

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 158**

**Representatives Roemer, Miller, M.**

**Cosponsors: Representatives Ferguson, Fowler Arthur, Gross**



**A BILL**

To amend sections 2925.01, 3333.26, 4709.01, 1  
4709.07, 4709.08, 4709.09, 4709.11, 4709.12, 2  
4709.14, 4709.99, 4713.01, 4713.02, 4713.06, 3  
4713.07, 4713.071, 4713.08, 4713.081, 4713.09, 4  
4713.10, 4713.14, 4713.141, 4713.16, 4713.17, 5  
4713.25, 4713.28, 4713.30, 4713.31, 4713.34, 6  
4713.35, 4713.39, 4713.41, 4713.46, 4713.49, 7  
4713.55, 4713.56, 4713.58, 4713.59, 4713.60, 8  
4713.61, 4713.62, 4713.63, 4713.64, 4713.641, 9  
4713.66, 4713.69, and 4713.99; to enact new 10  
sections 4709.02, 4709.03, 4709.05, 4709.10, 11  
4709.13, 4713.44, and 4713.45 and sections 12  
4709.031, 4709.051, 4709.071, 4709.072, 13  
4709.073, 4709.091, 4709.111, and 4709.112; and 14  
to repeal sections 4709.02, 4709.03, 4709.05, 15  
4709.10, 4709.13, 4709.23, 4713.26, 4713.36, 16  
4713.44, and 4713.45 of the Revised Code to make 17  
changes to the law governing the regulation of 18  
cosmetologists and barbers and to amend the 19  
versions of sections 4709.07, 4709.08, 4713.10, 20  
4713.28, 4713.30, 4713.31, 4713.34, and 4713.69 21  
and to repeal the version of 4709.10 of the 22  
Revised Code that are scheduled to take effect 23

on December 29, 2023, to continue the changes on 24  
and after that date. 25

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

**Section 1.** That sections 2925.01, 3333.26, 4709.01, 26  
4709.07, 4709.08, 4709.09, 4709.11, 4709.12, 4709.14, 4709.99, 27  
4713.01, 4713.02, 4713.06, 4713.07, 4713.071, 4713.08, 4713.081, 28  
4713.09, 4713.10, 4713.14, 4713.141, 4713.16, 4713.17, 4713.25, 29  
4713.28, 4713.30, 4713.31, 4713.34, 4713.35, 4713.39, 4713.41, 30  
4713.46, 4713.49, 4713.55, 4713.56, 4713.58, 4713.59, 4713.60, 31  
4713.61, 4713.62, 4713.63, 4713.64, 4713.641, 4713.66, 4713.69, 32  
and 4713.99 be amended and new sections 4709.02, 4709.03, 33  
4709.05, 4709.10, 4709.13, 4713.44, and 4713.45 and sections 34  
4709.031, 4709.051, 4709.071, 4709.072, 4709.073, 4709.091, 35  
4709.111, and 4709.112 of the Revised Code be enacted to read as 36  
follows: 37

**Sec. 2925.01.** As used in this chapter: 38

(A) "Administer," "controlled substance," "controlled 39  
substance analog," "dispense," "distribute," "hypodermic," 40  
"manufacturer," "official written order," "person," 41  
"pharmacist," "pharmacy," "sale," "schedule I," "schedule II," 42  
"schedule III," "schedule IV," "schedule V," and "wholesaler" 43  
have the same meanings as in section 3719.01 of the Revised 44  
Code. 45

(B) "Drug of abuse" and "person with a drug dependency" 46  
have the same meanings as in section 3719.011 of the Revised 47  
Code. 48

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

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

(1) For any compound, mixture, preparation, or substance included in schedule I, schedule II, or schedule III, with the exception of any controlled substance analog, marihuana, cocaine, L.S.D., heroin, any fentanyl-related compound, and hashish and except as provided in division (D)(2), (5), or (6) of this section, whichever of the following is applicable:

(a) An amount equal to or exceeding ten grams or twenty-five unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I opiate or opium derivative;

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

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

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

(e) An amount equal to or exceeding five grams or ten unit 78  
doses of a compound, mixture, preparation, or substance that is 79  
or contains any amount of phencyclidine; 80

(f) An amount equal to or exceeding one hundred twenty 81  
grams or thirty times the maximum daily dose in the usual dose 82  
range specified in a standard pharmaceutical reference manual of 83  
a compound, mixture, preparation, or substance that is or 84  
contains any amount of a schedule II stimulant that is in a 85  
final dosage form manufactured by a person authorized by the 86  
"Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 87  
U.S.C.A. 301, as amended, and the federal drug abuse control 88  
laws, as defined in section 3719.01 of the Revised Code, that is 89  
or contains any amount of a schedule II depressant substance or 90  
a schedule II hallucinogenic substance; 91

(g) An amount equal to or exceeding three grams of a 92  
compound, mixture, preparation, or substance that is or contains 93  
any amount of a schedule II stimulant, or any of its salts or 94  
isomers, that is not in a final dosage form manufactured by a 95  
person authorized by the Federal Food, Drug, and Cosmetic Act 96  
and the federal drug abuse control laws. 97

(2) An amount equal to or exceeding one hundred twenty 98  
grams or thirty times the maximum daily dose in the usual dose 99  
range specified in a standard pharmaceutical reference manual of 100  
a compound, mixture, preparation, or substance that is or 101  
contains any amount of a schedule III or IV substance other than 102  
an anabolic steroid or a schedule III opiate or opium 103  
derivative; 104

(3) An amount equal to or exceeding twenty grams or five 105  
times the maximum daily dose in the usual dose range specified 106  
in a standard pharmaceutical reference manual of a compound, 107

mixture, preparation, or substance that is or contains any 108  
amount of a schedule III opiate or opium derivative; 109

(4) An amount equal to or exceeding two hundred fifty 110  
milliliters or two hundred fifty grams of a compound, mixture, 111  
preparation, or substance that is or contains any amount of a 112  
schedule V substance; 113

(5) An amount equal to or exceeding two hundred solid 114  
dosage units, sixteen grams, or sixteen milliliters of a 115  
compound, mixture, preparation, or substance that is or contains 116  
any amount of a schedule III anabolic steroid; 117

(6) For any compound, mixture, preparation, or substance 118  
that is a combination of a fentanyl-related compound and any 119  
other compound, mixture, preparation, or substance included in 120  
schedule III, schedule IV, or schedule V, if the defendant is 121  
charged with a violation of section 2925.11 of the Revised Code 122  
and the sentencing provisions set forth in divisions (C)(10)(b) 123  
and (C)(11) of that section will not apply regarding the 124  
defendant and the violation, the bulk amount of the controlled 125  
substance for purposes of the violation is the amount specified 126  
in division (D)(1), (2), (3), (4), or (5) of this section for 127  
the other schedule III, IV, or V controlled substance that is 128  
combined with the fentanyl-related compound. 129

(E) "Unit dose" means an amount or unit of a compound, 130  
mixture, or preparation containing a controlled substance that 131  
is separately identifiable and in a form that indicates that it 132  
is the amount or unit by which the controlled substance is 133  
separately administered to or taken by an individual. 134

(F) "Cultivate" includes planting, watering, fertilizing, 135  
or tilling. 136

(G) "Drug abuse offense" means any of the following:	137
(1) A violation of division (A) of section 2913.02 that	138
constitutes theft of drugs, or a violation of section 2925.02,	139
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12,	140
2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36,	141
or 2925.37 of the Revised Code;	142
(2) A violation of an existing or former law of this or	143
any other state or of the United States that is substantially	144
equivalent to any section listed in division (G)(1) of this	145
section;	146
(3) An offense under an existing or former law of this or	147
any other state, or of the United States, of which planting,	148
cultivating, harvesting, processing, making, manufacturing,	149
producing, shipping, transporting, delivering, acquiring,	150
possessing, storing, distributing, dispensing, selling, inducing	151
another to use, administering to another, using, or otherwise	152
dealing with a controlled substance is an element;	153
(4) A conspiracy to commit, attempt to commit, or	154
complicity in committing or attempting to commit any offense	155
under division (G)(1), (2), or (3) of this section.	156
(H) "Felony drug abuse offense" means any drug abuse	157
offense that would constitute a felony under the laws of this	158
state, any other state, or the United States.	159
(I) "Harmful intoxicant" does not include beer or	160
intoxicating liquor but means any of the following:	161
(1) Any compound, mixture, preparation, or substance the	162
gas, fumes, or vapor of which when inhaled can induce	163
intoxication, excitement, giddiness, irrational behavior,	164
depression, stupefaction, paralysis, unconsciousness,	165

asphyxiation, or other harmful physiological effects, and	166
includes, but is not limited to, any of the following:	167
(a) Any volatile organic solvent, plastic cement, model	168
cement, fingernail polish remover, lacquer thinner, cleaning	169
fluid, gasoline, or other preparation containing a volatile	170
organic solvent;	171
(b) Any aerosol propellant;	172
(c) Any fluorocarbon refrigerant;	173
(d) Any anesthetic gas.	174
(2) Gamma Butyrolactone;	175
(3) 1,4 Butanediol.	176
(J) "Manufacture" means to plant, cultivate, harvest,	177
process, make, prepare, or otherwise engage in any part of the	178
production of a drug, by propagation, extraction, chemical	179
synthesis, or compounding, or any combination of the same, and	180
includes packaging, repackaging, labeling, and other activities	181
incident to production.	182
(K) "Possess" or "possession" means having control over a	183
thing or substance, but may not be inferred solely from mere	184
access to the thing or substance through ownership or occupation	185
of the premises upon which the thing or substance is found.	186
(L) "Sample drug" means a drug or pharmaceutical	187
preparation that would be hazardous to health or safety if used	188
without the supervision of a licensed health professional	189
authorized to prescribe drugs, or a drug of abuse, and that, at	190
one time, had been placed in a container plainly marked as a	191
sample by a manufacturer.	192

(M) "Standard pharmaceutical reference manual" means the	193
current edition, with cumulative changes if any, of references	194
that are approved by the state board of pharmacy.	195
(N) "Juvenile" means a person under eighteen years of age.	196
(O) "Counterfeit controlled substance" means any of the	197
following:	198
(1) Any drug that bears, or whose container or label	199
bears, a trademark, trade name, or other identifying mark used	200
without authorization of the owner of rights to that trademark,	201
trade name, or identifying mark;	202
(2) Any unmarked or unlabeled substance that is	203
represented to be a controlled substance manufactured,	204
processed, packed, or distributed by a person other than the	205
person that manufactured, processed, packed, or distributed it;	206
(3) Any substance that is represented to be a controlled	207
substance but is not a controlled substance or is a different	208
controlled substance;	209
(4) Any substance other than a controlled substance that a	210
reasonable person would believe to be a controlled substance	211
because of its similarity in shape, size, and color, or its	212
markings, labeling, packaging, distribution, or the price for	213
which it is sold or offered for sale.	214
(P) An offense is "committed in the vicinity of a school"	215
if the offender commits the offense on school premises, in a	216
school building, or within one thousand feet of the boundaries	217
of any school premises, regardless of whether the offender knows	218
the offense is being committed on school premises, in a school	219
building, or within one thousand feet of the boundaries of any	220
school premises.	221

(Q) "School" means any school operated by a board of 222  
education, any community school established under Chapter 3314. 223  
of the Revised Code, or any nonpublic school for which the state 224  
board of education prescribes minimum standards under section 225  
3301.07 of the Revised Code, whether or not any instruction, 226  
extracurricular activities, or training provided by the school 227  
is being conducted at the time a criminal offense is committed. 228

(R) "School premises" means either of the following: 229

(1) The parcel of real property on which any school is 230  
situated, whether or not any instruction, extracurricular 231  
activities, or training provided by the school is being 232  
conducted on the premises at the time a criminal offense is 233  
committed; 234

(2) Any other parcel of real property that is owned or 235  
leased by a board of education of a school, the governing 236  
authority of a community school established under Chapter 3314. 237  
of the Revised Code, or the governing body of a nonpublic school 238  
for which the state board of education prescribes minimum 239  
standards under section 3301.07 of the Revised Code and on which 240  
some of the instruction, extracurricular activities, or training 241  
of the school is conducted, whether or not any instruction, 242  
extracurricular activities, or training provided by the school 243  
is being conducted on the parcel of real property at the time a 244  
criminal offense is committed. 245

(S) "School building" means any building in which any of 246  
the instruction, extracurricular activities, or training 247  
provided by a school is conducted, whether or not any 248  
instruction, extracurricular activities, or training provided by 249  
the school is being conducted in the school building at the time 250  
a criminal offense is committed. 251

(T) "Disciplinary counsel" means the disciplinary counsel 252  
appointed by the board of commissioners on grievances and 253  
discipline of the supreme court under the Rules for the 254  
Government of the Bar of Ohio. 255

(U) "Certified grievance committee" means a duly 256  
constituted and organized committee of the Ohio state bar 257  
association or of one or more local bar associations of the 258  
state of Ohio that complies with the criteria set forth in Rule 259  
V, section 6 of the Rules for the Government of the Bar of Ohio. 260

(V) "Professional license" means any license, permit, 261  
certificate, registration, qualification, admission, temporary 262  
license, temporary permit, temporary certificate, or temporary 263  
registration that is described in divisions (W) (1) to (37) of 264  
this section and that qualifies a person as a professionally 265  
licensed person. 266

(W) "Professionally licensed person" means any of the 267  
following: 268

(1) A person who has received a certificate or temporary 269  
certificate as a certified public accountant or who has 270  
registered as a public accountant under Chapter 4701. of the 271  
Revised Code and who holds an Ohio permit issued under that 272  
chapter; 273

(2) A person who holds a certificate of qualification to 274  
practice architecture issued or renewed and registered under 275  
Chapter 4703. of the Revised Code; 276

(3) A person who is registered as a landscape architect 277  
under Chapter 4703. of the Revised Code or who holds a permit as 278  
a landscape architect issued under that chapter; 279

(4) A person licensed under Chapter 4707. of the Revised 280

Code;	281
(5) A person who has been issued a <del>certificate of</del>	282
<del>registration as a registered barber's license, barber</del>	283
<del>instructor's license, assistant barber instructor's license, or</del>	284
<del>independent contractor's license</del> under Chapter 4709. of the	285
Revised Code;	286
(6) A person licensed and regulated to engage in the	287
business of a debt pooling company by a legislative authority,	288
under authority of Chapter 4710. of the Revised Code;	289
(7) A person who has been issued a cosmetologist's	290
license, hair designer's license, manicurist's license,	291
esthetician's license, natural hair stylist's license, advanced	292
<del>cosmetologist's license to practice cosmetology, advanced hair-</del>	293
<del>designer's license to practice hair design, advanced</del>	294
<del>manicurist's license to practice manicuring, advanced</del>	295
<del>esthetician's license to practice esthetics, advanced natural-</del>	296
<del>hair stylist's license to practice natural hair styling,</del>	297
cosmetology instructor's license, hair design instructor's	298
license, manicurist instructor's license, esthetics instructor's	299
license, natural hair style instructor's license, independent	300
contractor's license, or tanning facility permit under Chapter	301
4713. of the Revised Code;	302
(8) A person who has been issued a license to practice	303
dentistry, a general anesthesia permit, a conscious sedation	304
permit, a limited resident's license, a limited teaching	305
license, a dental hygienist's license, or a dental hygienist's	306
teacher's certificate under Chapter 4715. of the Revised Code;	307
(9) A person who has been issued an embalmer's license, a	308
funeral director's license, a funeral home license, or a	309

crematory license, or who has been registered for an embalmer's 310  
or funeral director's apprenticeship under Chapter 4717. of the 311  
Revised Code; 312

(10) A person who has been licensed as a registered nurse 313  
or practical nurse, or who has been issued a certificate for the 314  
practice of nurse-midwifery under Chapter 4723. of the Revised 315  
Code; 316

(11) A person who has been licensed to practice optometry 317  
or to engage in optical dispensing under Chapter 4725. of the 318  
Revised Code; 319

(12) A person licensed to act as a pawnbroker under 320  
Chapter 4727. of the Revised Code; 321

(13) A person licensed to act as a precious metals dealer 322  
under Chapter 4728. of the Revised Code; 323

(14) A person licensed under Chapter 4729. of the Revised 324  
Code as a pharmacist or pharmacy intern or registered under that 325  
chapter as a registered pharmacy technician, certified pharmacy 326  
technician, or pharmacy technician trainee; 327

(15) A person licensed under Chapter 4729. of the Revised 328  
Code as a manufacturer of dangerous drugs, outsourcing facility, 329  
third-party logistics provider, repackager of dangerous drugs, 330  
wholesale distributor of dangerous drugs, or terminal 331  
distributor of dangerous drugs; 332

(16) A person who is authorized to practice as a physician 333  
assistant under Chapter 4730. of the Revised Code; 334

(17) A person who has been issued a license to practice 335  
medicine and surgery, osteopathic medicine and surgery, or 336  
podiatric medicine and surgery under Chapter 4731. of the 337

Revised Code or has been issued a certificate to practice a	338
limited branch of medicine under that chapter;	339
(18) A person licensed as a psychologist, independent	340
school psychologist, or school psychologist under Chapter 4732.	341
of the Revised Code;	342
(19) A person registered to practice the profession of	343
engineering or surveying under Chapter 4733. of the Revised	344
Code;	345
(20) A person who has been issued a license to practice	346
chiropractic under Chapter 4734. of the Revised Code;	347
(21) A person licensed to act as a real estate broker or	348
real estate salesperson under Chapter 4735. of the Revised Code;	349
(22) A person registered as a registered environmental	350
health specialist under Chapter 4736. of the Revised Code;	351
(23) A person licensed to operate or maintain a junkyard	352
under Chapter 4737. of the Revised Code;	353
(24) A person who has been issued a motor vehicle salvage	354
dealer's license under Chapter 4738. of the Revised Code;	355
(25) A person who has been licensed to act as a steam	356
engineer under Chapter 4739. of the Revised Code;	357
(26) A person who has been issued a license or temporary	358
permit to practice veterinary medicine or any of its branches,	359
or who is registered as a graduate animal technician under	360
Chapter 4741. of the Revised Code;	361
(27) A person who has been issued a hearing aid dealer's	362
or fitter's license or trainee permit under Chapter 4747. of the	363
Revised Code;	364

(28) A person who has been issued a class A, class B, or class C license or who has been registered as an investigator or security guard employee under Chapter 4749. of the Revised Code;	365 366 367
(29) A person licensed to practice as a nursing home administrator under Chapter 4751. of the Revised Code;	368 369
(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised Code;	370 371 372
(31) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;	373 374 375
(32) A person who is licensed as a licensed professional clinical counselor, licensed professional counselor, social worker, independent social worker, independent marriage and family therapist, or marriage and family therapist, or registered as a social work assistant under Chapter 4757. of the Revised Code;	376 377 378 379 380 381
(33) A person issued a license to practice dietetics under Chapter 4759. of the Revised Code;	382 383
(34) A person who has been issued a license or limited permit to practice respiratory therapy under Chapter 4761. of the Revised Code;	384 385 386
(35) A person who has been issued a real estate appraiser certificate under Chapter 4763. of the Revised Code;	387 388
(36) A person who has been issued a home inspector license under Chapter 4764. of the Revised Code;	389 390
(37) A person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and	391 392

published rules.	393
(X) "Cocaine" means any of the following:	394
(1) A cocaine salt, isomer, or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine;	395 396
(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;	397 398 399 400
(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.	401 402 403 404 405 406
(Y) "L.S.D." means lysergic acid diethylamide.	407
(Z) "Hashish" means a resin or a preparation of a resin to which both of the following apply:	408 409
(1) It is contained in or derived from any part of the plant of the genus cannabis, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.	410 411 412
(2) It has a delta-9 tetrahydrocannabinol concentration of more than three-tenths per cent.	413 414
"Hashish" does not include a hemp byproduct in the possession of a licensed hemp processor under Chapter 928. of the Revised Code, provided that the hemp byproduct is being produced, stored, and disposed of in accordance with rules adopted under section 928.03 of the Revised Code.	415 416 417 418 419

(AA) "Marihuana" has the same meaning as in section 420  
3719.01 of the Revised Code, except that it does not include 421  
hashish. 422

(BB) An offense is "committed in the vicinity of a 423  
juvenile" if the offender commits the offense within one hundred 424  
feet of a juvenile or within the view of a juvenile, regardless 425  
of whether the offender knows the age of the juvenile, whether 426  
the offender knows the offense is being committed within one 427  
hundred feet of or within view of the juvenile, or whether the 428  
juvenile actually views the commission of the offense. 429

(CC) "Presumption for a prison term" or "presumption that 430  
a prison term shall be imposed" means a presumption, as 431  
described in division (D) of section 2929.13 of the Revised 432  
Code, that a prison term is a necessary sanction for a felony in 433  
order to comply with the purposes and principles of sentencing 434  
under section 2929.11 of the Revised Code. 435

(DD) "Major drug offender" has the same meaning as in 436  
section 2929.01 of the Revised Code. 437

(EE) "Minor drug possession offense" means either of the 438  
following: 439

(1) A violation of section 2925.11 of the Revised Code as 440  
it existed prior to July 1, 1996; 441

(2) A violation of section 2925.11 of the Revised Code as 442  
it exists on and after July 1, 1996, that is a misdemeanor or a 443  
felony of the fifth degree. 444

(FF) "Mandatory prison term" has the same meaning as in 445  
section 2929.01 of the Revised Code. 446

(GG) "Adulterate" means to cause a drug to be adulterated 447

as described in section 3715.63 of the Revised Code.	448
(HH) "Public premises" means any hotel, restaurant, tavern, store, arena, hall, or other place of public accommodation, business, amusement, or resort.	449 450 451
(II) "Methamphetamine" means methamphetamine, any salt, isomer, or salt of an isomer of methamphetamine, or any compound, mixture, preparation, or substance containing methamphetamine or any salt, isomer, or salt of an isomer of methamphetamine.	452 453 454 455 456
(JJ) "Deception" has the same meaning as in section 2913.01 of the Revised Code.	457 458
(KK) "Fentanyl-related compound" means any of the following:	459 460
(1) Fentanyl;	461
(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta- phenyl)ethyl-4- piperidyl]propionanilide; 1-(1-methyl-2- phenylethyl)-4-(N-propanilido) piperidine);	462 463 464
(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2- thienyl)ethyl-4- piperidinyl]-N-phenylpropanamide);	465 466
(4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4- piperidinyl] -N-phenylpropanamide);	467 468
(5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2- hydroxy-2- phenethyl)-3-methyl-4-piperidinyl]-N- phenylpropanamide);	469 470 471
(6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4- piperidyl]-N- phenylpropanamide);	472 473
(7) 3-methylthiofentanyl (N-[3-methyl-1-[2-	474

(thienyl)ethyl]-4- piperidinyl]-N-phenylpropanamide);	475
(8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4- piperidinyl]propanamide;	476
	477
(9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]- propanamide;	478
	479
(10) Alfentanil;	480
(11) Carfentanil;	481
(12) Remifentanil;	482
(13) Sufentanil;	483
(14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4- piperidinyl]-N-phenylacetamide); and	484
	485
(15) Any compound that meets all of the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory, including acetylfentanyl, furanylfentanyl, valerylfentanyl, butyrylfentanyl, isobutyrylfentanyl, 4-methoxybutyrylfentanyl, para-fluorobutyrylfentanyl, acrylfentanyl, and ortho-fluorofentanyl:	486
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(a) A chemical scaffold consisting of both of the following:	493
	494
(i) A five, six, or seven member ring structure containing a nitrogen, whether or not further substituted;	495
	496
(ii) An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen.	497
	498
	499
(b) A polar functional group attached to the chemical scaffold, including but not limited to a hydroxyl, ketone,	500
	501

amide, or ester; 502

(c) An alkyl or aryl substitution off the ring nitrogen of 503  
the chemical scaffold; and 504

(d) The compound has not been approved for medical use by 505  
the United States food and drug administration. 506

(LL) "First degree felony mandatory prison term" means one 507  
of the definite prison terms prescribed in division (A) (1) (b) of 508  
section 2929.14 of the Revised Code for a felony of the first 509  
degree, except that if the violation for which sentence is being 510  
imposed is committed on or after March 22, 2019, it means one of 511  
the minimum prison terms prescribed in division (A) (1) (a) of 512  
that section for a felony of the first degree. 513

(MM) "Second degree felony mandatory prison term" means 514  
one of the definite prison terms prescribed in division (A) (2) 515  
(b) of section 2929.14 of the Revised Code for a felony of the 516  
second degree, except that if the violation for which sentence 517  
is being imposed is committed on or after March 22, 2019, it 518  
means one of the minimum prison terms prescribed in division (A) 519  
(2) (a) of that section for a felony of the second degree. 520

(NN) "Maximum first degree felony mandatory prison term" 521  
means the maximum definite prison term prescribed in division 522  
(A) (1) (b) of section 2929.14 of the Revised Code for a felony of 523  
the first degree, except that if the violation for which 524  
sentence is being imposed is committed on or after March 22, 525  
2019, it means the longest minimum prison term prescribed in 526  
division (A) (1) (a) of that section for a felony of the first 527  
degree. 528

(OO) "Maximum second degree felony mandatory prison term" 529  
means the maximum definite prison term prescribed in division 530

(A) (2) (b) of section 2929.14 of the Revised Code for a felony of 531  
the second degree, except that if the violation for which 532  
sentence is being imposed is committed on or after March 22, 533  
2019, it means the longest minimum prison term prescribed in 534  
division (A) (2) (a) of that section for a felony of the second 535  
degree. 536

(PP) "Delta-9 tetrahydrocannabinol" has the same meaning 537  
as in section 928.01 of the Revised Code. 538

(QQ) An offense is "committed in the vicinity of a 539  
substance addiction services provider or a recovering addict" if 540  
either of the following apply: 541

