

**As Passed by the House**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Am. H. B. No. 158**

**Representatives Roemer, Miller, M.**

**Cosponsors: Representatives Ferguson, Fowler Arthur, Gross, Johnson, Brennan, Carruthers, Creech, Edwards, Forhan, Jones, Kick, Lorenz, Loychik, Mathews, Merrin, Peterson, Ray, Rogers, Upchurch, Willis, Young, T.**

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**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,	449
tavern, store, arena, hall, or other place of public	450
accommodation, business, amusement, or resort.	451
(II) "Methamphetamine" means methamphetamine, any salt,	452
isomer, or salt of an isomer of methamphetamine, or any	453
compound, mixture, preparation, or substance containing	454
methamphetamine or any salt, isomer, or salt of an isomer of	455
methamphetamine.	456
(JJ) "Deception" has the same meaning as in section	457
2913.01 of the Revised Code.	458
(KK) "Fentanyl-related compound" means any of the	459
following:	460
(1) Fentanyl;	461
(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-	462
phenyl)ethyl-4- piperidyl]propionanilide; 1-(1-methyl-2-	463
phenylethyl)-4-(N-propanilido) piperidine);	464
(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-	465
thienyl)ethyl-4- piperidinyl]-N-phenylpropanamide);	466
(4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-	467
piperidinyl] -N-phenylpropanamide);	468
(5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-	469
hydroxy-2- phenethyl)-3-methyl-4-piperidinyl]-N-	470
phenylpropanamide);	471
(6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-	472
piperidyl]-N- phenylpropanamide);	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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	492
(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  
934

(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  
949  
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(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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957  
958

(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 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

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

(B) Completes the continuing education requirement for 1334  
renewal of a license established by the board in rules adopted 1335  
under section 4709.051 of the Revised Code. 1336

Sec. 4709.12. (A) The state cosmetology and barber board	1337
shall charge and collect the following <u>nonrefundable</u> fees:	1338
(1) For the application to take the barber examination,	1339
<u>not more than ninety</u> dollars;	1340
(2) For an application to retake any <u>one</u> part of the	1341
barber examination, <u>not more than</u> forty-five dollars;	1342
(3) <u>For an application to take the barber examination by</u>	1343
<u>an applicant who has previously applied to take but failed to</u>	1344
<u>appear for the examination, not more than one hundred dollars;</u>	1345
(4) <u>For the initial issuance of a license to practice as a</u>	1346
barber, <u>not more than</u> thirty dollars;	1347
<del>(4)</del> -(5) <u>For the biennial renewal of the license to</u>	1348
practice as a barber, <u>not more than</u> one hundred ten dollars;	1349
<del>(5)</del> -(6) <u>For the restoration of an expired barber license,</u>	1350
<u>not more than</u> one hundred <u>fifty</u> dollars, and <u>not more than</u>	1351
seventy-five dollars for each lapsed year, provided that the	1352
total fee shall not exceed six hundred ninety dollars;	1353
<del>(6)</del> -(7) <u>For the issuance of a duplicate barber <del>or</del> shop</u>	1354
license, <u>not more than</u> forty-five dollars;	1355
<del>(7)</del> -(8) <u>For the <del>inspection</del> issuance of a new barber shop,</u>	1356
<u>license or a change of ownership, <del>or reopening of premises or</del></u>	1357
<u>facilities formerly operated as a barber shop, and issuance of a</u>	1358
<u>shop license, not more than</u> one hundred ten dollars;	1359
<del>(8)</del> -(9) <u>For the biennial renewal of a barber shop license,</u>	1360
<u>not more than</u> seventy-five dollars;	1361
<del>(9)</del> -(10) <u>For the restoration of a barber shop license, <u>not</u></u>	1362
<u>more than</u> one hundred ten dollars;	1363

<del>(10) 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, seven hundred fifty dollars;</del>	1364
	1365
	1366
<del>(11) For the initial barber school license, one thousand dollars, and one thousand dollars for the renewal of the license;</del>	1367
	1368
	1369
<del>(12) For the restoration of a barber school license, one thousand dollars;</del>	1370
	1371
<del>(13) For the issuance of a student registration, forty dollars;</del>	1372
	1373
<del>(14)</del> <u>(11)</u> For the examination and issuance of a biennial teacher barber instructor license, <u>not more than</u> one hundred eighty-five dollars;	1374
	1375
	1376
<del>(15)</del> <u>(12)</u> For the issuance of a biennial assistant barber instructor license, <u>not more than one hundred fifty dollars;</u>	1377
	1378
<u>(13)</u> For the renewal of a biennial <del>teacher barber</del> instructor or assistant barber instructor license, <u>not more than</u> one hundred fifty dollars;	1379
	1380
	1381
<del>(16)</del> <u>(14)</u> For the restoration of an expired <del>teacher barber</del> instructor or assistant barber instructor license, <u>not more than</u> two hundred twenty-five dollars, and <u>not more than</u> sixty dollars for each lapsed year, provided that the total fee shall not exceed four hundred fifty dollars;	1382
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	1384
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	1386
<del>(17)</del> <u>(15)</u> For the issuance of a barber license by reciprocity pursuant to section 4709.08 of the Revised Code, <u>not more than</u> three hundred dollars;	1387
	1388
	1389
<del>(18)</del> <u>(16)</u> For <del>providing licensure information concerning an applicant, upon written request of the applicant</del> <u>the</u>	1390
	1391

preparation and mailing of a licensee's records to another state 1392  
for a reciprocal license, not more than forty dollars; 1393

(17) For a temporary pre-examination work permit under 1394  
section 4709.071 of the Revised Code, not more than fifteen 1395  
dollars. 1396

(B) The board shall adjust the fees biennially, by rule, 1397  
within the limits established by division (A) of this section, 1398  
to provide sufficient revenues to meet its expenses. 1399

(C) The board, subject to the approval of the controlling 1400  
board, may establish fees in excess of the amounts provided in 1401  
this section, provided that the fees do not exceed the amounts 1402  
permitted by this section by more than fifty per cent. 1403

~~(C) In addition to any other fee charged and collected~~ 1404  
~~under this section, the board shall ask each person renewing a~~ 1405  
~~license to practice as a barber whether the person wishes to~~ 1406  
~~make a two dollar voluntary contribution to the Ed Jeffers~~ 1407  
~~barber museum. The board shall transmit any contributions to the~~ 1408  
~~treasurer of state for deposit into the occupational licensing~~ 1409  
~~fund.~~ 1410

(D) At the request of a person who is temporarily unable 1411  
to pay a fee imposed under division (A) of this section, or on 1412  
its own motion, the board may extend the date payment is due by 1413  
up to ninety days. If the fee remains unpaid after the date 1414  
payment is due, the amount of the fee shall be certified to the 1415  
attorney general for collection in the form and manner 1416  
prescribed by the attorney general. The attorney general may 1417  
assess the collection cost to the amount certified in such a 1418  
manner and amount as prescribed by the attorney general. 1419

**Sec. 4709.13. (A) The state cosmetology and barber board** 1420

<u>may take disciplinary action under division (B) of this section</u>	1421
<u>for any of the following:</u>	1422
<u>(1) Willful, false, and fraudulent or deceptive</u>	1423
<u>advertising;</u>	1424
<u>(2) Habitual drunkenness or addiction to any habit-forming</u>	1425
<u>drug;</u>	1426
<u>(3) Failure to comply with the safety, infection control,</u>	1427
<u>and licensing requirements of this chapter or rules adopted</u>	1428
<u>under it;</u>	1429
<u>(4) Continued practice by an individual knowingly having</u>	1430
<u>an infectious or contagious disease;</u>	1431
<u>(5) Falsification of any record or application required to</u>	1432
<u>be filed with the board;</u>	1433
<u>(6) Failure to pay a fine or abide by a suspension order</u>	1434
<u>issued by the board;</u>	1435
<u>(7) Failure to cooperate with an investigation or</u>	1436
<u>inspection;</u>	1437
<u>(8) Failure to respond to a subpoena;</u>	1438
<u>(9) Conviction of or plea of guilty to a violation of</u>	1439
<u>section 2905.32 of the Revised Code;</u>	1440
<u>(10) In the case of a barber shop, any individual's</u>	1441
<u>conviction of or plea of guilty to a violation of section</u>	1442
<u>2905.32 of the Revised Code for an activity that took place on</u>	1443
<u>the premises of the barber shop.</u>	1444
<u>(B) On determining that there is cause for disciplinary</u>	1445
<u>action, the board may do one or more of the following:</u>	1446
<u>(1) Deny, suspend, revoke, or impose conditions on a</u>	1447

license or permit issued by the board pursuant to this chapter; 1448

(2) Impose a fine; 1449

(3) Require the holder of a license or permit issued under this chapter to take corrective action courses. 1450  
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(C) (1) Except as provided in divisions (C) (2) and (3) of this section, the board shall take disciplinary action pursuant to an adjudication under Chapter 119. of the Revised Code. 1452  
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(2) The board may take disciplinary action without conducting an adjudication under Chapter 119. of the Revised Code against an individual who or barber shop that is subject to discipline under division (A) (9) or (10) of this section. After the board takes such disciplinary action, the board shall give written notice to the subject of the disciplinary action of the right to request a hearing under Chapter 119. of the Revised Code. 1455  
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(3) In lieu of an adjudication, the board may enter into a consent agreement with the holder of a license or permit issued under this chapter. A consent agreement that is ratified by a majority vote of a quorum of the board members is considered to constitute the findings and orders of the board with respect to the matter addressed in the agreement. If the board does not ratify a consent agreement, the admissions and findings contained in the agreement are of no effect, and the case shall be scheduled for adjudication under Chapter 119. of the Revised Code. 1463  
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(D) The amount and content of corrective action courses and other relevant criteria shall be established by the board in rules adopted under section 4709.05 of the Revised Code. 1473  
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(E) (1) The board may impose a separate fine for each 1476

offense listed in division (A) of this section. The amount of 1477  
the first fine issued for a violation as the result of an 1478  
inspection shall be not more than two hundred fifty dollars if 1479  
the violator has not previously been fined for that offense. Any 1480  
fines issued for additional violations during such an inspection 1481  
shall not be more than one hundred dollars for each additional 1482  
violation. The fine shall be not more than five hundred dollars 1483  
if the violator has been fined for the same offense once before. 1484  
Any fines issued for additional violations during a second 1485  
inspection shall not be more than two hundred dollars for each 1486  
additional violation. The fine shall be not more than one 1487  
thousand dollars if the violator has been fined for the same 1488  
offense two or more times before. Any fines issued for 1489  
additional violations during a third inspection shall not be 1490  
more than three hundred dollars for each additional violation. 1491

(2) The board shall issue an order notifying a violator of 1492  
a fine imposed under division (E) (1) of this section. The notice 1493  
shall specify the date by which the fine is to be paid. The date 1494  
shall be less than forty-five days after the board issues the 1495  
order. 1496

