a motor vehicle salvage dealer's license under Chapter 4738. of the Revised Code;	320 321
(25) A person who has been licensed to act as a steam engineer under Chapter 4739. of the Revised Code;	322 323
(26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Chapter 4741. of the Revised Code;	324 325 326 327
(27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Chapter 4747. of the Revised Code;	328 329 330
(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	331 332

security guard employee under Chapter 4749. of the Revised Code;	333
(29) A person licensed and registered to practice as a	334
nursing home administrator under Chapter 4751. of the Revised	335
Code;	336
(30) A person licensed to practice as a speech-language	337
pathologist or audiologist under Chapter 4753. of the Revised	338
Code;	339
(31) A person issued a license as an occupational	340
therapist or physical therapist under Chapter 4755. of the	341
Revised Code;	342
(32) A person who is licensed as a licensed professional	343
clinical counselor, licensed professional counselor, social	344
worker, independent social worker, independent marriage and	345
family therapist, or marriage and family therapist, or	346
registered as a social work assistant under Chapter 4757. of the	347
Revised Code;	348
(33) A person issued a license to practice dietetics under	349
Chapter 4759. of the Revised Code;	350
(34) A person who has been issued a license or limited	351
permit to practice respiratory therapy under Chapter 4761. of	352
the Revised Code;	353
(35) A person who has been issued a real estate appraiser	354
certificate under Chapter 4763. of the Revised Code;	355
(36) A person who has been admitted to the bar by order of	356
the supreme court in compliance with its prescribed and	357
published rules.	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 a prison term shall be imposed" means a presumption, as described in division (D) of section 2929.13 of the Revised	386 387 388

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 in preparation to immediately receive a 604  
service from an individual licensed under this chapter. 605

"Student" means ~~a person~~ an individual, other than an 606  
apprentice instructor, who is engaged in learning or acquiring 607  
knowledge of the practice of a branch of cosmetology at a school 608  
of cosmetology. 609

"Tanning facility" means any premises, building, or part 610  
of a building that contains one or more rooms or booths with any 611  
of the following: 612

(A) Equipment or beds used for tanning human skin by the 613  
use of fluorescent sun lamps using ultraviolet or other 614  
artificial radiation; 615

(B) ~~Equipment or booths that applies use chemicals applied~~ 616  
to human skin ~~to create the appearance of being suntanned,~~ 617  
including chemical applications commonly referred to as spray- 618  
on, mist-on, or sunless tans; 619

(C) Equipment or beds that use visible light for cosmetic 620  
purposes. 621

"Threading" includes a service that results in the removal 622  
of hair from its follicle from around the eyebrows and from 623  
other parts of the face with the use of a single strand of 624  
thread and an astringent, if the service does not use chemicals 625  
of any kind, wax, or any implements, instruments, or tools to 626  
remove hair. 627

**Sec. 4713.02.** (A) There is hereby created the state board 628  
of cosmetology, consisting of all of the following members 629  
appointed by the governor, with the advice and consent of the 630  
senate: 631

(1) One ~~person~~ individual holding a current, valid 632  
cosmetologist, ~~managing cosmetologist,~~ or cosmetology instructor 633  
license at the time of appointment; 634

(2) Two ~~persons~~ individuals holding current, valid 635  
~~managing~~ cosmetologist licenses and actively engaged in managing 636  
beauty salons for a period of not less than five years at the 637  
time of appointment; 638

(3) One ~~person~~ individual who holds a current, valid 639  
independent contractor license at the time of appointment ~~or the~~ 640  
~~owner or manager of a licensed salon in which at least one~~ 641  
~~person holding a current, valid independent contractor license~~ 642  
and practices a branch of cosmetology; 643

(4) One ~~person~~ individual who represents individuals who 644

teach the theory and practice of a branch of cosmetology at a 645  
vocational or career-technical school; 646

(5) One owner or executive actively engaged in the daily 647  
operations of a licensed school of cosmetology; 648

(6) One owner of at least five licensed salons; 649

(7) One ~~person~~ individual who is either a certified nurse 650  
practitioner or clinical nurse specialist holding a certificate 651  
of authority issued under Chapter 4723. of the Revised Code, or 652  
a physician authorized under Chapter 4731. of the Revised Code 653  
to practice medicine and surgery or osteopathic medicine and 654  
surgery; 655

(8) One ~~person~~ individual representing the general public. 656

(9) One individual who holds a current, valid tanning 657  
permit and who has owned or managed a tanning facility for at 658  
least five years immediately preceding the individual's 659  
appointment. 660

(10) One individual who holds a current, valid esthetician 661  
license and who has been actively practicing esthetics for a 662  
period of not less than five years immediately preceding the 663  
individual's appointment. 664

(B) The superintendent of public instruction shall 665  
nominate three ~~persons~~ individuals for the governor to choose 666  
from when making an appointment under division (A) (4) of this 667  
section. 668

(C) All members shall be at least twenty-five years of 669  
age, residents of the state, and citizens of the United States. 670  
No more than two members, at any time, shall be graduates of the 671  
same school of cosmetology. Not more than one member shall have 672



a common financial connection with any school of cosmetology or 673  
salon. 674

~~Except for the initial members appointed under divisions~~ 675  
~~(A) (3) and (4) of this section, terms~~ Terms of office are for 676  
five years. The term of the initial member appointed under 677  
division (A) (3) of this section shall be three years. The term 678  
of the initial member appointed under division (A) (4) of this 679  
section shall be four years. Terms shall commence on the first 680  
day of November and end on the thirty-first day of October. Each 681  
member shall hold office from the date of appointment until the 682  
end of the term for which appointed. In case of a vacancy 683  
occurring on the board, the governor shall, in the same manner 684  
prescribed for the regular appointment to the board, fill the 685  
vacancy by appointing a member. Any member appointed to fill a 686  
vacancy occurring prior to the expiration of the term for which 687  
the member's predecessor was appointed shall hold office for the 688  
remainder of such term. Any member shall continue in office 689  
subsequent to the expiration date of the member's term until the 690  
member's successor takes office, or until a period of sixty days 691  
has elapsed, whichever occurs first. Before entering upon the 692  
discharge of the duties of the office of member, each member 693  
shall take, and file with the secretary of state, the oath of 694  
office required by Section 7 of Article XV, Ohio Constitution. 695

The members of the board shall receive an amount fixed 696  
pursuant to Chapter 124. of the Revised Code per diem for every 697  
meeting of the board which they attend, together with their 698  
necessary expenses, and mileage for each mile necessarily 699  
traveled. 700

The members of the board shall annually elect, from among 701  
their number, a chairperson and a vice-chairperson. The 702

executive director appointed pursuant to section 4713.06 of the 703  
Revised Code shall serve as the board's secretary. 704

(D) The board shall prescribe the duties of its officers 705  
and establish an office within Franklin-County county. The board 706  
shall keep all records and files at the office and have the 707  
records and files at all reasonable hours open to public 708  
inspection in accordance with section 149.43 of the Revised Code 709  
and any rules adopted by the board in compliance with this 710  
state's record retention policy. The board also shall adopt a 711  
seal. 712

**Sec. 4713.03.** The state board of cosmetology shall hold a- 713  
~~meeting-meetings~~ to transact its business at least four times a 714  
year. The board may hold additional meetings as, in its 715  
judgment, are necessary. The board shall meet at the times and 716  
places it selects. 717

**Sec. 4713.06.** The state board of cosmetology shall 718  
annually appoint an executive director. The executive director 719  
may not be a member of the board, but subsequent to appointment, 720  
shall serve as secretary of the board. The executive director, 721  
before entering upon the discharge of the executive director's 722  
duties, shall file with the secretary of state a good and 723  
sufficient bond payable to the state, to ensure the faithful 724  
performance of duties of the office of executive director. The 725  
bond shall be in an amount the board requires. The premium of 726  
the bond shall be paid from appropriations made to the board for 727  
operating purposes. 728

The board may employ inspectors, examiners, consultants on 729  
contents of examinations, ~~and~~ clerks, or other individuals as 730  
necessary for the administration of this chapter. All inspectors 731  
and examiners shall be licensed cosmetologists. 732

The board may appoint inspectors ~~of to inspect and~~ 733  
investigate all facilities regulated by this chapter, including 734  
~~tanning facilities as needed to make periodic inspections as the~~ 735  
~~board specifies,~~ to ensure compliance with this chapter, the 736  
rules adopted pursuant to it, and the board's policies, in 737  
accordance with division (A)(11) of section 4713.07 of the 738  
Revised Code. 739

**Sec. 4713.07.** (A) The state board of cosmetology shall do 740  
all of the following: 741

~~(A)~~ (1) Regulate the practice of cosmetology and all of its 742  
branches in this state; 743

(2) Investigate or inspect, when evidence appears to 744  
demonstrate that an individual has violated any provision of 745  
this chapter or any rule adopted pursuant to it, the activities 746  
or premises of a license holder or unlicensed individual; 747

(3) Adopt rules in accordance with section 4713.08 of the 748  
Revised Code; 749

(4) Prescribe and make available application forms to be 750  
used by ~~persons~~ individuals seeking admission to an examination 751  
conducted under section 4713.24 of the Revised Code or a license 752  
or registration issued under this chapter; 753

~~(B)~~ (5) Prescribe and make available application forms to 754  
be used by ~~persons~~ individuals seeking renewal of a license or 755  
registration issued under this chapter; 756

~~(C)~~ (6) Provide a toll-free number and an online service to 757  
receive complaints alleging violations of this chapter; 758

(7) Report to the proper prosecuting officer all 759  
violations of section 4713.14 of the Revised Code of which the 760

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

(G)(11) Require inspectors appointed pursuant to section 4713.06 of the Revised Code to conduct inspections of licensed or permitted facilities, including salons and boutique salons, schools of cosmetology, and tanning facilities, within ninety days of the opening for business of a licensed facility, upon complaints reported to the board, within ninety days after a violation was documented at a facility, and at least once every two years. Any individual, after providing the individual's name and contact information, may report to the board any information the individual may have that appears to show a violation of any provision of this chapter or rule adopted under it. In the absence of bad faith, any individual who reports information of that nature or who testifies before the board in any adjudication conducted under Chapter 119. of the Revised Code shall not be liable for damages in a civil action as a result of the report or testimony. For the purpose of inspections, an independent contractor shall be added to the board's records as an individual salon. 788  
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(12) Supply a copy of the poster created pursuant to division (B) of section 5502.63 of the Revised Code to each person authorized to operate a salon, school of cosmetology, tanning facility, or other type of facility under this chapter; 806  
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(13) All other duties that this chapter imposes on the board. 810  
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(B) The board may delegate any of the duties listed in division (A) of this section to the executive director of the board or to an individual designated by the executive director. 812  
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**Sec. 4713.071.** (A) Beginning one year after the effective date of this section, the state board of cosmetology shall annually submit a written report to the governor, president of 815  
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817

