

As Introduced

134th General Assembly

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H. B. No. 277

Representative Powell

**Cosponsors: Representatives Merrin, Riedel, Gross, Carfagna, Zeltwanger,
Hoops, Brinkman**

A BILL

To amend sections 4709.05, 4709.07, 4709.08, 1
4709.10, 4713.08, 4713.09, 4713.24, 4713.28, 2
4713.31, 4713.34, 4713.45, and 4713.59 of the 3
Revised Code to revise the law governing the 4
regulation of cosmetologists and barbers. 5

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

Section 1. That sections 4709.05, 4709.07, 4709.08, 6
4709.10, 4713.08, 4713.09, 4713.24, 4713.28, 4713.31, 4713.34, 7
4713.45, and 4713.59 of the Revised Code be amended to read as 8
follows: 9

Sec. 4709.05. In addition to any other duty imposed on the 10
state cosmetology and barber board under this chapter or Chapter 11
4713. of the Revised Code, the board shall do all of the 12
following: 13

(A) Hold regular meetings, at the times and places as it 14
determines for the purpose of conducting the examinations 15
required under this chapter, and hold additional meetings for 16
the transaction of necessary business; 17

(B) Maintain a record of its proceedings and a register of persons licensed as barbers. The register shall include each licensee's name, place of business, residence, and licensure date and number, and a record of all licenses issued, refused, renewed, suspended, or revoked. The records are open to public inspection at all reasonable times.

(C) Ensure that the practice of barbering is conducted only in a licensed barber shop, except when the practice of barbering is performed on a person whose physical or mental disability prevents that person from going to a licensed barber shop;

(D) Conduct or have conducted the examination for applicants to practice as licensed barbers at least four times per year at the times and places the board determines;

(E) Adopt rules, in accordance with Chapter 119. of the Revised Code, to administer and enforce this chapter and which cover all of the following:

(1) Sanitary standards for the operation of barber shops and barber schools that conform to guidelines established by the department of health;

(2) The content of the examination required of an applicant for a barber license. The examination shall include a practical demonstration and a written test, shall relate only to the practice of barbering, and shall require the applicant to demonstrate that the applicant has a thorough knowledge of and competence in the proper techniques in the safe use of chemicals used in the practice of barbering.

(3) Continuing education requirements for persons licensed pursuant to this chapter that may be satisfied by either

classroom instruction or distance education. The board may 47
impose continuing education requirements upon a licensee for a 48
violation of this chapter or the rules adopted pursuant thereto 49
or if the board determines that the requirements are necessary 50
to preserve the health, safety, or welfare of the public. 51

(4) Requirements for the licensure of barber schools, 52
barber teachers, and assistant barber teachers; 53

(5) Requirements for students of barber schools; 54

(6) Standards for board approval of training in barbering 55
by barber schools licensed in this state offered through 56
classroom instruction or distance education; 57

(7) The designation of testing facilities in this state 58
that are authorized to administer the written portion of the 59
examination required for an applicant for a barber license on 60
behalf of the board; 61

(8) Any other area the board determines appropriate to 62
administer or enforce this chapter. 63

(F) Prior to adopting any rule under this chapter, 64
indicate at a formal hearing the reasons why the rule is 65
necessary as a protection of the persons who use barber services 66
or as an improvement of the professional standing of barbers in 67
this state; 68

(G) Furnish each owner or manager of a barber shop and 69
barber school with a copy of all sanitary rules adopted pursuant 70
to division (E) of this section; 71

(H) Conduct such investigations and inspections of persons 72
and establishments licensed or unlicensed pursuant to this 73
chapter and for that purpose, any member of the board or any of 74

its authorized agents may enter and inspect any place of 75
business of a licensee or a person suspected of violating this 76
chapter or the rules adopted pursuant thereto, during normal 77
business hours; 78

(I) Upon the written request of an applicant and the 79
payment of the appropriate fee, provide to the applicant 80
licensure information concerning the applicant; 81

(J) Do all things necessary for the proper administration 82
and enforcement of this chapter. 83

Sec. 4709.07. (A) Each person who desires to obtain an 84
initial license to practice barbering shall apply to the state 85
cosmetology and barber board, on forms provided by the board. 86
The application form shall include the name of the person 87
applying for the license and evidence that the applicant meets 88
all of the requirements of division (B) of this section. The 89
application shall be accompanied by two signed current 90
photographs of the applicant, in the size determined by the 91
board, that show only the head and shoulders of the applicant, 92
and the examination application fee. 93