(3) At the request of a violator who is temporarily unable 1497  
to pay a fine, or on the board's own motion, the board may 1498  
extend the time period within which the violator shall pay the 1499  
fine up to ninety days after the date the board issues the 1500  
order. 1501

(4) If the fine remains unpaid on the ninety-first day 1502  
after the board issues an order under division (E) (2) of this 1503  
section, the amount of the fine shall be certified to the 1504  
attorney general for collection in the form and manner 1505  
prescribed by the attorney general. The attorney general may 1506

assess the collection cost to the amount certified in such a 1507  
manner and amount as prescribed by the attorney general. 1508

(F) The board shall notify a licensee who is subject to 1509  
discipline under division (A) of this section and the owner of 1510  
the barber shop in which the conditions constituting the reason 1511  
for discipline were found. The individual receiving the notice 1512  
and the owner of the barber shop may request a hearing pursuant 1513  
to section 119.07 of the Revised Code. If the individual or 1514  
owner fails to request a hearing or enter into a consent 1515  
agreement thirty days after the date the board, in accordance 1516  
with section 119.07 of the Revised Code and division (I) of this 1517  
section, notifies the individual or owner of the board's intent 1518  
to act against the individual or owner under division (A) of 1519  
this section, the board, by a majority vote of a quorum of the 1520  
board members, may take the action against the individual or 1521  
owner without holding an adjudication hearing. 1522

(G) The board, after a hearing in accordance with Chapter 1523  
119. of the Revised Code or pursuant to a consent agreement, may 1524  
suspend a license or permit if the licensee or permit holder 1525  
fails to correct an unsafe condition that exists in violation of 1526  
the board's rules or fails to cooperate in an inspection. If a 1527  
violation of this chapter or rules adopted under it has resulted 1528  
in a condition reasonably believed by an inspector to create an 1529  
immediate danger to the health and safety of any individual 1530  
using the facility, the inspector may suspend the license or 1531  
permit of the facility or the individual responsible for the 1532  
violation without a prior hearing until the condition is 1533  
corrected or until a hearing in accordance with Chapter 119. of 1534  
the Revised Code is held or a consent agreement is entered into 1535  
and the board either upholds the suspension or reinstates the 1536  
license or permit. 1537

(H) The board shall not take disciplinary action against a person licensed to operate a barber shop for a violation of this chapter that was committed by a licensed barber while practicing within the barber shop, when the barber's actions were beyond the control of the barber shop owner. 1538  
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(I) In addition to the methods of notification required under section 119.07 of the Revised Code, the board may send the notices required under divisions (C) (2), (E) (2), and (F) 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. 1543  
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**Sec. 4709.14.** ~~(A) If the state cosmetology and barber board determines that any person individual is violating or threatening is about to violate any provision of this chapter or the rules adopted pursuant thereto and such violation or threatened violation is a threat to the health or safety of persons who use barber services, the board may apply to a court of competent jurisdiction in the county in which the violation or threatened violation occurred or will occur for injunctive relief and such other relief to prevent further violations. The attorney general shall, at the board's request, represent the board in any such action.~~ 1551  
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~~(B) If the board determines, after a hearing conducted in accordance with Chapter 119. of the Revised Code, that any person has violated any provision of this chapter or the rules adopted pursuant thereto, the board may, in addition to any other action it may take or any other penalty imposed pursuant to this chapter, impose one or more fines upon the person. In no~~ 1562  
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~~event, however, shall the fines imposed under this division- 1568  
exceed five hundred dollars for a first offense or one thousand- 1569  
dollars for each subsequent offense. 1570~~

~~(C) A person who allegedly has violated a provision of- 1571  
this chapter for which the board proposes to impose a fine may- 1572  
pay the board the amount of the fine and waive the right to an- 1573  
adjudicatory hearing conducted under Chapter 119. of the Revised- 1574  
Code and described in division (B) of this section. 1575~~

**Sec. 4709.99.** ~~Whoever violates this chapter or any rule- 1576  
adopted pursuant thereto section 4709.02 of the Revised Code 1577  
shall be fined not less than one hundred nor more than five 1578  
hundred dollars for a first offense; for each subsequent 1579  
violation of the same provision, the person shall be fined not 1580  
less than five hundred nor more than one thousand dollars. 1581~~

**Sec. 4713.01.** As used in this chapter: 1582

(A) "Apprentice instructor" means an individual holding a 1583  
practicing license issued by the state cosmetology and barber 1584  
board who is engaged in learning or acquiring knowledge of the 1585  
occupation of an instructor of a branch of cosmetology at a 1586  
school of cosmetology. 1587

(B) "Barber," "barber instructor," "barber shop," and 1588  
"practice of barbering" have the same meanings as in section 1589  
4709.01 of the Revised Code. 1590

(C) "Beauty salon" means a salon in which an individual is 1591  
authorized to engage in all branches of cosmetology. 1592

(D) "Biennial licensing period" means the two-year period 1593  
beginning on the first day of February of an odd-numbered year 1594  
and ending on the last day of January of the next odd-numbered 1595  
year. 1596

(E) "Boutique salon" means a salon in which an individual 1597  
engages in the practice of boutique services and no other branch 1598  
of cosmetology. 1599

~~"Boutique services" means braiding, threading, shampooing,~~ 1600  
~~and makeup artistry.~~ 1601

(F) "Braiding" means intertwining the hair in a systematic 1602  
motion to create patterns in a three-dimensional form, ~~inverting~~ 1603  
~~the hair including patterns that are inverted, upright, or~~ 1604  
~~singled~~ against the scalp ~~that follow along part of a straight~~ 1605  
~~or curved row of intertwined hair, or partings.~~ "Braiding" may 1606  
~~include twisting, locking, beading, crocheting, wrapping, or~~ 1607  
~~similarly manipulating the hair in a systematic motion, and~~ 1608  
~~includes extending the while adding bulk or length with human~~ 1609  
~~hair with natural or, synthetic hair fibers, or both, and using~~ 1610  
~~simple devices such as clips, combs, crotchet hooks, blunt-~~ 1611  
~~tipped needles, and hairpins.~~ "Braiding" does not include the 1612  
~~use of chemical hair-joining agents such as synthetic tape,~~ 1613  
~~keratin bonds, or fusion bonds to weave or fuse individual~~ 1614  
~~strands or wefts; applications of dyes, reactive chemicals, or~~ 1615  
~~other preparations to alter the color or straighten, curl, or~~ 1616  
~~alter the structure of hair; or embellishing or beautifying hair~~ 1617  
~~by cutting or singeing, except as needed to finish the ends of~~ 1618  
~~synthetic hair used to add bulk to or lengthen hair.~~ 1619

(G) "Branch of cosmetology" means the ~~practice of~~ 1620  
~~cosmetology,~~ practice of esthetics, practice of hair design, 1621  
practice of manicuring, practice of natural hair styling, or 1622  
practice of boutique services. 1623

(H) "Cosmetic therapy" means the permanent removal of hair 1624  
from the human body through the use of electric modalities and 1625  
may include the systematic friction, stroking, slapping, and 1626

kneading or tapping of the face, neck, scalp, or shoulders. 1627

(I) "Cosmetologist" means an individual authorized to 1628  
engage in all branches of cosmetology in a licensed facility. 1629

~~"Cosmetology" means the art or practice of embellishment, 1630  
cleansing, beautification, and styling of hair, wigs, postiches, 1631  
face, body, or nails. 1632~~

(J) "Cosmetology instructor" means an individual 1633  
authorized to teach the theory and practice of all branches of 1634  
cosmetology at a school ~~of cosmetology.~~ 1635

(K) "Esthetician" means an individual who engages in the 1636  
practice of esthetics but no other branch of cosmetology in a 1637  
licensed facility. 1638

(L) "Esthetics instructor" means an individual who teaches 1639  
the theory and practice of esthetics, but no other branch of 1640  
cosmetology, at a school ~~of cosmetology.~~ 1641

(M) "Esthetics salon" means a salon in which an individual 1642  
engages in the practice of esthetics but no other branch of 1643  
cosmetology. 1644

(N) "Eye lash extensions" include temporary and semi- 1645  
permanent enhancements designed to add length, thickness, and 1646  
fullness to natural eyelashes. 1647

(O) "Hair designer" means an individual who engages in the 1648  
practice of hair design but no other branch of cosmetology in a 1649  
licensed facility. 1650

(P) "Hair design instructor" means an individual who 1651  
teaches the theory and practice of hair design, but no other 1652  
branch of cosmetology, at a school ~~of cosmetology.~~ 1653

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

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

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

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

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

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

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

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

(V) "Licensed facility" means any premises, building, or part of a building licensed under section 4713.41 of the Revised Code in which the practice of one or more branches of cosmetology ~~services~~ are authorized by the state cosmetology and

barber board to be performed. 1682

~~"Advanced cosmetologist" means an individual authorized to 1683  
work in a beauty salon and engage in all branches of 1684  
cosmetology. 1685~~

~~"Advanced esthetician" means an individual authorized to 1686  
work in an esthetics salon, but no other type of salon, and 1687  
engage in the practice of esthetics, but no other branch of 1688  
cosmetology. 1689~~

~~"Advanced hair designer" means an individual authorized to 1690  
work in a hair design salon, but no other type of salon, and 1691  
engage in the practice of hair design, but no other branch of 1692  
cosmetology. 1693~~

(W) "Advanced license" means a license issued under 1694  
section 4713.30 of the Revised Code to work in a salon and 1695  
practice the branch of cosmetology practiced at the salon. 1696

~~"Advanced manicurist" means an individual authorized to 1697  
work in a nail salon, but no other type of salon, and engage in 1698  
the practice of manicuring, but no other branch of cosmetology. 1699~~

~~"Advanced natural hair stylist" means an individual 1700  
authorized to work in a natural hair style salon, but no other 1701  
type of salon, and engage in the practice of natural hair 1702  
styling, but no other branch of cosmetology. 1703~~

(X) "Makeup artistry" means the application of cosmetics 1704  
for the purpose of skin beautification. "Makeup artistry" does 1705  
not include any other services described in the practice of any 1706  
other branch of cosmetology. 1707

(Y) "Manicurist" means an individual who engages in the 1708  
practice of manicuring but no other branch of cosmetology in a 1709

licensed facility. 1710

(Z) "Manicurist instructor" means an individual who 1711  
teaches the theory and practice of manicuring, but no other 1712  
branch of cosmetology, at a school ~~of cosmetology.~~ 1713

(AA) "Nail salon" means a salon in which an individual 1714  
engages in the practice of manicuring but no other branch of 1715  
cosmetology. 1716

(BB) "Natural hair stylist" means an individual who 1717  
engages in the practice of natural hair styling but no other 1718  
branch of cosmetology in a licensed facility. 1719