<u>the senate, and speaker of the house of representatives. The</u>	818
<u>report shall list all of the following for the preceding twelve-</u>	819
<u>month period:</u>	820
<u>(1) The number of students enrolled in courses at licensed</u>	821
<u>public and private schools of cosmetology;</u>	822
<u>(2) The number of students graduating from licensed public</u>	823
<u>and private schools of cosmetology;</u>	824
<u>(3) The annual cost for students to attend each licensed</u>	825
<u>public or private school of cosmetology;</u>	826
<u>(4) The loan default rates for licensed public and private</u>	827
<u>schools of cosmetology;</u>	828
<u>(5) The first-time licensure passage rate for graduates of</u>	829
<u>all public and private schools;</u>	830
<u>(6) The total number of new and renewal licenses in each</u>	831
<u>profession;</u>	832
<u>(7) The total number of complaint-driven inspections</u>	833
<u>conducted by the board;</u>	834
<u>(8) The total number and type of violations, including a</u>	835
<u>list of the top ten violations, which shall aid in the</u>	836
<u>identification of focus areas for continuing education purposes;</u>	837
<u>(9) The twenty salons and individuals cited with the most</u>	838
<u>violations for unlicensed workers;</u>	839
<u>(10) The number of adjudications or other disciplinary</u>	840
<u>action taken by the board.</u>	841
<u>(B) The board shall include in the final report under</u>	842
<u>division (A) of this section any recommendations it has for</u>	843
<u>changes to this chapter.</u>	844

<b>Sec. 4713.08.</b> (A) The state board of cosmetology shall	845
adopt rules in accordance with Chapter 119. of the Revised Code	846
as necessary to implement this chapter. The rules shall do all	847
of the following:	848
(1) Govern the practice of the branches of cosmetology <del> and</del>	849
<del>management of salons;</del>	850
(2) Specify conditions <del>a person</del> <u>an individual</u> must satisfy	851
to qualify for a temporary pre-examination work permit under	852
section 4713.22 of the Revised Code and the conditions and	853
method of renewing a temporary pre-examination work permit under	854
that section;	855
(3) Provide for the conduct of examinations under section	856
4713.24 of the Revised Code;	857
(4) Specify conditions under which the board will take	858
into account, under section 4713.32 of the Revised Code,	859
instruction an applicant for a license under section 4713.28,	860
4713.30, or 4713.31 of the Revised Code received more than five	861
years before the date of application for the license;	862
(5) Provide for the granting of waivers under section	863
4713.29 of the Revised Code;	864
(6) Specify conditions an applicant must satisfy for the	865
board to issue the applicant a license under section 4713.34 of	866
the Revised Code without the applicant taking an examination	867
conducted under section 4713.24 of the Revised Code;	868
(7) Specify locations in which glamour photography	869
services in which a branch of cosmetology is practiced may be	870
provided;	871
(8) Establish conditions and the fee for a temporary	872

special occasion work permit under section 4713.37 of the Revised Code and specify the amount of time such a permit is valid;

(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;

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

(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;

(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;

(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;

(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;

(15) Establish sanitary standards for the practice of the branches of cosmetology, salons, and schools of cosmetology;

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

(17) Establish standards for installing and operating a



tanning facility in a manner that ensures the health and safety 901  
of consumers, including standards that do all of the following: 902

(a) Establish a maximum safe time of exposure to radiation 903  
and a maximum safe temperature at which sun lamps may be 904  
operated; 905

(b) Require consumers to wear protective eyeglasses; 906

(c) Require consumers to be supervised as to the length of 907  
time consumers use the facility's sun lamps; 908

(d) Require the operator to prohibit consumers from 909  
standing too close to sun lamps and to post signs warning 910  
consumers of the potential effects of radiation on ~~persons~~ 911  
individuals taking certain medications and of the possible 912  
relationship of the radiation to skin cancer; 913

(e) Require the installation of protective shielding for 914  
sun lamps and handrails for consumers; 915

(f) Require floors to be dry during operation of lamps; 916

(g) Establish procedures an operator must follow in making 917  
reasonable efforts in compliance with section 4713.50 of the 918  
Revised Code to determine the age of an individual seeking to 919  
use sun lamp tanning services. 920

(18) (a) If the board, under section 4713.61 of the Revised 921  
Code, develops a procedure for classifying licenses inactive, do 922  
both of the following: 923

(i) Establish a fee for having a license classified 924  
inactive that reflects the cost to the board of providing the 925  
inactive license service. If one or more renewal periods have 926  
elapsed since the license was valid, the fee shall not include 927  
lapsed renewal fees for more than three of those renewal 928

<u>periods;</u>	929
(ii) Specify the continuing education that <del>a person</del> <u>an individual</u> whose license has been classified inactive must complete to have the license restored. The continuing education shall be sufficient to ensure the minimum competency in the use or administration of a new procedure or product required by a licensee necessary to protect public health and safety. The requirement shall not exceed the cumulative number of hours of continuing education that the <del>person</del> <u>individual</u> would have been required to complete had the <del>person</del> <u>individual</u> retained an active license.	930 931 932 933 934 935 936 937 938 939
(b) In addition, the board may specify the conditions and method for granting a temporary work permit to practice a branch of cosmetology to <del>a person</del> <u>an individual</u> whose license has been classified inactive.	940 941 942 943
(19) Establish a fee for approval of a continuing education program under section 4713.62 of the Revised Code that is adequate to cover any expense the board incurs in the approval process;	944 945 946 947
(20) Anything else necessary to implement this chapter.	948
(B) (1) The rules adopted under division (A) (2) of this section may establish additional conditions for a temporary pre-examination work permit under section 4713.22 of the Revised Code that are applicable to <del>persons</del> <u>individuals</u> who practice a branch of cosmetology in another state or country.	949 950 951 952 953
(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 <del>persons</del> <u>individuals</u> who practice a branch of cosmetology in another state.	954 955 956 957

(C) The conditions specified in rules adopted under 958  
division (A) (6) of this section may include that an applicant is 959  
applying for a license to practice a branch of cosmetology for 960  
which the board determines an examination is unnecessary. 961

(D) The rules adopted under division (A) (11) of this 962  
section shall not include a profession if practice of the 963  
profession in a salon is a violation of a statute or rule 964  
governing the profession. 965

(E) The sanitary standards established under division (A) 966  
(15) of this section shall focus in particular on precautions to 967  
be employed to prevent infectious or contagious diseases being 968  
created or spread. The board shall consult with the Ohio 969  
department of health when establishing the sanitary standards. 970

(F) The fee established by rules adopted under division 971  
(A) (16) of this section shall cover the cost the board incurs in 972  
inspecting tanning facilities and enforcing the board's rules 973  
but may not exceed one hundred dollars per location of such 974  
facilities. 975

**Sec. 4713.081.** The state board of cosmetology shall 976  
furnish a copy of the sanitary standards established by rules 977  
adopted under section 4713.08 of the Revised Code to each ~~person~~ 978  
individual to whom the board issues a practicing license, 979  
~~managing advanced~~ license, ~~or~~ license to operate a salon or 980  
school of cosmetology, or boutique services registration. The 981  
board also shall furnish a copy of the sanitary standards to 982  
each ~~person~~ individual providing cosmetic therapy, massage 983  
therapy, or other professional service in a salon under section 984  
4713.42 of the Revised Code. A salon or school of cosmetology 985  
provided a copy of the sanitary standards shall post the 986  
standards in a public and conspicuous place in the salon or 987

school. 988

**Sec. 4713.082.** The state board of cosmetology shall 989  
furnish a copy of the standards established by rules adopted 990  
under section 4713.08 of the Revised Code for installing and 991  
operating a tanning facility to each ~~person~~individual to whom 992  
the board issues a permit to operate a tanning facility. ~~A-~~ 993  
~~person~~An individual provided a copy of the standards shall post 994  
the standards in a public and conspicuous place in the tanning 995  
facility. 996

**Sec. 4713.09.** The state board of cosmetology may adopt 997  
rules in accordance with ~~Chapter 119~~section 4713.08 of the 998  
Revised Code to establish a continuing education requirement, 999  
not to exceed eight hours in a biennial licensing period, as a 1000  
condition of renewal for a practicing license, ~~managing advanced~~ 1001  
~~license, or instructor license, or boutique services~~ 1002  
registration. These hours may include training in identifying 1003  
and addressing the crime of trafficking in persons as described 1004  
in section 2905.32 of the Revised Code. At least two of the 1005  
eight hours of the continuing education requirement must be 1006  
achieved in courses concerning safety and sanitation, and at 1007  
least one hour of the eight hours of the continuing education 1008  
requirement must be achieved in courses concerning law and rule 1009  
updates. 1010

**Sec. 4713.10.** (A) The state board of cosmetology shall 1011  
charge and collect the following fees: 1012

~~(A)~~ (1) For a temporary pre-examination work permit under 1013  
section 4713.22 of the Revised Code, ~~five~~seven dollars and 1014  
fifty cents; 1015

~~(B)~~ (2) For initial application to take an examination 1016

under section 4713.24 of the Revised Code, ~~twenty-one~~ thirty-one dollars and fifty cents; 1017  
1018

~~(C)~~ (3) For application to take an examination under 1019  
section 4713.24 of the Revised Code by an applicant who has 1020  
previously applied to take, but failed to appear for, the 1021  
examination, forty dollars; 1022

~~(D)~~ (4) For application to re-take an examination under 1023  
section 4713.24 of the Revised Code by an applicant who has 1024  
previously appeared for, but failed to pass, the examination, 1025  
~~twenty-one~~ thirty-one dollars and fifty cents; 1026

~~(E)~~ (5) For the issuance of a license under section 1027  
4713.28, 4713.30, or 4713.31 of the Revised Code, ~~thirty~~ forty-  
five dollars; 1028  
1029