(B) In order to take the required barber examination and 94
to qualify for licensure as a barber, an applicant must 95
demonstrate that the applicant meets all of the following: 96

(1) Is at least eighteen years of age; 97

(2) Has an eighth grade education or an equivalent 98
education as determined by the state board of education in the 99
state where the applicant resides; 100

(3) Has graduated with at least one thousand ~~eight hundred~~ 101
hours of training from a board-approved barber school or has 102
graduated with at least ~~one thousand~~ four hundred hours of 103

training from a board-approved barber school in this state and 104
has a current cosmetology or hair designer license issued 105
pursuant to Chapter 4713. of the Revised Code. No hours of 106
instruction earned by an applicant five or more years prior to 107
the examination apply to the hours of study required by this 108
division. 109

(C) (1) Any applicant who meets all of the requirements of 110
divisions (A) and (B) of this section may take the barber 111
examination at the time and place specified by the board. An 112
applicant may elect to take the written portion of the 113
examination at a testing facility designated by the board under 114
section 4709.05 of the Revised Code, and the practical 115
demonstration portion of the examination at the barber school 116
from which the applicant graduated. The applicant is responsible 117
for any additional costs associated with taking the examination 118
at a testing facility or barber school. 119

(2) If the applicant fails to attain at least a seventy- 120
five per cent pass rate on each part of the examination, the 121
applicant is ineligible for licensure; however, the applicant 122
may reapply for examination within ninety days after the date of 123
the release of the examination scores by paying the required 124
reexamination fee. An applicant is only required to take that 125
part or parts of the examination on which the applicant did not 126
receive a score of seventy-five per cent or higher. If the 127
applicant fails to reapply for examination within ninety days or 128
fails the second examination, in order to reapply for 129
examination for licensure the applicant shall complete an 130
additional course of study of not less than two hundred hours, 131
in a board-approved barber school. The board shall provide to an 132
applicant, upon request, a report which explains the reasons for 133
the applicant's failure to pass the examination. 134

(D) The board shall issue a license to practice barbering 135
to any applicant who, to the satisfaction of the board, meets 136
the requirements of divisions (A) and (B) of this section, who 137
passes the required examination, and pays the initial licensure 138
fee. Every licensed barber shall display the certificate of 139
licensure in a conspicuous place adjacent to or near the 140
licensed barber's work chair, along with a signed current 141
photograph, in the size determined by the board, showing head 142
and shoulders only. 143

Sec. 4709.08. (A) Any person who holds a current license 144
or registration to practice as a barber in any other state or 145
district of the United States or country ~~whose requirements for~~ 146
~~licensure or registration of barbers are substantially~~ 147
~~equivalent to the requirements of this chapter and rules adopted~~ 148
~~under it and that extends similar reciprocity to persons~~ 149
~~licensed as barbers in this state~~ may apply to the state 150
cosmetology and barber board for a barber license. The board 151
shall, ~~without examination, unless the board determines to~~ 152
~~require an examination,~~ issue a license by endorsement to 153
practice as a licensed barber in this state if the person meets 154
all of the requirements of this section, is following applicable 155
conditions: 156

(1) Is at least eighteen years of age, and pays; 157

(2) Pays the required fees; 158

(3) If the person is licensed or registered in another 159
state, submits to the board satisfactory evidence of that fact; 160

(4) If the person is licensed or registered or was trained 161
in another country, submits to the board satisfactory evidence 162
of that fact and that the standards for licensure, registration, 163

or training in that country were substantially similar to those 164
of this state at the time the person was licensed, registered, 165
or trained. The 166

(B) The board may waive do either of the following for a 167
person applying for a license under this section: 168

(1) Waive any of the requirements listed in division (A) 169
of this section; 170

(2) Require the person to pass an examination. 171

Sec. 4709.10. (A) Each person who desires to obtain a 172
license to operate a barber school shall apply to the state 173
cosmetology and barber board, on forms provided by the board. 174
The board shall issue a barber school license to a person if the 175
board determines that the person meets and will comply with all 176
of the requirements of division (B) of this section and pays the 177
required licensure and inspection fees. 178

(B) In order for a person to qualify for a license to 179
operate a barber school, the barber school to be operated by the 180
person must meet all of the following requirements: 181

(1) Have a training facility sufficient to meet the 182
required educational curriculum established by the board, 183
including enough space to accommodate all the facilities and 184
equipment required by rule by the board; 185

(2) Provide sufficient licensed teaching personnel to meet 186
the minimum pupil-teacher ratio established by rule of the 187
board; 188