(CC) "Natural hair style instructor" means an individual 1720  
who teaches the theory and practice of natural hair styling, but 1721  
no other branch of cosmetology, at a school ~~of cosmetology.~~ 1722

(DD) "Natural hair style salon" means a salon in which an 1723  
individual engages in the practice of natural hair styling but 1724  
no other branch of cosmetology. 1725

~~"Practice of braiding" means utilizing the technique of 1726  
intertwining hair in a systematic motion to create patterns in a 1727  
three dimensional form, including patterns that are inverted, 1728  
upright, or singled against the scalp that follow along straight 1729  
or curved partings. It may include twisting or locking the hair 1730  
while adding bulk or length with human hair, synthetic hair, or 1731  
both and using simple devices such as clips, combs, and 1732  
hairpins. "Practice of braiding" does not include application of 1733  
weaving, bonding, and fusion of individual strands or wefts; 1734  
application of dyes, reactive chemicals, or other preparations 1735  
to alter the color or straighten, curl, or alter the structure 1736  
of hair; embellishing or beautifying hair by cutting or 1737  
singeing, except as needed to finish the ends of synthetic 1738~~

~~fibers used to add bulk to or lengthen hair.~~ 1739

(EE) "Practice of boutique services" means braiding, 1740  
threading, shampooing, and makeup artistry. 1741

(FF) "Practice of cosmetology" means the practice of all 1742  
branches of cosmetology. 1743

(GG) "Practice of esthetics" means the application of 1744  
cosmetics, tonics, antiseptics, creams, lotions, or other 1745  
preparations for the purpose of skin beautification and includes 1746  
preparation of the skin by manual massage techniques or by use 1747  
of electrical, mechanical, or other apparatus; enhancement of 1748  
the skin by skin care, facials, body treatments, hair removal, 1749  
and other treatments; and eye lash extension services. 1750

(HH) "Practice of hair design" means embellishing or 1751  
beautifying hair, wigs, or hairpieces by arranging, dressing, 1752  
pressing, curling, waving, permanent waving, cleansing, cutting, 1753  
singeing, bleaching, coloring, braiding, weaving, bonding and 1754  
fusion of individual strands or wefts, or similar work. 1755  
"Practice of hair design" includes utilizing techniques 1756  
performed by hand that result in tension on hair roots such as 1757  
twisting, wrapping, weaving, extending, locking, or braiding of 1758  
the hair. 1759

(II) "Practice of manicuring" means cleaning, trimming, 1760  
shaping the free edge of, or applying polish to the nails of any 1761  
individual; applying nail enhancements and embellishments to any 1762  
individual; massaging the hands and lower arms up to the elbow 1763  
of any individual; massaging the feet and lower legs up to the 1764  
knee of any individual; using lotions or softeners on the hands 1765  
and feet of any individual; or any combination of these types of 1766  
services. 1767

(JJ) "Practice of natural hair styling" means utilizing 1768  
techniques performed by hand that result in tension on hair 1769  
roots such as twisting, wrapping, weaving, bonding and fusion of 1770  
individual strands or wefts, extending, locking, or braiding of 1771  
the hair and includes cleansing the hair in preparation for 1772  
performing such techniques on the hair. "Practice of natural 1773  
hair styling" does not include the application of dyes, reactive 1774  
chemicals, or other preparations to alter the color or to 1775  
straighten, curl, or alter the structure of the hair. "Practice 1776  
of natural hair styling" also does not include embellishing or 1777  
beautifying hair by cutting or singeing, except as needed to 1778  
finish off the end of a braid, or by dressing, pressing, 1779  
curling, waving, permanent waving, or similar work. 1780

(KK) "Practicing license" means a license to practice a 1781  
branch of cosmetology in a licensed facility. 1782

(LL) "Salon" means a licensed facility on any premises, 1783  
building, or part of a building in which an individual engages 1784  
in the practice of one or more branches of cosmetology. "Salon" 1785  
does not include a barber shop licensed under Chapter 4709. of 1786  
the Revised Code. "Salon" does not mean a tanning facility, 1787  
although a tanning facility may be located in a salon. 1788

(MM) ~~"School of cosmetology"~~ means any premises, building, 1789  
or part of a building in which students are instructed in the 1790  
theories and practices of one or more branches of cosmetology or 1791  
barbering. 1792

(NN) "Shampooing" means the act of cleansing and 1793  
conditioning an individual's hair under the supervision of an 1794  
individual licensed under this chapter and in preparation to 1795  
immediately receive a service from a licensee. 1796

(OO) "Student" means ~~an~~ both of the following: 1797

(1) An individual, other than an apprentice instructor, 1798  
who is engaged in learning or acquiring knowledge of the 1799  
practice of a branch of cosmetology at a school ~~of cosmetology;~~ 1800

(2) An individual engaged in learning or acquiring 1801  
knowledge of the practice of barbering at a school. 1802

(PP) "Tanning facility" means any premises, building, or 1803  
part of a building that contains one or more rooms or booths 1804  
with any of the following: 1805

~~(A)~~ (1) Equipment or beds used for tanning human skin by 1806  
the use of fluorescent sun lamps using ultraviolet or other 1807  
artificial radiation; 1808

~~(B)~~ (2) Equipment or booths that use chemicals applied to 1809  
human skin, including chemical applications commonly referred to 1810  
as spray-on, mist-on, or sunless tans; 1811

~~(C)~~ (3) Equipment or beds that use visible light for 1812  
cosmetic purposes. 1813

(QQ) "Threading" includes a service that results in the 1814  
removal of hair from its follicle from around the eyebrows and 1815  
from other parts of the face with the use of a single strand of 1816  
thread and an astringent, if the service does not use chemicals 1817  
of any kind, wax, or any implements, instruments, or tools to 1818  
remove hair. 1819

**Sec. 4713.02.** (A) There is hereby created the state 1820  
cosmetology and barber board, consisting of all of the following 1821  
members appointed by the governor, with the advice and consent 1822  
of the senate: 1823

(1) One individual holding a current, valid cosmetologist 1824

or cosmetology instructor license at the time of appointment;	1825
(2) Two individuals holding current, valid cosmetologist licenses and actively engaged in managing beauty salons for a period of not less than five years at the time of appointment;	1826 1827 1828
(3) One individual who holds a current, valid independent contractor license <u>issued under this chapter or Chapter 4709. of the Revised Code</u> at the time of appointment <del>and practices a branch of cosmetology;</del>	1829 1830 1831 1832
(4) One individual who represents individuals who teach the theory and practice of a branch of cosmetology at a vocational or career-technical school;	1833 1834 1835
(5) One owner or executive actively engaged in the daily operations of a licensed school <del>of cosmetology;</del>	1836 1837
(6) One owner of at least five licensed salons;	1838
(7) One individual who is either a certified nurse practitioner or clinical nurse specialist holding a current, valid license to practice nursing as an advanced practice registered nurse issued under Chapter 4723. of the Revised Code or a physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;	1839 1840 1841 1842 1843 1844 1845
(8) One individual representing the general public;	1846
(9) One individual who holds a current, valid tanning permit and who has owned or managed a tanning facility for at least five years immediately preceding the individual's appointment;	1847 1848 1849 1850
(10) One individual who holds a current, valid esthetician license and who has been actively practicing esthetics for a	1851 1852

period of not less than five years immediately preceding the 1853  
individual's appointment; 1854

(11) One individual who is an employer barber and who has 1855  
been licensed as a barber in this state for at least five years 1856  
immediately preceding the individual's appointment; 1857

(12) One individual who holds a current, valid barber or 1858  
barber ~~teacher~~instructor license at the time of appointment and 1859  
who has been licensed as a barber or barber ~~teacher~~instructor 1860  
in this state for at least five years immediately preceding the 1861  
individual's appointment. 1862

(B) The superintendent of public instruction shall 1863  
nominate three individuals for the governor to choose from when 1864  
making an appointment under division (A) (4) of this section. 1865

(C) All members shall be at least twenty-five years of 1866  
age, residents of the state, and citizens of the United States. 1867  
No more than two members, at any time, shall be graduates of the 1868  
same school ~~of cosmetology~~. Not more than one member shall have 1869  
a common financial connection with any school ~~of cosmetology~~, 1870  
salon, ~~barber school, or barber shop,~~ or tanning facility. 1871

Terms of office are for five years. Terms shall commence 1872  
on the first day of November and end on the thirty-first day of 1873  
October. Each member shall hold office from the date of 1874  
appointment until the end of the term for which appointed. In 1875  
case of a vacancy occurring on the board, the governor shall, in 1876  
the same manner prescribed for the regular appointment to the 1877  
board, fill the vacancy by appointing a member. Any member 1878  
appointed to fill a vacancy occurring prior to the expiration of 1879  
the term for which the member's predecessor was appointed shall 1880  
hold office for the remainder of such term. Any member shall 1881

continue in office subsequent to the expiration date of the 1882  
member's term until the member's successor takes office, or 1883  
until a period of sixty days has elapsed, whichever occurs 1884  
first. Before entering upon the discharge of the duties of the 1885  
office of member, each member shall take, and file with the 1886  
secretary of state, the oath of office required by Section 7 of 1887  
Article XV, Ohio Constitution. 1888

The members of the board shall receive an amount fixed 1889  
pursuant to Chapter 124. of the Revised Code per diem for every 1890  
meeting of the board which they attend, together with their 1891  
necessary expenses, and mileage for each mile necessarily 1892  
traveled. 1893

The members of the board shall annually elect, from among 1894  
their number, a chairperson and a vice-chairperson. The 1895  
executive director appointed pursuant to section 4713.06 of the 1896  
Revised Code shall serve as the board's secretary. 1897

(D) The board shall prescribe the duties of its officers 1898  
and establish an office within Franklin county. The board shall 1899  
keep all records and files at the office and have the records 1900  
and files at all reasonable hours open to public inspection in 1901  
accordance with section 149.43 of the Revised Code and any rules 1902  
adopted by the board in compliance with this state's record 1903  
retention policy. The board also shall adopt a seal for the 1904  
authentication of its orders, communications, and records. 1905

(E) The governor may remove any member for cause prior to 1906  
the expiration of the member's term of office. 1907

(F) Whenever the term "state board of cosmetology" is 1908  
used, referred to, or designated in statute, rule, contract, 1909  
grant, or other document, the use, reference, or designation 1910

shall be deemed to mean the "state cosmetology and barber board" 1911  
or the executive director of the state cosmetology and barber 1912  
board, whichever is appropriate in context. Whenever the term 1913  
"barber board" is used, referred to, or designated in statute, 1914  
rule, contract, grant, or other document, the use, reference, or 1915  
designation shall be deemed to mean the "state cosmetology and 1916  
barber board" or the executive director of the state cosmetology 1917  
and barber board, whichever is appropriate in context. 1918