~~(F)~~ (6) For the issuance of a license under section 4713.34 1030  
of the Revised Code, ~~sixty~~ seventy dollars; 1031

~~(G)~~ (7) For renewal of a license issued under section 1032  
4713.28, 4713.30, 4713.31, or 4713.34 of the Revised Code, 1033  
~~thirty~~ forty-five dollars; 1034

~~(H)~~ (8) For the issuance or renewal of a cosmetology school 1035  
license, two hundred fifty dollars; 1036

~~(I)~~ (9) For the ~~inspection and~~ issuance of a new salon 1037  
license or the change of name or ownership of a salon license 1038  
under section 4713.41 of the Revised Code, ~~sixty~~ seventy-five 1039  
dollars; 1040

~~(J)~~ (10) For the renewal of a salon license under section 1041  
4713.41 of the Revised Code, ~~fifty~~ sixty dollars; 1042

~~(K)~~ (11) For the restoration of an expired license that may 1043  
be restored pursuant to section 4713.63 of the Revised Code, ~~and~~ 1044

~~in addition to the payments for all an amount equal to the sum~~ 1045  
~~of the current license renewal fee and a lapsed renewal fees,~~ 1046  
~~thirty fee of forty-five dollars per license renewal period that~~ 1047  
~~has elapsed since the license was last issued or renewed;~~ 1048

~~(L)~~ (12) For the issuance of a duplicate of any license, 1049  
~~fifteen-twenty~~ dollars; 1050

~~(M)~~ (13) For the preparation and mailing of a licensee's 1051  
records to another state for a reciprocity license, fifty 1052  
dollars; 1053

~~(N)~~ (14) For the issuance of a boutique services 1054  
~~registration, ten~~ dollars; 1055

(15) For the processing of any fees related to a check 1056  
from a licensee returned to the board for insufficient funds, an 1057  
additional ~~twenty-thirty~~ dollars. 1058

(B) The board may establish an installment plan for the 1059  
payment of fines and fees and may reduce fees as considered 1060  
appropriate by the board. 1061

(C) At the request of a person who is temporarily unable 1062  
to pay a fee imposed under division (A) of this section, or on 1063  
its own motion, the board may extend the date payment is due by 1064  
up to ninety days. If the fee remains unpaid after the date 1065  
payment is due, the amount of the fee shall be certified to the 1066  
attorney general for collection in the form and manner 1067  
prescribed by the attorney general. The attorney general may 1068  
assess the collection cost to the amount certified in such a 1069  
manner and amount as prescribed by the attorney general. 1070

**Sec. 4713.13.** 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  
the following: 1084  
1085

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

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

(3) Falsely pretending to hold a current, valid license or  
permit. 1089  
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,  
4713.30, or 4713.34 of the Revised Code; 1094  
1095

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

(3) A current, valid temporary special occasion work  
permit issued under section 4713.37 of the Revised Code; 1098  
1099

(4) A current, valid temporary work permit issued under 1100

rules adopted by the board pursuant to section 4713.08 of the Revised Code; 1101  
1102

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

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

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

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

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

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

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

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

~~(F)~~ Except for apprentice instructors and as provided in section 4713.45 of the Revised Code, teach the theory or practice of a branch of cosmetology at a school of cosmetology without either of the following authorizing the teaching of that branch of cosmetology: 1123  
1124  
1125  
1126  
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
<del>(G)</del> <u>(F)</u> Advertise or operate a glamour photography service	1132
in which a branch of cosmetology is practiced unless the <del>person</del>	1133
<u>individual</u> 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
<del>(H)</del> <u>(G)</u> 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
<del>(I)</del> <u>(H)</u> Practice a branch of cosmetology at a salon <del>in</del>	1145
<del>which the person rents booth space as an independent contractor</del>	1146
without a current, valid independent contractor license <u>issued</u>	1147
under section 4713.39 of the Revised Code;	1148
<del>(J)</del> <u>(I)</u> Operate a salon without a current, valid license	1149
under section 4713.41 of the Revised Code;	1150
<del>(K)</del> <u>(J)</u> 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 1268

hair relaxer, which without proper training would pose a health 1269  
or safety problem to the patient. 1270

(7) Nurse aides and other employees of hospitals and homes 1271  
as defined in section 3721.01 of the Revised Code, who practice 1272  
a branch of cosmetology on registered patients only as part of 1273  
general patient care services and who do not charge patients 1274  
directly on a fee for service basis; 1275

(8) Cosmetic therapists and massage therapists who hold 1276  
current, valid certificates to practice cosmetic or massage 1277  
therapy issued by the state medical board under section 4731.15 1278  
of the Revised Code, to the extent their actions are authorized 1279  
by their certificates to practice; 1280

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

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

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

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

~~(A) As part of a license application, proof of the 1295~~  
~~following:~~ 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 division (A) of 1320  
section 4713.24 of the Revised Code, if the ~~person~~ individual 1321  
satisfies all of the following conditions: 1322

(1) Is seeking a practicing license; 1323

(2) Has not previously failed an examination conducted 1324  
under section 4713.24 of the Revised Code to determine the 1325  
applicant's fitness to practice the branch of cosmetology for 1326  
which the ~~person~~individual seeks a license; 1327

(3) Pays to the board the applicable fee; 1328

(4) Satisfies all other conditions established by rules 1329  
adopted under section 4713.08 of the Revised Code. 1330

(B) ~~A person~~An individual issued a temporary pre- 1331  
examination work permit may practice the branch of cosmetology 1332  
for which the ~~person~~individual seeks a license until the date 1333  
the ~~person~~individual is scheduled to take an examination under 1334  
section 4713.24 of the Revised Code. The ~~person~~individual shall 1335  
practice under the supervision of ~~a person~~an individual holding 1336  
a current, valid ~~managing~~ license appropriate for the type of 1337  
salon in which the permit holder practices. A temporary pre- 1338  
examination work permit is renewable in accordance with rules 1339  
adopted under section 4713.08 of the Revised Code. 1340

**Sec. 4713.24.** (A) The state board of cosmetology shall 1341  
conduct an examination for each ~~person~~individual who satisfies 1342  
the requirements established by section 4713.20 of the Revised 1343  
Code for admission to the examination. Examinations for 1344  
licensure for any branch of cosmetology shall assess the ability 1345  
of a prospective cosmetology professional to maintain a safe and 1346  
sanitary place of service delivery. The board may develop and 1347  
administer the appropriate examination or enter into an 1348  
agreement with a national testing service to develop the 1349  
examination, administer the examination, or both. The 1350  
examination shall be specific to the type of license the ~~person~~ 1351  
individual seeks and satisfy all of the following conditions: 1352



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

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

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

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

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

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

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

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

(2) Testing of individuals in another state for admission to the profession of cosmetology or any of its branches as required under a contract or by means of a license with that state. 1381  
1382  
1383  
1384

(E) The examination papers and the scored results of the practical demonstrations of each individual examined by the board shall be open for inspection by the individual or the individual's attorney for at least ninety days following the announcement of the individual's grade, except for papers that under the terms of a contract with a testing service are not available for inspection. On written request of an individual or the individual's attorney made to the board not later than ninety days after announcement of the individual's grade, the board shall have the individual's practical examination papers regraded manually. 1385  
1386  
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(F) Test materials, examinations, or evaluation tools used in an examination for licensure under this chapter that the board develops or contracts with a private or government entity to administer are not public records under division (A) (1) (v) of section 149.43 or any other section of the Revised Code. 1396  
1397  
1398  
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1400

**Sec. 4713.25.** (A) The state board of cosmetology may administer a separate ~~managing~~ advanced cosmetologist examination for ~~persons~~ individuals who complete a ~~managing~~ an advanced cosmetologist training course separate from a cosmetologist training course. The board may combine the ~~managing~~ advanced cosmetologist examination with the cosmetologist examination for ~~persons~~ individuals who complete a combined ~~eighteen hundred hour~~ cosmetologist and ~~managing~~ advanced cosmetologist training course. 1401  
1402  
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(B) The board may administer a separate ~~managing~~ advanced 1410

esthetician examination for ~~persons~~ individuals who complete a ~~a~~ ~~managing an advanced~~ esthetician training course separate from 1411  
an esthetician training course. The board may combine the 1412  
~~managing advanced~~ esthetician examination with the esthetician 1413  
examination for ~~persons~~ individuals who complete a ~~combined~~ 1414  
~~seven hundred fifty hour~~ an esthetician and ~~managing advanced~~ 1415  
esthetician training course. 1416  
1417

(C) The board may administer a separate ~~managing advanced~~ 1418  
hair designer examination for ~~persons~~ individuals who complete a ~~a~~ 1419  
~~managing an advanced~~ hair designer training course separate from 1420  
a hair designer training course. The board may combine the 1421  
~~managing advanced~~ hair designer examination with the hair 1422  
designer examination for ~~persons~~ individuals who complete a 1423  
~~combined one thousand four hundred forty hour~~ hair designer and 1424  
~~managing advanced~~ hair designer training course. 1425

(D) The board may administer a separate ~~managing advanced~~ 1426  
manicurist examination for ~~persons~~ individuals who complete a ~~a~~ 1427  
~~managing an advanced~~ manicurist training course separate from a 1428  
manicurist training course. The board may combine the ~~managing~~ 1429  
~~advanced~~ manicurist examination with the manicurist examination 1430  
for ~~persons~~ individuals who complete a ~~combined three hundred~~ 1431  
~~hour~~ manicurist and ~~managing advanced~~ manicurist training 1432  
course. 1433

(E) The board may administer a separate ~~managing advanced~~ 1434  
natural hair stylist examination for ~~persons~~ individuals who 1435  
complete a ~~managing an advanced~~ natural hair stylist training 1436  
course separate from a natural hair stylist training course. The 1437  
board may combine the ~~managing advanced~~ natural hair stylist 1438  
examination with the natural hair stylist examination for 1439  
~~persons~~ individuals who complete a ~~combined six hundred hour~~ 1440

natural hair stylist and ~~managing~~ advanced natural hair stylist 1441  
training course. 1442

**Sec. 4713.26.** Each ~~person~~ individual admitted to an 1443  
examination conducted under section 4713.24 of the Revised Code 1444  
shall furnish the ~~person's~~ individual's own model. 1445