(1) The offender commits the offense on the premises of a 542  
substance addiction services provider's facility, including a 543  
facility licensed prior to June 29, 2019, under section 5119.391 544  
of the Revised Code to provide methadone treatment or an opioid 545  
treatment program licensed on or after that date under section 546  
5119.37 of the Revised Code, or within five hundred feet of the 547  
premises of a substance addiction services provider's facility 548  
and the offender knows or should know that the offense is being 549  
committed within the vicinity of the substance addiction 550  
services provider's facility. 551

(2) The offender sells, offers to sell, delivers, or 552  
distributes the controlled substance or controlled substance 553  
analog to a person who is receiving treatment at the time of the 554  
commission of the offense, or received treatment within thirty 555  
days prior to the commission of the offense, from a substance 556  
addiction services provider and the offender knows that the 557  
person is receiving or received that treatment. 558

(RR) "Substance addiction services provider" means an 559

agency, association, corporation or other legal entity, 560  
individual, or program that provides one or more of the 561  
following at a facility: 562

(1) Either alcohol addiction services, or drug addiction 563  
services, or both such services that are certified by the 564  
director of mental health and addiction services under section 565  
5119.36 of the Revised Code; 566

(2) Recovery supports that are related to either alcohol 567  
addiction services, or drug addiction services, or both such 568  
services and paid for with federal, state, or local funds 569  
administered by the department of mental health and addiction 570  
services or a board of alcohol, drug addiction, and mental 571  
health services. 572

(SS) "Premises of a substance addiction services 573  
provider's facility" means the parcel of real property on which 574  
any substance addiction service provider's facility is situated. 575

(TT) "Alcohol and drug addiction services" has the same 576  
meaning as in section 5119.01 of the Revised Code. 577

**Sec. 3333.26.** (A) Any citizen of this state who has 578  
resided within the state for one year, who was in the active 579  
service of the United States as a soldier, sailor, nurse, or 580  
marine between April 6, 1917, and November 11, 1918, and who has 581  
been honorably discharged from that service, shall be admitted 582  
to any school, college, or university that receives state funds 583  
in support thereof, without being required to pay any tuition or 584  
matriculation fee, but is not relieved from the payment of 585  
laboratory or similar fees. 586

(B) (1) As used in this section: 587

(a) "Volunteer firefighter" has the meaning as in division 588

(B) (1) of section 146.01 of the Revised Code. 589

(b) "Public service officer" means an Ohio firefighter, 590  
volunteer firefighter, police officer, member of the state 591  
highway patrol, employee designated to exercise the powers of 592  
police officers pursuant to section 1545.13 of the Revised Code, 593  
or other peace officer as defined by division (B) of section 594  
2935.01 of the Revised Code, or a person holding any equivalent 595  
position in another state. 596

(c) "Qualified former spouse" means the former spouse of a 597  
public service officer, or of a member of the armed services of 598  
the United States, who is the custodial parent of a minor child 599  
of that marriage pursuant to an order allocating the parental 600  
rights and responsibilities for care of the child issued 601  
pursuant to section 3109.04 of the Revised Code. 602

(d) "Operation enduring freedom" means that period of 603  
conflict which began October 7, 2001, and ends on a date 604  
declared by the president of the United States or the congress. 605

(e) "Operation Iraqi freedom" means that period of 606  
conflict which began March 20, 2003, and ends on a date declared 607  
by the president of the United States or the congress. 608

(f) "Combat zone" means an area that the president of the 609  
United States by executive order designates, for purposes of 26 610  
U.S.C. 112, as an area in which armed forces of the United 611  
States are or have engaged in combat. 612

(2) Subject to division (D) of this section, any resident 613  
of this state who is under twenty-six years of age, or under 614  
thirty years of age if the resident has been honorably 615  
discharged from the armed services of the United States, who is 616  
the child of a public service officer killed in the line of duty 617

or of a member of the armed services of the United States killed 618  
in the line of duty during operation enduring freedom or 619  
operation Iraqi freedom, and who is admitted to any state 620  
university or college as defined in division (A)(1) of section 621  
3345.12 of the Revised Code, community college, state community 622  
college, university branch, or technical college shall not be 623  
required to pay any tuition or any student fee for up to four 624  
academic years of education, which shall be at the undergraduate 625  
level, or a certificate program as prescribed under division (E) 626  
of this section. 627

A child of a member of the armed services of the United 628  
States killed in the line of duty during operation enduring 629  
freedom or operation Iraqi freedom is eligible for a waiver of 630  
tuition and student fees under this division only if the student 631  
is not eligible for a war orphans and severely disabled 632  
veterans' children scholarship authorized by Chapter 5910. of 633  
the Revised Code. In any year in which the war orphans and 634  
severely disabled veterans' children scholarship board reduces 635  
the percentage of tuition covered by a war orphans and severely 636  
disabled veterans' children scholarship below one hundred per 637  
cent pursuant to division (A) of section 5910.04 of the Revised 638  
Code, the waiver of tuition and student fees under this division 639  
for a child of a member of the armed services of the United 640  
States killed in the line of duty during operation enduring 641  
freedom or operation Iraqi freedom shall be reduced by the same 642  
percentage. 643

(3) Subject to division (D) of this section, any resident 644  
of this state who is the spouse or qualified former spouse of a 645  
public service officer killed in the line of duty, and who is 646  
admitted to any state university or college as defined in 647  
division (A)(1) of section 3345.12 of the Revised Code, 648

community college, state community college, university branch, 649  
or technical college, shall not be required to pay any tuition 650  
or any student fee for up to four academic years of education, 651  
which shall be at the undergraduate level, or a certificate 652  
program as prescribed under division (E) of this section. 653

(4) Any resident of this state who is the spouse or 654  
qualified former spouse of a member of the armed services of the 655  
United States killed in the line of duty while serving in a 656  
combat zone after May 7, 1975, and who is admitted to any state 657  
university or college as defined in division (A)(1) of section 658  
3345.12 of the Revised Code, community college, state community 659  
college, university branch, or technical college, shall not be 660  
required to pay any tuition or any student fee for up to four 661  
years of academic education, which shall be at the undergraduate 662  
level, or a certificate program as prescribed under division (E) 663  
of this section. In order to qualify under division (B)(4) of 664  
this section, the spouse or qualified former spouse shall have 665  
been a resident of this state at the time the member was killed 666  
in the line of duty. 667

(C) Any institution that is not subject to division (B) of 668  
this section and that holds a valid certificate of registration 669  
issued under Chapter 3332. of the Revised Code, ~~a valid~~ 670  
~~certificate issued under Chapter 4709. of the Revised Code,~~ or a 671  
valid license issued under Chapter 4713. of the Revised Code, or 672  
that is nonprofit and has a certificate of authorization issued 673  
under section 1713.02 of the Revised Code, or that is a private 674  
institution exempt from regulation under Chapter 3332. of the 675  
Revised Code as prescribed in section 3333.046 of the Revised 676  
Code, which reduces tuition and student fees of a student who is 677  
eligible to attend an institution of higher education under the 678  
provisions of division (B) of this section by an amount 679

indicated by the chancellor of higher education shall be 680  
eligible to receive a grant in that amount from the chancellor. 681

Each institution that enrolls students under division (B) 682  
of this section shall report to the chancellor, by the first day 683  
of July of each year, the number of students who were so 684  
enrolled and the average amount of all such tuition and student 685  
fees waived during the preceding year. The chancellor shall 686  
determine the average amount of all such tuition and student 687  
fees waived during the preceding year. The average amount of the 688  
tuition and student fees waived under division (B) of this 689  
section during the preceding year shall be the amount of grants 690  
that participating institutions shall receive under this 691  
division during the current year, but no grant under this 692  
division shall exceed the tuition and student fees due and 693  
payable by the student prior to the reduction referred to in 694  
this division. The grants shall be made for two certificate 695  
programs or four years of undergraduate education of an eligible 696  
student. 697

(D) Notwithstanding anything to the contrary in section 698  
3333.31 of the Revised Code, for the purposes of divisions (B) 699  
(2) and (3) of this section, the child, spouse, or qualified 700  
former spouse of a public service officer or a member of the 701  
armed services of the United States killed in the line of duty 702  
shall be considered a resident of this state for the purposes of 703  
this section if the child, spouse, or qualified former spouse 704  
was a resident of this state at the time that the public service 705  
officer or member of the armed services was killed. 706

However, no child, spouse, or qualified former spouse of a 707  
public service officer or a member of the armed services of the 708  
United States killed in the line of duty shall be required to be 709

a resident of this state at the time the public service officer 710  
or member of the armed services of the United States was killed 711  
in order to receive benefits under divisions (B) (2) and (3) of 712  
this section. 713

(E) A child, spouse, or qualified former spouse of a 714  
public service officer or a member of the armed services killed 715  
in the line of duty shall receive benefits for a certificate 716  
program in accordance with division (B) or (C) of this section, 717  
except that a particular child, spouse, or qualified former 718  
spouse shall not receive benefits for: 719

(1) More than two certificate programs; 720

(2) A total number of academic credits or instructional 721  
hours equivalent to more than four academic years; 722

(3) For any particular academic year, an amount that is 723  
greater than eight thousand dollars. 724

**Sec. 4709.01.** As used in this chapter: 725

(A) (1) Except as provided in division (A) (2) of this 726  
section, "the practice of barbering" means any one or more of 727  
the following when performed upon the head, neck, or face for 728  
cosmetic purposes and when performed upon the public for pay, 729  
free, or otherwise: 730

(a) Shaving the face, shaving around the vicinity of the 731  
ears and neckline, or trimming facial hair; 732

(b) Cutting or styling hair; 733

(c) Facials, skin care, or scalp massages; 734

(d) Shampooing, bleaching, coloring, straightening, or 735  
permanent waving hair; 736

(e) Cutting, fitting, or forming head caps for wigs or hair pieces. 737  
738

(2) "The practice of barbering" does not include the practice of natural hair styling. 739  
740

~~(B) Sanitary means free of infectious agents, disease, or infestation by insects or vermin and free of soil, dust, or foreign material.~~ 741  
742  
743

~~(C) "Barber" means any person an individual who engages in or attempts to engage in the practice of barbering.~~ 744  
745

~~(D) Barber school means any establishment that engages in or attempts to engage in the teaching of the practice of barbering.~~ 746  
747  
748

~~(E) (C) "Barber teacher instructor" means any person who engages in or attempts to engage in the teaching of an individual authorized to teach the theory and practice of barbering.~~ 749  
750  
751  
752

~~(F) (D) "Assistant barber teacher instructor" means any person who assists an individual authorized to assist a barber teacher instructor in the teaching of the theory and practice of barbering.~~ 753  
754  
755  
756

~~(G) (E) "Barber pole" means a cylinder or pole with alternating stripes of any combination including red and white, and red, white, and blue, which run diagonally along the length of the cylinder or pole.~~ 757  
758  
759  
760

(F) "Barber shop" means any premises, building, or part of a building in which an individual engages in the practice of barbering. 761  
762  
763

(G) "Biennial licensing period" means the two-year period 764

beginning on the first day of September of an even-numbered year 765  
and ending on the last day of August of the next even-numbered 766  
year. 767

(H) ~~The "Cosmetic therapy," "practice of natural hair~~ 768  
~~styling means work done for a fee or other form of compensation,~~ 769  
~~by any person, utilizing techniques performed by hand that~~ 770  
~~result in tension on hair roots such as twisting, wrapping,~~ 771  
~~weaving, extending, locking, or braiding of the hair, and which~~ 772  
~~work does not include the application of dyes, reactive~~ 773  
~~chemicals, or other preparations to alter the color or to~~ 774  
~~straighten, curl, or alter the structure of the hair," and~~ 775  
"school" have the same meanings as in section 4713.01 of the 776  
Revised Code. 777

(I) ~~Braiding means intertwining the hair in a systematic~~ 778  
~~motion to create patterns in a three dimensional form, inverting~~ 779  
~~the hair against the scalp along part of a straight or curved~~ 780  
~~row of intertwined hair, or twisting the hair in a systematic~~ 781  
~~motion, and includes extending the hair with natural or~~ 782  
~~synthetic hair fibers."Independent contractor" means an~~ 783  
individual who is not an employee of a barber shop but practices 784  
barbering within a barber shop. 785

(J) "Infection control" means the practice of preventing 786  
the spread of infections and disease by ensuring that a barber 787  
shop, including all equipment and implements in the barber shop, 788  
are maintained by doing all of the following, as applicable: 789

(1) Removing surface or visible dirt or debris by cleaning 790  
with soap, detergent, or a chemical cleaner, followed by rinsing 791  
with clean water; 792

(2) Using a chemical disinfectant to kill or denature 793

<u>bacteria, fungi, and viruses;</u>	794
<u>(3) Applying heat or using other procedures to eliminate,</u>	795
<u>remove, or kill all forms of microbial life present on a surface</u>	796
<u>or contained in a fluid.</u>	797
<u>Sec. 4709.02. Except as otherwise provided in this</u>	798
<u>chapter, no individual shall do any of the following:</u>	799
<u>(A) Engage in the practice of barbering without one of the</u>	800
<u>following:</u>	801
<u>(1) A current, valid barber license issued under section</u>	802
<u>4709.07 or 4709.08 of the Revised Code;</u>	803
<u>(2) A current, valid temporary pre-examination work permit</u>	804
<u>issued under section 4709.071 of the Revised Code.</u>	805
<u>(B) Operate a barber shop without a current, valid barber</u>	806
<u>shop license issued under section 4709.09 of the Revised Code;</u>	807
<u>(C) Except as provided in section 4713.45 of the Revised</u>	808
<u>Code, teach or assist in teaching the theory and practice of</u>	809
<u>barbering without a current, valid barber instructor or</u>	810
<u>assistant barber instructor license issued under section</u>	811
<u>4709.072 of the Revised Code;</u>	812
<u>(D) Use or display a barber pole for the purpose of</u>	813
<u>advertising or offering barber services without a current, valid</u>	814
<u>barber shop license issued under section 4709.09 of the Revised</u>	815
<u>Code;</u>	816
<u>(E) Use fraud or deceit in obtaining or applying for a</u>	817
<u>license or permit issued pursuant to this chapter;</u>	818
<u>(F) Employ an individual to perform the practice of</u>	819
<u>barbering unless the individual holds one of the following:</u>	820

<u>(1) A current, valid barber license issued under section</u>	821
<u>4709.07 or 4709.08 of the Revised Code;</u>	822
<u>(2) A current, valid temporary pre-examination work permit</u>	823
<u>issued under section 4709.071 of the Revised Code.</u>	824
<u>(G) Practice barbering at a barber shop as an independent</u>	825
<u>contractor without a current, valid independent contractor</u>	826
<u>license issued under section 4709.09 of the Revised Code;</u>	827
<u>(H) Provide any of the following at a barber shop for pay,</u>	828
<u>free, or otherwise:</u>	829
<u>(1) Massage therapy, unless the individual has a current,</u>	830
<u>valid license issued by the state medical board under section</u>	831
<u>4731.15 of the Revised Code;</u>	832
<u>(2) Any other professional service, unless the individual</u>	833
<u>has a current, valid license or certificate issued by the</u>	834
<u>professional regulatory board of this state that regulates the</u>	835
<u>profession;</u>	836
<u>(3) Cosmetic therapy, unless the individual is authorized</u>	837
<u>by rules adopted under section 4709.05 of the Revised Code.</u>	838
<u>(I) Practice barbering in a location other than a barber</u>	839
<u>shop unless exempted under section 4709.031 or 4713.351 of the</u>	840
<u>Revised Code;</u>	841
<u>(J) Aid or abet any individual or entity in any of the</u>	842
<u>following:</u>	843
<u>(1) Violating this chapter or a rule adopted under it;</u>	844
<u>(2) Obtaining a license or permit fraudulently;</u>	845
<u>(3) Falsely pretending to hold a current, valid license or</u>	846
<u>permit.</u>	847

Sec. 4709.03. (A) The following individuals are exempt 848  
from this chapter, except section 4709.091 of the Revised Code, 849  
as applicable: 850

(1) All individuals licensed by this state to practice 851  
medicine, surgery, dentistry, or any branch of medicine, 852  
surgery, or dentistry, while acting within the scope of practice 853  
for the license, permit, or certificate held; 854

(2) Commissioned medical or surgical officers of the 855  
United States army, navy, air force, or marine hospital service, 856  
and attendants attached to the same, while acting within the 857  
scope of practice for the license, permit, or certificate held; 858

(3) Nurses licensed under Chapter 4723. of the Revised 859  
Code, while acting within the scope of practice for the license 860  
or certificate held; 861

(4) Cosmetologists and hair designers licensed under 862  
Chapter 4713. of the Revised Code, while acting within the scope 863  
of practice for the license or permit held; 864

(5) Funeral directors, embalmers, and apprentices licensed 865  
or certified under Chapter 4717. of the Revised Code, while 866  
acting within the scope of practice for the license, permit, or 867  
certificate held; 868

(6) Volunteers of hospitals and homes as defined in 869  
section 3721.01 of the Revised Code, who render service to 870  
registered patients and inpatients who reside in such hospitals 871  
or homes; 872

(7) Nurse aides and other employees of hospitals and homes 873  
as defined in section 3721.01 of the Revised Code, who engage in 874  
the practice of barbering on registered patients only as part of 875  
general patient care services and who do not charge patients 876

directly on a fee-for-service basis; 877

(8) Massage therapists who hold current, valid licenses to 878  
practice massage therapy issued by the state medical board under 879  
section 4731.15 of the Revised Code, while acting within the 880  
scope of practice for the license held; 881

(9) Inmates who provide services related to the practice 882  
of barbering to other inmates, except when those services are 883  
provided in a licensed barber shop or school within a state 884  
correctional institution. 885

(B) A volunteer described in division (A) (6) of this 886  
section shall not use or work with any chemical products such as 887  
permanent wave, hair dye, or chemical hair relaxer, which 888  
without proper training would pose a health or safety problem to 889  
a patient. 890

(C) The director of rehabilitation and correction shall 891  
oversee the services described in division (A) (9) of this 892  
section with respect to infection control and adopt rules 893  
governing those types of services provided by inmates. 894

**Sec. 4709.031.** Nothing in this chapter prohibits an 895  
individual holding a license issued under this chapter from 896  
practicing barbering on a dead human body at a funeral home or 897  
embalming facility licensed under section 4717.06 of the Revised 898  
Code. 899

**Sec. 4709.05.** (A) In addition to any other duty imposed on 900  
the state cosmetology and barber board under this chapter or 901  
Chapter 4713. of the Revised Code, the board shall do all of the 902  
following: 903

(1) Regulate the practice of barbering in this state; 904

<u>(2) Conduct or have conducted the examination for</u>	905
<u>applicants to practice as licensed barbers;</u>	906
<u>(3) Prescribe and make available application forms to be</u>	907
<u>used by individuals seeking admission to an examination</u>	908
<u>conducted under section 4709.07 of the Revised Code or a license</u>	909
<u>or permit issued under this chapter;</u>	910
<u>(4) Prescribe and make available application forms to be</u>	911
<u>used by individuals seeking renewal of a license or permit</u>	912
<u>issued under this chapter;</u>	913
<u>(5) Furnish a copy of the infection control standards</u>	914
<u>adopted pursuant to division (A) (8) (a) of this section to both</u>	915
<u>of the following:</u>	916
<u>(a) Each individual or person to whom the board issues a</u>	917
<u>barber license or license to operate a barber shop;</u>	918
<u>(b) Each individual providing cosmetic therapy, massage</u>	919
<u>therapy, or other professional service in a barber shop under</u>	920
<u>section 4709.091 of the Revised Code.</u>	921
<u>(6) Supply a copy of the poster created pursuant to</u>	922
<u>division (B) of section 5502.63 of the Revised Code to each</u>	923
<u>person authorized to operate a barber shop under this chapter;</u>	924
<u>(7) Comply with sections 4713.641 and 4713.66 of the</u>	925
<u>Revised Code regarding investigations and inspections;</u>	926
<u>(8) Adopt rules, in accordance with Chapter 119. of the</u>	927
<u>Revised Code, to administer and enforce this chapter and that</u>	928
<u>cover all of the following:</u>	929
<u>(a) Infection control standards for the practice of</u>	930
<u>barbering and the operation of barber shops;</u>	931

(b) The content of the examination required of an applicant for a barber license under section 4709.07 of the Revised Code and the passing score required for the examination; 932  
933  
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(c) Conditions an individual must satisfy to qualify for a temporary pre-examination work permit under section 4709.071 of the Revised Code and the conditions and method of renewing a temporary pre-examination work permit under that section; 935  
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(d) Requirements for the licensure of barber instructors and assistant barber instructors that are in addition to the requirements specified in section 4709.072 of the Revised Code; 939  
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(e) Conditions under which the board will take into account, under section 4709.073 of the Revised Code, instruction an applicant for a license under section 4709.07 or 4709.072 of the Revised Code received more than five years before the date of application for the license; 942  
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(f) Conditions an applicant must satisfy for the board to issue the applicant a license under section 4709.08 of the Revised Code without the applicant taking an examination conducted under section 4709.07 of the Revised Code; 947  
948  
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950

(g) Conditions an applicant must satisfy for the board to issue the applicant an independent contractor license under section 4709.09 of the Revised Code and the fee for the issuance and renewal of the license; 951  
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(h) Specify which professions regulated by a professional regulatory board of this state may be practiced in a barber shop under section 4709.091 of the Revised Code, including whether cosmetic therapy may be practiced in a barber shop; 955  
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(i) Establish standards for the provision of cosmetic therapy, massage therapy, or other professional service in a 959  
960

<u>barber shop pursuant to section 4709.091 of the Revised Code;</u>	961
<u>(j) If the board, under section 4709.111 of the Revised Code, develops a procedure for classifying licenses inactive, do both of the following:</u>	962
<u>(i) Establish a fee for having a license classified inactive that reflects the cost to the board of providing the inactive license service;</u>	963
<u>(ii) Specify the continuing education that an individual whose license has been classified inactive must complete to have the license restored.</u>	964
<u>(k) Any other area the board determines appropriate to administer or enforce this chapter.</u>	965
<u>(B) The infection control standards established under division (A) (8) (a) of this section shall focus in particular on precautions to be employed to prevent infectious or contagious diseases being created or spread.</u>	966
<u>(C) The content of the examination specified in rules adopted under division (A) (8) (b) of this section 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.</u>	967
<u>(D) The rules adopted under division (A) (8) (c) of this section may establish additional conditions for a temporary pre-examination work permit under section 4709.071 of the Revised Code that are applicable to individuals who are licensed to practice barbering in another state or country.</u>	968
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(E) The conditions specified in rules adopted under 989  
division (A) (8) (f) of this section may include that an applicant 990  
is applying for a barber license for which the board determines 991  
an examination is unnecessary. 992

(F) The rules adopted under division (A) (8) (h) of this 993  
section shall not include a profession if practice of the 994  
profession in a barber shop is a violation of a statute or rule 995  
governing the profession. 996

(G) If the board adopts a procedure for classifying 997  
licenses inactive, the continuing education specified under 998  
division (A) (8) (j) (ii) of this section shall be sufficient to 999  
ensure the minimum competency in the use or administration of a 1000  
new procedure or product required by a licensee necessary to 1001  
protect public health and safety. The requirement shall not 1002  
exceed the cumulative number of hours of continuing education 1003  
that the individual would have been required to complete had the 1004  
individual retained an active license. 1005

**Sec. 4709.051.** (A) The state cosmetology and barber board 1006  
may adopt rules in accordance with section 4709.05 of the 1007  
Revised Code to establish a continuing education requirement, 1008  
not to exceed eight hours in a biennial licensing period, as a 1009  
condition of renewal for a barber license, barber instructor 1010  
license, or assistant barber instructor license. 1011

(B) If the board establishes a continuing education 1012  
requirement under division (A) of this section, an individual 1013  
holding a barber license, barber instructor license, or 1014  
assistant barber instructor license shall satisfy the 1015  
requirement by completing a continuing education program 1016  
approved in accordance with division (B) of section 4713.62 of 1017  
the Revised Code. 1018

These hours may include training in identifying and 1019  
addressing the crime of trafficking in persons as described in 1020  
section 2905.32 of the Revised Code. At least two of the eight 1021  
hours of the continuing education requirement must be achieved 1022  
in courses concerning safety and infection control, and at least 1023  
one hour of the eight hours of the continuing education 1024  
requirement must be achieved in courses concerning law and rule 1025  
updates. 1026

**Sec. 4709.07.** (A) ~~Each person individual who desires to~~ 1027  
~~obtain an initial license to practice barbering shall apply to~~ 1028  
~~the state cosmetology and barber board, on forms provided by the~~ 1029  
~~board. The application form shall include the name of the person~~ 1030  
~~applying for the license and evidence that the applicant meets~~ 1031  
~~all of the requirements of division (B) of this section. The~~ 1032  
~~application shall be accompanied by the examination application~~ 1033  
~~fee.~~ 1034

~~(B) In order applies to take the required barber~~ 1035  
~~examination and to qualify for licensure as a barber, an~~ 1036  
~~applicant must shall demonstrate that the applicant individual~~ 1037  
~~meets all of the following:~~ 1038

(1) Is at least ~~eighteen~~ sixteen years of age; 1039

(2) Has an eighth grade education or an equivalent 1040  
education as determined by the state board of education in the 1041  
state where the applicant resides; 1042

(3) Has submitted a written application on a form 1043  
furnished by the board that contains all of the following: 1044

(a) The name of the individual and any other identifying 1045  
information required by the board; 1046

(b) A photocopy of the individual's current driver's 1047

license or other proof of legal residence; 1048

(c) An oath verifying that the information in the 1049  
application is true. 1050

(4) Notwithstanding section 4798.05 of the Revised Code, 1051  
submits to having a photograph and biometric fingerprint scan 1052  
taken by the board; 1053

(5) Has graduated with at least one thousand eight hundred 1054  
hours of board-approved training from a ~~board approved barber~~ 1055  
school or has graduated with at least one thousand hours of 1056  
board-approved training from a ~~board approved barber~~ school in 1057  
~~this state~~ and has a current cosmetology or hair designer 1058  
license issued pursuant to Chapter 4713. of the Revised Code. ~~No~~ 1059  
~~hours of instruction earned by an applicant five or more years~~ 1060  
~~prior to the examination apply to the hours of study required by~~ 1061  
~~this division.;~~ 1062