(3) Have established and provide to the board proof that 189
it has met all of the board requirements to operate a barber 190
school, as adopted by rule of the board; 191

- (4) File with the board a program of its curriculum, 192
accounting for not less than one thousand ~~eight hundred~~ hours of 193
instruction in the courses of theory and practical demonstration 194
required by rule of the board; 195
- (5) File with the board a surety bond in the amount of ten 196
thousand dollars issued by a bonding company licensed to do 197
business in this state. The bond shall be in the form prescribed 198
by the board and conditioned upon the barber school's continued 199
instruction in the theory and practice of barbering. The bond 200
shall continue in effect until notice of its termination is 201
provided to the board. In no event, however, shall the bond be 202
terminated while the barber school is in operation. Any student 203
who is injured or damaged by reason of a barber school's failure 204
to continue instruction in the theory and practice of barbering 205
may maintain an action on the bond against the barber school or 206
the surety, or both, for the recovery of any money or tuition 207
paid in advance for instruction in the theory and practice of 208
barbering which was not received. The aggregate liability of the 209
surety to all students shall not exceed the sum of the bond. 210
- (6) Maintain adequate record keeping to ensure that it has 211
met the requirements for records of student progress as required 212
by board rule; 213
- (7) Establish minimum standards for acceptance of student 214
applicants for admission to the barber school. The barber school 215
may establish entrance requirements which are more stringent 216
than those prescribed by the board, but the requirements must at 217
a minimum require the applicant to meet all of the following: 218
- (a) Be at least seventeen years of age; 219
- (b) Have an eighth grade education, or an equivalent 220

education as determined by the state board of education;	221
(c) Submit two signed current photographs of the	222
applicant, in the size determined by the board.	223
(8) Have a procedure to submit every student applicant's	224
admission application to the board for the board's review and	225
approval prior to the applicant's admission to the barber	226
school;	227
(9) Operate in a manner which reflects credit upon the	228
barbering profession;	229
(10) Offer a curriculum of study which covers all aspects	230
of the scientific fundamentals of barbering as specified by rule	231
of the board;	232
(11) Employ no more than two licensed assistant barber	233
teachers for each licensed barber teacher employed or fewer than	234
two licensed teachers or one licensed teacher and one licensed	235
assistant teacher at each facility.	236
(C) <u>A barber school may offer the required education</u>	237
<u>curriculum by classroom instruction or distance education for</u>	238
<u>the purpose of satisfying minimum hours of instruction.</u>	239
(D) Each person who desires to obtain a barber teacher or	240
assistant barber teacher license shall apply to the board, on	241
forms provided by the board. The board shall only issue a barber	242
teacher license to a person who meets all of the following	243
requirements:	244
(1) Holds a current barber license issued pursuant to this	245
chapter and has at least eighteen months of work experience in a	246
licensed barber shop or has been employed as an assistant barber	247
teacher under the supervision of a licensed barber teacher for	248

at least one year, unless, for good cause, the board waives this requirement; 249
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(2) Meets such other requirements as adopted by rule by the board; 251
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(3) Passes the required examination; and 253

(4) Pays the required fees. If an applicant fails to pass the examination, the applicant may reapply for the examination and licensure no earlier than one year after the failure to pass and provided that during that period, the applicant remains employed as an assistant barber teacher. 254
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The board shall only issue an assistant barber teacher license to a person who holds a current barber license issued pursuant to this chapter and pays the required fees. 259
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~~(D)~~-(E) Any person who meets the qualifications of an assistant teacher pursuant to division ~~(C)~~-(D) of this section, may be employed as an assistant teacher, provided that within five days after the commencement of the employment the barber school submits to the board, on forms provided by the board, the applicant's qualifications. 262
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Sec. 4713.08. (A) The state cosmetology and barber board shall adopt rules in accordance with Chapter 119. of the Revised Code as necessary to implement this chapter. The rules shall do all of the following: 268
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(1) Govern the practice of the branches of cosmetology; 272