**Sec. 4713.06.** The state cosmetology and barber board shall 1919  
annually appoint an executive director. The executive director 1920  
may not be a member of the board, but subsequent to appointment, 1921  
shall serve as secretary of the board. The executive director, 1922  
before entering upon the discharge of the executive director's 1923  
duties, shall file with the secretary of state a good and 1924  
sufficient bond payable to the state, to ensure the faithful 1925  
performance of duties of the office of executive director. The 1926  
bond shall be in an amount the board requires. The premium of 1927  
the bond shall be paid from appropriations made to the board for 1928  
operating purposes. Whenever the term "executive director of the 1929  
state board of cosmetology" or the term "executive director of 1930  
the barber board," or variations thereof, is used, referred to, 1931  
or designated in statute, rule, contract, grant, or other 1932  
document, the use, reference, or designation shall be deemed to 1933  
mean the "executive director of the state cosmetology and barber 1934  
board." 1935

The board may employ inspectors, examiners, consultants on 1936  
contents of examinations, clerks, or other individuals as 1937  
necessary for the administration of this chapter and Chapter 1938  
4709. of the Revised Code. All inspectors and examiners shall be 1939  
licensed cosmetologists pursuant to this chapter or licensed 1940  
barbers pursuant to Chapter 4709. of the Revised Code. 1941

The board may appoint inspectors to inspect and 1942  
investigate all facilities regulated by this chapter and Chapter 1943  
4709. of the Revised Code, including tanning facilities, to 1944  
ensure compliance with this chapter and Chapter 4709. of the 1945  
Revised Code, the rules adopted by the board, and the board's 1946  
policies, in accordance with division ~~(A)(11)~~ (A)(10) of section 1947  
4713.07 of the Revised Code. 1948

**Sec. 4713.07.** (A) The state cosmetology and barber board 1949  
shall do all of the following: 1950

(1) Regulate the practice of cosmetology and all of its 1951  
branches in this state; 1952

(2) Investigate or inspect, when evidence appears to 1953  
demonstrate that an individual has violated any provision of 1954  
this chapter or Chapter 4709. of the Revised Code or any rule 1955  
~~adopted pursuant to it~~ under either chapter, the activities or 1956  
premises of a license holder or unlicensed individual; 1957

(3) Adopt rules in accordance with section 4713.08 of the 1958  
Revised Code; 1959

(4) Prescribe and make available application forms to be 1960  
used by individuals seeking admission to an examination 1961  
conducted under section 4713.24 of the Revised Code or a license 1962  
or registration issued under this chapter; 1963

(5) Prescribe and make available application forms to be 1964  
used by individuals seeking renewal of a license or registration 1965  
issued under this chapter; 1966

(6) Provide a toll-free number and an online service to 1967  
receive complaints alleging violations of this chapter or 1968  
Chapter 4709. of the Revised Code; 1969

<del>(7) Report to the proper prosecuting officer violations of</del>	1970
<del>section 4713.14 of the Revised Code of which the board is aware;</del>	1971
<del>(8)</del> Submit a written report annually to the governor that	1972
provides all of the following:	1973
(a) A discussion of the conditions in this state of the	1974
<u>practice of barbering, cosmetology, and the branches of</u>	1975
cosmetology;	1976
(b) An evaluation of board activities intended to aid or	1977
protect consumers;	1978
(c) A brief summary of the board's proceedings during the	1979
year the report covers;	1980
(d) A statement of all money that the board received and	1981
expended during the year the report covers.	1982
<del>(9)</del> <u>(8)</u> Keep a record of all of the following:	1983
(a) The board's proceedings;	1984
(b) The name and last known physical address, electronic	1985
mail address, and telephone number of each individual issued a	1986
license or registration under this chapter <u>or Chapter 4709. of</u>	1987
<u>the Revised Code;</u>	1988
(c) The date and number of each license, permit, and	1989
registration that the board issues.	1990
<del>(10)</del> <u>(9)</u> Assist ex-offenders and military veterans who	1991
hold licenses issued by the board to find employment within	1992
salons, <u>barber shops,</u> or other facilities within this state;	1993
<del>(11)</del> <u>(10)</u> Require inspectors appointed pursuant to section	1994
4713.06 of the Revised Code to conduct inspections of licensed	1995
or permitted facilities, including salons and boutique salons,	1996

~~schools of cosmetology, barber schools,~~ barber shops, and 1997  
tanning facilities, within ninety days of the opening for 1998  
business of a licensed facility, upon complaints reported to the 1999  
board, within ninety days after a violation was documented at a 2000  
facility, and at least once every two years. Any individual, 2001  
after providing the individual's name and contact information, 2002  
may report to the board any information the individual may have 2003  
that appears to show a violation of any provision of this 2004  
chapter or rule adopted under it or a violation of any provision 2005  
of Chapter 4709. of the Revised Code or rule adopted by the 2006  
board pursuant to Chapter 4709. of the Revised Code. In the 2007  
absence of bad faith, any individual who reports information of 2008  
that nature or who testifies before the board in any 2009  
adjudication conducted under Chapter 119. of the Revised Code 2010  
shall not be liable for damages in a civil action as a result of 2011  
the report or testimony. For the purpose of inspections, an 2012  
independent contractor licensed under this chapter or Chapter 2013  
4709. of the Revised Code shall be added to the board's records 2014  
as an individual salon or barber shop. 2015

~~(12)~~ (11) Supply a copy of the poster created pursuant to 2016  
division (B) of section 5502.63 of the Revised Code to each 2017  
person authorized to operate a salon, ~~school of cosmetology,~~ 2018  
tanning facility, or other type of facility under this chapter; 2019

~~(13)~~ (12) All other duties that this chapter imposes on 2020  
the board. 2021

(B) The board may ~~delegate~~ do either of the following: 2022

(1) Report to the proper prosecuting officer violations of 2023  
section 4709.02 or 4713.14 of the Revised Code; 2024

(2) Delegate any of the duties listed in division (A) of 2025

this section to the executive director of the board or to an individual designated by the executive director.

**Sec. 4713.071.** (A) ~~The~~ Before the fifteenth day of November of each year, the state cosmetology and barber board shall annually submit a written report to the governor, president of the senate, and speaker of the house of representatives. The report shall list all of the following for the preceding ~~twelve-month period~~ fiscal year:

(1) The number of students enrolled in courses at licensed public and private schools ~~of cosmetology and barbering~~;

(2) The number of students graduating from licensed public and private schools ~~of cosmetology and barbering~~;

(3) The annual cost for students to attend each licensed public or private school ~~of cosmetology and barbering~~;

(4) The loan default rates for licensed public and private schools ~~of cosmetology and barbering~~;

(5) The first-time licensure passage rate for graduates of all public and private schools ~~of cosmetology and barbering~~;

(6) The total number of new and renewal licenses in each profession;

(7) The total number of complaint-driven inspections conducted by the board;

(8) The total number and type of violations, including a list of the top ten violations, which shall aid in the identification of focus areas for continuing education purposes;

(9) The twenty salons and individuals cited with the most violations for unlicensed workers;

(10) The number of adjudications or other disciplinary action taken by the board.	2053 2054
(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.	2055 2056 2057
<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:	2058 2059 2060 2061
(1) Govern the practice of the branches of cosmetology;	2062
(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;	2063 2064 2065 2066 2067
(3) Provide for the conduct of examinations under section 4713.24 of the Revised Code;	2068 2069
(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;	2070 2071 2072 2073 2074
(5) Provide for the granting of waivers under section 4713.29 of the Revised Code;	2075 2076
(6) Specify conditions an applicant must satisfy for the board to issue the applicant a license under section 4713.34 of the Revised Code without the applicant taking an examination conducted under section 4713.24 of the Revised Code;	2077 2078 2079 2080

- (7) Specify locations in which glamour photography 2081  
services in which a branch of cosmetology is practiced may be 2082  
provided; 2083
- (8) Establish conditions and the fee for a temporary 2084  
special occasion work permit under section 4713.37 of the 2085  
Revised Code and specify the amount of time such a permit is 2086  
valid; 2087
- (9) Specify conditions an applicant must satisfy for the 2088  
board to issue the applicant an independent contractor license 2089  
under section 4713.39 of the Revised Code and the fee for 2090  
issuance and renewal of the license; 2091
- (10) Establish conditions under which food may be sold at 2092  
a salon; 2093
- (11) Specify which professions regulated by a professional 2094  
regulatory board of this state may be practiced in a salon under 2095  
section 4713.42 of the Revised Code, including whether cosmetic 2096  
therapy may be practiced in a salon; 2097
- (12) Establish standards for the provision of cosmetic 2098  
therapy, massage therapy, or other professional service in a 2099  
salon pursuant to section 4713.42 of the Revised Code; 2100
- (13) Establish standards for board approval of, and the 2101  
granting of credits for, training in branches of cosmetology or 2102  
barbering at schools ~~of cosmetology~~-licensed in this state; 2103
- (14) Establish the manner in which a school ~~of cosmetology~~- 2104  
licensed under section 4713.44 of the Revised Code may offer 2105  
post-secondary and advanced practice programs; 2106
- (15) Establish ~~sanitary~~ infection control standards for 2107  
the practice of the branches of cosmetology and the operation 2108

<u>of salons, and schools of cosmetology;</u>	2109
(16) Establish the application process for obtaining a tanning facility permit under section 4713.48 of the Revised Code, including the amount of the fee for an initial or renewed permit;	2110 2111 2112 2113
(17) Establish standards for installing and operating a tanning facility in a manner that ensures the health and safety of consumers, including <u>infection control standards and</u> standards that do all of the following:	2114 2115 2116 2117
(a) Establish a maximum safe time of exposure to radiation and a maximum safe temperature at which sun lamps may be operated;	2118 2119 2120
(b) Require consumers to wear protective eyeglasses;	2121
(c) Require consumers to be supervised as to the length of time consumers use the facility's sun lamps;	2122 2123
(d) Require the operator to prohibit consumers from standing too close to sun lamps and to post signs warning consumers of the potential effects of radiation on individuals taking certain medications and of the possible relationship of the radiation to skin cancer;	2124 2125 2126 2127 2128
(e) Require the installation of protective shielding for sun lamps and handrails for consumers;	2129 2130
(f) Require floors to be dry during operation of lamps;	2131
(g) Establish procedures an operator must follow in making reasonable efforts in compliance with section 4713.50 of the Revised Code to determine the age of an individual seeking to use sun lamp tanning services.	2132 2133 2134 2135

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

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

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

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

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

(20) Establish requirements for students of schools who are engaged in learning the theory and practice of barbering;

(21) Establish the minimum student-instructor ratio that a school offering instruction in the theory and practice of barbering must meet; 2165  
2166  
2167