(6) Has paid the application fee. 1063

(B) The board shall issue a barber license to an applicant 1064  
who passes the examination and pays the license fee. 1065

~~(C) Any applicant who meets all of the requirements of~~ 1066  
~~divisions (A) and (B) of this section may take the barber~~ 1067  
~~examination at the time and place specified by the board. If the~~ 1068  
~~an applicant fails to attain at least a seventy five per cent~~ 1069  
~~pass rate on each any part of the examination, the applicant is~~ 1070  
ineligible for licensure; however, the applicant may reapply for 1071  
examination ~~within ninety days after the date of the release of~~ 1072  
~~the examination scores by paying and pay~~ the required 1073  
reexamination fee. An applicant is only required to take that 1074  
part or parts of the examination ~~on which~~ that the applicant did 1075  
not ~~receive a score of seventy five per cent or higher~~ pass. If 1076

~~the applicant fails to reapply for examination within ninety- 1077  
days or fails the second examination, in order to reapply for 1078  
examination for licensure the applicant shall complete an 1079  
additional course of study of not less than two hundred hours, 1080  
in a board approved barber school. The board shall provide to an 1081  
applicant, upon request, a report which explains the reasons for 1082  
the applicant's failure to pass the examination. 1083~~

~~(D) The board shall issue a license to practice barbering 1084  
to any applicant who, to the satisfaction of the board, meets 1085  
the requirements of divisions (A) and (B) of this section, who 1086  
passes the required examination, and pays the initial licensure 1087  
fee. Every licensed barber shall ~~display~~ maintain the 1088  
~~certificate of licensure in a conspicuous place adjacent to or 1089  
near the licensed barber's work chair~~ board-issued, wallet-sized 1090  
license or electronically generated license certification and a 1091  
current government-issued photo identification that can be 1092  
produced on inspection or request. 1093~~

**Sec. 4709.071.** (A) The state cosmetology and barber board 1094  
shall issue a temporary pre-examination work permit to practice 1095  
barbering to an individual who applies for and is eligible to 1096  
take an examination conducted under section 4709.07 of the 1097  
Revised Code, if the individual satisfies all of the following 1098  
conditions: 1099

(1) The individual has not previously failed an 1100  
examination conducted under section 4709.07 of the Revised Code. 1101

(2) The individual pays to the board the applicable fee. 1102

(3) The individual satisfies all other conditions 1103  
established by rules adopted under section 4709.05 of the 1104  
Revised Code. 1105

(B) An individual issued a temporary pre-examination work permit under this section may practice barbering until the date the individual is scheduled to take an examination under section 4709.07 of the Revised Code. The individual shall practice under the supervision of an individual holding a current, valid barber license. 1106  
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(C) A temporary pre-examination work permit is renewable in accordance with rules adopted under section 4709.05 of the Revised Code. 1112  
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**Sec. 4709.072.** (A) The state cosmetology and barber board shall issue a barber instructor license to an applicant who meets all of the following requirements: 1115  
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1117

(1) Is at least eighteen years of age; 1118

(2) Holds a current, valid barber license issued under section 4709.07 of the Revised Code and meets either of the following requirements: 1119  
1120  
1121

(a) Has at least eighteen months of work experience in a licensed barber shop; 1122  
1123

(b) Has been employed as an assistant barber instructor under the supervision of a licensed barber for at least one year. 1124  
1125  
1126

(3) Passes the required examination; 1127

(4) Pays the applicable license fee; 1128

(5) Meets any additional requirements specified in rules adopted by the board under section 4709.05 of the Revised Code. 1129  
1130

(B) The board shall issue an assistant barber instructor license to an applicant who holds a current, valid barber 1131  
1132

license issued under section 4709.07 of the Revised Code and 1133  
meets the requirements listed in divisions (A) (1), (4), and (5) 1134  
of this section. 1135

(C) Every holder of a barber instructor license or 1136  
assistant barber instructor license shall maintain a board- 1137  
issued, wallet-sized license or electronically generated license 1138  
certification and a current government-issued photo 1139  
identification that can be produced upon inspection or request. 1140

**Sec. 4709.073.** When determining the total hours of 1141  
instruction received by an applicant under section 4709.07 or 1142  
4709.072 of the Revised Code, the state cosmetology and barber 1143  
board shall not take into account more than ten hours of 1144  
instruction per day. The board shall take into account 1145  
instruction received more than five years before the date of 1146  
application for the license in accordance with rules adopted 1147  
under section 4709.05 of the Revised Code. 1148

**Sec. 4709.08.** (A) Any ~~person~~ individual who holds a 1149  
current license or registration to practice as a barber or teach 1150  
the theory and practice of barbering in any other state or 1151  
district of the United States or country whose requirements for 1152  
licensure or registration of barbers, barber instructors, or 1153  
assistant barber instructors are substantially equivalent to the 1154  
requirements of this chapter and rules adopted under it ~~and that~~ 1155  
~~extends similar reciprocity to persons licensed as barbers in~~ 1156  
~~this state~~ may apply to the state cosmetology and barber board 1157  
for a barber, barber instructor, or assistant barber instructor 1158  
license. 1159

(B) The board shall, ~~without examination, unless the board~~ 1160  
~~determines to require an examination,~~ issue a license to 1161  
~~practice as a licensed barber in this state if the person an~~ 1162

applicant who meets all of the following requirements of this 1163  
section, is: 1164

(1) Is at least eighteen years of age, and pays; 1165

(2) In the case of an applicant for a barber license, 1166  
passes an examination conducted under section 4709.07 of the 1167  
Revised Code, unless the applicant satisfies conditions 1168  
specified in rules adopted under section 4709.05 of the Revised 1169  
Code for the board to issue the applicant a license without 1170  
taking the examination; 1171

(3) Pays the required fees. The board may waive any of the 1172  
requirements of this section. 1173

**Sec. 4709.09.** (A) Each person applicant who desires to 1174  
obtain a barber shop license shall apply to the state 1175  
cosmetology and barber board, on forms provided by the board. 1176  
The board shall issue a barber shop license to a person an 1177  
applicant if the board determines that the person meets all of 1178  
the requirements of division (B) of this section and pays 1179  
applicant has paid the required license and inspection fees. 1180

~~(B) In order for a person to qualify for a license to~~ 1181  
~~operate a barber shop, fee and ensured that~~ the barber shop shall 1182  
meet all of the following requirements: 1183

(1) Be in the charge and under the immediate supervision 1184  
of a licensed barber; 1185

(2) Be equipped to provide running hot and cold water and 1186  
proper drainage; 1187

(3) ~~Sanitize and maintain in a sanitary condition, all~~ 1188  
~~instruments and supplies;~~ 1189

~~(4) Keep towels and linens clean and sanitary and in a~~ 1190

~~dry, dust proof container;~~ 1191

(5) Display Be in compliance with the infection control 1192  
standards adopted by the board in rule; 1193

(4) Pass an initial inspection as described in division 1194  
(A) (10) of section 4713.07 of the Revised Code. 1195

(B) An applicant issued a barber shop license under 1196  
division (A) of this section shall display the shop license and 1197  
a copy of the board's sanitary rules-infection control standards 1198  
provided by the board under division (A) (5) of section 4709.05 1199  
of the Revised Code in a public and conspicuous place in the 1200  
working areabarber shop. 1201

(C) (1) Any licensed barber who leases space in a licensed 1202  
barber shop and engages in the practice of barbering independent 1203  
and free from supervision of the owner or manager of the barber 1204  
shop is considered to be engaged in the operation of a separate- 1205  
and distinct barber shop and shall obtain a-an independent 1206  
contractor license to operate a barber shop pursuant to this- 1207  
section by submitting the form provided by the board, paying the 1208  
applicable fee, and satisfying the conditions for the license 1209  
established in rules adopted under section 4709.05 of the 1210  
Revised Code. 1211

(2) Every holder of an independent contractor license 1212  
shall maintain the board-issued, wallet-sized license or 1213  
electronically generated license certification and a current 1214  
government-issued photo identification that can be produced upon 1215  
inspection or request. 1216

(D) A shop license is not transferable from one owner to 1217  
another and if an owner or operator of a barber shop permanently- 1218  
ceases offering barber services at the shop, the owner or 1219

~~operator shall return the barber shop license to the board~~ 1220  
~~within ten days of the cessation of services or from one location~~ 1221  
~~to another.~~ 1222

~~(E) (1) Manicurists licensed under Chapter 4713. of the~~ 1223  
~~Revised Code may practice manicuring in a barber shop.~~ 1224

~~(2) (E) Tanning facilities issued a permit under section~~ 1225  
~~4713.48 of the Revised Code may be operated in a barber shop.~~ 1226

~~(F) Clothing and related accessories may be sold at retail~~ 1227  
~~in a barber shop so long as these sales maintain the integrity~~ 1228  
~~of the facility as a barber shop.~~ 1229

**Sec. 4709.091.** (A) An individual holding a current, valid 1230  
license issued under section 4731.15 of the Revised Code to 1231  
provide massage therapy may provide massage therapy in a barber 1232  
shop. An individual holding a current, valid license or 1233  
certificate issued by a professional regulatory board of this 1234  
state may practice the individual's profession in a barber shop 1235  
if the individual's profession is authorized by rules adopted 1236  
under section 4709.05 of the Revised Code to practice in a 1237  
barber shop. An individual may provide cosmetic therapy in a 1238  
barber shop if authorized by rules adopted under section 4709.05 1239  
of the Revised Code to practice in a barber shop. 1240

(B) An individual providing cosmetic therapy, massage 1241  
therapy, or other professional service in a barber shop pursuant 1242  
to this section shall satisfy the standards established by rules 1243  
adopted under section 4709.05 of the Revised Code. 1244

(C) An individual who provides massage therapy or other 1245  
professional services in a barber shop under this section shall 1246  
maintain the individual's professional license or certificate or 1247  
electronically generated license certification or registration 1248

and a state of Ohio issued photo identification that can be 1249  
produced on inspection or request. 1250

**Sec. 4709.10.** An applicant for a license to operate a 1251  
school shall submit an application to the state cosmetology and 1252  
barber board and satisfy the requirements under section 4713.44 1253  
of the Revised Code to be issued the license. If the school for 1254  
which the applicant is applying for a license under that section 1255  
offers instruction in the theory and practice of barbering, the 1256  
applicant shall do all of the following to be issued the 1257  
license: 1258

(A) Provide sufficient licensed teaching personnel to meet 1259  
the minimum student-instructor ratio established by the board in 1260  
rules adopted under section 4713.08 of the Revised Code; 1261

(B) Establish minimum standards for acceptance of student 1262  
applicants for admission to the school to learn the theory and 1263  
practice of barbering; 1264

(C) Employ not more than two licensed assistant barber 1265  
instructors for each licensed barber instructor employed or 1266  
fewer than two licensed instructors or one licensed instructor 1267  
and one licensed assistant instructor at each facility; 1268

(D) Pass an initial inspection as described in division 1269  
(A) (10) of section 4713.07 of the Revised Code. 1270

**Sec. 4709.11.** Every license issued pursuant to this 1271  
chapter expires on the thirty-first day of August of each even- 1272  
numbered year. Each licensee desiring to do so shall, on or 1273  
before the first day of September of each even-numbered year, 1274  
renew the licensee's license pursuant to the standard renewal 1275  
procedure of Chapter 4745. of the Revised Code. ~~Any holder of an~~ 1276  
~~expired license shall restore the holder's license before~~ 1277

~~continuing the practice of barbering or the activity for which~~ 1278  
~~the holder is licensed under this chapter and pay the~~ 1279  
~~appropriate restoration fee. If the person fails to restore the~~ 1280  
~~person's license within six years, the person shall pay any~~ 1281  
~~required restoration fee and take any examination required for~~ 1282  
~~the license under this chapter~~ 1283

If the state cosmetology and barber board adopts rules 1284  
under section 4709.051 of the Revised Code to establish a 1285  
continuing education requirement as a condition of renewal for a 1286  
barber license, barber instructor license, or assistant barber 1287  
instructor license, the board shall inform each licensee of the 1288  
continuing education requirement that applies to the next 1289  
biennial licensing period by including that information in the 1290  
renewal notification the board sends the licensee. The board 1291  
shall state in the notification that the licensee must complete 1292  
the continuing education requirement by the fifteenth day of 1293  
August of the next even-numbered year. Hours completed in excess 1294  
of the continuing education requirement may not be applied to 1295  
the next biennial licensing period. 1296

The board may waive or extend the period for a licensee to 1297  
complete any applicable continuing education requirement in 1298  
accordance with division (B) of section 4713.60 of the Revised 1299  
Code. Every license that has not been renewed in the timeframe 1300  
specified in this section and for which the continuing education 1301  
requirement has not been waived or extended shall be considered 1302  
expired. 1303

**Sec. 4709.111.** (A) If the state cosmetology and barber 1304  
board adopts a continuing education requirement under section 1305  
4709.051 of the Revised Code, it may develop a procedure by 1306  
which an individual who holds a barber license, barber 1307

instructor license, or assistant barber instructor license and 1308  
who is not currently engaged in the practice of barbering or 1309  
teaching or assisting in teaching of the theory and practice of 1310  
barbering, but who desires to be so engaged in the future, may 1311  
apply to the board to have the individual's license classified 1312  
inactive. If the board develops this procedure, an individual 1313  
seeking to have the individual's license classified inactive 1314  
shall apply to the board on a form provided by the board and pay 1315  
the fee established by rules adopted under section 4709.05 of 1316  
the Revised Code. 1317

(B) The board shall not restore an inactive license until 1318  
the individual holding the license submits proof satisfactory to 1319  
the board that the individual has completed the continuing 1320  
education requirement established by the board in rules adopted 1321  
under section 4709.05 of the Revised Code. 1322

**Sec. 4709.112.** (A) A barber license, barber instructor 1323  
license, or assistant barber instructor license that has not 1324  
been renewed for any reason other than because it has been 1325  
revoked, suspended, classified inactive, or because the license 1326  
holder has been given a waiver or extension under section 1327  
4709.11 of the Revised Code, is expired. An expired license may 1328  
be restored if the individual who held the license satisfies 1329  
both of the following requirements: 1330

(1) Pays to the state cosmetology and barber board the 1331  
restoration fee established under section 4709.12 of the Revised 1332  
Code; 1333

(2) In the case of a barber license that has been expired 1334  
for more than two consecutive license renewal periods, completes 1335  
any outstanding continuing education requirements for each 1336  
license renewal period that has elapsed since the license was 1337

last issued or renewed, up to a maximum of twenty-four hours. 1338

(B) At least four of the continuing education hours 1339  
required under division (A)(2) of this section shall include a 1340  
course pertaining to infection control and safety methods. 1341

**Sec. 4709.12.** (A) The state cosmetology and barber board 1342  
shall charge and collect the following nonrefundable fees: 1343

(1) For the application to take the barber examination, 1344  
not more than ninety dollars; 1345

(2) For an application to retake any one part of the 1346  
barber examination, not more than forty-five dollars; 1347

(3) For an application to take the barber examination by 1348  
an applicant who has previously applied to take but failed to 1349  
appear for the examination, not more than one hundred dollars; 1350

(4) For the initial issuance of a license to practice as a 1351  
barber, not more than thirty dollars; 1352

~~(4)-(5)~~ For the biennial renewal of the license to 1353  
practice as a barber, not more than one hundred ten dollars; 1354

~~(5)-(6)~~ For the restoration of an expired barber license, 1355  
not more than one hundred fifty dollars, and not more than 1356  
seventy-five dollars for each lapsed year, provided that the 1357  
total fee shall not exceed six hundred ninety dollars; 1358

~~(6)-(7)~~ For the issuance of a duplicate barber ~~or~~ shop 1359  
license, not more than forty-five dollars; 1360

~~(7)-(8)~~ For the ~~inspection~~ issuance of a new barber shop, 1361  
license or a change of ownership, or reopening of premises or 1362  
facilities formerly operated as a barber shop, and issuance of a 1363  
shop license, not more than one hundred ten dollars; 1364

<del>(8)-(9)</del> For the biennial renewal of a barber shop license, <u>not more than seventy-five dollars;</u>	1365 1366
<del>(9)-(10)</del> For the restoration of a barber shop license, <u>not more than one hundred ten dollars;</u>	1367 1368
<del>(10)</del> For each inspection of premises for location of a new barber school, or each inspection of premises for relocation of a currently licensed barber school, <del>seven hundred fifty dollars;</del>	1369 1370 1371
<del>(11)</del> For the initial barber school license, <del>one thousand dollars, and one thousand dollars for the renewal of the license;</del>	1372 1373 1374
<del>(12)</del> For the restoration of a barber school license, <del>one thousand dollars;</del>	1375 1376
<del>(13)</del> For the issuance of a student registration, <del>forty dollars;</del>	1377 1378
<del>(14)-(11)</del> For the examination and issuance of a biennial <del>teacher barber instructor license, <u>not more than one hundred</u> eighty-five dollars;</del>	1379 1380 1381
<del>(15)-(12)</del> <u>For the issuance of a biennial assistant barber instructor license, not more than one hundred fifty dollars;</u>	1382 1383
<u>(13)</u> For the renewal of a biennial <del>teacher barber</del> <u>instructor or assistant barber instructor license, not more than</u> one hundred fifty dollars;	1384 1385 1386
<del>(16)-(14)</del> For the restoration of an expired <del>teacher barber</del> <u>instructor or assistant barber instructor license, not more than</u> two hundred twenty-five dollars, and <u>not more than sixty</u> dollars for each lapsed year, provided that the total fee shall not exceed four hundred fifty dollars;	1387 1388 1389 1390 1391

~~(17)~~ (15) For the issuance of a barber license by 1392  
reciprocity pursuant to section 4709.08 of the Revised Code, not 1393  
more than three hundred dollars; 1394

~~(18)~~ (16) ~~For providing licensure information concerning~~ 1395  
~~an applicant, upon written request of the applicant~~ the 1396  
preparation and mailing of a licensee's records to another state 1397  
for a reciprocal license, not more than forty dollars; 1398

(17) For a temporary pre-examination work permit under 1399  
section 4709.071 of the Revised Code, not more than fifteen 1400  
dollars. 1401

(B) The board shall adjust the fees biennially, by rule, 1402  
within the limits established by division (A) of this section, 1403  
to provide sufficient revenues to meet its expenses. 1404

(C) The board, subject to the approval of the controlling 1405  
board, may establish fees in excess of the amounts provided in 1406  
this section, provided that the fees do not exceed the amounts 1407  
permitted by this section by more than fifty per cent. 1408

~~(C)~~ ~~In addition to any other fee charged and collected~~ 1409  
~~under this section, the board shall ask each person renewing a~~ 1410  
~~license to practice as a barber whether the person wishes to~~ 1411  
~~make a two-dollar voluntary contribution to the Ed Jeffers~~ 1412  
~~barber museum. The board shall transmit any contributions to the~~ 1413  
~~treasurer of state for deposit into the occupational licensing~~ 1414  
~~fund.~~ 1415

(D) At the request of a person who is temporarily unable 1416  
to pay a fee imposed under division (A) of this section, or on 1417  
its own motion, the board may extend the date payment is due by 1418  
up to ninety days. If the fee remains unpaid after the date 1419  
payment is due, the amount of the fee shall be certified to the 1420

attorney general for collection in the form and manner 1421  
prescribed by the attorney general. The attorney general may 1422  
assess the collection cost to the amount certified in such a 1423  
manner and amount as prescribed by the attorney general. 1424

**Sec. 4709.13.** (A) The state cosmetology and barber board 1425  
may take disciplinary action under division (B) of this section 1426  
for any of the following: 1427

(1) Willful, false, and fraudulent or deceptive 1428  
advertising; 1429

(2) Habitual drunkenness or addiction to any habit-forming 1430  
drug; 1431

(3) Failure to comply with the safety, infection control, 1432  
and licensing requirements of this chapter or rules adopted 1433  
under it; 1434

(4) Continued practice by an individual knowingly having 1435  
an infectious or contagious disease; 1436

(5) Falsification of any record or application required to 1437  
be filed with the board; 1438

(6) Failure to pay a fine or abide by a suspension order 1439  
issued by the board; 1440

(7) Failure to cooperate with an investigation or 1441  
inspection; 1442

(8) Failure to respond to a subpoena; 1443

(9) Conviction of or plea of guilty to a violation of 1444  
section 2905.32 of the Revised Code; 1445

(10) In the case of a barber shop, any individual's 1446  
conviction of or plea of guilty to a violation of section 1447

2905.32 of the Revised Code for an activity that took place on 1448  
the premises of the barber shop. 1449

(B) On determining that there is cause for disciplinary 1450  
action, the board may do one or more of the following: 1451

(1) Deny, suspend, revoke, or impose conditions on a 1452  
license or permit issued by the board pursuant to this chapter; 1453

(2) Impose a fine; 1454

(3) Require the holder of a license or permit issued under 1455  
this chapter to take corrective action courses. 1456

(C)(1) Except as provided in divisions (C)(2) and (3) of 1457  
this section, the board shall take disciplinary action pursuant 1458  
to an adjudication under Chapter 119. of the Revised Code. 1459

(2) The board may take disciplinary action without 1460  
conducting an adjudication under Chapter 119. of the Revised 1461  
Code against an individual who or barber shop that is subject to 1462  
discipline under division (A)(9) or (10) of this section. After 1463  
the board takes such disciplinary action, the board shall give 1464  
written notice to the subject of the disciplinary action of the 1465  
right to request a hearing under Chapter 119. of the Revised 1466  
Code. 1467

(3) In lieu of an adjudication, the board may enter into a 1468  
consent agreement with the holder of a license or permit issued 1469  
under this chapter. A consent agreement that is ratified by a 1470  
majority vote of a quorum of the board members is considered to 1471  
constitute the findings and orders of the board with respect to 1472  
the matter addressed in the agreement. If the board does not 1473  
ratify a consent agreement, the admissions and findings 1474  
contained in the agreement are of no effect, and the case shall 1475  
be scheduled for adjudication under Chapter 119. of the Revised 1476

Code. 1477

(D) The amount and content of corrective action courses 1478  
and other relevant criteria shall be established by the board in 1479  
rules adopted under section 4709.05 of the Revised Code. 1480

(E) (1) The board may impose a separate fine for each 1481  
offense listed in division (A) of this section. The amount of 1482  
the first fine issued for a violation as the result of an 1483  
inspection shall be not more than two hundred fifty dollars if 1484  
the violator has not previously been fined for that offense. Any 1485  
finest issued for additional violations during such an inspection 1486  
shall not be more than one hundred dollars for each additional 1487  
violation. The fine shall be not more than five hundred dollars 1488  
if the violator has been fined for the same offense once before. 1489  
Any fines issued for additional violations during a second 1490  
inspection shall not be more than two hundred dollars for each 1491  
additional violation. The fine shall be not more than one 1492  
thousand dollars if the violator has been fined for the same 1493  
offense two or more times before. Any fines issued for 1494  
additional violations during a third inspection shall not be 1495  
more than three hundred dollars for each additional violation. 1496

(2) The board shall issue an order notifying a violator of 1497  
a fine imposed under division (E) (1) of this section. The notice 1498  
shall specify the date by which the fine is to be paid. The date 1499  
shall be less than forty-five days after the board issues the 1500  
order. 1501

(3) At the request of a violator who is temporarily unable 1502  
to pay a fine, or on the board's own motion, the board may 1503  
extend the time period within which the violator shall pay the 1504  
fine up to ninety days after the date the board issues the 1505  
order. 1506

(4) If the fine remains unpaid on the ninety-first day 1507  
after the board issues an order under division (E) (2) of this 1508  
section, the amount of the fine shall be certified to the 1509  
attorney general for collection in the form and manner 1510  
prescribed by the attorney general. The attorney general may 1511  
assess the collection cost to the amount certified in such a 1512  
manner and amount as prescribed by the attorney general. 1513

(F) The board shall notify a licensee who is subject to 1514  
discipline under division (A) of this section and the owner of 1515  
the barber shop in which the conditions constituting the reason 1516  
for discipline were found. The individual receiving the notice 1517  
and the owner of the barber shop may request a hearing pursuant 1518  
to section 119.07 of the Revised Code. If the individual or 1519  
owner fails to request a hearing or enter into a consent 1520  
agreement thirty days after the date the board, in accordance 1521  
with section 119.07 of the Revised Code and division (I) of this 1522  
section, notifies the individual or owner of the board's intent 1523  
to act against the individual or owner under division (A) of 1524  
this section, the board, by a majority vote of a quorum of the 1525  
board members, may take the action against the individual or 1526  
owner without holding an adjudication hearing. 1527

(G) The board, after a hearing in accordance with Chapter 1528  
119. of the Revised Code or pursuant to a consent agreement, may 1529  
suspend a license or permit if the licensee or permit holder 1530  
fails to correct an unsafe condition that exists in violation of 1531  
the board's rules or fails to cooperate in an inspection. If a 1532  
violation of this chapter or rules adopted under it has resulted 1533  
in a condition reasonably believed by an inspector to create an 1534  
immediate danger to the health and safety of any individual 1535  
using the facility, the inspector may suspend the license or 1536  
permit of the facility or the individual responsible for the 1537

violation without a prior hearing until the condition is 1538  
corrected or until a hearing in accordance with Chapter 119. of 1539  
the Revised Code is held or a consent agreement is entered into 1540  
and the board either upholds the suspension or reinstates the 1541  
license or permit. 1542

(H) The board shall not take disciplinary action against a 1543  
person licensed to operate a barber shop for a violation of this 1544  
chapter that was committed by a licensed barber while practicing 1545  
within the barber shop, when the barber's actions were beyond 1546  
the control of the barber shop owner. 1547

(I) In addition to the methods of notification required 1548  
under section 119.07 of the Revised Code, the board may send the 1549  
notices required under divisions (C) (2), (E) (2), and (F) of this 1550  
section by any delivery method that is traceable and requires 1551  
that the delivery person obtain a signature to verify that the 1552  
notice has been delivered. The board also may send the notices 1553  
by electronic mail, provided that the electronic mail delivery 1554  
system certifies that a notice has been received. 1555