(2) Specify conditions an individual must satisfy to qualify for a temporary pre-examination work permit under section 4713.22 of the Revised Code and the conditions and method of renewing a temporary pre-examination work permit under 273
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that section;	277
(3) Provide for the conduct of examinations under section 4713.24 of the Revised Code;	278 279
(4) <u>Designate testing facilities in this state that are authorized to administer the written portion of the examination required by section 4713.24 of the Revised Code for an applicant seeking a practicing license on behalf of the board;</u>	280 281 282 283
<u>(5) Specify conditions under which the board will take into account, under section 4713.32 of the Revised Code, instruction an applicant for a license under section 4713.28, 4713.30, or 4713.31 of the Revised Code received more than five years before the date of application for the license;</u>	284 285 286 287 288
(5) (6) Provide for the granting of waivers under section 4713.29 of the Revised Code;	289 290
(6) Specify conditions an applicant must satisfy for the board to issue the applicant a license under section 4713.34 of the Revised Code without the applicant taking an examination conducted under section 4713.24 of the Revised Code;	291 292 293 294
(7) Specify locations in which glamour photography services in which a branch of cosmetology is practiced may be provided;	295 296 297
(8) Establish conditions and the fee for a temporary special occasion work permit under section 4713.37 of the Revised Code and specify the amount of time such a permit is valid;	298 299 300 301
(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	302 303 304

issuance and renewal of the license;	305
(10) Establish conditions under which food may be sold at a salon;	306 307
(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;	308 309 310
(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;	311 312 313
(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 <u>offered through classroom instruction or distance education</u> ;	314 315 316 317
(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, <u>including classroom instruction or distance education</u> ;	318 319 320 321
(15) Establish sanitary standards for the practice of the branches of cosmetology, salons, and schools of cosmetology;	322 323
(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;	324 325 326 327
(17) Establish standards for installing and operating a tanning facility in a manner that ensures the health and safety of consumers, including standards that do all of the following:	328 329 330
(a) Establish a maximum safe time of exposure to radiation and a maximum safe temperature at which sun lamps may be	331 332

operated;	333
(b) Require consumers to wear protective eyeglasses;	334
(c) Require consumers to be supervised as to the length of time consumers use the facility's sun lamps;	335 336
(d) Require the operator to prohibit consumers from standing too close to sun lamps and to post signs warning consumers of the potential effects of radiation on individuals taking certain medications and of the possible relationship of the radiation to skin cancer;	337 338 339 340 341
(e) Require the installation of protective shielding for sun lamps and handrails for consumers;	342 343
(f) Require floors to be dry during operation of lamps;	344
(g) Establish procedures an operator must follow in making reasonable efforts in compliance with section 4713.50 of the Revised Code to determine the age of an individual seeking to use sun lamp tanning services.	345 346 347 348
(18) (a) If the board, under section 4713.61 of the Revised Code, develops a procedure for classifying licenses inactive, do both of the following:	349 350 351
(i) Establish a fee for having a license classified inactive that reflects the cost to the board of providing the inactive license service. If one or more renewal periods have elapsed since the license was valid, the fee shall not include lapsed renewal fees for more than three of those renewal periods;	352 353 354 355 356 357
(ii) Specify the continuing education that an individual whose license has been classified inactive must complete to have the license restored. The continuing education shall be	358 359 360

sufficient to ensure the minimum competency in the use or 361
administration of a new procedure or product required by a 362
licensee necessary to protect public health and safety. The 363
requirement shall not exceed the cumulative number of hours of 364
continuing education that the individual would have been 365
required to complete had the individual retained an active 366
license. 367

(b) In addition, the board may specify the conditions and 368
method for granting a temporary work permit to practice a branch 369
of cosmetology to an individual whose license has been 370
classified inactive. 371

(19) Establish a fee for approval of a continuing 372
education program under section 4713.62 of the Revised Code that 373
is adequate to cover any expense the board incurs in the 374
approval process; 375

(20) Establish conditions under which a cosmetology 376
student seeking a practicing license may take the written 377
portion of the examination required by section 4713.24 of the 378
Revised Code before the student has completed the minimum number 379
of hours of training required under section 4713.28 of the 380
Revised Code for the license; 381

(21) Anything else necessary to implement this chapter. 382

(B) (1) The rules adopted under division (A) (2) of this 383
section may establish additional conditions for a temporary pre- 384
examination work permit under section 4713.22 of the Revised 385
Code that are applicable to individuals who practice a branch of 386
cosmetology in another state or country. 387

(2) The rules adopted under division (A) (18) (b) of this 388
section may establish additional conditions for a temporary work 389

permit that are applicable to individuals who practice a branch 390
of cosmetology in another state. 391

~~(C) The conditions specified in rules adopted under 392
division (A) (6) of this section may include that an applicant is 393
applying for a license to practice a branch of cosmetology for 394
which the board determines an examination is unnecessary. 395~~