(22) Anything else necessary to implement this chapter. 2168

~~(B) (1) (B)~~ The rules adopted under division (A) (2) of this section may establish additional conditions for a temporary pre-examination work permit under section 4713.22 of the Revised Code that are applicable to individuals who practice a branch of cosmetology in another state or country. 2169  
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~~(2) The rules adopted under division (A) (18) (b) of this section may establish additional conditions for a temporary work permit that are applicable to individuals who practice a branch of cosmetology in another state.~~ 2174  
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(C) The conditions specified in rules adopted under division (A) (6) of this section may include that an applicant is applying for a license to practice a branch of cosmetology for which the board determines an examination is unnecessary. 2178  
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(D) The rules adopted under division (A) (11) of this section shall not include a profession if practice of the profession in a salon is a violation of a statute or rule governing the profession. 2182  
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(E) The ~~sanitary~~ infection control standards established under division (A) (15) of this section shall focus in particular on precautions to be employed to prevent infectious or contagious diseases being created or spread. ~~The board shall consult with the Ohio department of health when establishing the sanitary standards.~~ 2186  
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(F) The fee established by rules adopted under division (A) (16) of this section shall cover the cost the board incurs in 2192  
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inspecting tanning facilities and enforcing the board's rules 2194  
but may not exceed one hundred dollars per location of such 2195  
facilities. 2196

**Sec. 4713.081.** (A) The state cosmetology and barber board 2197  
shall furnish a copy of the ~~sanitary-infection control~~ standards 2198  
established by rules adopted under section 4713.08 of the 2199  
Revised Code to ~~each~~ both of the following: 2200

(1) Each individual or person to whom the board issues a 2201  
practicing license, advanced license, license to operate a salon 2202  
or school ~~of cosmetology~~, or boutique services registration. ~~The~~ 2203  
~~board also shall furnish a copy of the sanitary standards to~~ 2204  
~~each;~~ 2205

(2) Each individual providing cosmetic therapy, massage 2206  
therapy, or other professional service in a salon under section 2207  
4713.42 of the Revised Code. 2208

(B) A salon or school of cosmetology ~~provided~~ a copy of 2209  
the ~~sanitary-infection control~~ standards under division (A) of 2210  
this section shall post the standards in a public and 2211  
conspicuous place in the salon or school. 2212

**Sec. 4713.09.** The state cosmetology and barber board may 2213  
adopt rules in accordance with section 4713.08 of the Revised 2214  
Code to establish a continuing education requirement, not to 2215  
exceed eight hours in a biennial licensing period, as a 2216  
condition of renewal for a practicing license, advanced license, 2217  
instructor license, or boutique services registration. These 2218  
hours may include training in identifying and addressing the 2219  
crime of trafficking in persons as described in section 2905.32 2220  
of the Revised Code. At least two of the eight hours of the 2221  
continuing education requirement must be achieved in courses 2222

concerning safety and ~~sanitation~~infection control, and at least 2223  
one hour of the eight hours of the continuing education 2224  
requirement must be achieved in courses concerning law and rule 2225  
updates. 2226

**Sec. 4713.10.** (A) The state cosmetology and barber board 2227  
shall charge and collect the following nonrefundable fees: 2228

(1) For a temporary pre-examination work permit under 2229  
section 4713.22 of the Revised Code, not more than fifteen 2230  
dollars; 2231

(2) For initial application to take an examination under 2232  
section 4713.24 of the Revised Code, not more than forty 2233  
dollars; 2234

(3) For application to take an examination under section 2235  
4713.24 of the Revised Code by an applicant who has previously 2236  
applied to take, but failed to appear for, the examination, not 2237  
more than fifty-five dollars; 2238

(4) For application to re-take an examination under 2239  
section 4713.24 of the Revised Code by an applicant who has 2240  
previously appeared for, but failed to pass, the examination, 2241  
not more than forty dollars; 2242

(5) For the issuance of a license under section 4713.28, 2243  
4713.30, or 4713.31 of the Revised Code, not more than seventy- 2244  
five dollars; 2245

(6) For the issuance of a license under section 4713.34 of 2246  
the Revised Code, not more than seventy dollars; 2247

(7) For renewal of a license issued under section 4713.28, 2248  
4713.30, 4713.31, or 4713.34 of the Revised Code, not more than 2249  
seventy dollars; 2250

(8) For the issuance or renewal of a <del>cosmetology</del> school	2251
license, <u>or the change of name or ownership of a licensed</u>	2252
<u>school,</u> not more than two hundred fifty dollars;	2253
(9) For the issuance of a new salon license or the change	2254
of name or ownership of a salon license under section 4713.41 of	2255
the Revised Code, not more than one hundred dollars;	2256
(10) For the renewal of a salon license under section	2257
4713.41 of the Revised Code, not more than ninety dollars;	2258
(11) For the restoration of an expired license that may be	2259
restored pursuant to section 4713.63 of the Revised Code, an	2260
amount equal to the sum of the current license renewal fee and a	2261
lapsed renewal fee of not more than forty-five dollars per	2262
license renewal period that has elapsed since the license was	2263
last issued or renewed <u>for up to three license renewal periods;</u>	2264
(12) For the issuance of a duplicate <del>of any</del> <u>salon license,</u>	2265
<u>school license, or tanning facility permit,</u> not more than thirty	2266
dollars;	2267
(13) For the preparation and mailing of a licensee's	2268
records to another state for a reciprocity license, not more	2269
than fifty dollars;	2270
(14) For the processing of any fees related to a check	2271
from a licensee returned to the board for insufficient funds, an	2272
additional thirty dollars.	2273
(B) The board shall adjust the fees biennially, by rule,	2274
within the limits established by division (A) of this section,	2275
to provide sufficient revenues to meet its expenses.	2276
(C) The board may <del>establish an installment plan for the</del>	2277
<del>payment of fines and fees and may reduce fees as considered</del>	2278

appropriate by the board.	2279
(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 up to ninety days. If the fee remains unpaid after the date payment is due, the amount of the fee shall be certified to the attorney general for collection in the form and manner prescribed by the attorney general. The attorney general may assess the collection cost to the amount certified in such a manner and amount as prescribed by the attorney general.	2280 2281 2282 2283 2284 2285 2286 2287 2288
<b>Sec. 4713.14.</b> No individual shall do any of the following:	2289
(A) Use fraud or deceit in <u>obtaining or making</u> application for a license, permit, or registration;	2290 2291
(B) Aid or abet any individual or entity in any of the following:	2292 2293
(1) Violating this chapter or a rule adopted under it;	2294
(2) Obtaining a license, permit, or registration fraudulently;	2295 2296
(3) Falsely pretending to hold a current, valid license or permit.	2297 2298
(C) Practice a branch of cosmetology, for pay, free, or otherwise, without one of the following authorizing the practice of that branch of cosmetology:	2299 2300 2301
(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;	2302 2303
(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code;	2304 2305

(3) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code;	2306 2307
<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>	2308 2309 2310
<del>(5) A current, valid registration under section 4713.69 of the Revised Code.</del>	2311 2312
(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:	2313 2314 2315
(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;	2316 2317
(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code;	2318 2319
(3) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code;	2320 2321
<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>	2322 2323 2324
<del>(5) A current, valid registration under section 4713.69 of the Revised Code.</del>	2325 2326
(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 branch of cosmetology:	2327 2328 2329 2330 2331
(1) A current, valid license under section 4713.31 or	2332

4713.34 of the Revised Code;	2333
(2) A current, valid temporary special occasion work	2334
permit issued under section 4713.37 of the Revised Code.	2335
(F) Advertise or operate a glamour photography service in	2336
which a branch of cosmetology is practiced unless the individual	2337
practicing the branch of cosmetology holds either of the	2338
following authorizing the practice of that branch of	2339
cosmetology:	2340
(1) A current, valid license under section 4713.28,	2341
4713.30, or 4713.34 of the Revised Code;	2342
(2) A current, valid temporary special occasion work	2343
permit issued under section 4713.37 of the Revised Code.	2344
(G) Advertise or operate a glamour photography service in	2345
which a branch of cosmetology is practiced at a location not	2346
specified by rules adopted under section 4713.08 of the Revised	2347
Code;	2348
(H) Practice a branch of cosmetology at a salon as an	2349
independent contractor without a current, valid independent	2350
contractor license issued under section 4713.39 of the Revised	2351
Code;	2352
(I) Operate a salon without a current, valid license under	2353
section 4713.41 of the Revised Code;	2354
(J) Provide any of the following at a salon for pay, free,	2355
or otherwise:	2356
(1) Massage therapy, unless the individual has a current,	2357
valid license issued by the state medical board under section	2358
4731.15 of the Revised Code;	2359

(2) Any other professional service, unless the individual 2360  
has a current, valid license or certificate issued by the 2361  
professional regulatory board of this state that regulates the 2362  
profession; 2363

(3) Cosmetic therapy, unless the individual is authorized 2364  
by rules adopted under section 4713.08 of the Revised Code. 2365

(K) Teach a branch of cosmetology at a salon, unless the 2366  
individual receiving the instruction holds either of the 2367  
following authorizing the practice of that branch of 2368  
cosmetology: 2369

(1) A current, valid license under section 4713.28, 2370  
4713.30, or 4713.34 of the Revised Code; 2371

(2) A current, valid temporary pre-examination work permit 2372  
issued under section 4713.22 of the Revised Code. 2373

(L) Operate a school ~~of cosmetology~~ without a current, 2374  
valid license under section 4713.44 of the Revised Code; 2375

(M) At a salon or school ~~of cosmetology~~, do any of the 2376  
following: 2377

(1) Use or possess a cosmetic product containing an 2378  
ingredient that the United States food and drug administration 2379  
has prohibited by regulation; 2380

(2) Use a cosmetic product in a manner inconsistent with a 2381  
restriction established by the United States food and drug 2382  
administration by regulation; 2383

(3) Use or possess a liquid nail monomer containing any 2384  
trace of methyl methacrylate (MMA). 2385

(N) While in charge of a salon or school ~~of cosmetology~~, 2386

permit any individual to sleep in, or use for residential 2387  
purposes, any room used wholly or in part as the salon or school 2388  
~~of cosmetology;~~ 2389

(O) Maintain, as an established place of business for the 2390  
practice of one or more of the branches of cosmetology, a room 2391  
used wholly or in part for sleeping or residential purposes; 2392

(P) Operate a tanning facility that is offered to the 2393  
public for a fee or other compensation without a current, valid 2394  
permit under section 4713.48 of the Revised Code; 2395

(Q) Practice a branch of cosmetology in a location other 2396  
than a licensed facility unless otherwise exempted under section 2397  
4713.16 ~~or, 4713.17, or 4713.351~~ of the Revised Code; 2398

(R) Use any of the services or arts that are part of the 2399  
practice of a branch of cosmetology to treat or attempt to cure 2400  
a physical or mental disease or ailment. 2401