**Sec. 4713.28.** (A) The state board of cosmetology shall 1446  
issue a practicing license to an applicant who, ~~except as~~ 1447  
~~provided in section 4713.30 of the Revised Code,~~ satisfies all 1448  
of the following applicable conditions: 1449

~~(A)~~ (1) Is at least sixteen years of age; 1450

~~(B)~~ (2) Is of good moral character; 1451

~~(C)~~ (3) Has the equivalent of an Ohio public school tenth 1452  
grade education; 1453

~~(D)~~ (4) Has submitted a written application on a form 1454  
furnished by the board that contains all of the following: 1455

(a) The name of the individual and any other identifying 1456  
information required by the board; 1457

(b) A recent photograph of the individual that meets the 1458  
specifications established by the board; 1459

(c) A photocopy of the individual's current driver's 1460  
license or other proof of legal residence; 1461

(d) Proof that the individual is qualified to take the 1462  
applicable examination as required by section 4713.20 of the 1463  
Revised Code; 1464

(e) An oath verifying that the information in the 1465  
application is true; 1466

(f) The applicable application fee. 1467

<u>(5)</u> Passes an examination conducted under <u>division (A) of</u>	1468
section 4713.24 of the Revised Code for the branch of	1469
cosmetology the applicant seeks to practice;	1470
<del>(E)</del> <u>(6)</u> Pays to the board the applicable <u>license</u> fee;	1471
<del>(F)</del> <u>(7)</u> In the case of an applicant for an initial	1472
cosmetologist license, has successfully completed at least	1473
<del>fifteen</del> <u>one thousand five hundred</u> hours of board-approved	1474
cosmetology training in a school of cosmetology licensed in this	1475
state, except that only one thousand hours of board-approved	1476
cosmetology training in a school of cosmetology licensed in this	1477
state is required of <del>a person</del> <u>an individual</u> licensed as a barber	1478
under Chapter 4709. of the Revised Code;	1479
<del>(G)</del> <u>(8)</u> In the case of an applicant for an initial	1480
esthetician license, has successfully completed at least six	1481
hundred hours of board-approved esthetics training in a school	1482
of cosmetology licensed in this state;	1483
<del>(H)</del> <u>(9)</u> In the case of an applicant for an initial hair	1484
designer license, has successfully completed at least one	1485
thousand two hundred hours of board-approved hair designer	1486
training in a school of cosmetology licensed in this state,	1487
except that only one thousand hours of board-approved hair	1488
designer training in a school of cosmetology licensed in this	1489
state is required of <del>a person</del> <u>an individual</u> licensed as a barber	1490
under Chapter 4709. of the Revised Code;	1491
<del>(I)</del> <u>(10)</u> In the case of an applicant for an initial	1492
manicurist license, has successfully completed at least two	1493
hundred hours of board-approved manicurist training in a school	1494
of cosmetology licensed in this state;	1495
<del>(J)</del> <u>(11)</u> In the case of an applicant for an initial natural	1496

hair stylist license, has successfully completed at least four 1497  
hundred fifty hours of instruction in subjects relating to 1498  
sanitation, scalp care, anatomy, hair styling, communication 1499  
skills, and laws and rules governing the practice of 1500  
cosmetology~~†~~. 1501

~~(K)~~(B) The board shall not deny a license to any applicant 1502  
based on prior incarceration or conviction for any crime. If the 1503  
board denies an individual a license or license renewal, the 1504  
reasons for such denial shall be put in writing. 1505

**Sec. 4713.30.** The state board of cosmetology shall issue a~~—~~ 1506  
~~managing an advanced~~ license to an applicant who satisfies all 1507  
of the following applicable conditions: 1508

(A) Is at least sixteen years of age; 1509

(B) Is of good moral character; 1510

(C) Has the equivalent of an Ohio public school tenth 1511  
grade education; 1512

(D) Pays to the board the applicable fee; 1513

(E) Passes the appropriate ~~managing advanced~~ license 1514  
examination; 1515

(F) In the case of an applicant for an initial ~~managing—~~ 1516  
~~advanced~~ cosmetologist license, does either of the following: 1517

(1) Has a licensed ~~managing advanced~~ cosmetologist or 1518  
owner of a licensed beauty salon located in this or another 1519  
state certify to the board that the applicant has practiced as a 1520  
cosmetologist for at least ~~two one~~ thousand eight hundred hours 1521  
in a licensed beauty salon; 1522

(2) Has a school of cosmetology licensed in this state 1523

certify to the board that the applicant has successfully 1524  
completed, in addition to the hours required for licensure as a 1525  
cosmetologist, at least ~~three~~ one hundred hours of board- 1526  
approved ~~managing-advanced~~ cosmetologist training. 1527

(G) In the case of an applicant for an initial ~~managing-~~ 1528  
~~advanced~~ esthetician license, does either of the following: 1529

(1) Has the licensed ~~managing-advanced~~ esthetician, 1530  
licensed ~~managing-advanced~~ cosmetologist, or owner of a licensed 1531  
esthetics salon or licensed beauty salon located in this or 1532  
another state certify to the board that the applicant has 1533  
practiced esthetics for at least ~~two~~ one thousand eight hundred 1534  
hours as an esthetician in a licensed esthetics salon or as a 1535  
cosmetologist in a licensed beauty salon; 1536

(2) Has a school of cosmetology licensed in this state 1537  
certify to the board that the applicant has successfully 1538  
completed, in addition to the hours required for licensure as an 1539  
esthetician or cosmetologist, at least one hundred ~~fifty~~ hours 1540  
of board-approved ~~managing-advanced~~ esthetician training. 1541

(H) In the case of an applicant for an initial ~~managing-~~ 1542  
~~advanced~~ hair designer license, does either of the following: 1543

(1) Has the licensed ~~managing-advanced~~ hair designer, 1544  
licensed ~~managing-advanced~~ cosmetologist, or owner of a licensed 1545  
hair design salon or licensed beauty salon located in this or 1546  
another state certify to the board that the applicant has 1547  
practiced hair design for at least ~~two thousand~~ one thousand 1548  
eight hundred hours as a hair designer in a licensed hair design 1549  
salon or as a cosmetologist in a licensed beauty salon; 1550

(2) Has a school of cosmetology licensed in this state 1551  
certify to the board that the applicant has successfully 1552

completed, in addition to the hours required for licensure as a 1553  
hair designer or cosmetologist, at least ~~two one~~ hundred ~~forty~~ 1554  
hours of board-approved ~~managing advanced~~ hair designer 1555  
training. 1556

(I) In the case of an applicant for an initial ~~managing~~ 1557  
advanced manicurist license, does either of the following: 1558

(1) Has the licensed ~~managing advanced~~ manicurist, 1559  
licensed ~~managing advanced~~ cosmetologist, or owner of a licensed 1560  
nail salon, licensed beauty salon, or licensed barber shop 1561  
located in this or another state certify to the board that the 1562  
applicant has practiced manicuring for at least ~~two one~~ thousand 1563  
eight hundred hours as a manicurist in a licensed nail salon or 1564  
licensed barber shop or as a cosmetologist in a licensed beauty 1565  
salon or licensed barber shop; 1566

(2) Has a school of cosmetology licensed in this state 1567  
certify to the board that the applicant has successfully 1568  
completed, in addition to the hours required for licensure as a 1569  
manicurist or cosmetologist, at least one hundred hours of 1570  
board-approved ~~managing advanced~~ manicurist training. 1571

(J) In the case of an applicant for an initial ~~managing~~ 1572  
advanced natural hair stylist license, does either of the 1573  
following: 1574

(1) Has the licensed ~~managing advanced~~ natural hair 1575  
stylist, licensed ~~managing advanced~~ cosmetologist, or owner of a 1576  
licensed natural hair style salon or licensed beauty salon 1577  
located in this or another state certify to the board that the 1578  
applicant has practiced natural hair styling for at least ~~two~~ 1579  
one thousand eight hundred hours as a natural hair stylist in a 1580  
licensed natural hair style salon or as a cosmetologist in a 1581



licensed beauty salon; 1582

(2) Has a school of cosmetology licensed in this state 1583  
certify to the board that the applicant has successfully 1584  
completed, in addition to the hours required for licensure as 1585  
natural hair stylist or cosmetologist, at least one hundred 1586  
~~fifty~~ hours of board-approved ~~managing~~advanced natural hair 1587  
stylist training. 1588

**Sec. 4713.31.** The state board of cosmetology shall issue 1589  
an instructor license to an applicant who satisfies all of the 1590  
following applicable conditions: 1591

(A) Is at least eighteen years of age; 1592

(B) Is of good moral character; 1593

(C) Has the equivalent of an Ohio public school twelfth 1594  
grade education; 1595

(D) Pays to the board the applicable fee; 1596

(E) In the case of an applicant for an initial cosmetology 1597  
instructor license, holds a current, valid ~~managing~~advanced 1598  
cosmetologist license issued in this state and does either of 1599  
the following: 1600

(1) Has the licensed ~~managing~~advanced cosmetologist or 1601  
owner of the licensed beauty salon in which the applicant has 1602  
been employed certify to the board that the applicant has 1603  
engaged in the practice of cosmetology in a licensed beauty 1604  
salon for at least ~~two~~one thousand eight hundred hours; 1605

(2) Has a school of cosmetology licensed in this state 1606  
certify to the board that the applicant has successfully 1607  
completed one thousand hours of board-approved cosmetology 1608  
instructor training as an apprentice instructor. 1609

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

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

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

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

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

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

completed at least eight hundred hours of board-approved hair 1639  
design instructor's training as an apprentice instructor. 1640

(H) In the case of an applicant for an initial manicurist 1641  
instructor license, holds a current, valid ~~managing-advanced~~ 1642  
manicurist or ~~managing-advanced~~ cosmetologist license and does 1643  
either of the following: 1644

(1) Has the licensed ~~managing-advanced~~ manicurist, 1645  
licensed ~~managing-advanced~~ cosmetologist, or owner of the 1646  
licensed nail salon or licensed beauty salon in which the 1647  
applicant has been employed certify to the board that the 1648  
applicant has engaged in the practice of manicuring in a 1649  
licensed nail salon or practice of cosmetology in a licensed 1650  
beauty salon for at least ~~two-one~~ thousand eight hundred hours; 1651