~~(D) The rules adopted under division (A) (11) of this 396
section shall not include a profession if practice of the 397
profession in a salon is a violation of a statute or rule 398
governing the profession. 399~~

~~(E) (D) The sanitary standards established under division 400
(A) (15) of this section shall focus in particular on precautions 401
to be employed to prevent infectious or contagious diseases 402
being created or spread. The board shall consult with the Ohio 403
department of health when establishing the sanitary standards. 404~~

~~(F) (E) The fee established by rules adopted under 405
division (A) (16) of this section shall cover the cost the board 406
incurs in inspecting tanning facilities and enforcing the 407
board's rules but may not exceed one hundred dollars per 408
location of such facilities. 409~~

(F) The rules adopted under division (A) (20) of this 410
section shall do all of the following: 411

(1) Permit a cosmetology student to take the written 412
portion of the examination required by section 4713.24 of the 413
Revised Code after the student has completed the minimum hours 414
of training for that license described in division (H) of 415
section 4713.24 of the Revised Code; 416

(2) Require the student to complete the remainder of the 417
required training before licensure; 418

(3) Require the board to grant the student a license on 419
successful completion of the requirements established in the 420
rules, unless the individual is subject to potential 421
disciplinary action under section 4713.64 of the Revised Code. 422

Sec. 4713.09. (A) The state cosmetology and barber board 423
may adopt rules in accordance with section 4713.08 of the 424
Revised Code to establish a continuing education requirement, 425
not to exceed eight hours in a biennial licensing period, as a 426
condition of renewal for a practicing license, advanced license, 427
instructor license, or boutique services registration. These 428
hours may include training in identifying and addressing the 429
crime of trafficking in persons as described in section 2905.32 430
of the Revised Code. At least two of the eight hours of the 431
continuing education requirement must be achieved in courses 432
concerning safety and sanitation, and at least one hour of the 433
eight hours of the continuing education requirement must be 434
achieved in courses concerning law and rule updates. 435

(B) The rules adopted in accordance with division (A) of 436
this section shall permit the continuing education requirement 437
to be satisfied by either classroom instruction or distance 438
education. 439

Sec. 4713.24. (A) The state cosmetology and barber board 440
shall conduct an examination for each individual who satisfies 441
the requirements established by section 4713.20 of the Revised 442
Code for admission to the examination. An individual may elect 443
to take the written portion of the examination at a testing 444
facility designated by the board in rules adopted in accordance 445
with section 4713.08 of the Revised Code, and the practical 446
demonstration portion of the examination at the school of 447
cosmetology the applicant graduated from. The applicant is 448

responsible for any additional costs associated with taking the 449
examination at a testing facility or school of cosmetology. 450

(B) Examinations for licensure for any branch of 451
cosmetology shall assess the ability of a prospective 452
cosmetology professional to maintain a safe and sanitary place 453
of service delivery. The board may develop and administer the 454
appropriate examination or enter into an agreement with a 455
national testing service to develop the examination, administer 456
the examination, or both. The examination shall be specific to 457
the type of license the individual seeks and satisfy all of the 458
following conditions: 459

(1) Include both practical demonstrations and written or 460
oral tests related to the type of license the individual seeks; 461

(2) Relate only to a branch of cosmetology, but not be 462
confined to any special system or method; 463

(3) Be consistent in both practical and technical 464
requirements for the type of license the individual seeks; 465

(4) Be of sufficient thoroughness to satisfy the board as 466
to the individual's skill in and knowledge of the branch of 467
cosmetology for which the examination is conducted. 468

~~(B) Not later than two years after September 13, 2016, the~~ 469

(C) The board shall create a curriculum and an examination for 470
individuals seeking licensure to become an instructor and shall 471
conduct an examination for each individual who satisfies the 472
requirements established pursuant to section 4713.31 of the 473
Revised Code for admission to the examination. 474

~~(C)~~ (D) The board shall adopt rules regarding the 475
equipment or supplies an individual is required to bring to an 476
examination described in this section. 477

~~(D)~~ (E) The board shall not release the questions 478
developed for the examinations and the practical demonstrations 479
used in the testing process, except for the following purposes: 480

(1) Reviewing or rewriting of any part of the examination 481
on a periodic basis as prescribed in rules adopted under section 482
4713.08 of the Revised Code; 483

(2) Testing of individuals in another state for admission 484
to the profession of cosmetology or any of its branches as 485
required under a contract or by means of a license with that 486
state; 487

