



Representative Bill Roemer

House Commerce & Labor Committee
House Bill 158 Sponsor Testimony
May 16th, 2023

Chairman Johnson, Vice Chair Manchester, Ranking Member McNally, and members of the House Commerce and Labor Committee, thank you for the opportunity to testify on House Bill 158. This legislation contains a comprehensive update to our cosmetology and barbering statutes, with two goals in mind: (1) to better reflect the current standards, procedures, and terminology used by the Board of Cosmetology and Barbering and (2) to better serve aspiring cosmetologists and barbers who may be unduly burdened when trying to enter the field.

Before addressing what is in the bill, we want to make abundantly clear what is *not* in the bill. This bill purposefully does not in any way alter the required hours of education to obtain a cosmetology or barbering license. This issue has been the source of much debate over many years, and we very intentionally did not address it in this bill. Rather than focus on this contentious issue, we have crafted a bill in consultation with Board officials representing common-sense reforms that are widely supported. It is our preference to pass this bill and provide these reforms for the Board and industry members now rather than further delay reform and continue to debate over training hours. We sincerely hope that the committee will look favorably upon this approach, as the process to draft the bill before you represents many months of work and resulted in near-unanimous support from the House of Representatives.

In 2017, under Governor Kasich, the Cosmetology Board and Barber Board were merged into one consolidated Board of Cosmetology and Barbering. However, when the two boards were merged, their statutes were not adequately harmonized. Therefore, despite the two boards being merged, two different sets of procedures exist for their respective professions, creating unnecessary duplicity and red tape. While this bill keeps these two sections of law separate, it harmonizes the law to streamline administration and enforcement for the Board. Today I will go through the highlights of the changes contained in the bill, and I would also urge all members of the committee to examine the bill analysis provided by LSC as the bill is very lengthy.

- 1. The bill creates a unified barbering/cosmetology school license, to eliminate duplicative application for facilities that teach both cosmetology and barbering.** Currently, cosmetology schools and barbering schools must be licensed by the Board, but their licenses are administered separately and have different renewal due dates. For schools that teach both, this creates unnecessary paperwork and duplicative enforcement for the board. The bill thus creates a unified school license for those facilities.
- 2. The bill loosens regulations on license reciprocity from other states.** Under current law, for an out-of-state applicant to be granted a license by reciprocity, the licensee's state of residence must also extend reciprocity to Ohio licensees. The bill eliminates this requirement, giving the board more flexibility to issue licenses to out-of-state applicants.
- 3. The bill reduces fines for disciplinary actions.** Under current law, the board may impose a maximum disciplinary fine of \$500 for a first offense, and \$1,000 for subsequent offenses. The bill lowers the first time offense fine to \$250 and not more than \$100 for each additional violation during an

inspection. On the second offense, \$500 and \$200 fines apply, respectively. And, after two or more offenses, \$1,000 and \$300 fines apply, respectively. Providing this additional flexibility allows the board to enforce its rules in a less punitive nature. After a House amendment, the bill also makes violations of both the cosmetology and barber laws a civil offense rather than a criminal offense.

- 4. The bill establishes temporary pre-examination work permits for barbers.** Under certain conditions, the bill allows someone eligible for the barber license examination to receive a temporary work permit prior to the exam. This is consistent with current practice for cosmetologists.
- 5. The bill lowers the age to apply for a barber license or to start barbering school to 16 years of age.** This provision allows students to get a jump start on their licensure through career technical education programs, cutting out unnecessary and duplicative education after high school.
- 6. The bill eliminates a requirement that a barber student complete 200 additional hours of training before re-taking the licensing exam.** This requirement places an unnecessary burden on license applicants which we wish to end.
- 7. The bill prevents the board from charging interest or penalty fees for unpaid fines.** This is one additional step to lessen the burden of disciplinary measures on salons, barbershops, and workers.
- 8. The bill creates an independent contractor license, eliminating “shop within a shop” licenses.** Under current law, if a barber or cosmetologist rents their own space within a shop (a place like Salon Lofts, for example), they must also have their own shop license in addition to their license to

practice. The bill eliminates that requirement and creates an independent contractor license for individual cosmetologists and barbers.

9. The bill creates a process to designate a barber license as “inactive”.

Cosmetologists currently have the option to de-activate their license to avoid paying licensure fees if they are not actively working. This way, if they choose to return to work later, they do not have to go through the entire licensure process again. The bill extends the same opportunity to barbers.

10. The bill allows the board to independently set the passing score for the barber exam, rather than keeping it in statute.

This provision is more appropriate for rule than statute because the Board controls all other aspects of the examination. The bill requires the Board to set a passing score in rule.

11. The bill explicitly allows for practicing a branch of cosmetology or barbering on a dead body in a funeral home or embalming facility.

Chairman Johnson and members of the committee, thank you again for the opportunity to testify on House Bill 158. As you can see, this bill contains numerous provisions to improve processes for the Board and for licensees. Again, due to the lengthy nature of the bill, I would highly recommend reading the bill analysis for additional details. I am happy to take any questions you may have at this time, and if there are any I cannot answer immediately, my office would be happy to assist.