**Sec. 4709.14.** ~~(A)~~ If the state cosmetology and barber 1556  
board determines that any ~~person~~ individual is violating or 1557  
~~threatening~~ is about to violate any provision of this chapter or 1558  
the rules adopted pursuant thereto ~~and such violation or~~ 1559  
~~threatened violation is a threat to the health or safety of~~ 1560  
~~persons who use barber services,~~ the board may apply to a court 1561  
of competent jurisdiction ~~in the county in which the violation~~ 1562  
~~or threatened violation occurred or will occur~~ for injunctive 1563  
relief and such other relief to prevent further violations. The 1564  
attorney general shall, at the board's request, represent the 1565  
board in any such action. 1566

~~(B) If the board determines, after a hearing conducted in~~ 1567

~~accordance with Chapter 119. of the Revised Code, that any~~ 1568  
~~person has violated any provision of this chapter or the rules~~ 1569  
~~adopted pursuant thereto, the board may, in addition to any~~ 1570  
~~other action it may take or any other penalty imposed pursuant~~ 1571  
~~to this chapter, impose one or more fines upon the person. In no~~ 1572  
~~event, however, shall the fines imposed under this division~~ 1573  
~~exceed five hundred dollars for a first offense or one thousand~~ 1574  
~~dollars for each subsequent offense.~~ 1575

~~(C) A person who allegedly has violated a provision of~~ 1576  
~~this chapter for which the board proposes to impose a fine may~~ 1577  
~~pay the board the amount of the fine and waive the right to an~~ 1578  
~~adjudicatory hearing conducted under Chapter 119. of the Revised~~ 1579  
~~Code and described in division (B) of this section.~~ 1580

**Sec. 4709.99.** ~~Whoever violates this chapter or any rule~~ 1581  
~~adopted pursuant thereto section 4709.02 of the Revised Code~~ 1582  
shall be fined not less than one hundred nor more than five 1583  
hundred dollars for a first offense; for each subsequent 1584  
violation of the same provision, the person shall be fined not 1585  
less than five hundred nor more than one thousand dollars. 1586

**Sec. 4713.01.** As used in this chapter: 1587

(A) "Apprentice instructor" means an individual holding a 1588  
practicing license issued by the state cosmetology and barber 1589  
board who is engaged in learning or acquiring knowledge of the 1590  
occupation of an instructor of a branch of cosmetology at a 1591  
school ~~of cosmetology.~~ 1592

(B) "Barber," "barber instructor," "barber shop," and 1593  
"practice of barbering" have the same meanings as in section 1594  
4709.01 of the Revised Code. 1595

(C) "Beauty salon" means a salon in which an individual is 1596

authorized to engage in all branches of cosmetology. 1597

(D) "Biennial licensing period" means the two-year period 1598  
beginning on the first day of February of an odd-numbered year 1599  
and ending on the last day of January of the next odd-numbered 1600  
year. 1601

(E) "Boutique salon" means a salon in which an individual 1602  
engages in the practice of boutique services and no other branch 1603  
of cosmetology. 1604

~~"Boutique services" means braiding, threading, shampooing,~~ 1605  
~~and makeup artistry.~~ 1606

(F) "Braiding" means intertwining the hair in a systematic 1607  
motion to create patterns in a three-dimensional form, ~~inverting~~ 1608  
~~the hair including patterns that are inverted, upright, or~~ 1609  
~~singled against the scalp that follow along part of a straight~~ 1610  
~~or curved row of intertwined hair, or partings. "Braiding" may~~ 1611  
~~include twisting, locking, beading, crocheting, wrapping, or~~ 1612  
~~similarly manipulating the hair in a systematic motion, and~~ 1613  
~~includes extending the while adding bulk or length with human~~ 1614  
~~hair with natural or, synthetic hair fibers, or both, and using~~ 1615  
~~simple devices such as clips, combs, crotchet hooks, blunt-~~ 1616  
~~tipped needles, and hairpins. "Braiding" does not include the~~ 1617  
~~use of chemical hair-joining agents such as synthetic tape,~~ 1618  
~~keratin bonds, or fusion bonds to weave or fuse individual~~ 1619  
~~strands or wefts; applications of dyes, reactive chemicals, or~~ 1620  
~~other preparations to alter the color or straighten, curl, or~~ 1621  
~~alter the structure of hair; or embellishing or beautifying hair~~ 1622  
~~by cutting or singeing, except as needed to finish the ends of~~ 1623  
~~synthetic hair used to add bulk to or lengthen hair.~~ 1624

(G) "Branch of cosmetology" means the ~~practice of~~ 1625

~~cosmetology, practice of esthetics, practice of hair design,~~ 1626  
~~practice of manicuring, practice of natural hair styling, or~~ 1627  
~~practice of boutique services.~~ 1628

(H) "Cosmetic therapy" means the permanent removal of hair 1629  
from the human body through the use of electric modalities and 1630  
may include the systematic friction, stroking, slapping, and 1631  
kneading or tapping of the face, neck, scalp, or shoulders. 1632

(I) "Cosmetologist" means an individual authorized to 1633  
engage in all branches of cosmetology in a licensed facility. 1634

~~"Cosmetology" means the art or practice of embellishment,~~ 1635  
~~cleansing, beautification, and styling of hair, wigs, postiches,~~ 1636  
~~face, body, or nails.~~ 1637

(J) "Cosmetology instructor" means an individual 1638  
authorized to teach the theory and practice of all branches of 1639  
cosmetology at a school ~~of cosmetology.~~ 1640

(K) "Esthetician" means an individual who engages in the 1641  
practice of esthetics but no other branch of cosmetology in a 1642  
licensed facility. 1643

(L) "Esthetics instructor" means an individual who teaches 1644  
the theory and practice of esthetics, but no other branch of 1645  
cosmetology, at a school ~~of cosmetology.~~ 1646

(M) "Esthetics salon" means a salon in which an individual 1647  
engages in the practice of esthetics but no other branch of 1648  
cosmetology. 1649

(N) "Eye lash extensions" include temporary and semi- 1650  
permanent enhancements designed to add length, thickness, and 1651  
fullness to natural eyelashes. 1652

(O) "Hair designer" means an individual who engages in the 1653

practice of hair design but no other branch of cosmetology in a licensed facility. 1654  
1655

(P) "Hair design instructor" means an individual who 1656  
teaches the theory and practice of hair design, but no other 1657  
branch of cosmetology, at a school ~~of cosmetology~~. 1658

(Q) "Hair design salon" means a salon in which an 1659  
individual engages in the practice of hair design but no other 1660  
branch of cosmetology. 1661

(R) "Hair removal" includes tweezing, waxing, sugaring, 1662  
and threading. "Hair removal" does not include electrolysis. 1663

(S) "Independent contractor" means an individual who is 1664  
not an employee of a salon but practices a branch of cosmetology 1665  
within a salon in a licensed facility. 1666

(T) "Infection control" means the practice of preventing 1667  
the spread of infections and disease by ensuring that a salon, 1668  
school, or tanning facility, including all equipment and 1669  
implements in the salon, school, or tanning facility, are 1670  
maintained by doing all of the following, as applicable: 1671

(1) Removing surface or visible dirt or debris by cleaning 1672  
with soap, detergent, or a chemical cleaner, followed by rinsing 1673  
with clean water; 1674

(2) Using a chemical disinfectant to kill or denature 1675  
bacteria, fungi, and viruses; 1676

(3) Applying heat or using other procedures to eliminate, 1677  
remove, or kill all forms of microbial life present on a surface 1678  
or contained in a fluid. 1679

(U) "Instructor license" means a license to teach the 1680  
theory and practice of a branch of cosmetology at a school ~~of~~ 1681

cosmetology. 1682

(V) "Licensed facility" means any premises, building, or 1683  
part of a building licensed under section 4713.41 of the Revised 1684  
Code in which the practice of one or more branches of 1685  
cosmetology ~~services~~ are authorized by the state cosmetology and 1686  
barber board to be performed. 1687

~~"Advanced cosmetologist" means an individual authorized to 1688  
work in a beauty salon and engage in all branches of 1689  
cosmetology. 1690~~

~~"Advanced esthetician" means an individual authorized to 1691  
work in an esthetics salon, but no other type of salon, and 1692  
engage in the practice of esthetics, but no other branch of 1693  
cosmetology. 1694~~

~~"Advanced hair designer" means an individual authorized to 1695  
work in a hair design salon, but no other type of salon, and 1696  
engage in the practice of hair design, but no other branch of 1697  
cosmetology. 1698~~

(W) "Advanced license" means a license issued under 1699  
section 4713.30 of the Revised Code to work in a salon and 1700  
practice the branch of cosmetology practiced at the salon. 1701

~~"Advanced manicurist" means an individual authorized to 1702  
work in a nail salon, but no other type of salon, and engage in 1703  
the practice of manicuring, but no other branch of cosmetology. 1704~~

~~"Advanced natural hair stylist" means an individual 1705  
authorized to work in a natural hair style salon, but no other 1706  
type of salon, and engage in the practice of natural hair 1707  
styling, but no other branch of cosmetology. 1708~~

(X) "Makeup artistry" means the application of cosmetics 1709

for the purpose of skin beautification. "Makeup artistry" does 1710  
not include any other services described in the practice of any 1711  
other branch of cosmetology. 1712

(Y) "Manicurist" means an individual who engages in the 1713  
practice of manicuring but no other branch of cosmetology in a 1714  
licensed facility. 1715

(Z) "Manicurist instructor" means an individual who 1716  
teaches the theory and practice of manicuring, but no other 1717  
branch of cosmetology, at a school ~~of cosmetology~~. 1718

(AA) "Nail salon" means a salon in which an individual 1719  
engages in the practice of manicuring but no other branch of 1720  
cosmetology. 1721

(BB) "Natural hair stylist" means an individual who 1722  
engages in the practice of natural hair styling but no other 1723  
branch of cosmetology in a licensed facility. 1724

(CC) "Natural hair style instructor" means an individual 1725  
who teaches the theory and practice of natural hair styling, but 1726  
no other branch of cosmetology, at a school ~~of cosmetology~~. 1727

(DD) "Natural hair style salon" means a salon in which an 1728  
individual engages in the practice of natural hair styling but 1729  
no other branch of cosmetology. 1730

~~"Practice of braiding" means utilizing the technique of~~ 1731  
~~intertwining hair in a systematic motion to create patterns in a~~ 1732  
~~three dimensional form, including patterns that are inverted,~~ 1733  
~~upright, or singled against the scalp that follow along straight~~ 1734  
~~or curved partings. It may include twisting or locking the hair~~ 1735  
~~while adding bulk or length with human hair, synthetic hair, or~~ 1736  
~~both and using simple devices such as clips, combs, and~~ 1737  
~~hairpins. "Practice of braiding" does not include application of~~ 1738

~~weaving, bonding, and fusion of individual strands or wefts;~~ 1739  
~~application of dyes, reactive chemicals, or other preparations~~ 1740  
~~to alter the color or straighten, curl, or alter the structure~~ 1741  
~~of hair; embellishing or beautifying hair by cutting or~~ 1742  
~~singeing, except as needed to finish the ends of synthetic~~ 1743  
~~fibers used to add bulk to or lengthen hair.~~ 1744

(EE) "Practice of boutique services" means braiding, 1745  
threading, shampooing, and makeup artistry. 1746

(FF) "Practice of cosmetology" means the practice of all 1747  
branches of cosmetology. 1748

(GG) "Practice of esthetics" means the application of 1749  
cosmetics, tonics, antiseptics, creams, lotions, or other 1750  
preparations for the purpose of skin beautification and includes 1751  
preparation of the skin by manual massage techniques or by use 1752  
of electrical, mechanical, or other apparatus; enhancement of 1753  
the skin by skin care, facials, body treatments, hair removal, 1754  
and other treatments; and eye lash extension services. 1755

(HH) "Practice of hair design" means embellishing or 1756  
beautifying hair, wigs, or hairpieces by arranging, dressing, 1757  
pressing, curling, waving, permanent waving, cleansing, cutting, 1758  
singeing, bleaching, coloring, braiding, weaving, bonding and 1759  
fusion of individual strands or wefts, or similar work. 1760  
"Practice of hair design" includes utilizing techniques 1761  
performed by hand that result in tension on hair roots such as 1762  
twisting, wrapping, weaving, extending, locking, or braiding of 1763  
the hair. 1764

(II) "Practice of manicuring" means cleaning, trimming, 1765  
shaping the free edge of, or applying polish to the nails of any 1766  
individual; applying nail enhancements and embellishments to any 1767

individual; massaging the hands and lower arms up to the elbow 1768  
of any individual; massaging the feet and lower legs up to the 1769  
knee of any individual; using lotions or softeners on the hands 1770  
and feet of any individual; or any combination of these types of 1771  
services. 1772

(JJ) "Practice of natural hair styling" means utilizing 1773  
techniques performed by hand that result in tension on hair 1774  
roots such as twisting, wrapping, weaving, bonding and fusion of 1775  
individual strands or wefts, extending, locking, or braiding of 1776  
the hair and includes cleansing the hair in preparation for 1777  
performing such techniques on the hair. "Practice of natural 1778  
hair styling" does not include the application of dyes, reactive 1779  
chemicals, or other preparations to alter the color or to 1780  
straighten, curl, or alter the structure of the hair. "Practice 1781  
of natural hair styling" also does not include embellishing or 1782  
beautifying hair by cutting or singeing, except as needed to 1783  
finish off the end of a braid, or by dressing, pressing, 1784  
curling, waving, permanent waving, or similar work. 1785

(KK) "Practicing license" means a license to practice a 1786  
branch of cosmetology in a licensed facility. 1787

(LL) "Salon" means a licensed facility on any premises, 1788  
building, or part of a building in which an individual engages 1789  
in the practice of one or more branches of cosmetology. "Salon" 1790  
does not include a barber shop licensed under Chapter 4709. of 1791  
the Revised Code. "Salon" does not mean a tanning facility, 1792  
although a tanning facility may be located in a salon. 1793

(MM) ~~"School of cosmetology"~~ means any premises, building, 1794  
or part of a building in which students are instructed in the 1795  
theories and practices of one or more branches of cosmetology or 1796  
barbering. 1797

(NN) "Shampooing" means the act of cleansing and 1798  
conditioning an individual's hair under the supervision of an 1799  
individual licensed under this chapter and in preparation to 1800  
immediately receive a service from a licensee. 1801

(OO) "Student" means ~~an~~ both of the following: 1802

(1) An individual, other than an apprentice instructor, 1803  
who is engaged in learning or acquiring knowledge of the 1804  
practice of a branch of cosmetology at a school ~~of cosmetology.~~ 1805

(2) An individual engaged in learning or acquiring 1806  
knowledge of the practice of barbering at a school. 1807

(PP) "Tanning facility" means any premises, building, or 1808  
part of a building that contains one or more rooms or booths 1809  
with any of the following: 1810

~~(A)~~ (1) Equipment or beds used for tanning human skin by 1811  
the use of fluorescent sun lamps using ultraviolet or other 1812  
artificial radiation; 1813

~~(B)~~ (2) Equipment or booths that use chemicals applied to 1814  
human skin, including chemical applications commonly referred to 1815  
as spray-on, mist-on, or sunless tans; 1816

~~(C)~~ (3) Equipment or beds that use visible light for 1817  
cosmetic purposes. 1818

(OO) "Threading" includes a service that results in the 1819  
removal of hair from its follicle from around the eyebrows and 1820  
from other parts of the face with the use of a single strand of 1821  
thread and an astringent, if the service does not use chemicals 1822  
of any kind, wax, or any implements, instruments, or tools to 1823  
remove hair. 1824

**Sec. 4713.02.** (A) There is hereby created the state 1825

cosmetology and barber board, consisting of all of the following 1826  
members appointed by the governor, with the advice and consent 1827  
of the senate: 1828

(1) One individual holding a current, valid cosmetologist 1829  
or cosmetology instructor license at the time of appointment; 1830

(2) Two individuals holding current, valid cosmetologist 1831  
licenses and actively engaged in managing beauty salons for a 1832  
period of not less than five years at the time of appointment; 1833

(3) One individual who holds a current, valid independent 1834  
contractor license issued under this chapter or Chapter 4709. of 1835  
the Revised Code at the time of appointment ~~and practices a~~ 1836  
~~branch of cosmetology;~~ 1837

(4) One individual who represents individuals who teach 1838  
the theory and practice of a branch of cosmetology at a 1839  
vocational or career-technical school; 1840

(5) One owner or executive actively engaged in the daily 1841  
operations of a licensed school ~~of cosmetology;~~ 1842

(6) One owner of at least five licensed salons; 1843

(7) One individual who is either a certified nurse 1844  
practitioner or clinical nurse specialist holding a current, 1845  
valid license to practice nursing as an advanced practice 1846  
registered nurse issued under Chapter 4723. of the Revised Code 1847  
or a physician authorized under Chapter 4731. of the Revised 1848  
Code to practice medicine and surgery or osteopathic medicine 1849  
and surgery; 1850

(8) One individual representing the general public; 1851

(9) One individual who holds a current, valid tanning 1852  
permit and who has owned or managed a tanning facility for at 1853

least five years immediately preceding the individual's 1854  
appointment; 1855

(10) One individual who holds a current, valid esthetician 1856  
license and who has been actively practicing esthetics for a 1857  
period of not less than five years immediately preceding the 1858  
individual's appointment; 1859

(11) One individual who is an employer barber and who has 1860  
been licensed as a barber in this state for at least five years 1861  
immediately preceding the individual's appointment; 1862

(12) One individual who holds a current, valid barber or 1863  
barber ~~teacher-instructor~~ license at the time of appointment and 1864  
who has been licensed as a barber or barber ~~teacher-instructor~~ 1865  
in this state for at least five years immediately preceding the 1866  
individual's appointment. 1867

(B) The superintendent of public instruction shall 1868  
nominate three individuals for the governor to choose from when 1869  
making an appointment under division (A) (4) of this section. 1870

(C) All members shall be at least twenty-five years of 1871  
age, residents of the state, and citizens of the United States. 1872  
No more than two members, at any time, shall be graduates of the 1873  
same school ~~of cosmetology~~. Not more than one member shall have 1874  
a common financial connection with any school ~~of cosmetology,~~ 1875  
salon, ~~barber school, or barber shop, or tanning facility.~~ 1876

Terms of office are for five years. Terms shall commence 1877  
on the first day of November and end on the thirty-first day of 1878  
October. Each member shall hold office from the date of 1879  
appointment until the end of the term for which appointed. In 1880  
case of a vacancy occurring on the board, the governor shall, in 1881  
the same manner prescribed for the regular appointment to the 1882

board, fill the vacancy by appointing a member. Any member 1883  
appointed to fill a vacancy occurring prior to the expiration of 1884  
the term for which the member's predecessor was appointed shall 1885  
hold office for the remainder of such term. Any member shall 1886  
continue in office subsequent to the expiration date of the 1887  
member's term until the member's successor takes office, or 1888  
until a period of sixty days has elapsed, whichever occurs 1889  
first. Before entering upon the discharge of the duties of the 1890  
office of member, each member shall take, and file with the 1891  
secretary of state, the oath of office required by Section 7 of 1892  
Article XV, Ohio Constitution. 1893

The members of the board shall receive an amount fixed 1894  
pursuant to Chapter 124. of the Revised Code per diem for every 1895  
meeting of the board which they attend, together with their 1896  
necessary expenses, and mileage for each mile necessarily 1897  
traveled. 1898

The members of the board shall annually elect, from among 1899  
their number, a chairperson and a vice-chairperson. The 1900  
executive director appointed pursuant to section 4713.06 of the 1901  
Revised Code shall serve as the board's secretary. 1902

(D) The board shall prescribe the duties of its officers 1903  
and establish an office within Franklin county. The board shall 1904  
keep all records and files at the office and have the records 1905  
and files at all reasonable hours open to public inspection in 1906  
accordance with section 149.43 of the Revised Code and any rules 1907  
adopted by the board in compliance with this state's record 1908  
retention policy. The board also shall adopt a seal for the 1909  
authentication of its orders, communications, and records. 1910

(E) The governor may remove any member for cause prior to 1911  
the expiration of the member's term of office. 1912

(F) Whenever the term "state board of cosmetology" is 1913  
used, referred to, or designated in statute, rule, contract, 1914  
grant, or other document, the use, reference, or designation 1915  
shall be deemed to mean the "state cosmetology and barber board" 1916  
or the executive director of the state cosmetology and barber 1917  
board, whichever is appropriate in context. Whenever the term 1918  
"barber board" is used, referred to, or designated in statute, 1919  
rule, contract, grant, or other document, the use, reference, or 1920  
designation shall be deemed to mean the "state cosmetology and 1921  
barber board" or the executive director of the state cosmetology 1922  
and barber board, whichever is appropriate in context. 1923

**Sec. 4713.06.** The state cosmetology and barber board shall 1924  
annually appoint an executive director. The executive director 1925  
may not be a member of the board, but subsequent to appointment, 1926  
shall serve as secretary of the board. The executive director, 1927  
before entering upon the discharge of the executive director's 1928  
duties, shall file with the secretary of state a good and 1929  
sufficient bond payable to the state, to ensure the faithful 1930  
performance of duties of the office of executive director. The 1931  
bond shall be in an amount the board requires. The premium of 1932  
the bond shall be paid from appropriations made to the board for 1933  
operating purposes. Whenever the term "executive director of the 1934  
state board of cosmetology" or the term "executive director of 1935  
the barber board," or variations thereof, is used, referred to, 1936  
or designated in statute, rule, contract, grant, or other 1937  
document, the use, reference, or designation shall be deemed to 1938  
mean the "executive director of the state cosmetology and barber 1939  
board." 1940

The board may employ inspectors, examiners, consultants on 1941  
contents of examinations, clerks, or other individuals as 1942  
necessary for the administration of this chapter and Chapter 1943

4709. of the Revised Code. All inspectors and examiners shall be 1944  
licensed cosmetologists pursuant to this chapter or licensed 1945  
barbers pursuant to Chapter 4709. of the Revised Code. 1946

The board may appoint inspectors to inspect and 1947  
investigate all facilities regulated by this chapter and Chapter 1948  
4709. of the Revised Code, including tanning facilities, to 1949  
ensure compliance with this chapter and Chapter 4709. of the 1950  
Revised Code, the rules adopted by the board, and the board's 1951  
policies, in accordance with division ~~(A) (11)~~ (A) (10) of section 1952  
4713.07 of the Revised Code. 1953

**Sec. 4713.07.** (A) The state cosmetology and barber board 1954  
shall do all of the following: 1955

(1) Regulate the practice of cosmetology and all of its 1956  
branches in this state; 1957

(2) Investigate or inspect, when evidence appears to 1958  
demonstrate that an individual has violated any provision of 1959  
this chapter or Chapter 4709. of the Revised Code or any rule 1960  
adopted pursuant to it under either chapter, the activities or 1961  
premises of a license holder or unlicensed individual; 1962

(3) Adopt rules in accordance with section 4713.08 of the 1963  
Revised Code; 1964

(4) Prescribe and make available application forms to be 1965  
used by individuals seeking admission to an examination 1966  
conducted under section 4713.24 of the Revised Code or a license 1967  
or registration issued under this chapter; 1968

(5) Prescribe and make available application forms to be 1969  
used by individuals seeking renewal of a license or registration 1970  
issued under this chapter; 1971

- (6) Provide a toll-free number and an online service to receive complaints alleging violations of this chapter or Chapter 4709. of the Revised Code; 1972  
1973  
1974
- ~~(7) Report to the proper prosecuting officer violations of section 4713.14 of the Revised Code of which the board is aware;~~ 1975  
1976
- ~~(8)~~ Submit a written report annually to the governor that provides all of the following: 1977  
1978
- (a) A discussion of the conditions in this state of the practice of barbering, cosmetology, and the branches of cosmetology; 1979  
1980  
1981
- (b) An evaluation of board activities intended to aid or protect consumers; 1982  
1983
- (c) A brief summary of the board's proceedings during the year the report covers; 1984  
1985
- (d) A statement of all money that the board received and expended during the year the report covers. 1986  
1987
- ~~(9)~~ (8) Keep a record of all of the following: 1988
- (a) The board's proceedings; 1989
- (b) The name and last known physical address, electronic mail address, and telephone number of each individual issued a license or registration under this chapter or Chapter 4709. of the Revised Code; 1990  
1991  
1992  
1993
- (c) The date and number of each license, permit, and registration that the board issues. 1994  
1995
- ~~(10)~~ (9) Assist ex-offenders and military veterans who hold licenses issued by the board to find employment within salons, barber shops, or other facilities within this state; 1996  
1997  
1998

~~(11)~~ (10) Require inspectors appointed pursuant to section 1999  
4713.06 of the Revised Code to conduct inspections of licensed 2000  
or permitted facilities, including salons and boutique salons, 2001  
schools ~~of cosmetology, barber schools,~~ barber shops, and 2002  
tanning facilities, within ninety days of the opening for 2003  
business of a licensed facility, upon complaints reported to the 2004  
board, within ninety days after a violation was documented at a 2005  
facility, and at least once every two years. Any individual, 2006  
after providing the individual's name and contact information, 2007  
may report to the board any information the individual may have 2008  
that appears to show a violation of any provision of this 2009  
chapter or rule adopted under it or a violation of any provision 2010  
of Chapter 4709. of the Revised Code or rule adopted by the 2011  
board pursuant to Chapter 4709. of the Revised Code. In the 2012  
absence of bad faith, any individual who reports information of 2013  
that nature or who testifies before the board in any 2014  
adjudication conducted under Chapter 119. of the Revised Code 2015  
shall not be liable for damages in a civil action as a result of 2016  
the report or testimony. For the purpose of inspections, an 2017  
independent contractor licensed under this chapter or Chapter 2018  
4709. of the Revised Code shall be added to the board's records 2019  
as an individual salon or barber shop. 2020