**Sec. 4713.141.** An inspector employed by the state 2402  
cosmetology and barber board may take a sample of a product used 2403  
or sold in a salon or school ~~of cosmetology~~ for the purpose of 2404  
examining the sample, or causing an examination of the sample to 2405  
be made, to determine whether division (M) of section 4713.14 of 2406  
the Revised Code has been violated. 2407

Should the results of the test prove that division (M) of 2408  
section 4713.14 of the Revised Code has been violated, the board 2409  
shall take action in accordance with section 4713.64 of the 2410  
Revised Code. A fine imposed under that section shall include 2411  
the cost of the test. The person's license may be suspended or 2412  
revoked. 2413

**Sec. 4713.16.** (A) This chapter does not prohibit any of 2414  
the following: 2415

- (1) Practicing a branch of cosmetology without a license 2416  
or registration if the individual does so for free at the 2417  
individual's home for a family member who resides in the same 2418  
household as the individual; 2419
- (2) The retail sale, or trial demonstration by application 2420  
to the skin for purposes of retail sale, of cosmetics, 2421  
preparations, tonics, antiseptics, creams, lotions, wigs, or 2422  
hairpieces without a practicing license or registration; 2423
- (3) The retailing, at a salon, of cosmetics, preparations, 2424  
tonics, antiseptics, creams, lotions, wigs, hairpieces, 2425  
clothing, or any other items that pose no risk of creating 2426  
unsanitary conditions at the salon; 2427
- (4) The provision of glamour photography services at a 2428  
licensed salon if either of the following is the case: 2429
- (a) A branch of cosmetology is not practiced as part of 2430  
the services. 2431
- (b) If a branch of cosmetology is practiced as part of the 2432  
services, the part of the services that is a branch of 2433  
cosmetology is performed by an individual who holds either of 2434  
the following authorizing the individual to practice that branch 2435  
of cosmetology: 2436
- (i) A current, valid license under section 4713.28, 2437  
4713.30, or 4713.34 of the Revised Code; 2438
- (ii) A current, valid temporary special occasion work 2439  
permit issued under section 4713.37 of the Revised Code. 2440
- (5) A student engaging, as a student, in work connected 2441  
with a branch of cosmetology taught at the school ~~of cosmetology~~ 2442  
at which the student is enrolled; 2443

(6) Practicing a branch of cosmetology without a license 2444  
or registration if the individual does so for free for the 2445  
purpose of researching or developing a cosmetic as defined in 2446  
section 3715.01 of the Revised Code; 2447

(7) An individual who holds a license or registration 2448  
issued under this chapter practicing a branch of cosmetology on 2449  
a dead human body at a funeral home or embalming facility 2450  
licensed under section 4717.06 of the Revised Code. 2451

(B) A student in a career-technical program learning a 2452  
branch of cosmetology may continue developing skills in the 2453  
respective branch of cosmetology after completing the required 2454  
coursework or obtaining a license in the respective branch of 2455  
cosmetology by working in the licensed career-technical school 2456  
clinic if the student does not receive any compensation. This 2457  
allowance terminates upon the graduation of the student from the 2458  
career-technical school. 2459

**Sec. 4713.17.** (A) The following persons are exempt from 2460  
the provisions of this chapter, except, as applicable, section 2461  
4713.42 of the Revised Code: 2462

(1) All individuals authorized to practice medicine, 2463  
surgery, dentistry, and nursing or any of its branches in this 2464  
state, while acting within the scope of practice for the 2465  
license, permit, or certificate held; 2466

(2) Commissioned surgical and medical officers of the 2467  
United States army, navy, air force, or marine hospital service 2468  
when engaged in the actual performance of their official duties, 2469  
and attendants attached to same, while acting within the scope 2470  
of practice for the license, permit, or certificate held; 2471

(3) Funeral directors, embalmers, and apprentices licensed 2472

or ~~registered~~certified under Chapter 4717. of the Revised Code, 2473  
while acting within the scope of practice for the license, 2474  
permit, or certificate held; 2475

(4) Persons who are engaged in the retail sale, cleaning, 2476  
or beautification of wigs and hairpieces but who do not engage 2477  
in any other act constituting the practice of a branch of 2478  
cosmetology; 2479

(5) Volunteers of hospitals, and homes as defined in 2480  
section 3721.01 of the Revised Code, who render service to 2481  
registered patients and inpatients who reside in such hospitals 2482  
or homes. Such volunteers shall not use or work with any 2483  
chemical products such as permanent wave, hair dye, or chemical 2484  
hair relaxer, which without proper training would pose a health 2485  
or safety problem to the patient. 2486

(6) Nurse aides and other employees of hospitals and homes 2487  
as defined in section 3721.01 of the Revised Code, who practice 2488  
a branch of cosmetology on registered patients only as part of 2489  
general patient care services and who do not charge patients 2490  
directly on a fee for service basis; 2491

(7) Massage therapists who hold current, valid licenses to 2492  
practice massage therapy issued by the state medical board under 2493  
section 4731.15 of the Revised Code, ~~to the extent their actions~~ 2494  
~~are authorized by their licenses~~while acting within the scope of 2495  
practice for the license held; 2496

(8) Inmates who provide services related to the practice 2497  
of a branch of cosmetology to other inmates, except when those 2498  
services are provided in a licensed school ~~of cosmetology~~ within 2499  
a state correctional institution ~~for females.~~ 2500

(B) The director of rehabilitation and correction shall 2501

oversee the services described in division (A) (8) of this 2502  
section with respect to ~~sanitation~~infection control and adopt 2503  
rules governing those types of services provided by inmates. 2504

**Sec. 4713.25.** (A) The state cosmetology and barber board 2505  
may administer a separate ~~advanced cosmetologist~~ examination for 2506  
an advanced license to practice cosmetology for individuals who 2507  
complete an advanced cosmetologist training course separate from 2508  
a cosmetologist training course. The board may combine the 2509  
advanced cosmetologist examination with the cosmetologist 2510  
examination for individuals who complete a combined 2511  
cosmetologist and advanced cosmetologist training course. 2512

(B) The board may administer a separate ~~advanced~~ 2513  
~~esthetician~~ examination for an advanced license to practice 2514  
esthetics for individuals who complete an advanced esthetician 2515  
training course separate from an esthetician training course. 2516  
The board may combine the advanced esthetician examination with 2517  
the esthetician examination for individuals who complete an 2518  
esthetician and advanced esthetician training course. 2519

(C) The board may administer a separate ~~advanced hair~~ 2520  
~~designer~~ examination for an advanced license to practice hair 2521  
design for individuals who complete an advanced hair designer 2522  
training course separate from a hair designer training course. 2523  
The board may combine the advanced hair designer examination 2524  
with the hair designer examination for individuals who complete 2525  
a hair designer and advanced hair designer training course. 2526

(D) The board may administer a separate ~~advanced~~ 2527  
~~manicurist~~ examination for an advanced license to practice 2528  
manicuring for individuals who complete an advanced manicurist 2529  
training course separate from a manicurist training course. The 2530  
board may combine the advanced manicurist examination with the 2531

manicurist examination for individuals who complete a manicurist 2532  
and advanced manicurist training course. 2533

(E) The board may administer a separate ~~advanced natural~~ 2534  
~~hair stylist~~ examination for an advanced license to practice 2535  
natural hair styling for individuals who complete an advanced 2536  
natural hair stylist training course separate from a natural 2537  
hair stylist training course. The board may combine the advanced 2538  
natural hair stylist examination with the natural hair stylist 2539  
examination for individuals who complete a natural hair stylist 2540  
and advanced natural hair stylist training course. 2541

**Sec. 4713.28.** (A) The state cosmetology and barber board 2542  
shall issue a practicing license to an applicant who satisfies 2543  
all of the following applicable conditions: 2544

(1) Is at least sixteen years of age; 2545

(2) Has the equivalent of an Ohio public school tenth 2546  
grade education; 2547

(3) Has submitted a written application on a form 2548  
furnished by the board that contains all of the following: 2549

(a) The name of the individual and any other identifying 2550  
information required by the board; 2551

(b) A photocopy of the individual's current driver's 2552  
license or other proof of legal residence; 2553

(c) Proof that the individual is qualified to take the 2554  
applicable examination as required by section 4713.20 of the 2555  
Revised Code; 2556

(d) An oath verifying that the information in the 2557  
application is true; 2558

(e) The applicable application fee.	2559
(4) <u>Notwithstanding section 4798.05 of the Revised Code,</u>	2560
<u>submits to having a photograph taken by the board;</u>	2561
(5) <u>Passes an examination conducted under division (A) of</u>	2562
<u>section 4713.24 of the Revised Code for the branch of</u>	2563
<u>cosmetology the applicant seeks to practice;</u>	2564
<del>(5)</del> <u>(6) Pays to the board the applicable license fee;</u>	2565
<del>(6)</del> <u>(7) In the case of an applicant for an initial</u>	2566
<u>cosmetologist license, has successfully completed at least one</u>	2567
<u>thousand five hundred hours of board-approved cosmetology</u>	2568
<u>training in a school <del>of cosmetology licensed in this state,</del></u>	2569
<u>except that only one thousand hours of board-approved</u>	2570
<u>cosmetology training in a school <del>of cosmetology licensed in this</del></u>	2571
<u><del>state</del> is required of an individual licensed as a barber under</u>	2572
<u>Chapter 4709. of the Revised Code;</u>	2573
<del>(7)</del> <u>(8) In the case of an applicant for an initial</u>	2574
<u>esthetician license, has successfully completed at least six</u>	2575
<u>hundred hours of board-approved esthetics training in a school</u>	2576
<u><del>of cosmetology licensed in this state;</del></u>	2577
<del>(8)</del> <u>(9) In the case of an applicant for an initial hair</u>	2578
<u>designer license, has successfully completed at least one</u>	2579
<u>thousand two hundred hours of board-approved hair designer</u>	2580
<u>training in a school <del>of cosmetology licensed in this state,</del></u>	2581
<u>except that only one thousand hours of board-approved hair</u>	2582
<u>designer training in a school <del>of cosmetology licensed in this</del></u>	2583
<u><del>state</del> is required of an individual licensed as a barber under</u>	2584
<u>Chapter 4709. of the Revised Code;</u>	2585
<del>(9)</del> <u>(10) In the case of an applicant for an initial</u>	2586
<u>manicurist license, has successfully completed at least two</u>	2587

hundred hours of board-approved manicurist training in a school 2588  
~~of cosmetology licensed in this state;~~ 2589

~~(10)~~ (11) In the case of an applicant for an initial 2590  
natural hair stylist license, has successfully completed at 2591  
least four hundred fifty hours of instruction in subjects 2592  
relating to ~~sanitation~~ infection control, scalp care, anatomy, 2593  
hair styling, communication skills, and laws and rules governing 2594  
the practice of cosmetology. 2595