(2) Has a school of cosmetology licensed in this state 1652  
certify to the board that the applicant has successfully 1653  
completed at least three hundred hours of board-approved 1654  
manicurist instructor training as an apprentice instructor. 1655

(I) In the case of an applicant for an initial natural 1656  
hair style instructor license, holds a current, valid ~~managing-~~ 1657  
~~advanced~~ natural hair stylist or ~~managing-advanced~~ cosmetologist 1658  
license and does either of the following: 1659

(1) Has the licensed ~~managing-advanced~~ natural hair 1660  
stylist, licensed ~~managing-advanced~~ cosmetologist, or owner of 1661  
the licensed natural hair style salon or licensed beauty salon 1662  
in which the applicant has been employed certify to the board 1663  
that the applicant has engaged in the practice of natural hair 1664  
styling in a licensed natural hair style salon or practice of 1665  
cosmetology in a licensed beauty salon for at least ~~two-one~~ 1666  
thousand eight hundred hours; 1667

(2) Has a school of cosmetology licensed in this state 1668  
certify to the board that the applicant has successfully 1669  
completed at least four hundred hours of board-approved natural 1670  
hair style instructor training as an apprentice instructor. 1671

(J) In the case of all applicants, has a school of 1672  
cosmetology in this state certify to the board that the 1673  
applicant has successfully completed courses in educating 1674  
students using standards established by the department of 1675  
education and approved by the board. 1676

**Sec. 4713.34.** The state board of cosmetology shall issue a 1677  
license to practice a branch of cosmetology, ~~managing license,~~ 1678  
or instructor license to an applicant who is licensed or 1679  
registered in another state or country to practice that branch 1680  
of cosmetology, ~~manage that type of salon,~~ or teach the theory 1681  
and practice of that branch of cosmetology, as appropriate, if 1682  
all of the following conditions are satisfied: 1683

(A) The applicant satisfies all of the following 1684  
conditions: 1685

(1) Is not less than eighteen years of age; 1686

(2) Is of good moral character; 1687

(3) In the case of an applicant for a practicing licensee~~or~~ 1688  
~~managing license,~~ passes an examination conducted under section 1689  
4713.24 of the Revised Code for the license the applicant seeks, 1690  
unless the applicant satisfies conditions specified in rules 1691  
adopted under section 4713.08 of the Revised Code for the board 1692  
to issue the applicant a license without taking the examination; 1693

(4) Pays the applicable fee. 1694

(B) At the time the applicant obtained the license or 1695

registration in the other state or country, the requirements in 1696  
this state for obtaining the license the applicant seeks were 1697  
substantially equal to the other state or country's 1698  
requirements. 1699

(C) The jurisdiction that issued the applicant's license 1700  
or registration extends similar reciprocity to ~~persons~~ 1701  
individuals holding a license issued by the board. 1702

**Sec. 4713.35.** ~~A person~~ An individual who holds a current, 1703  
valid cosmetologist or advanced cosmetologist license issued by 1704  
the state board of cosmetology may engage in the practice of one 1705  
or more branches of cosmetology as the ~~person~~ individual chooses 1706  
in a licensed facility. 1707

~~A person~~ An individual who holds a current, valid 1708  
esthetician or advanced esthetician license issued by the board 1709  
may engage in the practice of esthetics but no other branch of 1710  
cosmetology in a licensed facility. 1711

~~A person~~ An individual who holds a current, valid hair 1712  
designer or advanced hair designer license issued by the board 1713  
may engage in the practice of hair design but no other branch of 1714  
cosmetology in a licensed facility. 1715

~~A person~~ An individual who holds a current, valid 1716  
manicurist or advanced manicurist license issued by the board 1717  
may engage in the practice of manicuring but no other branch of 1718  
cosmetology in a licensed facility. 1719

~~A person~~ An individual who holds a current, valid natural 1720  
hair stylist or advanced natural hair stylist license issued by 1721  
the board may engage in the practice of natural hair styling but 1722  
no other branch of cosmetology in a licensed facility. 1723

~~A person who holds a current, valid managing cosmetologist~~ 1724

~~license issued by the board may manage all types of salons and  
engage in the practice of one or more branches of cosmetology as  
the person chooses.~~ 1725  
1726  
1727

~~A person who holds a current, valid managing esthetician  
license issued by the board may manage an esthetics salon, but  
no other type of salon, and engage in the practice of esthetics,  
but no other branch of cosmetology.~~ 1728  
1729  
1730  
1731

~~A person who holds a current, valid managing hair designer  
license issued by the board may manage a hair design salon, but  
no other type of salon, and engage in the practice of hair  
design, but no other branch of cosmetology.~~ 1732  
1733  
1734  
1735

~~A person who holds a current, valid managing manicurist  
license issued by the board may manage a nail salon, but no  
other type of salon, and engage in the practice of manicuring,  
but no other branch of cosmetology.~~ 1736  
1737  
1738  
1739

~~A person who holds a current, valid managing natural hair  
stylist license issued by the board may manage a natural hair  
style salon, but no other type of salon, and engage in the  
practice of natural hair styling, but no other branch of  
cosmetology.~~ 1740  
1741  
1742  
1743  
1744

~~A person~~ An individual who holds a current, valid 1745  
cosmetology instructor license issued by the board may teach the 1746  
theory and practice of one or more branches of cosmetology at a 1747  
school of cosmetology as the ~~person~~ individual chooses. 1748

~~A person~~ An individual who holds a current, valid 1749  
esthetics instructor license issued by the board may teach the 1750  
theory and practice of esthetics, but no other branch of 1751  
cosmetology, at a school of cosmetology. 1752

~~A person~~ An individual who holds a current, valid hair 1753

design instructor license issued by the board may teach the 1754  
theory and practice of hair design, but no other branch of 1755  
cosmetology, at a school of cosmetology. 1756

~~A person~~An individual who holds a current, valid 1757  
manicurist instructor license issued by the board may teach the 1758  
theory and practice of manicuring, but no other branch of 1759  
cosmetology, at a school of cosmetology. 1760

~~A person~~An individual who holds a current, valid natural 1761  
hair style instructor license issued by the board may teach the 1762  
theory and practice of natural hair styling, but no other branch 1763  
of cosmetology, at a school of cosmetology. 1764

An individual who holds a current, valid boutique 1765  
registration with the board may engage in the practice of 1766  
boutique services but no other branch of cosmetology. 1767

**Sec. 4713.36.** A licensed manicurist or licensed ~~managing-~~ 1768  
~~advanced~~ manicurist may engage in the practice of manicuring at 1769  
a nail salon or beauty salon licensed under section 4713.41 of 1770  
the Revised Code or a barber shop licensed under Chapter 4709. 1771  
of the Revised Code. 1772

**Sec. 4713.37.** (A) The state board of cosmetology may issue 1773  
a temporary special occasion work permit to ~~a person~~an 1774  
individual who satisfies all of the following conditions: 1775

(1) Has been licensed or registered in another state or 1776  
country to practice a branch of cosmetology or teach the theory 1777  
and practice of a branch of cosmetology for at least five years; 1778

(2) Is a recognized expert in the practice or teaching of 1779  
the branch of cosmetology the ~~person~~individual practices or 1780  
teaches; 1781

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

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

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

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

**Sec. 4713.39.** The state board of cosmetology shall issue a license to engage in the practice of a branch of cosmetology as an independent contractor to an applicant who pays the applicable fee; holds a current, valid license ~~to manage for~~ the type of salon in which the applicant will practice that branch of cosmetology; and satisfies the conditions for the license established by rules adopted under section 4713.08 of the Revised Code.

**Sec. 4713.41.** The state board of cosmetology shall issue a license to operate a salon, including a boutique salon, to an applicant who pays the applicable fee and affirms that all of



the following conditions will be met: 1811

(A) (1) ~~A person~~ An individual holding a current, valid 1812  
~~managing cosmetologist license or license to manage that type of~~ 1813  
~~salon has charge of and immediate supervision over~~ or boutique 1814  
services registration pertaining to the branch of cosmetology 1815  
services performed at the salon or boutique salon, shall have 1816  
charge of and immediate supervision over the salon at all times 1817  
when the salon is open for business except as permitted under 1818  
division (A) (2) of this section. 1819

(2) A business establishment that is engaged primarily in 1820  
retail sales but is also licensed as a salon shall have ~~a person~~ 1821  
present an individual holding a current, valid ~~managing~~ license 1822  
~~for or registration to practice in~~ that type of salon in charge 1823  
of and in immediate supervision of the salon during posted or 1824  
advertised service hours, if the practice of cosmetology is 1825  
restricted to those posted or advertised service hours. 1826

(B) The salon is equipped to do all of the following: 1827

(1) Provide potable running hot and cold water and proper 1828  
drainage; 1829

(2) Sanitize all instruments and supplies used in the 1830  
branch of cosmetology provided at the salon; 1831

(3) If cosmetic therapy, massage therapy, or other 1832  
professional service is provided at the salon under section 1833  
4713.42 of the Revised Code, sanitize all instruments and 1834  
supplies used in the cosmetic therapy, massage therapy, or other 1835  
professional service. 1836

(C) Except as provided in sections 4713.42 and 4713.49 of 1837  
the Revised Code, only the branch of cosmetology that the salon 1838  
is licensed to provide is practiced at the salon. 1839

(D) The salon is kept in a clean and sanitary condition 1840  
and properly ventilated. 1841

(E) No food is sold at the salon in a manner inconsistent 1842  
with rules adopted under section 4713.08 of the Revised Code. 1843

(F) A notice that contains a toll-free number and online 1844  
process for reporting alleged violations of this chapter, as 1845  
prescribed by the board of cosmetology, is posted at the salon 1846  
in a common area for all customers of salon services. 1847

**Sec. 4713.42.** ~~A person~~ An individual holding a current, 1848  
valid certificate issued under section 4731.15 of the Revised 1849  
Code to provide cosmetic therapy or massage therapy may provide 1850  
cosmetic therapy or massage therapy, as appropriate, in a salon. 1851  
~~A person~~ An individual holding a current, valid license or 1852  
certificate issued by a professional regulatory board of this 1853  
state may practice the ~~person's~~ individual's profession in a 1854  
salon if the ~~person's~~ individual's profession is authorized by 1855  
rules adopted under section 4713.08 of the Revised Code to 1856  
practice in a salon. 1857