~~(12)~~ (11) Supply a copy of the poster created pursuant to 2021  
division (B) of section 5502.63 of the Revised Code to each 2022  
person authorized to operate a salon, school ~~of cosmetology,~~ 2023  
tanning facility, or other type of facility under this chapter; 2024

~~(13)~~ (12) All other duties that this chapter imposes on 2025  
the board. 2026

(B) The board may ~~delegate~~ do either of the following: 2027

(1) Report to the proper prosecuting officer violations of 2028

<u>section 4709.02 or 4713.14 of the Revised Code;</u>	2029
<u>(2) Delegate</u> any of the duties listed in division (A) of	2030
this section to the executive director of the board or to an	2031
individual designated by the executive director.	2032
<b>Sec. 4713.071.</b> (A) <u>The</u> <u>Before the fifteenth day of</u>	2033
<u>November of each year, the</u> state cosmetology and barber board	2034
shall annually submit a written report to the governor,	2035
president of the senate, and speaker of the house of	2036
representatives. The report shall list all of the following for	2037
the preceding <del>twelve-month period</del> <u>fiscal year</u> :	2038
(1) The number of students enrolled in courses at licensed	2039
public and private schools <del>of cosmetology and barbering</del> ;	2040
(2) The number of students graduating from licensed public	2041
and private schools <del>of cosmetology and barbering</del> ;	2042
(3) The annual cost for students to attend each licensed	2043
public or private school <del>of cosmetology and barbering</del> ;	2044
(4) The loan default rates for licensed public and private	2045
schools <del>of cosmetology and barbering</del> ;	2046
(5) The first-time licensure passage rate for graduates of	2047
all public and private schools <del>of cosmetology and barbering</del> ;	2048
(6) The total number of new and renewal licenses in each	2049
profession;	2050
(7) The total number of complaint-driven inspections	2051
conducted by the board;	2052
(8) The total number and type of violations, including a	2053
list of the top ten violations, which shall aid in the	2054
identification of focus areas for continuing education purposes;	2055

(9) The twenty salons and individuals cited with the most violations for unlicensed workers;	2056 2057
(10) The number of adjudications or other disciplinary action taken by the board.	2058 2059
(B) The board shall include in the final report under division (A) of this section any recommendations it has for changes to this chapter or Chapter 4709. of the Revised Code.	2060 2061 2062
<b>Sec. 4713.08.</b> (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:	2063 2064 2065 2066
(1) Govern the practice of the branches of cosmetology;	2067
(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 that section;	2068 2069 2070 2071 2072
(3) Provide for the conduct of examinations under section 4713.24 of the Revised Code;	2073 2074
(4) 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;	2075 2076 2077 2078 2079
(5) Provide for the granting of waivers under section 4713.29 of the Revised Code;	2080 2081
(6) Specify conditions an applicant must satisfy for the board to issue the applicant a license under section 4713.34 of	2082 2083

the Revised Code without the applicant taking an examination	2084
conducted under section 4713.24 of the Revised Code;	2085
(7) Specify locations in which glamour photography	2086
services in which a branch of cosmetology is practiced may be	2087
provided;	2088
(8) Establish conditions and the fee for a temporary	2089
special occasion work permit under section 4713.37 of the	2090
Revised Code and specify the amount of time such a permit is	2091
valid;	2092
(9) Specify conditions an applicant must satisfy for the	2093
board to issue the applicant an independent contractor license	2094
under section 4713.39 of the Revised Code and the fee for	2095
issuance and renewal of the license;	2096
(10) Establish conditions under which food may be sold at	2097
a salon;	2098
(11) Specify which professions regulated by a professional	2099
regulatory board of this state may be practiced in a salon under	2100
section 4713.42 of the Revised Code, <u>including whether cosmetic</u>	2101
<u>therapy may be practiced in a salon;</u>	2102
(12) Establish standards for the provision of cosmetic	2103
therapy, massage therapy, or other professional service in a	2104
salon pursuant to section 4713.42 of the Revised Code;	2105
(13) Establish standards for board approval of, and the	2106
granting of credits for, training in branches of cosmetology <u>or</u>	2107
<u>barbering</u> at schools <del>of cosmetology</del> licensed in this state;	2108
(14) Establish the manner in which a school <del>of cosmetology</del>	2109
licensed under section 4713.44 of the Revised Code may offer	2110
post-secondary and advanced practice programs;	2111

(15) Establish ~~sanitary-infection control~~ standards for 2112  
the practice of the branches of cosmetology, and the operation 2113  
of salons, ~~and schools of cosmetology~~; 2114

(16) Establish the application process for obtaining a 2115  
tanning facility permit under section 4713.48 of the Revised 2116  
Code, including the amount of the fee for an initial or renewed 2117  
permit; 2118

(17) Establish standards for installing and operating a 2119  
tanning facility in a manner that ensures the health and safety 2120  
of consumers, including infection control standards and 2121  
standards that do all of the following: 2122

(a) Establish a maximum safe time of exposure to radiation 2123  
and a maximum safe temperature at which sun lamps may be 2124  
operated; 2125

(b) Require consumers to wear protective eyeglasses; 2126

(c) Require consumers to be supervised as to the length of 2127  
time consumers use the facility's sun lamps; 2128

(d) Require the operator to prohibit consumers from 2129  
standing too close to sun lamps and to post signs warning 2130  
consumers of the potential effects of radiation on individuals 2131  
taking certain medications and of the possible relationship of 2132  
the radiation to skin cancer; 2133

(e) Require the installation of protective shielding for 2134  
sun lamps and handrails for consumers; 2135

(f) Require floors to be dry during operation of lamps; 2136

(g) Establish procedures an operator must follow in making 2137  
reasonable efforts in compliance with section 4713.50 of the 2138  
Revised Code to determine the age of an individual seeking to 2139

use sun lamp tanning services. 2140

~~(18)(a)~~ (18) If the board, under section 4713.61 of the 2141  
Revised Code, develops a procedure for classifying licenses 2142  
inactive, do both of the following: 2143

~~(i)(a)~~ (a) Establish a fee for having a license classified 2144  
inactive that reflects the cost to the board of providing the 2145  
inactive license service. ~~If one or more renewal periods have~~ 2146  
~~elapsed since the license was valid, the fee shall not include~~ 2147  
~~lapsed renewal fees for more than three of those renewal~~ 2148  
~~periods;~~ 2149

~~(ii)(b)~~ (b) Specify the continuing education that an 2150  
individual whose license has been classified inactive must 2151  
complete to have the license restored. The continuing education 2152  
shall be sufficient to ensure the minimum competency in the use 2153  
or administration of a new procedure or product required by a 2154  
licensee necessary to protect public health and safety. The 2155  
requirement shall not exceed the cumulative number of hours of 2156  
continuing education that the individual would have been 2157  
required to complete had the individual retained an active 2158  
license. 2159

~~(b) In addition, the board may specify the conditions and~~ 2160  
~~method for granting a temporary work permit to practice a branch~~ 2161  
~~of cosmetology to an individual whose license has been~~ 2162  
~~classified inactive.~~ 2163

(19) Establish a fee for approval of a continuing 2164  
education program under section 4713.62 of the Revised Code that 2165  
is adequate to cover any expense the board incurs in the 2166  
approval process; 2167

(20) Establish requirements for students of schools who 2168

are engaged in learning the theory and practice of barbering; 2169

(21) Establish the minimum student-instructor ratio that a 2170  
school offering instruction in the theory and practice of 2171  
barbering must meet; 2172

(22) Anything else necessary to implement this chapter. 2173

~~(B) (1) (B)~~ The rules adopted under division (A) (2) of this 2174  
section may establish additional conditions for a temporary pre- 2175  
examination work permit under section 4713.22 of the Revised 2176  
Code that are applicable to individuals who practice a branch of 2177  
cosmetology in another state or country. 2178

~~(2) The rules adopted under division (A) (18) (b) of this~~ 2179  
~~section may establish additional conditions for a temporary work-~~ 2180  
~~permit that are applicable to individuals who practice a branch-~~ 2181  
~~of cosmetology in another state.~~ 2182

(C) The conditions specified in rules adopted under 2183  
division (A) (6) of this section may include that an applicant is 2184  
applying for a license to practice a branch of cosmetology for 2185  
which the board determines an examination is unnecessary. 2186

(D) The rules adopted under division (A) (11) of this 2187  
section shall not include a profession if practice of the 2188  
profession in a salon is a violation of a statute or rule 2189  
governing the profession. 2190

(E) The ~~sanitary-infection control~~ standards established 2191  
under division (A) (15) of this section shall focus in particular 2192  
on precautions to be employed to prevent infectious or 2193  
contagious diseases being created or spread. ~~The board shall~~ 2194  
~~consult with the Ohio department of health when establishing the~~ 2195  
~~sanitary standards.~~ 2196

(F) The fee established by rules adopted under division 2197  
(A) (16) of this section shall cover the cost the board incurs in 2198  
inspecting tanning facilities and enforcing the board's rules 2199  
but may not exceed one hundred dollars per location of such 2200  
facilities. 2201

**Sec. 4713.081.** (A) The state cosmetology and barber board 2202  
shall furnish a copy of the ~~sanitary-infection control~~ standards 2203  
established by rules adopted under section 4713.08 of the 2204  
Revised Code to ~~each~~ both of the following: 2205

(1) Each individual or person to whom the board issues a 2206  
practicing license, advanced license, license to operate a salon 2207  
or school ~~of cosmetology~~, or boutique services registration. ~~The~~ 2208  
~~board also shall furnish a copy of the sanitary standards to~~ 2209  
~~each;~~ 2210

(2) Each individual providing cosmetic therapy, massage 2211  
therapy, or other professional service in a salon under section 2212  
4713.42 of the Revised Code. 2213

(B) A salon or school of cosmetology provided a copy of 2214  
the ~~sanitary-infection control~~ standards under division (A) of 2215  
this section shall post the standards in a public and 2216  
conspicuous place in the salon or school. 2217

**Sec. 4713.09.** The state cosmetology and barber board may 2218  
adopt rules in accordance with section 4713.08 of the Revised 2219  
Code to establish a continuing education requirement, not to 2220  
exceed eight hours in a biennial licensing period, as a 2221  
condition of renewal for a practicing license, advanced license, 2222  
instructor license, or boutique services registration. These 2223  
hours may include training in identifying and addressing the 2224  
crime of trafficking in persons as described in section 2905.32 2225

of the Revised Code. At least two of the eight hours of the 2226  
continuing education requirement must be achieved in courses 2227  
concerning safety and ~~sanitation~~infection control, and at least 2228  
one hour of the eight hours of the continuing education 2229  
requirement must be achieved in courses concerning law and rule 2230  
updates. 2231

**Sec. 4713.10.** (A) The state cosmetology and barber board 2232  
shall charge and collect the following nonrefundable fees: 2233

(1) For a temporary pre-examination work permit under 2234  
section 4713.22 of the Revised Code, not more than fifteen 2235  
dollars; 2236

(2) For initial application to take an examination under 2237  
section 4713.24 of the Revised Code, not more than forty 2238  
dollars; 2239

(3) For application to take an examination under section 2240  
4713.24 of the Revised Code by an applicant who has previously 2241  
applied to take, but failed to appear for, the examination, not 2242  
more than fifty-five dollars; 2243

(4) For application to re-take an examination under 2244  
section 4713.24 of the Revised Code by an applicant who has 2245  
previously appeared for, but failed to pass, the examination, 2246  
not more than forty dollars; 2247

(5) For the issuance of a license under section 4713.28, 2248  
4713.30, or 4713.31 of the Revised Code, not more than seventy- 2249  
five dollars; 2250

(6) For the issuance of a license under section 4713.34 of 2251  
the Revised Code, not more than seventy dollars; 2252

(7) For renewal of a license issued under section 4713.28, 2253

4713.30, 4713.31, or 4713.34 of the Revised Code, not more than	2254
seventy dollars;	2255
(8) For the issuance or renewal of a <del>cosmetology</del> school	2256
license, <u>or the change of name or ownership of a licensed</u>	2257
<u>school</u> , not more than two hundred fifty dollars;	2258
(9) For the issuance of a new salon license or the change	2259
of name or ownership of a salon license under section 4713.41 of	2260
the Revised Code, not more than one hundred dollars;	2261
(10) For the renewal of a salon license under section	2262
4713.41 of the Revised Code, not more than ninety dollars;	2263
(11) For the restoration of an expired license that may be	2264
restored pursuant to section 4713.63 of the Revised Code, an	2265
amount equal to the sum of the current license renewal fee and a	2266
lapsed renewal fee of not more than forty-five dollars per	2267
license renewal period that has elapsed since the license was	2268
last issued or renewed <u>for up to three license renewal periods</u> ;	2269
(12) For the issuance of a duplicate <del>of any</del> <u>salon license,</u>	2270
<u>school license, or tanning facility permit</u> , not more than thirty	2271
dollars;	2272
(13) For the preparation and mailing of a licensee's	2273
records to another state for a reciprocity license, not more	2274
than fifty dollars;	2275
(14) For the processing of any fees related to a check	2276
from a licensee returned to the board for insufficient funds, an	2277
additional thirty dollars.	2278
(B) The board shall adjust the fees biennially, by rule,	2279
within the limits established by division (A) of this section,	2280
to provide sufficient revenues to meet its expenses.	2281

(C) The board may ~~establish an installment plan for the~~ 2282  
~~payment of fines and fees and may reduce~~ fees as considered 2283  
appropriate by the board. 2284

(D) At the request of a person who is temporarily unable 2285  
to pay a fee imposed under division (A) of this section, or on 2286  
its own motion, the board may extend the date payment is due by 2287  
up to ninety days. If the fee remains unpaid after the date 2288  
payment is due, the amount of the fee shall be certified to the 2289  
attorney general for collection in the form and manner 2290  
prescribed by the attorney general. The attorney general may 2291  
assess the collection cost to the amount certified in such a 2292  
manner and amount as prescribed by the attorney general. 2293

**Sec. 4713.14.** No individual shall do any of the following: 2294

(A) Use fraud or deceit in obtaining or making application 2295  
for a license, permit, or registration; 2296

(B) Aid or abet any individual or entity in any of the 2297  
following: 2298

(1) Violating this chapter or a rule adopted under it; 2299

(2) Obtaining a license, permit, or registration 2300  
fraudulently; 2301

(3) Falsely pretending to hold a current, valid license or 2302  
permit. 2303

(C) Practice a branch of cosmetology, for pay, free, or 2304  
otherwise, without one of the following authorizing the practice 2305  
of that branch of cosmetology: 2306

(1) A current, valid license under section 4713.28, 2307  
4713.30, or 4713.34 of the Revised Code; 2308

(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code;	2309 2310
(3) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code;	2311 2312
<del>(4) A current, valid temporary work permit issued under rules adopted by the board pursuant to section 4713.08 of the Revised Code;</del>	2313 2314 2315
<del>(5) A current, valid registration under section 4713.69 of the Revised Code.</del>	2316 2317
(D) Employ an individual to practice a branch of cosmetology if the individual does not hold one of the following authorizing the practice of that branch of cosmetology:	2318 2319 2320
(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;	2321 2322
(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code;	2323 2324
(3) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code;	2325 2326
<del>(4) A current, valid temporary work permit issued under rules adopted by the board pursuant to section 4713.08 of the Revised Code;</del>	2327 2328 2329
<del>(5) A current, valid registration under section 4713.69 of the Revised Code.</del>	2330 2331
(E) 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 <del>of cosmetology</del> without either of the following authorizing the teaching of that	2332 2333 2334 2335

branch of cosmetology:	2336
(1) A current, valid license under section 4713.31 or 4713.34 of the Revised Code;	2337 2338
(2) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code.	2339 2340
(F) Advertise or operate a glamour photography service in which a branch of cosmetology is practiced unless the individual practicing the branch of cosmetology holds either of the following authorizing the practice of that branch of cosmetology:	2341 2342 2343 2344 2345
(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;	2346 2347
(2) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code.	2348 2349
(G) Advertise or operate a glamour photography service in which a branch of cosmetology is practiced at a location not specified by rules adopted under section 4713.08 of the Revised Code;	2350 2351 2352 2353
(H) Practice a branch of cosmetology at a salon as an independent contractor without a current, valid independent contractor license issued under section 4713.39 of the Revised Code;	2354 2355 2356 2357
(I) Operate a salon without a current, valid license under section 4713.41 of the Revised Code;	2358 2359
(J) Provide any of the following at a salon for pay, free, or otherwise:	2360 2361
(1) Massage therapy, unless the individual has a current,	2362

valid license issued by the state medical board under section 2363  
4731.15 of the Revised Code; 2364

(2) Any other professional service, unless the individual 2365  
has a current, valid license or certificate issued by the 2366  
professional regulatory board of this state that regulates the 2367  
profession; 2368

(3) Cosmetic therapy, unless the individual is authorized 2369  
by rules adopted under section 4713.08 of the Revised Code. 2370

(K) Teach a branch of cosmetology at a salon, unless the 2371  
individual receiving the instruction holds either of the 2372  
following authorizing the practice of that branch of 2373  
cosmetology: 2374

(1) A current, valid license under section 4713.28, 2375  
4713.30, or 4713.34 of the Revised Code; 2376

(2) A current, valid temporary pre-examination work permit 2377  
issued under section 4713.22 of the Revised Code. 2378

(L) Operate a school ~~of cosmetology~~ without a current, 2379  
valid license under section 4713.44 of the Revised Code; 2380

(M) At a salon or school ~~of cosmetology~~, do any of the 2381  
following: 2382

(1) Use or possess a cosmetic product containing an 2383  
ingredient that the United States food and drug administration 2384  
has prohibited by regulation; 2385

(2) Use a cosmetic product in a manner inconsistent with a 2386  
restriction established by the United States food and drug 2387  
administration by regulation; 2388

(3) Use or possess a liquid nail monomer containing any 2389

trace of methyl methacrylate (MMA). 2390

(N) While in charge of a salon or school ~~of cosmetology~~, 2391  
permit any individual to sleep in, or use for residential 2392  
purposes, any room used wholly or in part as the salon or school 2393  
~~of cosmetology~~; 2394

(O) Maintain, as an established place of business for the 2395  
practice of one or more of the branches of cosmetology, a room 2396  
used wholly or in part for sleeping or residential purposes; 2397

(P) Operate a tanning facility that is offered to the 2398  
public for a fee or other compensation without a current, valid 2399  
permit under section 4713.48 of the Revised Code; 2400

(Q) Practice a branch of cosmetology in a location other 2401  
than a licensed facility unless otherwise exempted under section 2402  
4713.16 ~~or~~, 4713.17, or 4713.351 of the Revised Code; 2403

(R) Use any of the services or arts that are part of the 2404  
practice of a branch of cosmetology to treat or attempt to cure 2405  
a physical or mental disease or ailment. 2406

**Sec. 4713.141.** An inspector employed by the state 2407  
cosmetology and barber board may take a sample of a product used 2408  
or sold in a salon or school ~~of cosmetology~~ for the purpose of 2409  
examining the sample, or causing an examination of the sample to 2410  
be made, to determine whether division (M) of section 4713.14 of 2411  
the Revised Code has been violated. 2412

Should the results of the test prove that division (M) of 2413  
section 4713.14 of the Revised Code has been violated, the board 2414  
shall take action in accordance with section 4713.64 of the 2415  
Revised Code. A fine imposed under that section shall include 2416  
the cost of the test. The person's license may be suspended or 2417  
revoked. 2418

Sec. 4713.16. (A) This chapter does not prohibit any of	2419
the following:	2420
(1) Practicing a branch of cosmetology without a license	2421
or registration if the individual does so for free at the	2422
individual's home for a family member who resides in the same	2423
household as the individual;	2424
(2) The retail sale, or trial demonstration by application	2425
to the skin for purposes of retail sale, of cosmetics,	2426
preparations, tonics, antiseptics, creams, lotions, wigs, or	2427
hairpieces without a practicing license or registration;	2428
(3) The retailing, at a salon, of cosmetics, preparations,	2429
tonics, antiseptics, creams, lotions, wigs, hairpieces,	2430
clothing, or any other items that pose no risk of creating	2431
unsanitary conditions at the salon;	2432
(4) The provision of glamour photography services at a	2433
licensed salon if either of the following is the case:	2434
(a) A branch of cosmetology is not practiced as part of	2435
the services.	2436
(b) If a branch of cosmetology is practiced as part of the	2437
services, the part of the services that is a branch of	2438
cosmetology is performed by an individual who holds either of	2439
the following authorizing the individual to practice that branch	2440
of cosmetology:	2441
(i) A current, valid license under section 4713.28,	2442
4713.30, or 4713.34 of the Revised Code;	2443
(ii) A current, valid temporary special occasion work	2444
permit issued under section 4713.37 of the Revised Code.	2445
(5) A student engaging, as a student, in work connected	2446

with a branch of cosmetology taught at the school ~~of cosmetology~~ 2447  
at which the student is enrolled; 2448

(6) Practicing a branch of cosmetology without a license 2449  
or registration if the individual does so for free for the 2450  
purpose of researching or developing a cosmetic as defined in 2451  
section 3715.01 of the Revised Code; 2452

(7) An individual who holds a license or registration 2453  
issued under this chapter practicing a branch of cosmetology on 2454  
a dead human body at a funeral home or embalming facility 2455  
licensed under section 4717.06 of the Revised Code. 2456

(B) A student in a career-technical program learning a 2457  
branch of cosmetology may continue developing skills in the 2458  
respective branch of cosmetology after completing the required 2459  
coursework or obtaining a license in the respective branch of 2460  
cosmetology by working in the licensed career-technical school 2461  
clinic if the student does not receive any compensation. This 2462  
allowance terminates upon the graduation of the student from the 2463  
career-technical school. 2464

**Sec. 4713.17.** (A) The following persons are exempt from 2465  
the provisions of this chapter, except, as applicable, section 2466  
4713.42 of the Revised Code: 2467

(1) All individuals authorized to practice medicine, 2468  
surgery, dentistry, and nursing or any of its branches in this 2469  
state, while acting within the scope of practice for the 2470  
license, permit, or certificate held; 2471

(2) Commissioned surgical and medical officers of the 2472  
United States army, navy, air force, or marine hospital service 2473  
when engaged in the actual performance of their official duties, 2474  
and attendants attached to same, while acting within the scope 2475

<u>of practice for the license, permit, or certificate held;</u>	2476
(3) Funeral directors, embalmers, and apprentices licensed	2477
or <del>registered</del> <u>certified</u> under Chapter 4717. of the Revised Code, <u></u>	2478
<u>while acting within the scope of practice for the license,</u>	2479
<u>permit, or certificate held;</u>	2480
(4) Persons who are engaged in the retail sale, cleaning,	2481
or beautification of wigs and hairpieces but who do not engage	2482
in any other act constituting the practice of a branch of	2483
cosmetology;	2484
(5) Volunteers of hospitals, and homes as defined in	2485
section 3721.01 of the Revised Code, who render service to	2486
registered patients and inpatients who reside in such hospitals	2487
or homes. Such volunteers shall not use or work with any	2488
chemical products such as permanent wave, hair dye, or chemical	2489
hair relaxer, which without proper training would pose a health	2490
or safety problem to the patient.	2491
(6) Nurse aides and other employees of hospitals and homes	2492
as defined in section 3721.01 of the Revised Code, who practice	2493
a branch of cosmetology on registered patients only as part of	2494
general patient care services and who do not charge patients	2495
directly on a fee for service basis;	2496
(7) Massage therapists who hold current, valid licenses to	2497
practice massage therapy issued by the state medical board under	2498
section 4731.15 of the Revised Code, <del>to the extent their actions</del>	2499
<del>are authorized by their licenses</del> <u>while acting within the scope of</u>	2500
<u>practice for the license held;</u>	2501
(8) Inmates who provide services related to <u>the practice</u>	2502
<u>of</u> a branch of cosmetology to other inmates, except when those	2503
services are provided in a licensed school <del>of cosmetology</del> within	2504

a state correctional institution ~~for females~~. 2505

(B) The director of rehabilitation and correction shall 2506  
oversee the services described in division (A) (8) of this 2507  
section with respect to ~~sanitation~~ infection control and adopt 2508  
rules governing those types of services provided by inmates. 2509

**Sec. 4713.25.** (A) The state cosmetology and barber board 2510  
may administer a separate ~~advanced cosmetologist~~ examination for 2511  
an advanced license to practice cosmetology for individuals who 2512  
complete an advanced cosmetologist training course separate from 2513  
a cosmetologist training course. The board may combine the 2514  
advanced cosmetologist examination with the cosmetologist 2515  
examination for individuals who complete a combined 2516  
cosmetologist and advanced cosmetologist training course. 2517

(B) The board may administer a separate ~~advanced~~ 2518  
~~esthetician~~ examination for an advanced license to practice 2519  
esthetics for individuals who complete an advanced esthetician 2520  
training course separate from an esthetician training course. 2521  
The board may combine the advanced esthetician examination with 2522  
the esthetician examination for individuals who complete an 2523  
esthetician and advanced esthetician training course. 2524

(C) The board may administer a separate ~~advanced hair~~ 2525  
~~designer~~ examination for an advanced license to practice hair 2526  
design for individuals who complete an advanced hair designer 2527  
training course separate from a hair designer training course. 2528  
The board may combine the advanced hair designer examination 2529  
with the hair designer examination for individuals who complete 2530  
a hair designer and advanced hair designer training course. 2531

(D) The board may administer a separate ~~advanced~~ 2532  
~~manicurist~~ examination for an advanced license to practice 2533

manicuring for individuals who complete an advanced manicurist 2534  
training course separate from a manicurist training course. The 2535  
board may combine the advanced manicurist examination with the 2536  
manicurist examination for individuals who complete a manicurist 2537  
and advanced manicurist training course. 2538

(E) The board may administer a separate ~~advanced natural-~~ 2539  
~~hair stylist~~ examination for an advanced license to practice 2540  
natural hair styling for individuals who complete an advanced 2541  
natural hair stylist training course separate from a natural 2542  
hair stylist training course. The board may combine the advanced 2543  
natural hair stylist examination with the natural hair stylist 2544  
examination for individuals who complete a natural hair stylist 2545  
and advanced natural hair stylist training course. 2546