(3) Complying with a public records request after which 488
the questions or the demonstrations have become a public record 489
under division ~~(F)~~ (G) of this section and otherwise may 490
lawfully be released. 491

~~(E)~~ (F) The examination papers and the scored results of 492
the practical demonstrations of each individual examined by the 493
board shall be open for inspection by the individual or the 494
individual's attorney for at least ninety days following the 495
announcement of the individual's grade, except for papers that 496
under the terms of a contract with a testing service are not 497
available for inspection. On written request of an individual or 498
the individual's attorney made to the board not later than 499
ninety days after announcement of the individual's grade, the 500
board shall have the individual's practical examination papers 501
regraded manually. 502

~~(F)~~ (G) Test materials, examinations, or evaluation tools 503
used in an examination for licensure under this chapter that the 504
board develops or contracts with a private or government entity 505
to administer shall become public records under section 149.43 506

of the Revised Code fifteen years after the materials, 507
examinations, or tools were first used in an assessment for 508
licensure, unless the release of the record is otherwise 509
prohibited by state or federal law, or the record is deemed to 510
be the proprietary information of a private entity. 511

(H) The board shall adopt rules in accordance with section 512
4713.08 of the Revised Code to permit an individual to take any 513
written portion of the examination required by division (B) of 514
this section when the individual has completed the following 515
amount of hours of instruction at a licensed school of 516
cosmetology in this state: 517

(1) For an individual seeking a cosmetology license, at 518
least seven hundred fifty hours; 519

(2) For an individual seeking an esthetics license, at 520
least four hundred fifty hours; 521

(3) For an individual seeking a hair designer license, at 522
least six hundred hours; 523

(4) For an individual seeking a natural hair stylist 524
license, at least three hundred thirty-seven and one-half hours; 525

(5) For an individual seeking a manicurist license, at 526
least one hundred fifty hours. 527

Sec. 4713.28. (A) The state cosmetology and barber board 528
shall issue a practicing license to an applicant who satisfies 529
all of the following applicable conditions: 530

(1) Is at least sixteen years of age; 531

(2) Has the equivalent of an Ohio public school tenth 532
grade education; 533

- (3) Has submitted a written application on a form 534
furnished by the board that contains all of the following: 535
- (a) The name of the individual and any other identifying 536
information required by the board; 537
- (b) A recent photograph of the individual that meets the 538
specifications established by the board; 539
- (c) A photocopy of the individual's current driver's 540
license or other proof of legal residence; 541
- (d) Proof that the individual is qualified to take the 542
applicable examination as required by section 4713.20 of the 543
Revised Code; 544
- (e) An oath verifying that the information in the 545
application is true; 546
- (f) The applicable application fee. 547
- (4) Passes an examination conducted under division (A) of 548
section 4713.24 of the Revised Code for the branch of 549
cosmetology the applicant seeks to practice; 550
- (5) Pays to the board the applicable license fee; 551
- (6) In the case of an applicant for an initial 552
cosmetologist license, has successfully completed at least one 553
thousand ~~five hundred~~ hours of board-approved cosmetology 554
training in a school of cosmetology licensed in this state, 555
except that only ~~one thousand~~ four hundred hours of board- 556
approved cosmetology training in a school of cosmetology 557
licensed in this state is required of an individual licensed as 558
a barber under Chapter 4709. of the Revised Code; 559
- (7) In the case of an applicant for an initial esthetician 560

license, has successfully completed at least six hundred hours 561
of board-approved esthetics training in a school of cosmetology 562
licensed in this state; 563

(8) In the case of an applicant for an initial hair 564
designer license, has successfully completed at least ~~one-~~ 565
~~thousand two~~ eight hundred hours of board-approved hair designer 566
training in a school of cosmetology licensed in this state, 567
except that only ~~one thousand two~~ hundred hours of board- 568
approved hair designer training in a school of cosmetology 569
licensed in this state is required of an individual licensed as 570
a barber under Chapter 4709. of the Revised Code; 571

(9) In the case of an applicant for an initial manicurist 572
license, has successfully completed at least two hundred hours 573
of board-approved manicurist training in a school of cosmetology 574
licensed in this state; 575

(10) In the case of an applicant for an initial natural 576
hair stylist license, has successfully completed at least four 577
hundred fifty hours of instruction in subjects relating to 578
sanitation, scalp care, anatomy, hair styling, communication 579
skills, and laws and rules governing the practice of 580
cosmetology. 581

(B) The board shall not deny a license to any applicant 582
based on prior incarceration or conviction for any crime. If the 583
board denies an individual a license or license renewal, the 584
reasons for such denial shall be put in writing. 585