~~A person~~ An individual providing cosmetic therapy, massage 1858  
therapy, or other professional service in a salon pursuant to 1859  
this section shall satisfy the standards established by rules 1860  
adopted under section 4713.08 of the Revised Code. 1861

**Sec. 4713.44.** (A) The state board of cosmetology shall 1862  
issue a license to operate a school of cosmetology to an 1863  
applicant who pays the applicable fee and satisfies all of the 1864  
following requirements: 1865

(1) Maintains a course of practical training and technical 1866  
instruction for the branch or branches of cosmetology to be 1867  
taught at the school equal to the requirements for admission to 1868

an examination under section 4713.24 of the Revised Code that a— 1869  
~~person~~an individual must pass to obtain a license to practice 1870  
that branch or those branches of cosmetology; 1871

(2) Possesses or makes available apparatus and equipment 1872  
sufficient for the ready and full teaching of all subjects of 1873  
the curriculum; 1874

(3) Maintains ~~persons~~individuals licensed under section 1875  
4713.31 or 4713.34 of the Revised Code to teach the theory and 1876  
practice of the branches of cosmetology; 1877

(4) Notifies the board of the enrollment of each new 1878  
student, keeps a record devoted to the different practices, 1879  
establishes grades, and holds examinations in order to certify 1880  
the students' completion of the prescribed course of study 1881  
before the issuance of certificates of completion; 1882

(5) In the case of a school of cosmetology that offers 1883  
clock hours for the purpose of satisfying minimum hours of 1884  
training and instruction, keeps a daily record of the attendance 1885  
of each student; 1886

(6) On the date that an apprentice cosmetology instructor 1887  
begins cosmetology instructor training at the school, certifies 1888  
the name of the apprentice cosmetology instructor to the board 1889  
along with the date on which the apprentice's instructor 1890  
training began; 1891

(7) Instructs not more than six apprentice cosmetology 1892  
instructors at any one time; 1893

(8) Files with the board a good and sufficient surety bond 1894  
executed by the ~~person~~individual, firm, or corporation operating 1895  
the school of cosmetology as principal and by a surety company 1896  
as surety in the amount of ten thousand dollars; provided, that 1897

this requirement does not apply to a vocational or career- 1898  
technical school program conducted by a city, exempted village, 1899  
local, or joint vocational school district. The bond shall be in 1900  
the form prescribed by the board and be conditioned upon the 1901  
school's continued instruction in the theory and practice of the 1902  
branches of cosmetology. Every bond shall continue in effect 1903  
until notice of its termination is given to the board by 1904  
registered mail and every bond shall so provide. 1905

(9) Establishes and maintains an internal procedure for 1906  
processing complaints filed against the school and for providing 1907  
students with instructions on how to file a complaint directly 1908  
with the board pursuant to section 4713.641 of the Revised Code. 1909

(B) A school of cosmetology holding a license issued under 1910  
division (A) of this section is an educational institution and 1911  
is authorized to offer educational programs beyond secondary 1912  
education, advanced practice programs, or both in accordance 1913  
with rules adopted by the board pursuant to section 4713.08 of 1914  
the Revised Code. 1915

(C) A school of cosmetology holding a license to operate a 1916  
school of cosmetology on ~~the effective date of this amendment~~ 1917  
September 29, 2013, shall establish and maintain an internal 1918  
procedure for processing complaints filed against the school and 1919  
shall provide each of the school's students with instructions on 1920  
how to file a complaint directly with the board pursuant to 1921  
section 4713.641 of the Revised Code. 1922

**Sec. 4713.45.** (A) A school of cosmetology may do the 1923  
following: 1924

(1) In accordance with rules adopted under section 4713.08 1925  
of the Revised Code, a school of cosmetology operated by a 1926

public entity or a private person may offer clock hours, credit hours, or competency-based credits, ~~and a school of cosmetology that is operated by a private person may offer clock or credit hours,~~ for the purpose of satisfying minimum hours of training and instruction;

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

(3) Compensate an apprentice cosmetology instructor;

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

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

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

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

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

(C) A school of cosmetology shall annually review the subjects and coursework required to receive an initial

cosmetology license and advanced license and, in doing so, shall 1955  
incorporate standards adopted by the state board of cosmetology 1956  
pursuant to division (A) (13) of section 4713.08 of the Revised 1957  
Code. 1958

**Sec. 4713.48.** (A) The state board of cosmetology shall 1959  
issue a permit to operate a tanning facility to an applicant if 1960  
~~all~~ both of the following conditions are satisfied: 1961

(1) The applicant applies in accordance with the 1962  
application process adopted by rules adopted under section 1963  
4713.08 of the Revised Code. 1964

(2) The applicant pays to the treasurer of state the fee 1965  
established by those rules. 1966

(3) An initial inspection of the premises indicates that 1967  
the tanning facility has been installed and will be operated in 1968  
accordance with those rules. 1969

(B) A permit holder shall post the permit in a public and 1970  
conspicuous place on any premises where the tanning facility is 1971  
located. ~~A person~~ An individual shall obtain a separate permit 1972  
for each of the premises owned or operated by that ~~person~~ 1973  
individual at which the ~~person~~ individual seeks to operate a 1974  
tanning facility. 1975

(C) ~~A~~ To continue operating, a permit holder may shall 1976  
biennially renew ~~a~~ the permit by the last day of January of each 1977  
odd-numbered year ~~upon~~. The board shall renew the permit upon 1978  
the holder's payment to the treasurer of state of the biennial 1979  
renewal fee. 1980

**Sec. 4713.55.** Every license issued by the state board of 1981  
cosmetology shall be signed by the chairperson and attested by 1982  
the executive director ~~thereof~~ of the board, with the seal of the 1983

board attached. 1984

The board shall specify on each practicing license that 1985  
the board issues the branch of cosmetology that the license 1986  
entitles the holder to practice. The board shall specify on each 1987  
~~managing advanced~~ license that the board issues the type of 1988  
salon ~~that in which~~ the license entitles the holder to ~~manage~~ 1989  
work and the branch of cosmetology that the license entitles the 1990  
holder to practice. The board shall specify on each instructor 1991  
license that the board issues the branch of cosmetology that the 1992  
license entitles the holder to teach. The board shall specify on 1993  
each salon license that the board issues the branch of 1994  
cosmetology that the license entitles the holder to offer. The 1995  
board shall specify on each independent contractor license that 1996  
the board issues the branch of cosmetology that the license 1997  
entitles the holder to offer within a licensed salon. Such 1998  
licenses are prima-facie evidence of the right of the holder to 1999  
practice or teach the branch of cosmetology, ~~or manage the type~~ 2000  
~~of salon,~~ that the license specifies. 2001

**Sec. 4713.56.** Every holder of a practicing license, ~~or~~ 2002  
~~managing license,~~ instructor license, ~~or~~ independent contractor 2003  
license, or boutique service registration issued by the state 2004  
board of cosmetology shall ~~display~~ maintain the board-issued, 2005  
wallet-sized license ~~in a public and conspicuous place in the~~ 2006  
~~place of employment of the holder~~ or electronically generated 2007  
license certification or registration and a current government- 2008  
issued photo identification that can be produced upon inspection 2009  
or request. 2010

Every holder of a license to operate a salon issued by the 2011  
board shall display the license in a public and conspicuous 2012  
place in the salon. 2013

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

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

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

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

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

(2) An esthetics instructor who has previously been



licensed as an esthetician or ~~a managing-an advanced~~ 2043  
esthetician, is entitled to the reissuance of an esthetician or 2044  
~~managing-advanced~~ esthetician license; 2045

(3) A hair design instructor who has previously been 2046  
licensed as a hair designer or ~~a managing-an advanced~~ hair 2047  
designer, is entitled to the reissuance of a hair designer or 2048  
~~managing-advanced~~ hair designer license; 2049

(4) A manicurist instructor who has previously been 2050  
licensed as a manicurist or ~~a managing-an advanced~~ manicurist, 2051  
is entitled to the reissuance of a manicurist or ~~managing-~~ 2052  
~~advanced~~ manicurist license; 2053

(5) A natural hair style instructor who has previously 2054  
been licensed as a natural hair stylist or ~~a managing-an~~ 2055  
~~advanced~~ natural hair stylist, is entitled to the reissuance of 2056  
a natural hair stylist or ~~managing-advanced~~ natural hair stylist 2057  
license. 2058

(B) No ~~person-individual~~ is entitled to the reissuance of 2059  
a license under division (A) of this section if the license was 2060  
revoked or suspended or the ~~person-individual~~ has an outstanding 2061  
unpaid fine levied under section 4713.64 of the Revised Code. 2062

**Sec. 4713.59.** If the state board of cosmetology adopts 2063  
rules under section 4713.09 of the Revised Code to establish a 2064  
continuing education requirement as a condition of renewal for a 2065  
practicing license, ~~managing-advanced~~ license, or instructor 2066  
license, the board shall inform each affected licensee of the 2067  
continuing education requirement that applies to the next 2068  
biennial licensing period by including ~~at that information in the~~ 2069  
~~renewal~~ notification ~~in the license renewal application form it~~ 2070  
sends the licensee. The notification shall state that the 2071

licensee must complete the continuing education requirement by 2072  
the ~~last~~ fifteenth day of January of the next odd-numbered year. 2073

Hours completed in excess of the continuing education 2074  
requirement may not be applied to the next biennial licensing 2075  
period. 2076

**Sec. 4713.60.** (A) Except as provided in division (C) of 2077  
this section, ~~a person~~ an individual seeking a renewal of a 2078  
license to practice a branch of cosmetology, ~~managing advanced~~ 2079  
license, or instructor license, or boutique services 2080  
registration shall include in the renewal application proof 2081  
satisfactory to the board of completion of any applicable 2082  
continuing education requirements established by rules adopted 2083  
under section 4713.09 of the Revised Code. 2084

(B) If an applicant fails to provide satisfactory proof of 2085  
completion of any applicable continuing education requirements, 2086  
the board shall notify the applicant that the application is 2087  
incomplete. The board shall not renew the license or 2088  
registration until the applicant provides satisfactory proof of 2089  
completion of any applicable continuing education requirements. 2090  
The board may provide the applicant with an extension of up to 2091  
ninety days in which to complete the continuing education 2092  
requirement. In providing for the extension, the board may 2093  
charge the licensee or registrant a fine of up to one hundred 2094  
dollars. 2095