**Sec. 4713.28.** (A) The state cosmetology and barber board 2547  
shall issue a practicing license to an applicant who satisfies 2548  
all of the following applicable conditions: 2549

(1) Is at least sixteen years of age; 2550

(2) Has the equivalent of an Ohio public school tenth 2551  
grade education; 2552

(3) Has submitted a written application on a form 2553  
furnished by the board that contains all of the following: 2554

(a) The name of the individual and any other identifying 2555  
information required by the board; 2556

(b) A photocopy of the individual's current driver's 2557  
license or other proof of legal residence; 2558

(c) Proof that the individual is qualified to take the 2559  
applicable examination as required by section 4713.20 of the 2560  
Revised Code; 2561

(d) An oath verifying that the information in the application is true;	2562 2563
(e) The applicable application fee.	2564
(4) <u>Notwithstanding section 4798.05 of the Revised Code, submits to having a photograph taken by the board;</u>	2565 2566
<u>(5) Passes an examination conducted under division (A) of section 4713.24 of the Revised Code for the branch of cosmetology the applicant seeks to practice;</u>	2567 2568 2569
<del>(5)</del> <u>(6) Pays to the board the applicable license fee;</u>	2570
<del>(6)</del> <u>(7) In the case of an applicant for an initial cosmetologist license, has successfully completed at least one thousand five hundred hours of board-approved cosmetology training in a school of cosmetology licensed in this state, except that only one thousand hours of board-approved cosmetology training in a school of cosmetology licensed in this state is required of an individual licensed as a barber under Chapter 4709. of the Revised Code;</u>	2571 2572 2573 2574 2575 2576 2577 2578
<del>(7)</del> <u>(8) In the case of an applicant for an initial esthetician license, has successfully completed at least six hundred hours of board-approved esthetics training in a school of cosmetology licensed in this state;</u>	2579 2580 2581 2582
<del>(8)</del> <u>(9) In the case of an applicant for an initial hair designer license, has successfully completed at least one thousand two hundred hours of board-approved hair designer training in a school of cosmetology licensed in this state, except that only one thousand hours of board-approved hair designer training in a school of cosmetology licensed in this state is required of an individual licensed as a barber under Chapter 4709. of the Revised Code;</u>	2583 2584 2585 2586 2587 2588 2589 2590

~~(9)~~ (10) In the case of an applicant for an initial 2591  
manicurist license, has successfully completed at least two 2592  
hundred hours of board-approved manicurist training in a school- 2593  
~~of cosmetology licensed in this state;~~ 2594

~~(10)~~ (11) In the case of an applicant for an initial 2595  
natural hair stylist license, has successfully completed at 2596  
least four hundred fifty hours of instruction in subjects 2597  
relating to ~~sanitation~~ infection control, scalp care, anatomy, 2598  
hair styling, communication skills, and laws and rules governing 2599  
the practice of cosmetology. 2600

(B) The board shall not deny a license to any applicant 2601  
based on prior incarceration or conviction for any crime. If the 2602  
board denies an individual a license or license renewal, the 2603  
reasons for such denial shall be put in writing. 2604

**Sec. 4713.30.** The state cosmetology and barber board shall 2605  
issue an advanced license to an applicant who satisfies all of 2606  
the following applicable conditions: 2607

(A) Is at least sixteen years of age; 2608

(B) Has the equivalent of an Ohio public school tenth 2609  
grade education; 2610

(C) Pays to the board the applicable application fee; 2611

(D) Notwithstanding section 4798.05 of the Revised Code, 2612  
submits to having a photograph taken by the board; 2613

(E) Passes the appropriate advanced license examination; 2614

~~(E)~~ (F) In the case of an applicant for an initial 2615  
advanced ~~cosmetologist~~ license to practice cosmetology, does 2616  
either of the following: 2617

(1) ~~Has a licensed advanced cosmetologist or owner of a licensed beauty salon located in this or another state certify to~~ Submits proof, as determined by the board, that the applicant has practiced as a cosmetologist for at least one thousand eight hundred hours in a licensed beauty salon;

(2) Has a school ~~of cosmetology~~ licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as a cosmetologist, at least three hundred hours of board-approved advanced cosmetologist training.

~~(F)~~ (G) In the case of an applicant for an initial advanced ~~esthetician~~ license to practice esthetics, does either of the following:

(1) ~~Has the licensed advanced esthetician, licensed advanced cosmetologist, or owner of a licensed esthetics salon or licensed beauty salon located in this or another state certify to~~ Submits proof, as determined by the board, that the applicant has practiced esthetics for at least one thousand eight hundred hours as an esthetician in a licensed esthetics salon or as a cosmetologist in a licensed beauty salon;

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

~~(G)~~ (H) In the case of an applicant for an initial advanced ~~hair designer~~ license to practice hair design, does either of the following:

(1) ~~Has the licensed advanced hair designer, licensed~~

~~advanced cosmetologist, or owner of a licensed hair design salon-~~ 2647  
~~or licensed beauty salon located in this or another state-~~ 2648  
~~certify to~~ Submits proof, as determined by the board, that the 2649  
applicant has practiced hair design for at least one thousand 2650  
eight hundred hours as a hair designer in a licensed hair design 2651  
salon or as a cosmetologist in a licensed beauty salon; 2652

(2) Has a school ~~of cosmetology~~ licensed in this state 2653  
certify to the board that the applicant has successfully 2654  
completed, in addition to the hours required for licensure as a 2655  
hair designer or cosmetologist, at least two hundred forty hours 2656  
of board-approved advanced hair designer training. 2657

~~(H)~~ (I) In the case of an applicant for an initial 2658  
advanced ~~manicurist~~ license to practice manicuring, does either 2659  
of the following: 2660

(1) ~~Has the licensed advanced manicurist, licensed-~~ 2661  
~~advanced cosmetologist, or owner of a licensed nail salon,-~~ 2662  
~~licensed beauty salon, or licensed barber shop located in this-~~ 2663  
~~or another state~~ certify to Submits proof, as determined by the 2664  
board, that the applicant has practiced manicuring for at least 2665  
one thousand eight hundred hours as a manicurist in a licensed 2666  
nail salon or licensed barber shop or as a cosmetologist in a 2667  
licensed beauty salon or licensed barber shop; 2668

(2) Has a school ~~of cosmetology~~ licensed in this state 2669  
certify to the board that the applicant has successfully 2670  
completed, in addition to the hours required for licensure as a 2671  
manicurist or cosmetologist, at least one hundred hours of 2672  
board-approved advanced manicurist training. 2673

~~(I)~~ (J) In the case of an applicant for an initial 2674  
advanced ~~natural hair stylist~~ license to practice natural hair 2675

styling, does either of the following: 2676

(1) ~~Has the licensed advanced natural hair stylist,~~ 2677  
~~licensed advanced cosmetologist, or owner of a licensed natural~~ 2678  
~~hair style salon or licensed beauty salon located in this or~~ 2679  
~~another state certify to~~ Submits proof, as determined by the 2680  
board, that the applicant has practiced natural hair styling for 2681  
at least one thousand eight hundred hours as a natural hair 2682  
stylist in a licensed natural hair style salon or as a 2683  
cosmetologist in a licensed beauty salon; 2684

(2) Has a school ~~of cosmetology~~ licensed in this state 2685  
certify to the board that the applicant has successfully 2686  
completed, in addition to the hours required for licensure as a 2687  
natural hair stylist or cosmetologist, at least one hundred 2688  
fifty hours of board-approved advanced natural hair stylist 2689  
training. 2690

(K) Pays to the board the applicable license fee. 2691

**Sec. 4713.31.** The state cosmetology and barber board shall 2692  
issue an instructor license to an applicant who satisfies all of 2693  
the following applicable conditions: 2694

(A) Is at least eighteen years of age; 2695

(B) Has the equivalent of an Ohio public school twelfth 2696  
grade education; 2697

(C) Pays to the board the applicable application fee; 2698

(D) Notwithstanding section 4798.05 of the Revised Code, 2699  
submits to having a photograph taken by the board; 2700

(E) In the case of an applicant for an initial cosmetology 2701  
instructor license, holds a current, valid advanced 2702  
~~cosmetologist~~ license to practice cosmetology issued in this 2703

state and does either of the following: 2704

(1) ~~Has the licensed advanced cosmetologist or owner of~~ 2705  
~~the licensed beauty salon in which the applicant has been~~ 2706  
~~employed certify to~~ Submits proof, as determined by the board, 2707  
that the applicant has engaged in the practice of cosmetology in 2708  
a licensed beauty salon for at least one thousand eight hundred 2709  
hours; 2710

(2) Has a school ~~of cosmetology~~ licensed in this state 2711  
certify to the board that the applicant has successfully 2712  
completed one thousand hours of board-approved cosmetology 2713  
instructor training as an apprentice instructor. 2714

~~(E)~~ (F) In the case of an applicant for an initial 2715  
esthetics instructor license, holds a current, valid advanced 2716  
~~esthetician or advanced cosmetologist~~ license to practice 2717  
esthetics or cosmetology issued in this state and does either of 2718  
the following: 2719

(1) ~~Has the licensed advanced esthetician, licensed~~ 2720  
~~advanced cosmetologist, or owner of the licensed esthetics salon~~ 2721  
~~or licensed beauty salon in which the applicant has been~~ 2722  
~~employed certify to~~ Submits proof, as determined by the board, 2723  
that the applicant has engaged in the practice of esthetics in a 2724  
licensed esthetics salon or practice of cosmetology in a 2725  
licensed beauty salon for at least one thousand eight hundred 2726  
hours; 2727

(2) Has a school ~~of cosmetology~~ licensed in this state 2728  
certify to the board that the applicant has successfully 2729  
completed at least five hundred hours of board-approved 2730  
esthetics instructor training as an apprentice instructor. 2731

~~(F)~~ (G) In the case of an applicant for an initial hair 2732

design instructor license, holds a current, valid advanced ~~hair-~~ 2733  
~~designer or advanced cosmetologist~~ license to practice hair 2734  
design or cosmetology and does either of the following: 2735

(1) ~~Has the licensed advanced hair designer, licensed-~~ 2736  
~~advanced cosmetologist, or owner of the licensed hair design-~~ 2737  
~~salon or licensed beauty salon in which the applicant has been-~~ 2738  
~~employed certify to~~ Submits proof, as determined by the board, 2739  
that the applicant has engaged in the practice of hair design in 2740  
a licensed hair design salon or practice of cosmetology in a 2741  
licensed beauty salon for at least one thousand eight hundred 2742  
hours; 2743

(2) Has a school ~~of cosmetology~~ licensed in this state 2744  
certify to the board that the applicant has successfully 2745  
completed at least eight hundred hours of board-approved hair 2746  
design ~~instructor's~~ instructor training as an apprentice 2747  
instructor. 2748

~~(G)~~ (H) In the case of an applicant for an initial 2749  
manicurist instructor license, holds a current, valid advanced 2750  
~~manicurist or advanced cosmetologist~~ license to practice 2751  
manicuring or cosmetology and does either of the following: 2752

(1) ~~Has the licensed advanced manicurist, licensed-~~ 2753  
~~advanced cosmetologist, or owner of the licensed nail salon or-~~ 2754  
~~licensed beauty salon in which the applicant has been employed-~~ 2755  
~~certify to~~ Submits proof, as determined by the board, 2756  
that the applicant has engaged in the practice of manicuring in a 2757  
licensed nail salon or practice of cosmetology in a licensed 2758  
beauty salon for at least one thousand eight hundred hours; 2759

(2) Has a school ~~of cosmetology~~ licensed in this state 2760  
certify to the board that the applicant has successfully 2761

completed at least three hundred hours of board-approved 2762  
manicurist instructor training as an apprentice instructor. 2763

~~(H)~~ (I) In the case of an applicant for an initial natural 2764  
hair style instructor license, holds a current, valid advanced 2765  
~~natural hair stylist or advanced cosmetologist license to~~ 2766  
practice natural hair styling or cosmetology and does either of 2767  
the following: 2768

(1) ~~Has the licensed advanced natural hair stylist,~~ 2769  
~~licensed advanced cosmetologist, or owner of the licensed~~ 2770  
~~natural hair style salon or licensed beauty salon in which the~~ 2771  
~~applicant has been employed certify to~~ Submits proof, as 2772  
determined by the board, that the applicant has engaged in the 2773  
practice of natural hair styling in a licensed natural hair 2774  
style salon or practice of cosmetology in a licensed beauty 2775  
salon for at least one thousand eight hundred hours; 2776

(2) Has a school ~~of cosmetology~~ licensed in this state 2777  
certify to the board that the applicant has successfully 2778  
completed at least four hundred hours of board-approved natural 2779  
hair style instructor training as an apprentice instructor. 2780

~~(I)~~ (J) In the case of all applicants, passes an 2781  
examination conducted under division (B) of section 4713.24 of 2782  
the Revised Code for the branch of cosmetology the applicant 2783  
seeks to instruct. 2784

(K) Pays to the board the applicable license fee. 2785

**Sec. 4713.34.** (A) The state cosmetology and barber board 2786  
shall issue a license to practice a branch of cosmetology or 2787  
instructor license to an applicant who is licensed or registered 2788  
in another state or country to practice that branch of 2789  
cosmetology or teach the theory and practice of that branch of 2790

cosmetology, as appropriate, if ~~all of the following conditions~~ 2791  
~~are satisfied:~~ 2792

~~(A) The applicant satisfies all of the following~~ 2793  
conditions: 2794

(1) Is not less than eighteen years of age; 2795

(2) In the case of an applicant for a practicing license, 2796  
passes an examination conducted under section 4713.24 of the 2797  
Revised Code for the license the applicant seeks, unless the 2798  
applicant satisfies conditions specified in rules adopted under 2799  
section 4713.08 of the Revised Code for the board to issue the 2800  
applicant a license without taking the examination; 2801

(3) Pays the applicable fee. 2802

(B) At the time the applicant obtained the license or 2803  
registration in the other state or country, the requirements in 2804  
this state for obtaining the license the applicant seeks were 2805  
substantially equal to the other state or country's 2806  
requirements. 2807

~~(C) The jurisdiction that issued the applicant's license~~ 2808  
~~or registration extends similar reciprocity to individuals~~ 2809  
~~holding a license issued by the board.~~ 2810

**Sec. 4713.35.** An individual who holds a current, valid 2811  
cosmetologist license or an advanced cosmetologist license to 2812  
practice cosmetology issued by the state cosmetology and barber 2813  
board may engage in the practice of one or more branches of 2814  
cosmetology as the individual chooses in a licensed facility. 2815

An individual who holds a current, valid esthetician 2816  
license or an advanced esthetician license to practice esthetics 2817  
issued by the board may engage in the practice of esthetics but 2818

no other branch of cosmetology in a licensed facility. 2819

An individual who holds a current, valid hair designer 2820  
license or an advanced ~~hair designer~~ license to practice hair 2821  
design issued by the board may engage in the practice of hair 2822  
design but no other branch of cosmetology in a licensed 2823  
facility. 2824

An individual who holds a current, valid manicurist 2825  
license or an advanced ~~manicurist~~ license to practice manicuring 2826  
issued by the board may engage in the practice of manicuring but 2827  
no other branch of cosmetology in a licensed facility. 2828

An individual who holds a current, valid natural hair 2829  
stylist license or an advanced ~~natural hair stylist~~ license to 2830  
practice natural hair styling issued by the board may engage in 2831  
the practice of natural hair styling but no other branch of 2832  
cosmetology in a licensed facility. 2833

An individual who holds a current, valid cosmetology 2834  
instructor license issued by the board may teach the theory and 2835  
practice of one or more branches of cosmetology at a school ~~of~~ 2836  
~~cosmetology~~ as the individual chooses. 2837

An individual who holds a current, valid esthetics 2838  
instructor license issued by the board may teach the theory and 2839  
practice of esthetics, but no other branch of cosmetology, at a 2840  
school ~~of cosmetology~~. 2841

An individual who holds a current, valid hair design 2842  
instructor license issued by the board may teach the theory and 2843  
practice of hair design, but no other branch of cosmetology, at 2844  
a school ~~of cosmetology~~. 2845

An individual who holds a current, valid manicurist 2846  
instructor license issued by the board may teach the theory and 2847

practice of manicuring, but no other branch of cosmetology, at a school ~~of cosmetology~~. 2848  
2849

An individual who holds a current, valid natural hair style instructor license issued by the board may teach the theory and practice of natural hair styling, but no other branch of cosmetology, at a school ~~of cosmetology~~. 2850  
2851  
2852  
2853

An individual who holds a current, valid boutique services registration with the board may engage in the practice of boutique services but no other branch of cosmetology. 2854  
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**Sec. 4713.39.** The state cosmetology and barber board 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 for the ~~type of salon in which the applicant will practice that branch of cosmetology~~ that the applicant practices; and satisfies the conditions for the license established by rules adopted under section 4713.08 of the Revised Code. 2857  
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**Sec. 4713.41.** The state cosmetology and barber board 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: 2865  
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2868

(A) (1) An individual holding a current, valid cosmetologist license or boutique services registration pertaining to the branch of cosmetology services performed at the salon or boutique salon, shall have charge of and immediate supervision over the salon at all times when the salon is open for business except as permitted under division (A) (2) of this section. 2869  
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(2) A business establishment that is engaged primarily in 2876

retail sales but is also licensed as a salon shall have present 2877  
an individual holding a current, valid license or registration 2878  
to practice in that type of salon in charge of and in immediate 2879  
supervision of the salon during posted or advertised service 2880  
hours, if the practice of cosmetology is restricted to those 2881  
posted or advertised service hours. 2882

(B) The salon is equipped to do all of the following: 2883

(1) Provide potable running hot and cold water and proper 2884  
drainage; 2885

(2) ~~Sanitize~~ Disinfect all instruments and supplies used 2886  
in the branch of cosmetology provided at the salon; 2887

(3) If cosmetic therapy, massage therapy, or other 2888  
professional service is provided at the salon under section 2889  
4713.42 of the Revised Code, ~~sanitize~~ disinfect all instruments 2890  
and supplies used in the cosmetic therapy, massage therapy, or 2891  
other professional service. 2892

(C) Except as provided in sections 4713.42 and 4713.49 of 2893  
the Revised Code, only the branch of cosmetology that the salon 2894  
is licensed to provide is practiced at the salon. 2895

(D) The salon is kept in a clean and sanitary condition 2896  
and properly ventilated. 2897

(E) No food is sold at the salon in a manner inconsistent 2898  
with rules adopted under section 4713.08 of the Revised Code. 2899

(F) A notice that contains a toll-free number and online 2900  
process for reporting alleged violations of this chapter, as 2901  
prescribed by the board ~~of cosmetology~~, is posted at the salon 2902  
in a common area for all customers of salon services. 2903

**Sec. 4713.44.** (A) The state cosmetology and barber board 2904

shall issue a license to operate a school to an applicant who 2905  
satisfies all of the following requirements: 2906

(1) Maintains a course of practical training and technical 2907  
instruction for the branch or branches of cosmetology or 2908  
barbering to be taught at the school equal to the requirements 2909  
for admission to an examination under section 4709.07 or 4713.24 2910  
of the Revised Code that an individual must pass to obtain a 2911  
license to practice that branch or those branches of cosmetology 2912  
or barbering; 2913

(2) Possesses or makes available apparatus and equipment 2914  
sufficient for the ready and full teaching of all subjects of 2915  
the curriculum; 2916

(3) Notifies the board of the enrollment of each new 2917  
student, keeps a record devoted to the different practices, 2918  
establishes grades, and holds examinations in order to certify 2919  
the students' completion of the prescribed course of study 2920  
before the issuance of certificates of completion; 2921

(4) In the case of a school that offers clock hours for 2922  
the purpose of satisfying minimum hours of training and 2923  
instruction, keeps a daily record of the attendance of each 2924  
student; 2925

(5) Except as provided in division (C) (2) of this section, 2926  
files with the board a good and sufficient surety bond executed 2927  
by the individual, firm, or corporation operating the school as 2928  
principal and by a surety company as surety in the amount of ten 2929  
thousand dollars; 2930

(6) Establishes and maintains an internal procedure for 2931  
processing complaints filed against the school and for providing 2932  
students with instructions on how to file a complaint directly 2933

with the board pursuant to section 4713.641 of the Revised Code; 2934

(7) Complies with the requirements of division (B) of this 2935  
section if the school offers instruction in theory and practice 2936  
of one or more branches of cosmetology; 2937

(8) Complies with the requirements of section 4709.10 of 2938  
the Revised Code if the school offers instruction in the theory 2939  
and practice of barbering; 2940

(9) Pays the licensure fee. 2941

(B) If the school for which an applicant is applying for a 2942  
license under division (A) of this section offers instruction in 2943  
the theory and practice of one or more branches of cosmetology, 2944  
the applicant shall do all of the following to be issued the 2945  
license: 2946

(1) Maintain individuals licensed under section 4713.31 or 2947  
4713.34 of the Revised Code to teach the theory and practice of 2948  
the branch or branches of cosmetology offered at the school; 2949

(2) On the date that an apprentice cosmetology instructor 2950  
begins cosmetology instructor training at the school, certify 2951  
the name of the apprentice cosmetology instructor to the board 2952  
along with the date on which the apprentice's instructor 2953  
training began; 2954

(3) Instruct not more than six apprentice cosmetology 2955  
instructors at any one time. 2956

(C) (1) The bond required under division (A) (5) of this 2957  
section shall be in the form prescribed by the board and be 2958  
conditioned on the school's continued instruction in the theory 2959  
and practice of one or more branches of cosmetology or 2960  
barbering. The bond shall continue in effect until notice of its 2961

termination is given to the board by registered mail and every 2962  
bond shall so provide. 2963

(2) The requirement under division (A) (5) of this section 2964  
does not apply to a vocational or career-technical school 2965  
program conducted by a city, exempted village, local, or joint 2966  
vocational school district. 2967

(D) A school licensed under this section is an educational 2968  
institution and is authorized to offer educational programs 2969  
beyond secondary education, advanced practice programs, or both 2970  
in accordance with rules adopted by the board pursuant to 2971  
section 4713.08 of the Revised Code. 2972

(E) A school license issued to an applicant under division 2973  
(A) of this section is not transferable from one owner to 2974  
another or from one location to another. 2975

**Sec. 4713.45. (A) A school may do any of the following:** 2976

(1) In accordance with rules adopted under section 4713.08 2977  
of the Revised Code, a school may offer clock hours, credit 2978  
hours, or competency-based credits for the purpose of satisfying 2979  
minimum hours of training and instruction; 2980

(2) Subject to division (B) of this section, employ an 2981  
individual who does not hold a current, valid instructor or 2982  
barber instructor license to teach subjects related to a branch 2983  
of cosmetology or barbering; 2984

(3) If the school offers instruction in the theory and 2985  
practice of one or more branches of cosmetology, both of the 2986  
following: 2987

(a) Allow an apprentice cosmetology instructor the regular 2988  
quota of students prescribed by the state cosmetology and barber 2989

board if a cosmetology instructor is present; 2990

(b) Compensate an apprentice cosmetology instructor. 2991

(4) If the school offers instruction in the theory and 2992  
practice of barbering, establish entrance requirements for the 2993  
acceptance of student applicants that are more stringent than 2994  
those prescribed by the board under division (A) (20) of section 2995  
4713.08 of the Revised Code, but at a minimum require an 2996  
applicant to meet both of the following: 2997

(a) Be at least sixteen years of age; 2998

(b) Have an eighth grade education, or an equivalent 2999  
education as determined by the state board of education. 3000

(B) A school shall have a licensed cosmetology or barber 3001  
instructor present when an individual employed pursuant to 3002  
division (A) (2) of this section teaches at the school, unless 3003  
the individual is one of the following: 3004

(1) An individual with a current, valid teacher's 3005  
certificate or educator license issued by the state board of 3006  
education; 3007

(2) An individual with a bachelor's degree in the subject 3008  
the individual teaches at the school; 3009

(3) An individual also employed by a university or college 3010  
to teach the subject the individual teaches at the school. 3011

(C) A school annually shall review the subjects and 3012  
coursework required to receive an initial practicing, advanced, 3013  
or barber license and, in doing so, shall incorporate standards 3014  
adopted by the board pursuant to division (A) (13) of section 3015  
4713.08 of the Revised Code. 3016

**Sec. 4713.46.** A student who is injured or damaged by 3017  
reason of the failure of a school ~~of cosmetology~~ to continue 3018  
instruction in the theory and practice of a branch of 3019  
cosmetology or barbering may maintain an action on the bond 3020  
against the school, or surety named therein, or both of them, 3021  
for the recovery of any money or tuition paid in advance for 3022  
instruction in the theory and practice of a branch of 3023  
cosmetology or barbering that was not received. The aggregate 3024  
liability of the surety to all students shall not exceed the sum 3025  
of the bond. 3026

**Sec. 4713.49.** The owner or manager of a salon or school 3027  
that has a permit issued under section 4713.48 of the Revised 3028  
Code may operate a tanning facility at the salon or school. 3029

**Sec. 4713.55.** Every license issued by the state 3030  
cosmetology and barber board shall be signed by the chairperson 3031  
and attested by the executive director of the board, with the 3032  
seal of the board attached. 3033

The board shall specify on each practicing and advanced 3034  
license that the board issues the branch of cosmetology that the 3035  
license entitles the holder to practice. ~~The board shall specify~~ 3036  
~~on each advanced license that the board issues the type of salon~~ 3037  
~~in which the license entitles the holder to work and the branch~~ 3038  
~~of cosmetology that the license entitles the holder to practice.~~ 3039  
The board shall specify on each instructor license that the 3040  
board issues the branch of cosmetology that the license entitles 3041  
the holder to teach. The board shall specify on each salon 3042  
license that the board issues the branch of cosmetology that the 3043  
license entitles the holder to offer. The board shall specify on 3044  
each independent contractor license that the board issues that 3045  
the holder is entitled to practice only the branch of 3046

cosmetology ~~that the~~ for which a current, valid license entitles  
~~the holder to offer is held~~ within a licensed salon. Such  
licenses are prima-facie evidence of the right of the holder to  
practice or teach the branch of cosmetology that the license  
specifies.