(B) The board shall not deny a license to any applicant 2596  
based on prior incarceration or conviction for any crime. If the 2597  
board denies an individual a license or license renewal, the 2598  
reasons for such denial shall be put in writing. 2599

**Sec. 4713.30.** The state cosmetology and barber board shall 2600  
issue an advanced license to an applicant who satisfies all of 2601  
the following applicable conditions: 2602

(A) Is at least sixteen years of age; 2603

(B) Has the equivalent of an Ohio public school tenth 2604  
grade education; 2605

(C) Pays to the board the applicable application fee; 2606

(D) Notwithstanding section 4798.05 of the Revised Code, 2607  
submits to having a photograph taken by the board; 2608

(E) Passes the appropriate advanced license examination; 2609

~~(E)~~ (F) In the case of an applicant for an initial 2610  
advanced ~~cosmetologist~~ license to practice cosmetology, does 2611  
either of the following: 2612

(1) ~~Has a licensed advanced cosmetologist or owner of a~~ 2613  
~~licensed beauty salon located in this or another state certify~~ 2614

~~to~~ Submits proof, as determined by the board, that the applicant 2615  
has practiced as a cosmetologist for at least one thousand eight 2616  
hundred hours in a licensed beauty salon; 2617

(2) Has a school ~~of cosmetology~~ licensed in this state 2618  
certify to the board that the applicant has successfully 2619  
completed, in addition to the hours required for licensure as a 2620  
cosmetologist, at least three hundred hours of board-approved 2621  
advanced cosmetologist training. 2622

~~(F)~~ (G) In the case of an applicant for an initial 2623  
advanced ~~esthetician~~ license to practice esthetics, does either 2624  
of the following: 2625

(1) ~~Has the licensed advanced esthetician, licensed~~ 2626  
~~advanced cosmetologist, or owner of a licensed esthetics salon~~ 2627  
~~or licensed beauty salon located in this or another state~~ 2628  
~~certify to~~ Submits proof, as determined by the board, that the 2629  
applicant has practiced esthetics for at least one thousand 2630  
eight hundred hours as an esthetician in a licensed esthetics 2631  
salon or as a cosmetologist in a licensed beauty salon; 2632

(2) Has a school ~~of cosmetology~~ licensed in this state 2633  
certify to the board that the applicant has successfully 2634  
completed, in addition to the hours required for licensure as an 2635  
esthetician or cosmetologist, at least one hundred fifty hours 2636  
of board-approved advanced esthetician training. 2637

~~(G)~~ (H) In the case of an applicant for an initial 2638  
advanced ~~hair designer~~ license to practice hair design, does 2639  
either of the following: 2640

(1) ~~Has the licensed advanced hair designer, licensed~~ 2641  
~~advanced cosmetologist, or owner of a licensed hair design salon~~ 2642  
~~or licensed beauty salon located in this or another state~~ 2643

~~certify to~~ Submits proof, as determined by the board, that the 2644  
applicant has practiced hair design for at least one thousand 2645  
eight hundred hours as a hair designer in a licensed hair design 2646  
salon or as a cosmetologist in a licensed beauty salon; 2647

(2) Has a school ~~of cosmetology~~-licensed in this state 2648  
certify to the board that the applicant has successfully 2649  
completed, in addition to the hours required for licensure as a 2650  
hair designer or cosmetologist, at least two hundred forty hours 2651  
of board-approved advanced hair designer training. 2652

~~(H)~~ (I) In the case of an applicant for an initial 2653  
advanced ~~manicurist~~-license to practice manicuring, does either 2654  
of the following: 2655

(1) ~~Has the licensed advanced manicurist, licensed~~ 2656  
~~advanced cosmetologist, or owner of a licensed nail salon,~~ 2657  
~~licensed beauty salon, or licensed barber shop located in this~~ 2658  
~~or another state~~ certify to Submits proof, as determined by the 2659  
board, that the applicant has practiced manicuring for at least 2660  
one thousand eight hundred hours as a manicurist in a licensed 2661  
nail salon or licensed barber shop or as a cosmetologist in a 2662  
licensed beauty salon or licensed barber shop; 2663

(2) Has a school ~~of cosmetology~~-licensed in this state 2664  
certify to the board that the applicant has successfully 2665  
completed, in addition to the hours required for licensure as a 2666  
manicurist or cosmetologist, at least one hundred hours of 2667  
board-approved advanced manicurist training. 2668

~~(I)~~ (J) In the case of an applicant for an initial 2669  
advanced ~~natural hair stylist~~-license to practice natural hair 2670  
styling, does either of the following: 2671

(1) ~~Has the licensed advanced natural hair stylist,~~ 2672

~~licensed advanced cosmetologist, or owner of a licensed natural-~~ 2673  
~~hair style salon or licensed beauty salon located in this or~~ 2674  
~~another state certify to~~ Submits proof, as determined by the 2675  
board, that the applicant has practiced natural hair styling for 2676  
at least one thousand eight hundred hours as a natural hair 2677  
stylist in a licensed natural hair style salon or as a 2678  
cosmetologist in a licensed beauty salon; 2679

(2) Has a school ~~of cosmetology~~ licensed in this state 2680  
certify to the board that the applicant has successfully 2681  
completed, in addition to the hours required for licensure as a 2682  
natural hair stylist or cosmetologist, at least one hundred 2683  
fifty hours of board-approved advanced natural hair stylist 2684  
training. 2685

(K) Pays to the board the applicable license fee. 2686

**Sec. 4713.31.** The state cosmetology and barber board shall 2687  
issue an instructor license to an applicant who satisfies all of 2688  
the following applicable conditions: 2689

(A) Is at least eighteen years of age; 2690

(B) Has the equivalent of an Ohio public school twelfth 2691  
grade education; 2692

(C) Pays to the board the applicable application fee; 2693

(D) Notwithstanding section 4798.05 of the Revised Code, 2694  
submits to having a photograph taken by the board; 2695

(E) In the case of an applicant for an initial cosmetology 2696  
instructor license, holds a current, valid advanced 2697  
~~cosmetologist license to practice cosmetology~~ issued in this 2698  
state and does either of the following: 2699

(1) ~~Has the licensed advanced cosmetologist or owner of~~ 2700

~~the licensed beauty salon in which the applicant has been-~~ 2701  
~~employed certify to~~ Submits proof, as determined by the board, 2702  
that the applicant has engaged in the practice of cosmetology in 2703  
a licensed beauty salon for at least one thousand eight hundred 2704  
hours; 2705

(2) Has a school ~~of cosmetology~~ licensed in this state 2706  
certify to the board that the applicant has successfully 2707  
completed one thousand hours of board-approved cosmetology 2708  
instructor training as an apprentice instructor. 2709

~~(E)~~ (F) In the case of an applicant for an initial 2710  
esthetics instructor license, holds a current, valid advanced 2711  
~~esthetician or advanced cosmetologist~~ license to practice 2712  
esthetics or cosmetology issued in this state and does either of 2713  
the following: 2714

(1) ~~Has the licensed advanced esthetician, licensed-~~ 2715  
~~advanced cosmetologist, or owner of the licensed esthetics salon-~~ 2716  
~~or licensed beauty salon in which the applicant has been-~~ 2717  
~~employed certify to~~ Submits proof, as determined by the board, 2718  
that the applicant has engaged in the practice of esthetics in a 2719  
licensed esthetics salon or practice of cosmetology in a 2720  
licensed beauty salon for at least one thousand eight hundred 2721  
hours; 2722

(2) Has a school ~~of cosmetology~~ licensed in this state 2723  
certify to the board that the applicant has successfully 2724  
completed at least five hundred hours of board-approved 2725  
esthetics instructor training as an apprentice instructor. 2726

~~(F)~~ (G) In the case of an applicant for an initial hair 2727  
design instructor license, holds a current, valid advanced ~~hair-~~ 2728  
~~designer or advanced cosmetologist~~ license to practice hair 2729

design or cosmetology and does either of the following: 2730

(1) ~~Has the licensed advanced hair designer, licensed~~ 2731  
~~advanced cosmetologist, or owner of the licensed hair design~~ 2732  
~~salon or licensed beauty salon in which the applicant has been~~ 2733  
~~employed certify to~~ Submits proof, as determined by the board, 2734  
that the applicant has engaged in the practice of hair design in 2735  
a licensed hair design salon or practice of cosmetology in a 2736  
licensed beauty salon for at least one thousand eight hundred 2737  
hours; 2738

(2) Has a school ~~of cosmetology~~ licensed in this state 2739  
certify to the board that the applicant has successfully 2740  
completed at least eight hundred hours of board-approved hair 2741  
design ~~instructor's~~ instructor training as an apprentice 2742  
instructor. 2743

~~(G)~~ (H) In the case of an applicant for an initial 2744  
manicurist instructor license, holds a current, valid advanced 2745  
~~manicurist or advanced cosmetologist~~ license to practice 2746  
manicuring or cosmetology and does either of the following: 2747

(1) ~~Has the licensed advanced manicurist, licensed~~ 2748  
~~advanced cosmetologist, or owner of the licensed nail salon or~~ 2749  
~~licensed beauty salon in which the applicant has been employed~~ 2750  
~~certify to~~ Submits proof, as determined by the board, that the 2751  
applicant has engaged in the practice of manicuring in a 2752  
licensed nail salon or practice of cosmetology in a licensed 2753  
beauty salon for at least one thousand eight hundred hours; 2754

(2) Has a school ~~of cosmetology~~ licensed in this state 2755  
certify to the board that the applicant has successfully 2756  
completed at least three hundred hours of board-approved 2757  
manicurist instructor training as an apprentice instructor. 2758

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

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

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

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

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

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

<del>(A) The applicant satisfies all of the following</del>	2788
conditions:	2789
(1) Is not less than eighteen years of age;	2790
(2) In the case of an applicant for a practicing license,	2791
passes an examination conducted under section 4713.24 of the	2792
Revised Code for the license the applicant seeks, unless the	2793
applicant satisfies conditions specified in rules adopted under	2794
section 4713.08 of the Revised Code for the board to issue the	2795
applicant a license without taking the examination;	2796
(3) Pays the applicable fee.	2797
(B) At the time the applicant obtained the license or	2798
registration in the other state or country, the requirements in	2799
this state for obtaining the license the applicant seeks were	2800
substantially equal to the other state or country's	2801
requirements.	2802
<del>(C) The jurisdiction that issued the applicant's license</del>	2803
<del>or registration extends similar reciprocity to individuals</del>	2804
<del>holding a license issued by the board.</del>	2805
<b>Sec. 4713.35.</b> An individual who holds a current, valid	2806
cosmetologist <u>license or an advanced cosmetologist license to</u>	2807
<u>practice cosmetology</u> issued by the state cosmetology and barber	2808
board may engage in the practice of one or more branches of	2809
cosmetology as the individual chooses in a licensed facility.	2810
An individual who holds a current, valid esthetician	2811
<u>license or an advanced esthetician license to practice esthetics</u>	2812
issued by the board may engage in the practice of esthetics but	2813
no other branch of cosmetology in a licensed facility.	2814
An individual who holds a current, valid hair designer	2815

license or an advanced hair designer license to practice hair 2816  
design issued by the board may engage in the practice of hair 2817  
design but no other branch of cosmetology in a licensed 2818  
facility. 2819