(C) The board may waive, or extend the period for 2096  
completing, any continuing education requirement if a licensee 2097  
or registrant applies to the board and provides proof 2098  
satisfactory to the board of being unable to complete the 2099  
requirement within the time allowed because of any of the 2100  
following: 2101

- (1) An emergency; 2102
- (2) An unusual or prolonged illness; 2103
- (3) Active duty service in any branch of the armed forces 2104  
of the United States or a reserve component of the armed forces 2105  
of the United States, including the Ohio national guard or the 2106  
national guard of any other state. 2107

The board shall determine the period of time during which 2108  
each extension is effective and shall inform the applicant. The 2109  
board shall also inform the applicant of the continuing 2110  
education requirements that must be met to have the license\_or 2111  
registration renewed. If an extension is granted for less than 2112  
one year, the continuing education requirement for that year, in 2113  
addition to the required continuing education for the succeeding 2114  
year, must be completed in the succeeding year. In all other 2115  
cases the board may waive all or part of the continuing 2116  
education requirement on a case-by-case basis. Any required 2117  
continuing education shall be completed and satisfactory proof 2118  
of its completion submitted to the board by a date specified by 2119  
the board. Every license ~~which~~ or registration that has not been 2120  
renewed ~~in any odd numbered year by the last day of January in~~ 2121  
the timeframe specified in section 4713.57 of the Revised Code 2122  
and for which the continuing education requirement has not been 2123  
waived or extended shall be considered expired. 2124

**Sec. 4713.61.** (A) If the state board of cosmetology adopts 2125  
a continuing education requirement under section 4713.09 of the 2126  
Revised Code, it may develop a procedure by which ~~a person an~~ 2127  
individual who holds a license to practice a branch of 2128  
cosmetology, ~~managing advanced~~ license, or instructor license 2129  
and who is not currently engaged in the practice of the branch 2130  
of cosmetology, ~~managing a salon,~~ or teaching the theory and 2131

practice of the branch of cosmetology, but who desires to be so 2132  
engaged in the future, may apply to the board to have the 2133  
~~person's~~ individual's license classified inactive. If the board 2134  
develops such a procedure, ~~a person~~ an individual seeking to 2135  
have the ~~person's~~ individual's license classified inactive shall 2136  
apply to the board on a form provided by the board and pay the 2137  
fee established by rules adopted under section 4713.08 of the 2138  
Revised Code. 2139

(B) The board shall not restore an inactive license until 2140  
the later of the following: 2141

(1) The date that the ~~person~~ individual holding the 2142  
license submits proof satisfactory to the board that the ~~person~~ 2143  
individual has completed the continuing education that a rule 2144  
adopted under section 4713.08 of the Revised Code requires; 2145

(2) The last day of January of the next odd-numbered year 2146  
following the year the license is classified inactive. 2147

(C) ~~A person~~ An individual who holds an inactive license 2148  
may engage in the practice of a branch of cosmetology if the 2149  
~~person~~ individual holds a temporary work permit as specified in 2150  
rules adopted by the board under section 4713.08 of the Revised 2151  
Code. 2152

**Sec. 4713.62.** (A) ~~A person~~ An individual holding a 2153  
practicing license, ~~managing advanced~~ license, ~~or~~ instructor 2154  
license, or boutique services registration may satisfy a 2155  
continuing education requirement established by rules adopted 2156  
under section 4713.09 of the Revised Code only by completing 2157  
continuing education programs approved under division (B) of 2158  
this section ~~or developed under division (C) of this section.~~ 2159

(B) The state board of cosmetology shall approve a 2160

continuing education program if all of the following conditions 2161  
are satisfied: 2162

(1) The person operating the program submits to the board 2163  
a written application for approval. 2164

(2) The person operating the program pays to the board a 2165  
fee established by rules adopted under section 4713.08 of the 2166  
Revised Code. 2167

(3) The program is operated by an employee, officer, or 2168  
director of a nonprofit professional association, college or 2169  
university, proprietary continuing education institutions 2170  
providing programs approved by the board, vocational school, 2171  
postsecondary proprietary school of cosmetology licensed by the 2172  
board, salon licensed by the board, or manufacturer of supplies 2173  
or equipment used in the practice of a branch of cosmetology. 2174

(4) The program will do at least one of the following: 2175

(a) Enhance the professional competency of the affected 2176  
licensees or registrants; 2177

(b) Protect the public; 2178

(c) Educate the affected licensees or registrants in the 2179  
application of the laws and rules regulating the practice of a 2180  
branch of cosmetology. 2181

(5) The person operating the program provides the board a 2182  
tentative schedule of when the program will be available so that 2183  
the board can make the schedule readily available to all 2184  
licensees and registrants throughout the state. 2185

**Sec. 4713.63.** A practicing license, ~~managing~~ advanced 2186  
license, or instructor license that has not been renewed for any 2187  
reason other than because it has been revoked, suspended, or 2188

classified inactive, or because the license holder has been 2189  
given a waiver or extension under section 4713.60 of the Revised 2190  
Code, is expired. An expired license may be restored if the 2191  
~~person~~ individual who held the license meets all of the 2192  
following applicable conditions: 2193

(A) Pays to the state board of cosmetology the restoration 2194  
~~fee, the current renewal fee, and any applicable late fees~~ 2195  
established under section 4713.10 of the Revised Code; 2196

(B) ~~Pays a lapsed renewal fee of forty five dollars per~~ 2197  
~~license renewal period that has elapsed since the license was~~ 2198  
~~last issued or renewed;~~ 2199

~~(C)~~ In the case of a practicing license or ~~managing~~ 2200  
advanced license that has been expired for more than two 2201  
consecutive license renewal periods, completes eight hours of 2202  
continuing education for each license renewal period that has 2203  
elapsed since the license was last issued or renewed, up to a 2204  
maximum of twenty-four hours. At least four of those hours shall 2205  
include a course pertaining to sanitation and safety methods. 2206

The board shall deposit all fees it receives under 2207  
division (B) of this section into the general revenue fund. 2208

**Sec. 4713.64.** (A) The state board of cosmetology may take 2209  
disciplinary action for any of the following: 2210

(1) Failure to comply with the safety, sanitation, and 2211  
licensing requirements of this chapter or rules adopted under 2212  
it; 2213

(2) Continued practice by ~~a person~~ an individual knowingly 2214  
having an infectious or contagious disease; 2215

(3) Habitual drunkenness or addiction to any habit-forming 2216

drug;	2217
(4) Willful false and fraudulent or deceptive advertising;	2218
(5) Falsification of any record or application required to be filed with the board;	2219 2220
(6) Failure to pay a fine or abide by a suspension order issued by the board;	2221 2222
<u>(7) Failure to cooperate with an investigation or inspection;</u>	2223 2224
<u>(8) Failure to respond to a subpoena;</u>	2225
<u>(9) Conviction of or plea of guilty to a violation of section 2905.32 of the Revised Code;</u>	2226 2227
<u>(10) In the case of a salon, any individual's conviction of or plea of guilty to a violation of section 2905.32 of the Revised Code for an activity that took place on the premises of the salon.</u>	2228 2229 2230 2231
(B) On determining that there is cause for disciplinary action, the board may do one or more of the following:	2232 2233
(1) Deny, revoke, or suspend a license <del>or</del> , <u>permit, or registration</u> issued by the board;	2234 2235
(2) Impose a fine;	2236
(3) Require the holder of a license <del>or</del> , <u>permit, or registration</u> to take corrective action courses.	2237 2238
(C) <u>(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.</u>	2239 2240 2241
<u>(2) The board may take disciplinary action without</u>	2242

conducting an adjudication under Chapter 119. of the Revised 2243  
Code against an individual or salon who violates division (A) (9) 2244  
or (10) of this section. After the board takes such disciplinary 2245  
action, the board shall give written notice to the subject of 2246  
the disciplinary action of the right to request a hearing under 2247  
Chapter 119. of the Revised Code. 2248

(3) In lieu of an adjudication, the board may enter into a 2249  
consent agreement with the holder of a license, permit, or 2250  
registration. A consent agreement that is ratified by a majority 2251  
vote of a quorum of the board members is considered to 2252  
constitute the findings and orders of the board with respect to 2253  
the matter addressed in the agreement. If the board does not 2254  
ratify a consent agreement, the admissions and findings 2255  
contained in the agreement are of no effect, and the case shall 2256  
be scheduled for adjudication under Chapter 119. of the Revised 2257  
Code. 2258

(D) The amount and content of corrective action courses 2259  
and other relevant criteria shall be established by the board in 2260  
rules adopted under section 4713.08 of the Revised Code. 2261

~~(D)~~(E) (1) The board may impose a separate fine for each 2262  
offense listed in division (A) of this section. The amount of a 2263  
the first fine issued for a violation as the result of an 2264  
inspection shall be not more than five two hundred fifty dollars 2265  
if the violator has not previously been fined for that offense. 2266  
Any fines issued for additional violations during such an 2267  
inspection shall not be more than one hundred dollars for each 2268  
additional violation. The fine shall be not more than one 2269  
~~thousand~~five hundred dollars if the violator has been fined for 2270  
the same offense once before. Any fines issued for additional 2271  
violations during a second inspection shall not be more than two 2272



hundred dollars for each additional violation. The fine shall be 2273  
not more than one thousand ~~five hundred~~ dollars if the violator 2274  
has been fined for the same offense two or more times before. 2275  
Any fines issued for additional violations during a third 2276  
inspection shall not be more than three hundred dollars for each 2277  
additional violation. 2278

(2) The board shall issue an order notifying a violator of 2279  
a fine imposed under division (E) (1) of this section. The notice 2280  
shall specify the date by which the fine is to be paid. The date 2281  
shall be less than forty-five days after the board issues the 2282  
order. 2283

(3) At the request of a violator who is temporarily unable 2284  
to pay a fine, or upon its own motion, the board may extend the 2285  
time period within which the violator shall pay the fine up to 2286  
ninety days after the date the board issues the order. 2287

(4) If a violator fails to pay a fine by the date 2288  
specified in the board's order and does not request an extension 2289  
within ten days after the date the board issues the order, or if 2290  
the violator fails to pay the fine within the extended time 2291  
period as described in division (E) (3) of this section, the 2292  
board shall add to the fine an additional penalty equal to ten 2293  
per cent of the fine. 2294