**Sec. 4713.56.** Every holder of a practicing license,  
advanced license, instructor license, independent contractor  
license, or boutique service registration issued by the state  
cosmetology and barber board shall maintain the board-issued,  
wallet-sized license or electronically generated license  
certification or registration and a current government-issued  
photo identification that can be produced upon inspection or  
request.

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

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 individual who provides massage therapy or other  
professional service in a salon under section 4713.42 of the  
Revised Code shall maintain the individual's professional  
license or certificate or electronically generated license  
certification or registration and a state of Ohio issued photo  
identification that can be produced upon inspection or request.

**Sec. 4713.58.** (A) Except as provided in division (B) of  
this section, on payment of the renewal fee and ~~submission of~~  
~~proof satisfactory attestation~~ to the state cosmetology and  
barber board that any applicable continuing education

requirements have been completed, an individual currently 3076  
licensed as: 3077

(1) A cosmetology instructor who has previously been 3078  
~~licensed as~~ issued a practicing cosmetologist license or an 3079  
advanced ~~cosmetologist~~ license to practice cosmetology, is 3080  
entitled to the reissuance of ~~a cosmetologist~~ the practicing or 3081  
advanced cosmetologist license; 3082

(2) An esthetics instructor who has previously been 3083  
~~licensed as~~ issued a practicing esthetician license or an 3084  
advanced ~~esthetician~~ license to practice esthetics, is entitled 3085  
to the reissuance of ~~an esthetician~~ the practicing or advanced 3086  
esthetician license; 3087

(3) A hair design instructor who has previously been 3088  
~~licensed as~~ issued a practicing hair designer license or an 3089  
advanced ~~hair designer~~ license to practice hair design, is 3090  
entitled to the reissuance of ~~a hair designer~~ the practicing or 3091  
advanced hair designer license; 3092

(4) A manicurist instructor who has previously been 3093  
~~licensed as~~ issued a practicing manicurist license or an 3094  
advanced ~~manicurist~~ license to practice manicuring, is entitled 3095  
to the reissuance of ~~a manicurist~~ the practicing or advanced 3096  
manicurist license; 3097

(5) A natural hair style instructor who has previously 3098  
been ~~licensed as~~ issued a practicing natural hair stylist 3099  
license or an advanced ~~natural hair stylist~~ license to practice 3100  
natural hair styling, is entitled to the reissuance of ~~a natural~~ 3101  
~~hair stylist~~ the practicing or advanced natural hair stylist 3102  
license. 3103

(B) No individual is entitled to the reissuance of a 3104

license under division (A) of this section if the license was 3105  
revoked or suspended or the individual has an outstanding unpaid 3106  
fine levied under section 4713.64 of the Revised Code. 3107

**Sec. 4713.59.** If the state cosmetology and barber board 3108  
adopts rules under section 4713.09 of the Revised Code to 3109  
establish a continuing education requirement as a condition of 3110  
renewal for a practicing license, advanced license, ~~or~~ 3111  
instructor license, or boutique services registration, the board 3112  
shall inform each affected licensee or registrant of the 3113  
continuing education requirement that applies to the next 3114  
biennial licensing period by including that information in the 3115  
renewal notification it sends the licensee or registrant. The 3116  
notification shall state that the licensee or registrant must 3117  
complete the continuing education requirement by the fifteenth 3118  
day of January of the next odd-numbered year. 3119

Hours completed in excess of the continuing education 3120  
requirement may not be applied to the next biennial licensing 3121  
period. 3122

**Sec. 4713.60.** (A) Except as provided in division ~~(C)~~ (B) 3123  
of this section, an individual seeking a renewal of a license to 3124  
practice a branch of cosmetology, advanced license, instructor 3125  
license, or boutique services registration shall ~~include~~ attest 3126  
in the renewal application ~~proof satisfactory~~ to the ~~board of~~ 3127  
completion of any applicable continuing education requirements 3128  
established by rules adopted under section 4713.09 of the 3129  
Revised Code. 3130

~~(B) If an applicant fails to provide satisfactory proof of~~ 3131  
~~completion of any applicable continuing education requirements,~~ 3132  
~~the board shall notify the applicant that the application is~~ 3133  
~~incomplete. The board shall not renew the license or~~ 3134

~~registration until the applicant provides satisfactory proof of 3135  
completion of any applicable continuing education requirements. 3136  
The board may provide the applicant with an extension of up to 3137  
ninety days in which to complete the continuing education 3138  
requirement. In providing for the extension, the board may 3139  
charge the licensee or registrant a fine of up to one hundred 3140  
dollars. 3141~~

~~(C) The state cosmetology and barber board may waive, or 3142  
extend the period for completing, any continuing education 3143  
requirement if a licensee or registrant applies to the board and 3144  
provides proof satisfactory to the board of being unable to 3145  
complete the requirement within the time allowed because of any 3146  
of the following: 3147~~

~~(1) An emergency; 3148~~

~~(2) An unusual or prolonged illness; 3149~~

~~(3) Active duty service in any branch of the armed forces 3150  
of the United States or a reserve component of the armed forces 3151  
of the United States, including the Ohio national guard or the 3152  
national guard of any other state. 3153~~

~~The board shall determine the period of time during which 3154  
each extension is effective and shall inform the applicant. The 3155  
board shall also inform the applicant of the continuing 3156  
education requirements that must be met to have the license or 3157  
registration renewed. If an extension is granted for less than 3158  
one year, the continuing education requirement for that year, in 3159  
addition to the required continuing education for the succeeding 3160  
year, must be completed in the succeeding year. In all other 3161  
cases the board may waive all or part of the continuing 3162  
education requirement on a case-by-case basis. Any required 3163~~

continuing education shall be completed ~~and satisfactory proof~~ 3164  
~~of its completion submitted to the board~~ by a date specified by 3165  
the board. Every license or registration that has not been 3166  
renewed in the timeframe specified in section 4713.57 of the 3167  
Revised Code and for which the continuing education requirement 3168  
has not been waived or extended shall be considered expired. 3169

**Sec. 4713.61.** (A) If the state cosmetology and barber 3170  
board adopts a continuing education requirement under section 3171  
4713.09 of the Revised Code, it may develop a procedure by which 3172  
an individual who holds a license to practice a branch of 3173  
cosmetology, advanced license, or instructor license and who is 3174  
not currently engaged in the practice of the branch of 3175  
cosmetology or teaching the theory and practice of the branch of 3176  
cosmetology, but who desires to be so engaged in the future, may 3177  
apply to the board to have the individual's license classified 3178  
inactive. If the board develops such a procedure, an individual 3179  
seeking to have the individual's license classified inactive 3180  
shall apply to the board on a form provided by the board and pay 3181  
the fee established by rules adopted under section 4713.08 of 3182  
the Revised Code. 3183

(B) The board shall not restore an inactive license until 3184  
~~the later of the following:~~ 3185

~~(1) The date that the individual holding the license~~ 3186  
submits proof satisfactory to the board that the individual has 3187  
completed the continuing education that a rule adopted under 3188  
section 4713.08 of the Revised Code requires. 3189

~~(2) The last day of January of the next odd-numbered year~~ 3190  
~~following the year the license is classified inactive.~~ 3191

~~(C) An individual who holds an inactive license may engage~~ 3192

~~in the practice of a branch of cosmetology if the individual~~ 3193  
~~holds a temporary work permit as specified in rules adopted by~~ 3194  
~~the board under section 4713.08 of the Revised Code.~~ 3195

**Sec. 4713.62.** (A) An individual holding a practicing 3196  
license, advanced license, instructor license, or boutique 3197  
services registration may satisfy a continuing education 3198  
requirement established by rules adopted under section 4713.09 3199  
of the Revised Code only by completing continuing education 3200  
programs approved under division (B) of this section. 3201

(B) The state cosmetology and barber board shall approve a 3202  
continuing education program if all of the following conditions 3203  
are satisfied: 3204

(1) The person operating the program submits to the board 3205  
a written application for approval. 3206

(2) The person operating the program pays to the board a 3207  
fee established by rules adopted under section 4713.08 of the 3208  
Revised Code. 3209

(3) The program is operated by an employee, officer, or 3210  
director of a nonprofit professional association, college or 3211  
university, proprietary continuing education institutions 3212  
providing programs approved by the board, vocational school, 3213  
postsecondary proprietary school ~~of cosmetology~~ licensed by the 3214  
board, salon licensed by the board, barber shop licensed by the 3215  
board under section 4709.09 of the Revised Code, or manufacturer 3216  
of supplies or equipment used in the practice of a branch of 3217  
cosmetology or barbering. 3218

(4) The program will do at least one of the following: 3219

(a) Enhance the professional competency of the affected 3220  
licensees or registrants; 3221

(b) Protect the public;	3222
(c) Educate the affected licensees or registrants in the application of the laws and rules regulating the practice of a branch of cosmetology <u>or barbering</u> .	3223 3224 3225
(5) The person operating the program provides the board a tentative schedule of when the program will be available so that the board can make the schedule readily available to all licensees and registrants throughout the state.	3226 3227 3228 3229
<b>Sec. 4713.63.</b> A practicing license, advanced license, or_ instructor license that has not been renewed for any reason other than because it has been revoked, suspended, or classified inactive, or because the license holder has been given a waiver or extension under section 4713.60 of the Revised Code, is expired. An expired license may be restored if the individual who held the license meets all of the following applicable conditions:	3230 3231 3232 3233 3234 3235 3236 3237
(A) Pays to the state cosmetology and barber board the restoration fee established under section 4713.10 of the Revised Code;	3238 3239 3240
(B) In the case of a practicing license or advanced license that has been expired for more than two consecutive license renewal periods, completes eight hours of continuing education for each license renewal period that has elapsed since the license was last issued or renewed, up to a maximum of twenty-four hours.	3241 3242 3243 3244 3245 3246
At least four of those hours shall include a course pertaining to <del>sanitation-infection control</del> and safety methods.	3247 3248
<del>The board shall deposit all fees it receives under division (B) of this section into the general revenue fund.</del>	3249 3250

Sec. 4713.64. (A) The state cosmetology and barber board	3251
may take disciplinary action under this chapter for any of the	3252
following:	3253
(1) Failure to comply with the safety, <del>sanitation</del>	3254
<u>infection control</u> , and licensing requirements of this chapter or	3255
rules adopted under it;	3256
(2) Continued practice by an individual knowingly having	3257
an infectious or contagious disease;	3258
(3) Habitual drunkenness or addiction to any habit-forming	3259
drug;	3260
(4) Willful false and fraudulent or deceptive advertising;	3261
(5) Falsification of any record or application required to	3262
be filed with the board;	3263
(6) Failure to pay a fine or abide by a suspension order	3264
issued by the board;	3265
(7) Failure to cooperate with an investigation or	3266
inspection;	3267
(8) Failure to respond to a subpoena;	3268
(9) Conviction of or plea of guilty to a violation of	3269
section 2905.32 of the Revised Code;	3270
(10) In the case of a salon, any individual's conviction	3271
of or plea of guilty to a violation of section 2905.32 of the	3272
Revised Code for an activity that took place on the premises of	3273
the salon.	3274
(B) On determining that there is cause for disciplinary	3275
action, the board may do one or more of the following:	3276
(1) Deny, revoke, <del>or suspend</del> , <u>or impose conditions on a</u>	3277

license, permit, or registration issued by the board under this 3278  
chapter; 3279

(2) Impose a fine; 3280

(3) Require the holder of a license, permit, or 3281  
registration issued under this chapter to take corrective action 3282  
courses. 3283

(C) (1) Except as provided in divisions (C) (2) and (3) of 3284  
this section, the board shall take disciplinary action pursuant 3285  
to an adjudication under Chapter 119. of the Revised Code. 3286

(2) The board may take disciplinary action without 3287  
conducting an adjudication under Chapter 119. of the Revised 3288  
Code against an individual who or salon ~~who~~ that violates 3289  
division (A) (9) or (10) of this section. After the board takes 3290  
such disciplinary action, the board shall give written notice to 3291  
the subject of the disciplinary action of the right to request a 3292  
hearing under Chapter 119. of the Revised Code. 3293

(3) In lieu of an adjudication, the board may enter into a 3294  
consent agreement with the holder of a license, permit, or 3295  
registration issued under this chapter. A consent agreement that 3296  
is ratified by a majority vote of a quorum of the board members 3297  
is considered to constitute the findings and orders of the board 3298  
with respect to the matter addressed in the agreement. If the 3299  
board does not ratify a consent agreement, the admissions and 3300  
findings contained in the agreement are of no effect, and the 3301  
case shall be scheduled for adjudication under Chapter 119. of 3302  
the Revised Code. 3303

(D) The amount and content of corrective action courses 3304  
and other relevant criteria shall be established by the board in 3305  
rules adopted under section 4713.08 of the Revised Code. 3306

(E) (1) The board may impose a separate fine for each 3307  
offense listed in division (A) of this section. The amount of 3308  
the first fine issued for a violation as the result of an 3309  
inspection shall be not more than two hundred fifty dollars if 3310  
the violator has not previously been fined for that offense. Any 3311  
fines issued for additional violations during such an inspection 3312  
shall not be more than one hundred dollars for each additional 3313  
violation. The fine shall be not more than five hundred dollars 3314  
if the violator has been fined for the same offense once before. 3315  
Any fines issued for additional violations during a second 3316  
inspection shall not be more than two hundred dollars for each 3317  
additional violation. The fine shall be not more than one 3318  
thousand dollars if the violator has been fined for the same 3319  
offense two or more times before. Any fines issued for 3320  
additional violations during a third inspection shall not be 3321  
more than three hundred dollars for each additional violation. 3322

(2) The board shall issue an order notifying a violator of 3323  
a fine imposed under division (E) (1) of this section. The notice 3324  
shall specify the date by which the fine is to be paid. The date 3325  
shall be less than forty-five days after the board issues the 3326  
order. 3327

(3) At the request of a violator who is temporarily unable 3328  
to pay a fine, or upon its own motion, the board may extend the 3329  
time period within which the violator shall pay the fine up to 3330  
ninety days after the date the board issues the order. 3331

~~(4) If a violator fails to pay a fine by the date 3332  
specified in the board's order and does not request an extension 3333  
within ten days after the date the board issues the order, or if 3334  
the violator fails to pay the fine within the extended time 3335  
period as described in division (E) (3) of this section, the 3336~~

~~board shall add to the fine an additional penalty equal to ten- 3337  
per cent of the fine. 3338~~

~~(5) If a violator fails to pay a fine within ninety days- 3339  
after the board issues the order, the board shall add to the 3340  
fine interest at a rate specified by the board in rules adopted- 3341  
under section 4713.08 of the Revised Code. 3342~~

~~(6) If the fine, including any interest or additional- 3343  
penalty, remains unpaid on the ninety-first day after the board 3344  
issues an order under division (E) (2) of this section, the 3345  
amount of the fine and any interest or additional penalty shall 3346  
be certified to the attorney general for collection in the form 3347  
and manner prescribed by the attorney general. The attorney 3348  
general may assess the collection cost to the amount certified 3349  
in such a manner and amount as prescribed by the attorney 3350  
general. 3351~~

(F) In the case of an offense of failure to comply with 3352  
division (A) or (B) (2) or (3) of section 4713.50 of the Revised 3353  
Code, the board shall impose a fine of five hundred dollars if 3354  
the violator has not previously been fined for that offense. If 3355  
the violator has previously been fined for the offense, the 3356  
board may impose a fine in accordance with this division or take 3357  
another action in accordance with division (B) of this section. 3358

(G) The board shall notify a licensee or registrant who is 3359  
in violation of division (A) of this section and the owner of 3360  
the salon in which the conditions constituting the violation 3361  
were found. The individual receiving the notice of violation and 3362  
the owner of the salon may request a hearing pursuant to section 3363  
119.07 of the Revised Code. If the individual or owner fails to 3364  
request a hearing or enter into a consent agreement thirty days 3365  
after the date the board, in accordance with section 119.07 of 3366

the Revised Code and division (J) of this section, notifies the 3367  
individual or owner of the board's intent to act against the 3368  
individual or owner under division (A) of this section, the 3369  
board by a majority vote of a quorum of the board members may 3370  
take the action against the individual or owner without holding 3371  
an adjudication hearing. 3372

(H) The board, after a hearing in accordance with Chapter 3373  
119. of the Revised Code or pursuant to a consent agreement, may 3374  
suspend a license, permit, or registration if the licensee, 3375  
permit holder, or registrant fails to correct an unsafe 3376  
condition that exists in violation of the board's rules or fails 3377  
to cooperate in an inspection. If a violation of this chapter or 3378  
rules adopted under it has resulted in a condition reasonably 3379  
believed by an inspector to create an immediate danger to the 3380  
health and safety of any individual using the facility, the 3381  
inspector may suspend the license or permit of the facility or 3382  
the individual responsible for the violation without a prior 3383  
hearing until the condition is corrected or until a hearing in 3384  
accordance with Chapter 119. of the Revised Code is held or a 3385  
consent agreement is entered into and the board either upholds 3386  
the suspension or reinstates the license, permit, or 3387  
registration. 3388

(I) The board shall not take disciplinary action against 3389  
~~an individual~~ a person licensed to operate a salon or school ~~of~~ 3390  
~~cosmetology~~ for a violation of this chapter that was committed 3391  
by an individual licensed to practice a branch of cosmetology or 3392  
barbering, while practicing within the salon or school, when the 3393  
individual's actions were beyond the control of the salon owner 3394  
or school. 3395

(J) In addition to the methods of notification required 3396

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

**Sec. 4713.641.** Any ~~student or former student of a school of cosmetology licensed under division (A) of section 4713.44 of the Revised Code~~ individual may file a complaint with the state cosmetology and barber board alleging that ~~the~~ an individual, salon, barber shop, school, or tanning facility has violated ~~division (A) of section 4713.64~~ this chapter or Chapter 4709. of the Revised Code or rules adopted under either chapter. ~~The complaint shall be in writing and signed by the individual bringing the complaint.~~ Upon receiving a complaint, the board shall initiate a preliminary investigation to determine whether it is probable that a violation was committed. If the board determines after preliminary investigation that it is not probable that a violation was committed, the board shall notify the individual who filed the complaint of the board's findings and that the board will not ~~issue a pursue formal complaint action~~ in the matter. If the board determines after a preliminary investigation that it is probable that a violation was committed, the board ~~shall~~ may proceed against the individual, salon, barber shop, school, or tanning facility pursuant to the board's authority under section 4709.13 or 4713.64 of the Revised Code and in accordance with the hearing and notice requirements prescribed in Chapter 119. of the Revised Code.

**Sec. 4713.66.** ~~(A)~~ The state cosmetology and barber board,

on its own motion or on receipt of a ~~written~~ complaint, may 3428  
investigate or inspect the activities or premises of an 3429  
individual or entity who is alleged to have violated this 3430  
chapter or Chapter 4709. of the Revised Code or rules adopted 3431  
under ~~it~~either chapter, regardless of whether the individual or 3432  
entity holds a license ~~or, registration, or permit~~ issued under 3433  
this chapter or Chapter 4709. of the Revised Code. 3434

~~(B) If, based on its investigation, the board determines~~ 3435  
~~that there is reasonable cause to believe that an individual or~~ 3436  
~~entity has violated this chapter or rules adopted under it, the~~ 3437  
~~board shall afford the individual or entity an opportunity for a~~ 3438  
~~hearing. Notice shall be given and any hearing conducted in~~ 3439  
~~accordance with Chapter 119. of the Revised Code.~~ 3440

~~(C) The board shall maintain a transcript of the hearing~~ 3441  
~~and issue a written opinion to all parties, citing its findings~~ 3442  
~~and ground for any action it takes. Any action shall be taken in~~ 3443  
~~accordance with section 4713.64 of the Revised Code.~~ 3444

**Sec. 4713.69.** (A) The state cosmetology and barber board 3445  
shall issue a boutique services registration to an applicant who 3446  
satisfies all of the following applicable conditions: 3447

(1) Is at least sixteen years of age; 3448

(2) ~~Has the equivalent of an Ohio public school tenth-~~ 3449  
~~grade education;~~ 3450

~~(3)~~ Has submitted a written application on a form 3451  
prescribed by the board containing all of the following: 3452

(a) The applicant's name and home address; 3453

(b) The applicant's home telephone number and cellular 3454  
telephone number, if any; 3455

(c) The applicant's electronic mail address, if any; 3456

(d) The applicant's date of birth; 3457

(e) ~~The address and telephone number where boutique services will be performed. The address shall not contain a post office box number.~~ 3458  
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~~(f)~~ Whether the applicant has an occupational license, certification, or registration to provide beauty services in another state, and if so, what type of license and in what state; 3461  
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~~(g)~~ (f) Whether the applicant has ever had an occupational license, certification, or registration suspended, revoked, or denied in any state; 3465  
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~~(h)~~ (g) An affidavit or certificate providing proof of formal training or apprenticeship under an individual providing such services. 3468  
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(B) ~~The place of business where boutique services are performed must comply with the safety and sanitation requirements for licensed salon facilities as described in section 4713.41 of the Revised Code.~~ 3471  
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~~(C)~~ The board shall specify the manner by which boutique services registrants shall fulfill the continuing education requirements set forth in section 4713.09 of the Revised Code. 3475  
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**Sec. 4713.99.** Whoever violates section 4713.14 of the Revised Code ~~is guilty of a misdemeanor of the fourth degree on~~ 3478  
3479  
shall be fined not less than one hundred nor more than five 3480  
hundred dollars for a first offense; on for each subsequent 3481  
offense violation of the same provision, such individual is 3482  
guilty of a misdemeanor of the third degree shall be fined not 3483

less than five hundred nor more than one thousand dollars. 3484

**Section 2.** That existing sections 2925.01, 3333.26, 3485  
4709.01, 4709.07, 4709.08, 4709.09, 4709.11, 4709.12, 4709.14, 3486  
4709.99, 4713.01, 4713.02, 4713.06, 4713.07, 4713.071, 4713.08, 3487  
4713.081, 4713.09, 4713.10, 4713.14, 4713.141, 4713.16, 4713.17, 3488  
4713.25, 4713.28, 4713.30, 4713.31, 4713.34, 4713.35, 4713.39, 3489  
4713.41, 4713.46, 4713.49, 4713.55, 4713.56, 4713.58, 4713.59, 3490  
4713.60, 4713.61, 4713.62, 4713.63, 4713.64, 4713.641, 4713.66, 3491  
4713.69, and 4713.99 of the Revised Code are hereby repealed. 3492

**Section 3.** That sections 4709.02, 4709.03, 4709.05, 3493  
4709.10, 4709.13, 4709.23, 4713.26, 4713.36, 4713.44, and 3494  
4713.45 of the Revised Code are hereby repealed. 3495

**Section 4.** That the versions of sections 4709.07, 4709.08, 3496  
4713.10, 4713.28, 4713.30, 4713.31, 4713.34, and 4713.69 of the 3497  
Revised Code that are scheduled to take effect December 29, 3498  
2023, be amended to read as follows: 3499

**Sec. 4709.07.** (A) Each ~~person individual~~ who desires to 3500  
~~obtain an initial license to practice barbering shall apply to~~ 3501  
~~the state cosmetology and barber board, on forms provided by the~~ 3502  
~~board. The application form shall include the name of the person~~ 3503  
~~applying for the license and evidence that the applicant meets~~ 3504  
~~all of the requirements of division (B) of this section. The~~ 3505  
~~application shall be accompanied by the examination application~~ 3506  
~~fee.~~ 3507

~~(B) In order~~ applies to take the required barber 3508  
examination ~~and to qualify for licensure as a barber, an~~ 3509  
~~applicant must~~ shall demonstrate that the ~~applicant individual~~ 3510  
meets all of the following: 3511

(1) Is at least ~~eighteen~~ sixteen years of age; 3512

(2) Has an eighth grade education or an equivalent 3513  
education as determined by the state board of education in the 3514  
state where the applicant resides; 3515

(3) Has submitted a written application on a form 3516  
furnished by the board that contains all of the following: 3517

(a) The name of the individual and any other identifying 3518  
information required by the board; 3519

(b) A photocopy of the individual's current driver's 3520  
license or other proof of legal residence; 3521

(c) An oath verifying that the information in the 3522  
application is true. 3523

(4) Notwithstanding section 4798.05 of the Revised Code, 3524  
submits to having a photograph and biometric fingerprint scan 3525  
taken by the board; 3526

(5) Has graduated with at least one thousand eight hundred 3527  
hours of board-approved training from a ~~board-approved barber~~ 3528  
school or has graduated with at least one thousand hours of 3529  
board-approved training from a ~~board-approved barber~~ school in- 3530  
this state and has a current cosmetology or hair designer 3531  
license issued pursuant to Chapter 4713. of the Revised Code. ~~No~~ 3532  
~~hours of instruction earned by an applicant five or more years~~ 3533  
~~prior to the examination apply to the hours of study required by~~ 3534  
~~this division;~~ 3535

(6) Has paid the application fee. 3536

(B) The board shall issue a barber license to an applicant 3537  
who passes the examination and pays the license fee. 3538

~~(C) Any applicant who meets all of the requirements of~~ 3539  
~~divisions (A) and (B) of this section may take the barber~~ 3540

~~examination at the time and place specified by the board. If the~~ 3541  
~~an applicant fails to attain at least a seventy five per cent~~ 3542  
~~pass rate on each any part of the examination, the applicant is~~ 3543  
~~ineligible for licensure; however, the applicant may reapply for~~ 3544  
~~examination within ninety days after the date of the release of~~ 3545  
~~the examination scores by paying and pay the required~~ 3546  
~~reexamination fee. An applicant is only required to take that~~ 3547  
~~part or parts of the examination on which that the applicant did~~ 3548  
~~not receive a score of seventy five per cent or higher pass. If~~ 3549  
~~the applicant fails to reapply for examination within ninety~~ 3550  
~~days or fails the second examination, in order to reapply for~~ 3551  
~~examination for licensure the applicant shall complete an~~ 3552  
~~additional course of study of not less than two hundred hours,~~ 3553  
~~in a board approved barber school. The board shall provide to an~~ 3554  
~~applicant, upon request, a report which explains the reasons for~~ 3555  
~~the applicant's failure to pass the examination.~~ 3556

