



## HOUSE BILL 542 – COSMETOLOGY REFORM

### PROPONENT TESTIMONY

#### OHIO SENATE GOVERNMENT OVERSIGHT & REFORM COMMITTEE

NOVEMBER 29, 2022

Chair Roegner, Vice-Chair McColley, Ranking Member Craig, and members of the Ohio Senate Government Oversight and Reform Committee, my name is Chris Ferruso. I am here on behalf of the nearly 21,000 governing members of the National Federation of Independent Business in Ohio (NFIB) to lend our support for House Bill 542. This bill was amended in committee two weeks ago to add key components of Senate Bill 133, legislation that brings common sense reforms to Ohio’s cosmetology and barber laws. We applaud the committee for taking up this important topic.

By way of background, a typical NFIB member in Ohio employs 20 or fewer and does less than \$2 million in annual receipts. Our members come from all industry types and each of the 88 counties. Our members range in size from sole proprietors to large operations employing hundreds.

In addition to our public policy work, we also regularly survey (monthly nationally, quarterly in Ohio) our members on their biggest challenges as well as their optimism for growth. It will come as no surprise that inflation is the top issue facing our members. Close behind, however, is the inability to fill open positions. While the survey is conducted across all industry sectors, the data speaks for itself, every industry is facing hiring challenges. In addition to these surveys, the NFIB Research Foundation produces a quadrennial publication named *Problems & Priorities*. This publication captures our members’ responses to a list of 75 small business issues, asking them to rank them based on the biggest impediment to job creation / expansion / growth. “Locating qualified employees” and “finding and keeping skilled employees” are the second and third greatest challenges facing our members. Close on the heels is “unreasonable government regulations” which continues to rank in the top 10 at sixth.<sup>1</sup> Our members are not only challenged with finding and retaining employees but are also concerned about the barriers elected officials are preserving or erecting that impede their ability to expand and grow their operations.

House Bill 542 as amended adopts meaningful reforms for the cosmetology and barber industries as today’s requirements to obtain a license can serve as a hindrance to

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<sup>1</sup> <https://assets.nfib.com/nfibcom/NFIB-Problems-and-Priorities-2020.pdf>

individuals seeking a career in these industries. The changes in the bill include a reduction in hours for licensure from 1,500 to 1,000 for cosmetologists, 1,800 to 1,000 for barbers, allowing students to sit for an exam prior to graduating, and permits student testing in a regional location versus having to travel to central Ohio. Ohio has the opportunity to embrace this licensure modernization and be a leader nationally. I would note that the most controversial provision, a reduction to 1,000 hours, has been achieved in Massachusetts, New York, Texas, California, Virginia, and Vermont for cosmetologists. For barbers, Alabama, Connecticut, Massachusetts, Missouri, Utah, Vermont, Wisconsin, Washington, and Wyoming have moved to 1,000. Additionally, Idaho and New Jersey are at 900 hours, New Hampshire is at 800, and New York is at 228 with additional apprenticeship requirements.

I think an important point to note is House Bill 542 establishes a floor, not a ceiling. If there is a unique or special program offered that requires further hours to achieve, nothing in this bill precludes such a program from being offered. If schools want to offer 1,500-hour programs, nothing in this bill prevents that from happening. Let the individual decide if they want to pursue such opportunities. Why would Ohio continue to require students to stay in school longer, potentially racking up more debt, as a prerequisite to obtaining licensure? Let the student decide.

You may hear that House Bill 542 jeopardizes public health and safety. I suggest ultimate accountability remains with the salons and establishments where licensed cosmetologists and barbers are practicing. I believe it stands to reason that no business owner is going to subject him or herself to potential legal liability by allowing less than qualified individuals to serve their customers. It would be an unwise business practice to do so. In addition, these establishments are subjected to inspection by health departments.

NFIB's interest in this legislation is to ensure that our laws are not overly burdensome and do not serve as barriers to individuals pursuing their passions. This bill complements all the good work this body and the General Assembly has done to reduce regulatory burdens on businesses and individuals, as well as promote out-of-state licensure recognition. We view House Bill 542 as an early step in the review, evaluation, and potential reform of Ohio's overall licensure structure. We hope the enactment of House Bill 542 will spur the review of other licenses to ensure the requirements are not obstacles to individuals pursuing their passions.

House Bill 542 provides positive reform to Ohio's cosmetology and barber laws. The bill ensures proper training requirements and protects the safety of the public while also reducing over-burdensome government requirements that discourage entrepreneurship and potentially leave individuals with large amounts of debt. Ohio has the opportunity to be a leader. We encourage the passage of House Bill 542.

Thank you, Chair Roegner and members of the committee, I would be happy to try and address any questions the committee may have.