Sec. 4713.31. The state cosmetology and barber board shall 586
issue an instructor license to an applicant who satisfies all of 587
the following applicable conditions: 588

(A) Is at least eighteen years of age; 589

(B) Has the equivalent of an Ohio public school twelfth grade education;	590 591
(C) Pays to the board the applicable fee;	592
(D) In the case of an applicant for an initial cosmetology instructor license, holds a current, valid advanced cosmetologist license issued in this state and does either of the following:	593 594 595 596
(1) Has the licensed advanced cosmetologist or owner of the licensed beauty salon in which the applicant has been employed certify to the board that the applicant has engaged in the practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;	597 598 599 600 601
(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed one thousand hours of board-approved cosmetology instructor training as an apprentice instructor.	602 603 604 605
(E) In the case of an applicant for an initial esthetics instructor license, holds a current, valid advanced esthetician or advanced cosmetologist license issued in this state and does either of the following:	606 607 608 609
(1) Has the licensed advanced esthetician, licensed advanced cosmetologist, or owner of the licensed esthetics salon or licensed beauty salon in which the applicant has been employed certify to the board that the applicant has engaged in the practice of esthetics in a licensed esthetics salon or practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;	610 611 612 613 614 615 616
(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully	617 618

completed at least five hundred hours of board-approved 619
esthetics instructor training as an apprentice instructor. 620

(F) In the case of an applicant for an initial hair design 621
instructor license, holds a current, valid advanced hair 622
designer or advanced cosmetologist license and does either of 623
the following: 624

(1) Has the licensed advanced hair designer, licensed 625
advanced cosmetologist, or owner of the licensed hair design 626
salon or licensed beauty salon in which the applicant has been 627
employed certify to the board that the applicant has engaged in 628
the practice of hair design in a licensed hair design salon or 629
practice of cosmetology in a licensed beauty salon for at least 630
one thousand eight hundred hours; 631

(2) Has a school of cosmetology licensed in this state 632
certify to the board that the applicant has successfully 633
completed at least eight hundred hours of board-approved hair 634
design instructor's training as an apprentice instructor. 635

(G) In the case of an applicant for an initial manicurist 636
instructor license, holds a current, valid advanced manicurist 637
or advanced cosmetologist license and does either of the 638
following: 639

(1) Has the licensed advanced manicurist, licensed 640
advanced cosmetologist, or owner of the licensed nail salon or 641
licensed beauty salon in which the applicant has been employed 642
certify to the board that the applicant has engaged in the 643
practice of manicuring in a licensed nail salon or practice of 644
cosmetology in a licensed beauty salon for at least one thousand 645
eight hundred hours; 646

(2) Has a school of cosmetology licensed in this state 647

certify to the board that the applicant has successfully 648
completed at least three hundred hours of board-approved 649
manicurist instructor training as an apprentice instructor. 650

(H) In the case of an applicant for an initial natural 651
hair style instructor license, holds a current, valid advanced 652
natural hair stylist or advanced cosmetologist license and does 653
either of the following: 654

(1) Has the licensed advanced natural hair stylist, 655
licensed advanced cosmetologist, or owner of the licensed 656
natural hair style salon or licensed beauty salon in which the 657
applicant has been employed certify to the board that the 658
applicant has engaged in the practice of natural hair styling in 659
a licensed natural hair style salon or practice of cosmetology 660
in a licensed beauty salon for at least one thousand eight 661
hundred hours; 662

(2) Has a school of cosmetology licensed in this state 663
certify to the board that the applicant has successfully 664
completed at least four hundred hours of board-approved natural 665
hair style instructor training as an apprentice instructor. 666

(I) In the case of all applicants, passes an examination 667
conducted under division ~~(B)~~ (C) of section 4713.24 of the 668
Revised Code for the branch of cosmetology the applicant seeks 669
to instruct. 670

Sec. 4713.34. The state cosmetology and barber board shall 671
issue a license by endorsement to practice a branch of 672
cosmetology or instructor license to an applicant who is 673
licensed or registered in another state or country to practice 674
that branch of cosmetology or teach the theory and practice of 675
that branch of cosmetology, as appropriate, if ~~all of the~~ 676

~~following conditions are satisfied:~~ 677

~~(A) The applicant satisfies all of the following~~ 678
applicable conditions: 679