(5) If a violator fails to pay a fine within ninety days 2295  
after the board issues the order, the board shall add to the 2296  
fine interest at a rate specified by the board in rules adopted 2297  
under section 4713.08 of the Revised Code. 2298

(6) If the fine, including any interest or additional 2299  
penalty, remains unpaid on the ninety-first day after the board 2300  
issues an order under division (E) (2) of this section, the 2301

amount of the fine and any interest or additional penalty shall 2302  
be certified to the attorney general for collection in the form 2303  
and manner prescribed by the attorney general. The attorney 2304  
general may assess the collection cost to the amount certified 2305  
in such a manner and amount as prescribed by the attorney 2306  
general. 2307

(F) In the case of an offense of failure to comply with 2308  
division (A) or (B) (2) or (3) of section 4713.50 of the Revised 2309  
Code, the board shall impose a fine of five hundred dollars if 2310  
the violator has not previously been fined for that offense. If 2311  
the violator has previously been fined for the offense, the 2312  
board may impose a fine in accordance with this division or take 2313  
another action in accordance with division (B) of this section. 2314

~~(E)~~ (G) The board shall notify a licensee or registrant 2315  
who is in violation of division (A) of this section and the 2316  
owner of the salon in which the conditions constituting the 2317  
violation were found. The individual receiving the notice of 2318  
violation and the owner of the salon may request a hearing 2319  
pursuant to section 119.07 of the Revised Code. If a person—the 2320  
individual or owner fails to request a hearing within or enter 2321  
into a consent agreement thirty days of—after the date the 2322  
board, in accordance with section 119.07 of the Revised Code and 2323  
division (J) of this section, notifies the ~~person—individual or~~ 2324  
owner of the board's intent to act against the ~~person—individual~~ 2325  
or owner under division (A) of this section, the board by a 2326  
majority vote of a quorum of the board members may take the 2327  
action against the ~~person—individual or owner~~ without holding an 2328  
adjudication hearing. 2329

~~(F)~~ (H) The board, after a hearing in accordance with 2330  
Chapter 119. of the Revised Code or pursuant to a consent 2331

agreement, may suspend a ~~tanning facility license, permit, or~~ 2332  
registration if the ~~owner or operator licensee, permit holder,~~ 2333  
or registrant fails to correct an unsafe condition that exists 2334  
in violation of the board's rules or fails to cooperate in an 2335  
inspection ~~of the tanning facility~~. If a violation of this 2336  
chapter or rules adopted under it has resulted in a condition 2337  
reasonably believed by an inspector to create an immediate 2338  
danger to the health and safety of any ~~person~~ individual using 2339  
the ~~tanning facility~~, the inspector may suspend the license or 2340  
permit of the facility or the individual responsible for the 2341  
violation without a prior hearing until the condition is 2342  
corrected or until a hearing in accordance with Chapter 119. of 2343  
the Revised Code is held or a consent agreement is entered into 2344  
and the board either upholds the suspension or reinstates the 2345  
license, permit, or registration. 2346

(I) The board shall not take disciplinary action against 2347  
an individual licensed to operate a salon or school of 2348  
cosmetology for a violation of this chapter that was committed 2349  
by an individual licensed to practice a branch of cosmetology, 2350  
while practicing within the salon or school, when the 2351  
individual's actions were beyond the control of the salon owner 2352  
or school. 2353

(J) In addition to the methods of notification required 2354  
under section 119.07 of the Revised Code, the board may send the 2355  
notices required under divisions (C) (2), (E) (2), and (G) of this 2356  
section by any delivery method that is traceable and requires 2357  
that the delivery person obtain a signature to verify that the 2358  
notice has been delivered. The board also may send the notices 2359  
by electronic mail, provided that the electronic mail delivery 2360  
system certifies that a notice has been received. 2361

**Sec. 4713.641.** Any student or former student of a school 2362  
of cosmetology licensed under division (A) of section 4713.44 of 2363  
the Revised Code may file a complaint with the state board of 2364  
cosmetology alleging that the school has violated division (A) 2365  
of section 4713.64 of the Revised Code. The complaint shall be 2366  
in writing and signed by the ~~person~~individual bringing the 2367  
complaint. Upon receiving a complaint, the board shall initiate 2368  
a preliminary investigation to determine whether it is probable 2369  
that a violation was committed. If the board determines after 2370  
preliminary investigation that it is not probable that a 2371  
violation was committed, the board shall notify the ~~person~~ 2372  
individual who filed the complaint of the board's findings and 2373  
that the board will not issue a formal complaint in the matter. 2374  
If the board determines after a preliminary investigation that 2375  
it is probable that a violation was committed, the board shall 2376  
proceed against the school pursuant to the board's authority 2377  
under section 4713.64 of the Revised Code and in accordance with 2378  
the hearing and notice requirements prescribed in Chapter 119. 2379  
of the Revised Code. 2380

**Sec. 4713.66.** (A) The state board of cosmetology, on its 2381  
own motion or on receipt of a written complaint, may investigate 2382  
or inspect the activities or premises of an individual or entity 2383  
who is alleged to have violated this chapter or rules adopted 2384  
under it, regardless of whether the individual or entity holds a 2385  
license or registration issued under this chapter. 2386

(B) If, based on its investigation, the board determines 2387  
that there is reasonable cause to believe that an individual or 2388  
entity has violated this chapter or rules adopted under it, the 2389  
board shall afford the individual or entity an opportunity for a 2390  
hearing. Notice shall be given and any hearing conducted in 2391  
accordance with Chapter 119. of the Revised Code. 2392

(C) The board shall maintain a transcript of the hearing 2393  
and issue a written opinion to all parties, citing its findings 2394  
and ground for any action it takes. Any action shall be taken in 2395  
accordance with section 4713.64 of the Revised Code. 2396

**Sec. 4713.69.** (A) The state board of cosmetology shall 2397  
issue a boutique services registration to an applicant who 2398  
satisfies all of the following applicable conditions: 2399

(1) Is at least sixteen years of age; 2400

(2) Is of good moral character; 2401

(3) Has the equivalent of an Ohio public school tenth 2402  
grade education; 2403

(4) Has submitted a written application on a form 2404  
prescribed by the board containing all of the following: 2405

(a) The applicant's name and home address; 2406

(b) The applicant's home telephone number and cellular 2407  
telephone number, if any; 2408

(c) The applicant's electronic mail address, if any; 2409

(d) The applicant's date of birth; 2410

(e) The address and telephone number where boutique 2411  
services will be performed. The address shall not contain a post 2412  
office box number. 2413

(f) Whether the applicant has an occupational license, 2414  
certification, or registration to provide beauty services in 2415  
another state, and if so, what type of license and in what 2416  
state; 2417

(g) Whether the applicant has ever had an occupational 2418  
license, certification, or registration suspended, revoked, or 2419

<u>denied in any state;</u>	2420
<u>(h) An affidavit providing proof of formal training or</u>	2421
<u>apprenticeship under an individual providing such services.</u>	2422
<u>(5) Pays the registration fee.</u>	2423
<u>(B) The place of business where boutique services are</u>	2424
<u>performed must comply with the safety and sanitation</u>	2425
<u>requirements for licensed salon facilities as described in</u>	2426
<u>section 4713.41 of the Revised Code.</u>	2427
<u>(C) Within six months of the effective date of this</u>	2428
<u>section, the board shall specify the manner by which boutique</u>	2429
<u>services registrants shall fulfill the continuing education</u>	2430
<u>requirements set forth in section 4713.09 of the Revised Code.</u>	2431
<b>Sec. 4713.99.</b> Whoever violates section 4713.14 of the	2432
Revised Code is guilty of a misdemeanor of the fourth degree on	2433
a first offense; on each subsequent offense, such <del>person</del>	2434
<u>individual</u> is guilty of a misdemeanor of the third degree.	2435
<b>Section 2.</b> That existing sections 2925.01, 4713.01,	2436
4713.02, 4713.03, 4713.06, 4713.07, 4713.08, 4713.081, 4713.082,	2437
4713.09, 4713.10, 4713.13, 4713.14, 4713.141, 4713.16, 4713.17,	2438
4713.20, 4713.21, 4713.22, 4713.24, 4713.25, 4713.26, 4713.28,	2439
4713.30, 4713.31, 4713.34, 4713.35, 4713.36, 4713.37, 4713.39,	2440
4713.41, 4713.42, 4713.44, 4713.45, 4713.48, 4713.55, 4713.56,	2441
4713.57, 4713.58, 4713.59, 4713.60, 4713.61, 4713.62, 4713.63,	2442
4713.64, 4713.641, and 4713.99 of the Revised Code are hereby	2443
repealed.	2444
<b>Section 3.</b> Not more than two years after the effective	2445
date of this act, the State Board of Cosmetology shall issue an	2446
advanced license to all individuals holding a valid managing	2447
license for the level of licensure attained by the individual	2448

prior to the effective date of this act. 2449

**Section 4.** On or before December 31, 2016, the Governor 2450  
shall appoint the member of the State Board of Cosmetology who 2451  
holds a tanning permit as described in division (A) (9) of 2452  
section 4713.02 of the Revised Code. The initial term of office 2453  
shall be from the date of appointment until October 31, 2021. 2454

**Section 5.** Not more than two years after the effective 2455  
date of this act the State Board of Cosmetology shall adopt a 2456  
rule under Chapter 119. of the Revised Code to specify the 2457  
circumstances under which an applicant for a licensure 2458  
examination may take the examination before having successfully 2459  
completed the minimum number of hours specified under section 2460  
4713.28 of the Revised Code for the license. The rule shall 2461  
include a provision requiring that a school of cosmetology 2462  
confirm the number of hours that have been successfully 2463  
completed by the applicant. 2464

**Section 6.** Notwithstanding division (A) of section 4713.02 2465  
of the Revised Code which, as a result of amendments made by 2466  
this act, no longer permits an owner or manager of a licensed 2467  
salon in which at least one person holding a current, valid 2468  
independent contractor license practices a branch of cosmetology 2469  
to be appointed to a seat on the Board of Cosmetology, an owner 2470  
or manager of such a salon who holds a seat on the Board on the 2471  
effective date of this act may retain that seat until the 2472  
current term of the seat expires. 2473