(D) ~~The board shall issue a license to practice barbering~~ 3557  
~~to any applicant who, to the satisfaction of the board, meets~~ 3558  
~~the requirements of divisions (A) and (B) of this section, who~~ 3559  
~~passes the required examination, and pays the initial licensure~~ 3560  
~~fee. Every licensed barber shall display maintain the~~ 3561  
~~certificate of licensure in a conspicuous place adjacent to or~~ 3562  
~~near the licensed barber's work chair~~board-issued, wallet-sized 3563  
license or electronically generated license certification and a 3564  
current government-issued photo identification that can be 3565  
produced on inspection or request. 3566

(E) The board shall issue a license to practice barbering 3567  
in accordance with Chapter 4796. of the Revised Code to an 3568  
applicant if either of the following applies: 3569

(1) The applicant holds a license to practice barbering in 3570

another state. 3571

(2) The applicant has satisfactory work experience, a 3572  
government certification, or a private certification as 3573  
described in that chapter as a barber in a state that does not 3574  
issue that license. 3575

**Sec. 4709.08.** ~~(A) Any person individual~~ who holds a 3576  
current license or registration to practice as a barber or teach 3577  
the theory and practice of barbering in any other country whose 3578  
requirements for licensure or registration of barbers, barber 3579  
instructors, or assistant barber instructors are substantially 3580  
equivalent to the requirements of this chapter and rules adopted 3581  
under it ~~and that extends similar reciprocity to persons~~ 3582  
~~licensed as barbers in this state~~ may apply to the state 3583  
cosmetology and barber board for a barber, barber instructor, or 3584  
assistant barber instructor license. 3585

~~(B) The board shall, without examination, unless the board~~ 3586  
~~determines to require an examination,~~ issue a license to 3587  
~~practice as a licensed barber in this state if the person an~~ 3588  
applicant who meets all of the following requirements of this 3589  
section, is: 3590

(1) Is at least eighteen years of age, and pays; 3591

(2) In the case of an applicant for a barber license, 3592  
passes an examination conducted under section 4709.07 of the 3593  
Revised Code, unless the applicant satisfies conditions 3594  
specified in rules adopted under section 4709.05 of the Revised 3595  
Code for the board to issue the applicant a license without 3596  
taking the examination; 3597

(3) Pays the required fees. ~~The board may waive any of the~~ 3598  
~~requirements of this section.~~ 3599

**Sec. 4713.10.** (A) The state cosmetology and barber board 3600  
shall charge and collect the following nonrefundable fees: 3601

(1) For a temporary pre-examination work permit under 3602  
section 4713.22 of the Revised Code, not more than fifteen 3603  
dollars; 3604

(2) For initial application to take an examination under 3605  
section 4713.24 of the Revised Code, not more than forty 3606  
dollars; 3607

(3) For application to take an examination under section 3608  
4713.24 of the Revised Code by an applicant who has previously 3609  
applied to take, but failed to appear for, the examination, not 3610  
more than fifty-five dollars; 3611

(4) For application to re-take an examination under 3612  
section 4713.24 of the Revised Code by an applicant who has 3613  
previously appeared for, but failed to pass, the examination, 3614  
not more than forty dollars; 3615

(5) For the issuance of a license by examination under 3616  
section 4713.28, 4713.30, or 4713.31 of the Revised Code, not 3617  
more than seventy-five dollars; 3618

(6) For the issuance of a license under section 4713.34 of 3619  
the Revised Code, not more than seventy dollars; 3620

(7) For renewal of a license issued under section 4713.28, 3621  
4713.30, 4713.31, or 4713.34 of the Revised Code, not more than 3622  
seventy dollars; 3623

(8) For the issuance or renewal of a ~~cosmetology~~ school 3624  
license, or the change of name or ownership of a licensed 3625  
school, not more than two hundred fifty dollars; 3626

(9) For the issuance of a new salon license or the change 3627

of name or ownership of a salon license under section 4713.41 of the Revised Code, not more than one hundred dollars; 3628  
3629

(10) For the renewal of a salon license under section 4713.41 of the Revised Code, not more than ninety dollars; 3630  
3631

(11) For the restoration of an expired license that may be restored pursuant to section 4713.63 of the Revised Code, an amount equal to the sum of the current license renewal fee and a lapsed renewal fee of not more than forty-five dollars per license renewal period that has elapsed since the license was last issued or renewed for up to three license renewal periods; 3632  
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(12) For the issuance of a duplicate ~~of any salon license, school license, or tanning facility permit,~~ not more than thirty dollars; 3638  
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(13) For the preparation and mailing of a licensee's records to another state for a reciprocity license, not more than fifty dollars; 3641  
3642  
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(14) For the processing of any fees related to a check from a licensee returned to the board for insufficient funds, an additional thirty dollars. 3644  
3645  
3646

(B) The board shall adjust the fees biennially, by rule, within the limits established by division (A) of this section, to provide sufficient revenues to meet its expenses. 3647  
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(C) The board may ~~establish an installment plan for the payment of fines and fees and may reduce fees as considered~~ appropriate by the board. 3650  
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(D) At the request of a person who is temporarily unable to pay a fee imposed under division (A) of this section, or on its own motion, the board may extend the date payment is due by 3653  
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3655

up to ninety days. If the fee remains unpaid after the date 3656  
payment is due, the amount of the fee shall be certified to the 3657  
attorney general for collection in the form and manner 3658  
prescribed by the attorney general. The attorney general may 3659  
assess the collection cost to the amount certified in such a 3660  
manner and amount as prescribed by the attorney general. 3661

**Sec. 4713.28.** (A) The-Except as provided in division (C) 3662  
of this section, the state cosmetology and barber board shall 3663  
issue a practicing license to an applicant who satisfies all of 3664  
the following applicable conditions: 3665

(1) Is at least sixteen years of age; 3666

(2) Has the equivalent of an Ohio public school tenth 3667  
grade education; 3668

(3) Has submitted a written application on a form 3669  
furnished by the board that contains all of the following: 3670

(a) The name of the individual and any other identifying 3671  
information required by the board; 3672

(b) A photocopy of the individual's current driver's 3673  
license or other proof of legal residence; 3674

(c) Proof that the individual is qualified to take the 3675  
applicable examination as required by section 4713.20 of the 3676  
Revised Code; 3677

(d) An oath verifying that the information in the 3678  
application is true; 3679

(e) The applicable application fee. 3680

(4) Notwithstanding section 4798.05 of the Revised Code, 3681  
submits to having a photograph taken by the board; 3682

(5) Passes an examination conducted under division (A) of 3683  
section 4713.24 of the Revised Code for the branch of 3684  
cosmetology the applicant seeks to practice; 3685

~~(5)~~ (6) Pays to the board the applicable license fee; 3686

~~(6)~~ (7) In the case of an applicant for an initial 3687  
cosmetologist license, has successfully completed at least one 3688  
thousand five hundred hours of board-approved cosmetology 3689  
training in a school ~~of cosmetology licensed in this state,~~ 3690  
except that only one thousand hours of board-approved 3691  
cosmetology training in a school ~~of cosmetology licensed in this-~~ 3692  
~~state~~ is required of an individual licensed as a barber under 3693  
Chapter 4709. of the Revised Code; 3694

~~(7)~~ (8) In the case of an applicant for an initial 3695  
esthetician license, has successfully completed at least six 3696  
hundred hours of board-approved esthetics training in a school- 3697  
~~of cosmetology licensed in this state;~~ 3698

~~(8)~~ (9) In the case of an applicant for an initial hair 3699  
designer license, has successfully completed at least one 3700  
thousand two hundred hours of board-approved hair designer 3701  
training in a school ~~of cosmetology licensed in this state,~~ 3702  
except that only one thousand hours of board-approved hair 3703  
designer training in a school ~~of cosmetology licensed in this-~~ 3704  
~~state~~ is required of an individual licensed as a barber under 3705  
Chapter 4709. of the Revised Code; 3706

~~(9)~~ (10) In the case of an applicant for an initial 3707  
manicurist license, has successfully completed at least two 3708  
hundred hours of board-approved manicurist training in a school- 3709  
~~of cosmetology licensed in this state;~~ 3710

~~(10)~~ (11) In the case of an applicant for an initial 3711

natural hair stylist license, has successfully completed at 3712  
least four hundred fifty hours of instruction in subjects 3713  
relating to ~~sanitation~~infection control, scalp care, anatomy, 3714  
hair styling, communication skills, and laws and rules governing 3715  
the practice of cosmetology. 3716

(B) The board shall not deny a license to any applicant 3717  
based on prior incarceration or conviction for any crime. If the 3718  
board denies an individual a license or license renewal, the 3719  
reasons for such denial shall be put in writing. 3720

(C) The board shall issue a practicing license in a branch 3721  
of cosmetology in accordance with Chapter 4796. of the Revised 3722  
Code to an applicant if either of the following applies: 3723

(1) The applicant holds a license in that branch of 3724  
cosmetology in another state. 3725

(2) The applicant has satisfactory work experience, a 3726  
government certification, or a private certification as 3727  
described in that chapter in that branch of cosmetology in a 3728  
state that does not issue that license. 3729

**Sec. 4713.30.** (A) Except as provided in division (B) of 3730  
this section, the state cosmetology and barber board shall issue 3731  
an advanced license to an applicant who satisfies all of the 3732  
following applicable conditions: 3733

(1) Is at least sixteen years of age; 3734

(2) Has the equivalent of an Ohio public school tenth 3735  
grade education; 3736

(3) Pays to the board the applicable application fee; 3737

(4) Notwithstanding section 4798.05 of the Revised Code, 3738  
submits to having a photograph taken by the board; 3739

<u>(5)</u> Passes the appropriate advanced license examination;	3740
<del>(5)</del> <u>(6)</u> In the case of an applicant for an initial advanced <del>cosmetologist</del> license <u>to practice cosmetology</u> , does either of the following:	3741 3742 3743
(a) <del>Has a licensed advanced cosmetologist or owner of a licensed beauty salon located in this or another state certify to</del> <u>Submits proof, as determined by the board,</u> that the applicant has practiced as a cosmetologist for at least one thousand eight hundred hours in a licensed beauty salon;	3744 3745 3746 3747 3748
(b) Has a school <del>of cosmetology</del> licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as a cosmetologist, at least three hundred hours of board-approved advanced cosmetologist training.	3749 3750 3751 3752 3753
<del>(6)</del> <u>(7)</u> In the case of an applicant for an initial advanced <del>esthetician</del> license <u>to practice esthetics</u> , does either of the following:	3754 3755 3756
(a) <del>Has the licensed advanced esthetician, licensed advanced cosmetologist, or owner of a licensed esthetics salon or licensed beauty salon located in this or another state</del> <u>certify to</u> <u>Submits proof, as determined by the board,</u> that the applicant has practiced esthetics for at least one thousand eight hundred hours as an esthetician in a licensed esthetics salon or as a cosmetologist in a licensed beauty salon;	3757 3758 3759 3760 3761 3762 3763
(b) Has a school <del>of cosmetology</del> licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as an esthetician or cosmetologist, at least one hundred fifty hours of board-approved advanced esthetician training.	3764 3765 3766 3767 3768

~~(7)~~ (8) In the case of an applicant for an initial 3769  
advanced ~~hair designer~~ license to practice hair design, does 3770  
either of the following: 3771

(a) ~~Has the licensed advanced hair designer, licensed~~ 3772  
~~advanced cosmetologist, or owner of a licensed hair design salon~~ 3773  
~~or licensed beauty salon located in this or another state~~ 3774  
~~certify to~~ Submits proof, as determined by the board, that the 3775  
applicant has practiced hair design for at least one thousand 3776  
eight hundred hours as a hair designer in a licensed hair design 3777  
salon or as a cosmetologist in a licensed beauty salon; 3778

(b) Has a school ~~of cosmetology~~ licensed in this state 3779  
certify to the board that the applicant has successfully 3780  
completed, in addition to the hours required for licensure as a 3781  
hair designer or cosmetologist, at least two hundred forty hours 3782  
of board-approved advanced hair designer training. 3783

~~(8)~~ (9) In the case of an applicant for an initial 3784  
advanced ~~manicurist~~ license to practice manicuring, does either 3785  
of the following: 3786

(a) ~~Has the licensed advanced manicurist, licensed~~ 3787  
~~advanced cosmetologist, or owner of a licensed nail salon,~~ 3788  
~~licensed beauty salon, or licensed barber shop located in this~~ 3789  
~~or another state certify to~~ Submits proof, as determined by the 3790  
board, that the applicant has practiced manicuring for at least 3791  
one thousand eight hundred hours as a manicurist in a licensed 3792  
nail salon or licensed barber shop or as a cosmetologist in a 3793  
licensed beauty salon or licensed barber shop; 3794

(b) Has a school ~~of cosmetology~~ licensed in this state 3795  
certify to the board that the applicant has successfully 3796  
completed, in addition to the hours required for licensure as a 3797

manicurist or cosmetologist, at least one hundred hours of 3798  
board-approved advanced manicurist training. 3799

~~(9)~~ (10) In the case of an applicant for an initial 3800  
advanced ~~natural hair stylist license to practice natural hair~~ 3801  
styling, does either of the following: 3802

(a) ~~Has the licensed advanced natural hair stylist,~~ 3803  
~~licensed advanced cosmetologist, or owner of a licensed natural~~ 3804  
~~hair style salon or licensed beauty salon located in this or~~ 3805  
~~another state certify to~~ Submits proof, as determined by the 3806  
board, that the applicant has practiced natural hair styling for 3807  
at least one thousand eight hundred hours as a natural hair 3808  
stylist in a licensed natural hair style salon or as a 3809  
cosmetologist in a licensed beauty salon; 3810

(b) Has a school ~~of cosmetology~~ licensed in this state 3811  
certify to the board that the applicant has successfully 3812  
completed, in addition to the hours required for licensure as a 3813  
natural hair stylist or cosmetologist, at least one hundred 3814  
fifty hours of board-approved advanced natural hair stylist 3815  
training. 3816

(11) Pays to the board the applicable license fee. 3817

(B) The board shall issue an advanced license in a branch 3818  
of cosmetology in accordance with Chapter 4796. of the Revised 3819  
Code to an applicant if either of the following applies: 3820

(1) The applicant holds an advanced license in that branch 3821  
of cosmetology in another state. 3822

(2) The applicant has satisfactory work experience, a 3823  
government certification, or a private certification as 3824  
described in that chapter in that branch of cosmetology in a 3825  
state that does not issue that license. 3826

**Sec. 4713.31.** (A) ~~The~~ Except as provided in division (B) 3827  
of this section, the state cosmetology and barber board shall 3828  
issue an instructor license to an applicant who satisfies all of 3829  
the following applicable conditions: 3830

(1) Is at least eighteen years of age; 3831

(2) Has the equivalent of an Ohio public school twelfth 3832  
grade education; 3833

(3) Pays to the board the applicable application fee; 3834

(4) Notwithstanding section 4798.05 of the Revised Code, 3835  
submits to having a photograph taken by the board; 3836

(5) In the case of an applicant for an initial cosmetology 3837  
instructor license, holds a current, valid advanced 3838  
~~cosmetologist~~ license to practice cosmetology issued in this 3839  
state and does either of the following: 3840

(a) ~~Has the licensed advanced cosmetologist or owner of~~ 3841  
~~the licensed beauty salon in which the applicant has been~~ 3842  
~~employed certify to~~ Submits proof, as determined by the board, 3843  
that the applicant has engaged in the practice of cosmetology in 3844  
a licensed beauty salon for at least one thousand eight hundred 3845  
hours; 3846

(b) Has a school ~~of cosmetology~~ licensed in this state 3847  
certify to the board that the applicant has successfully 3848  
completed one thousand hours of board-approved cosmetology 3849  
instructor training as an apprentice instructor. 3850

~~(5)~~ (6) In the case of an applicant for an initial 3851  
esthetics instructor license, holds a current, valid advanced 3852  
~~esthetician or advanced cosmetologist~~ license to practice 3853  
esthetics or cosmetology issued in this state and does either of 3854

the following: 3855

(a) ~~Has the licensed advanced esthetician, licensed~~ 3856  
~~advanced cosmetologist, or owner of the licensed esthetics salon~~ 3857  
~~or licensed beauty salon in which the applicant has been~~ 3858  
~~employed certify to~~ Submits proof, as determined by the board, 3859  
that the applicant has engaged in the practice of esthetics in a 3860  
licensed esthetics salon or practice of cosmetology in a 3861  
licensed beauty salon for at least one thousand eight hundred 3862  
hours; 3863

(b) Has a school ~~of cosmetology~~ licensed in this state 3864  
certify to the board that the applicant has successfully 3865  
completed at least five hundred hours of board-approved 3866  
esthetics instructor training as an apprentice instructor. 3867

~~(6)~~ (7) In the case of an applicant for an initial hair 3868  
design instructor license, holds a current, valid advanced ~~hair~~ 3869  
~~designer or advanced cosmetologist~~ license to practice hair 3870  
design or cosmetology and does either of the following: 3871

(a) ~~Has the licensed advanced hair designer, licensed~~ 3872  
~~advanced cosmetologist, or owner of the licensed hair design~~ 3873  
~~salon or licensed beauty salon in which the applicant has been~~ 3874  
~~employed certify to~~ Submits proof, as determined by the board, 3875  
that the applicant has engaged in the practice of hair design in 3876  
a licensed hair design salon or practice of cosmetology in a 3877  
licensed beauty salon for at least one thousand eight hundred 3878  
hours; 3879

(b) Has a school ~~of cosmetology~~ licensed in this state 3880  
certify to the board that the applicant has successfully 3881  
completed at least eight hundred hours of board-approved hair 3882  
design ~~instructor's~~ instructor training as an apprentice 3883

instructor. 3884

~~(7)~~ (8) In the case of an applicant for an initial 3885  
manicurist instructor license, holds a current, valid advanced 3886  
~~manicurist or advanced cosmetologist~~ license to practice 3887  
manicuring or cosmetology and does either of the following: 3888

(a) ~~Has the licensed advanced manicurist, licensed~~ 3889  
~~advanced cosmetologist, or owner of the licensed nail salon or~~ 3890  
~~licensed beauty salon in which the applicant has been employed~~ 3891  
~~certify to~~ Submits proof, as determined by the board, that the 3892  
applicant has engaged in the practice of manicuring in a 3893  
licensed nail salon or practice of cosmetology in a licensed 3894  
beauty salon for at least one thousand eight hundred hours; 3895

(b) Has a school ~~of cosmetology~~ licensed in this state 3896  
certify to the board that the applicant has successfully 3897  
completed at least three hundred hours of board-approved 3898  
manicurist instructor training as an apprentice instructor. 3899

~~(8)~~ (9) In the case of an applicant for an initial natural 3900  
hair style instructor license, holds a current, valid advanced 3901  
~~natural hair stylist or advanced cosmetologist~~ license to 3902  
practice natural hair styling or cosmetology and does either of 3903  
the following: 3904

(a) ~~Has the licensed advanced natural hair stylist,~~ 3905  
~~licensed advanced cosmetologist, or owner of the licensed~~ 3906  
~~natural hair style salon or licensed beauty salon in which the~~ 3907  
~~applicant has been employed~~ certify to Submits proof, as 3908  
determined by the board, that the applicant has engaged in the 3909  
practice of natural hair styling in a licensed natural hair 3910  
style salon or practice of cosmetology in a licensed beauty 3911  
salon for at least one thousand eight hundred hours; 3912

(b) Has a school ~~of cosmetology~~-licensed in this state 3913  
certify to the board that the applicant has successfully 3914  
completed at least four hundred hours of board-approved natural 3915  
hair style instructor training as an apprentice instructor. 3916

~~(9)~~ (10) In the case of all applicants, passes an 3917  
examination conducted under division (B) of section 4713.24 of 3918  
the Revised Code for the branch of cosmetology the applicant 3919  
seeks to instruct. 3920

(11) Pays to the board the applicable license fee. 3921

(B) The board shall issue an instructor license for a 3922  
branch of cosmetology in accordance with Chapter 4796. of the 3923  
Revised Code to an applicant if either of the following applies: 3924

(1) The applicant holds an instructor license in that 3925  
branch of cosmetology in another state. 3926

(2) The applicant has satisfactory work experience, a 3927  
government certification, or a private certification as 3928  
described in that chapter as an instructor in that branch of 3929  
cosmetology in a state that does not issue that license. 3930

**Sec. 4713.34.** (A) The state cosmetology and barber board 3931  
shall issue a license to practice a branch of cosmetology or 3932  
instructor license to an applicant who is licensed or registered 3933  
in another country to practice that branch of cosmetology or 3934  
teach the theory and practice of that branch of cosmetology, as 3935  
appropriate, if ~~all of the following conditions are satisfied:~~ 3936

~~(A)~~ The applicant satisfies all of the following 3937  
conditions: 3938

(1) Is not less than eighteen years of age; 3939

(2) In the case of an applicant for a practicing license, 3940

passes an examination conducted under section 4713.24 of the Revised Code for the license the applicant seeks, unless the applicant satisfies conditions specified in rules adopted under section 4713.08 of the Revised Code for the board to issue the applicant a license without taking the examination;

(3) Pays the applicable fee.

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

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

**Sec. 4713.69.** (A) Except as provided in division ~~(D)~~ (C) of this section, the state cosmetology and barber board shall issue a boutique services registration to an applicant who satisfies all of the following applicable conditions:

(1) Is at least sixteen years of age;

~~(2) Has the equivalent of an Ohio public school tenth-grade education;~~

~~(3)~~ Has submitted a written application on a form prescribed by the board containing all of the following:

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

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

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

(d) The applicant's date of birth;

~~(e) The address and telephone number where boutique services will be performed. The address shall not contain a post office box number.~~ 3968  
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~~(f)~~ Whether the applicant has an occupational license, certification, or registration to provide beauty services in another state, and if so, what type of license and in what state; 3971  
3972  
3973  
3974

~~(g)~~ (f) Whether the applicant has ever had an occupational license, certification, or registration suspended, revoked, or denied in any state; 3975  
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~~(h)~~ (g) An affidavit or certificate providing proof of formal training or apprenticeship under an individual providing such services. 3978  
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~~(B) The place of business where boutique services are performed must comply with the safety and sanitation requirements for licensed salon facilities as described in section 4713.41 of the Revised Code.~~ 3981  
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~~(C)~~ The board shall specify the manner by which boutique services registrants shall fulfill the continuing education requirements set forth in section 4713.09 of the Revised Code. 3985  
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~~(D)~~ (C) The board shall issue a boutique services registration in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 3988  
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(1) The applicant holds a license or registration in providing boutique services in another state. 3991  
3992

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter in providing boutique services in a 3993  
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state that does not issue that license or registration. 3996

**Section 5.** That the existing versions of sections 4709.07, 3997  
4709.08, 4713.10, 4713.28, 4713.30, 4713.31, 4713.34, and 3998  
4713.69 of the Revised Code that are scheduled to take effect 3999  
December 29, 2023, are hereby repealed. 4000

**Section 6.** That the version of section 4709.10 of the 4001  
Revised Code that is scheduled to take effect December 29, 2023, 4002  
is hereby repealed. 4003

**Section 7.** Sections 4, 5, and 6 of this act take effect 4004  
December 29, 2023. 4005

**Section 8.** Section 4713.02 of the Revised Code, as amended 4006  
by this act, does not affect the terms of members of the State 4007  
Cosmetology and Barber Board serving on the Board on the 4008  
effective date of this section. 4009

**Section 9.** Notwithstanding the amendment of sections in 4010  
Chapter 4713. of the Revised Code in this act, which no longer 4011  
provides for school of cosmetology licenses, a valid school of 4012  
cosmetology license held by a person on or after the effective 4013  
date of this section is valid for the duration of that license 4014  
term. On the expiration of that license, the State Cosmetology 4015  
and Barber Board shall issue to a license holder who wishes to 4016  
renew that license a school license under section 4713.44 of the 4017  
Revised Code, as enacted by this act, if the license holder 4018  
meets the requirements to be issued the school license. 4019

**Section 10.** Notwithstanding the amendment of sections in 4020  
Chapter 4709. of the Revised Code in this act, which no longer 4021  
provides for barber school licenses, a valid barber school 4022  
license held by a person on or after the effective date of this 4023  
section that is set to expire on August 31, 2024, is valid until 4024

January 31, 2025. On the expiration of that license, the State 4025  
Cosmetology and Barber Board shall issue to a license holder who 4026  
wishes to renew that license a school license under section 4027  
4713.44 of the Revised Code, as enacted by this act, if the 4028  
license holder meets the requirements to be issued the school 4029  
license. 4030

**Section 11.** The General Assembly, applying the principle 4031  
stated in division (B) of section 1.52 of the Revised Code that 4032  
amendments are to be harmonized if reasonably capable of 4033  
simultaneous operation, finds that the following sections, 4034  
presented in this act as composites of the sections as amended 4035  
by the acts indicated, are the resulting versions of the 4036  
sections in effect prior to the effective date of the sections 4037  
as presented in this act: 4038

Section 2925.01 of the Revised Code as amended by H.B. 4039  
281, H.B. 509, and S.B. 25, all of the 134th General Assembly. 4040

Section 4709.07 of the Revised Code that is scheduled to 4041  
take effect December 29, 2023, as amended by both H.B. 509 and 4042  
S.B. 131 of the 134th General Assembly. 4043

Section 4713.28 of the Revised Code that is scheduled to 4044  
take effect December 29, 2023, as amended by H.B. 509 and S.B. 4045  
131, both of the 134th General Assembly. 4046