~~(1) (A) Is not less than eighteen years of age;~~ 680

~~(2) In the case of an applicant for a practicing license,~~ 681
~~passes an examination conducted under section 4713.24 of the~~ 682
~~Revised Code for the license the applicant seeks, unless the~~ 683
~~applicant satisfies conditions specified in rules adopted under~~ 684
~~section 4713.08 of the Revised Code for the board to issue the~~ 685
~~applicant a license without taking the examination;~~ 686

~~(3) (B) Pays the applicable fee;~~ 687

(C) If the person is licensed or registered in another 688
state, submits to the board satisfactory evidence of that fact; 689

(D) If the person is licensed or registered or was trained 690
in another country, submits to the board satisfactory evidence 691
of that fact and that the standards for licensure, registration, 692
or training in that country were substantially similar to those 693
of this state at the time the person was licensed, registered, 694
or trained. 695

~~(B) At the time the applicant obtained the license or~~ 696
~~registration in the other state or country, the requirements in~~ 697
~~this state for obtaining the license the applicant seeks were~~ 698
~~substantially equal to the other state or country's~~ 699
~~requirements.~~ 700

~~(C) The jurisdiction that issued the applicant's license~~ 701
~~or registration extends similar reciprocity to individuals~~ 702
~~holding a license issued by the board.~~ 703

Sec. 4713.45. (A) A school of cosmetology may do the 704

following: 705

(1) In accordance with rules adopted under section 4713.08 706
of the Revised Code, a school of cosmetology operated by a 707
public entity or a private person may offer clock hours, credit 708
hours, or competency-based credits by classroom instruction or 709
distance education for the purpose of satisfying minimum hours 710
of training and instruction; 711

(2) Allow an apprentice cosmetology instructor the regular 712
quota of students prescribed by the state cosmetology and barber 713
board if a cosmetology instructor is present; 714

(3) Compensate an apprentice cosmetology instructor; 715

(4) Subject to division (B) of this section, employ an 716
individual who does not hold a current, valid instructor license 717
to teach subjects related to a branch of cosmetology. 718

(B) A school of cosmetology shall have a licensed 719
cosmetology instructor present when an individual employed 720
pursuant to division (A) (4) of this section teaches at the 721
school, unless the individual is one of the following: 722

(1) An individual with a current, valid teacher's 723
certificate or educator license issued by the state board of 724
education; 725

(2) An individual with a bachelor's degree in the subject 726
the person teaches at the school; 727

(3) An individual also employed by a university or college 728
to teach the subject the person teaches at the school. 729

(C) A school of cosmetology shall annually review the 730
subjects and coursework required to receive an initial 731
cosmetology license and advanced license and, in doing so, shall 732

incorporate standards adopted by the state cosmetology and 733
barber board pursuant to division (A)(13) of section 4713.08 of 734
the Revised Code. 735

Sec. 4713.59. If the state cosmetology and barber board 736
adopts rules under section 4713.09 of the Revised Code to 737
establish a continuing education requirement as a condition of 738
renewal for a practicing license, advanced license, or 739
instructor license, the board shall inform each affected 740
licensee of the continuing education requirement that applies to 741
the next biennial licensing period by including that information 742
in the renewal notification it sends the licensee. The 743
notification shall state that the licensee must complete the 744
continuing education requirement, via classroom instruction or 745
distance education, by the fifteenth day of January of the next 746
odd-numbered year. 747

Hours completed in excess of the continuing education 748
requirement may not be applied to the next biennial licensing 749
period. 750

Section 2. That existing sections 4709.05, 4709.07, 751
4709.08, 4709.10, 4713.08, 4713.09, 4713.24, 4713.28, 4713.31, 752
4713.34, 4713.45, and 4713.59 of the Revised Code are hereby 753
repealed. 754

Section 3. Not later than two years after the effective 755
date of this section and in accordance with division (A)(20) of 756
section 4713.08 of the Revised Code, the State Cosmetology and 757
Barber Board shall adopt rules under Chapter 119. of the Revised 758
Code to specify the circumstances under which an applicant for a 759
practicing license may take the examination required by section 760
4713.24 of the Revised Code before having successfully completed 761
the minimum number of hours required for the license under 762

section 4713.28 of the Revised Code. 763

Section 4. Sections 4709.07, 4709.08, 4709.10, 4713.28, 764
4713.31, and 4713.34 of the Revised Code as presented in this 765
act take effect on the later of October 9, 2021, or the 766
effective date of this section. (October 9, 2021, is the 767
effective date of an earlier amendment to those sections by H.B. 768
263 of the 133rd General Assembly.) 769