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

An individual who holds a current, valid natural hair 2824  
stylist license or an advanced natural hair stylist license to 2825  
practice natural hair styling issued by the board may engage in 2826  
the practice of natural hair styling but no other branch of 2827  
cosmetology in a licensed facility. 2828

An individual who holds a current, valid cosmetology 2829  
instructor license issued by the board may teach the theory and 2830  
practice of one or more branches of cosmetology at a school ~~of~~ 2831  
~~cosmetology~~ as the individual chooses. 2832

An individual who holds a current, valid esthetics 2833  
instructor license issued by the board may teach the theory and 2834  
practice of esthetics, but no other branch of cosmetology, at a 2835  
school ~~of cosmetology~~. 2836

An individual who holds a current, valid hair design 2837  
instructor license issued by the board may teach the theory and 2838  
practice of hair design, but no other branch of cosmetology, at 2839  
a school ~~of cosmetology~~. 2840

An individual who holds a current, valid manicurist 2841  
instructor license issued by the board may teach the theory and 2842  
practice of manicuring, but no other branch of cosmetology, at a 2843  
school ~~of cosmetology~~. 2844

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~~.

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.

**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.

**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:

(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.

(2) A business establishment that is engaged primarily in retail sales but is also licensed as a salon shall have present an individual holding a current, valid license or registration

to practice in that type of salon in charge of and in immediate supervision of the salon during posted or advertised service hours, if the practice of cosmetology is restricted to those posted or advertised service hours.

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

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

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

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

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

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

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

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

**Sec. 4713.44.** (A) The state cosmetology and barber board shall issue a license to operate a school to an applicant who satisfies all of the following requirements:

- (1) Maintains a course of practical training and technical instruction for the branch or branches of cosmetology or barbering to be taught at the school equal to the requirements for admission to an examination under section 4709.07 or 4713.24 of the Revised Code that an individual must pass to obtain a license to practice that branch or those branches of cosmetology or barbering; 2902  
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- (2) Possesses or makes available apparatus and equipment sufficient for the ready and full teaching of all subjects of the curriculum; 2909  
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- (3) Notifies the board of the enrollment of each new student, keeps a record devoted to the different practices, establishes grades, and holds examinations in order to certify the students' completion of the prescribed course of study before the issuance of certificates of completion; 2912  
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- (4) In the case of a school that offers clock hours for the purpose of satisfying minimum hours of training and instruction, keeps a daily record of the attendance of each student; 2917  
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- (5) Except as provided in division (C) (2) of this section, files with the board a good and sufficient surety bond executed by the individual, firm, or corporation operating the school as principal and by a surety company as surety in the amount of ten thousand dollars; 2921  
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- (6) Establishes and maintains an internal procedure for processing complaints filed against the school and for providing students with instructions on how to file a complaint directly with the board pursuant to section 4713.641 of the Revised Code; 2926  
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- (7) Complies with the requirements of division (B) of this 2930

section if the school offers instruction in theory and practice 2931  
of one or more branches of cosmetology; 2932

(8) Complies with the requirements of section 4709.10 of 2933  
the Revised Code if the school offers instruction in the theory 2934  
and practice of barbering; 2935

(9) Pays the licensure fee. 2936

(B) If the school for which an applicant is applying for a 2937  
license under division (A) of this section offers instruction in 2938  
the theory and practice of one or more branches of cosmetology, 2939  
the applicant shall do all of the following to be issued the 2940  
license: 2941

(1) Maintain individuals licensed under section 4713.31 or 2942  
4713.34 of the Revised Code to teach the theory and practice of 2943  
the branch or branches of cosmetology offered at the school; 2944

(2) On the date that an apprentice cosmetology instructor 2945  
begins cosmetology instructor training at the school, certify 2946  
the name of the apprentice cosmetology instructor to the board 2947  
along with the date on which the apprentice's instructor 2948  
training began; 2949

(3) Instruct not more than six apprentice cosmetology 2950  
instructors at any one time. 2951

(C) (1) The bond required under division (A) (5) of this 2952  
section shall be in the form prescribed by the board and be 2953  
conditioned on the school's continued instruction in the theory 2954  
and practice of one or more branches of cosmetology or 2955  
barbering. The bond shall continue in effect until notice of its 2956  
termination is given to the board by registered mail and every 2957  
bond shall so provide. 2958

(2) The requirement under division (A) (5) of this section 2959  
does not apply to a vocational or career-technical school 2960  
program conducted by a city, exempted village, local, or joint 2961  
vocational school district. 2962

(D) A school licensed under this section is an educational 2963  
institution and is authorized to offer educational programs 2964  
beyond secondary education, advanced practice programs, or both 2965  
in accordance with rules adopted by the board pursuant to 2966  
section 4713.08 of the Revised Code. 2967

(E) A school license issued to an applicant under division 2968  
(A) of this section is not transferable from one owner to 2969  
another or from one location to another. 2970

**Sec. 4713.45.** (A) A school may do any of the following: 2971

(1) In accordance with rules adopted under section 4713.08 2972  
of the Revised Code, a school may offer clock hours, credit 2973  
hours, or competency-based credits for the purpose of satisfying 2974  
minimum hours of training and instruction; 2975

(2) Subject to division (B) of this section, employ an 2976  
individual who does not hold a current, valid instructor or 2977  
barber instructor license to teach subjects related to a branch 2978  
of cosmetology or barbering; 2979

(3) If the school offers instruction in the theory and 2980  
practice of one or more branches of cosmetology, both of the 2981  
following: 2982

(a) Allow an apprentice cosmetology instructor the regular 2983  
quota of students prescribed by the state cosmetology and barber 2984  
board if a cosmetology instructor is present; 2985

(b) Compensate an apprentice cosmetology instructor. 2986

(4) If the school offers instruction in the theory and practice of barbering, establish entrance requirements for the acceptance of student applicants that are more stringent than those prescribed by the board under division (A)(20) of section 4713.08 of the Revised Code, but at a minimum require an applicant to meet both of the following: 2987  
2988  
2989  
2990  
2991  
2992

(a) Be at least sixteen years of age; 2993

(b) Have an eighth grade education, or an equivalent education as determined by the state board of education. 2994  
2995

(B) A school shall have a licensed cosmetology or barber instructor present when an individual employed pursuant to division (A)(2) of this section teaches at the school, unless the individual is one of the following: 2996  
2997  
2998  
2999

(1) An individual with a current, valid teacher's certificate or educator license issued by the state board of education; 3000  
3001  
3002

(2) An individual with a bachelor's degree in the subject the individual teaches at the school; 3003  
3004

(3) An individual also employed by a university or college to teach the subject the individual teaches at the school. 3005  
3006

(C) A school annually shall review the subjects and coursework required to receive an initial practicing, advanced, or barber license and, in doing so, shall incorporate standards adopted by the board pursuant to division (A)(13) of section 4713.08 of the Revised Code. 3007  
3008  
3009  
3010  
3011

**Sec. 4713.46.** A student who is injured or damaged by 3012  
reason of the failure of a school ~~of cosmetology~~ to continue 3013  
instruction in the theory and practice of a branch of 3014

cosmetology or barbering may maintain an action on the bond 3015  
against the school, or surety named therein, or both of them, 3016  
for the recovery of any money or tuition paid in advance for 3017  
instruction in the theory and practice of a branch of 3018  
cosmetology or barbering that was not received. The aggregate 3019  
liability of the surety to all students shall not exceed the sum 3020  
of the bond. 3021

**Sec. 4713.49.** The owner or manager of a salon or school 3022  
that has a permit issued under section 4713.48 of the Revised 3023  
Code may operate a tanning facility at the salon or school. 3024

**Sec. 4713.55.** Every license issued by the state 3025  
cosmetology and barber board shall be signed by the chairperson 3026  
and attested by the executive director of the board, with the 3027  
seal of the board attached. 3028

The board shall specify on each practicing and advanced 3029  
license that the board issues the branch of cosmetology that the 3030  
license entitles the holder to practice. ~~The board shall specify~~ 3031  
~~on each advanced license that the board issues the type of salon~~ 3032  
~~in which the license entitles the holder to work and the branch~~ 3033  
~~of cosmetology that the license entitles the holder to practice.~~ 3034  
The board shall specify on each instructor license that the 3035  
board issues the branch of cosmetology that the license entitles 3036  
the holder to teach. The board shall specify on each salon 3037  
license that the board issues the branch of cosmetology that the 3038  
license entitles the holder to offer. The board shall specify on 3039  
each independent contractor license that the board issues that 3040  
the holder is entitled to practice only the branch of 3041  
cosmetology ~~that the~~ for which a current, valid license entitles 3042  
~~the holder to offer is held~~ within a licensed salon. Such 3043  
licenses are prima-facie evidence of the right of the holder to 3044

practice or teach the branch of cosmetology that the license 3045  
specifies. 3046

**Sec. 4713.56.** Every holder of a practicing license, 3047  
advanced license, instructor license, independent contractor 3048  
license, or boutique service registration issued by the state 3049  
cosmetology and barber board shall maintain the board-issued, 3050  
wallet-sized license or electronically generated license 3051  
certification or registration and a current government-issued 3052  
photo identification that can be produced upon inspection or 3053  
request. 3054

Every holder of a license to operate a salon issued by the 3055  
board shall display the license in a public and conspicuous 3056  
place in the salon. 3057

Every holder of a license to operate a school ~~of~~ 3058  
~~cosmetology~~ issued by the board shall display the license in a 3059  
public and conspicuous place in the school. 3060

Every individual who provides massage therapy or other 3061  
professional service in a salon under section 4713.42 of the 3062  
Revised Code shall maintain the individual's professional 3063  
license or certificate or electronically generated license 3064  
certification or registration and a state of Ohio issued photo 3065  
identification that can be produced upon inspection or request. 3066

**Sec. 4713.58.** (A) Except as provided in division (B) of 3067  
this section, on payment of the renewal fee and ~~submission of~~ 3068  
~~proof satisfactory attestation~~ to the state cosmetology and 3069  
barber board that any applicable continuing education 3070  
requirements have been completed, an individual currently 3071  
licensed as: 3072

(1) A cosmetology instructor who has previously been 3073

~~licensed as issued a practicing cosmetologist license~~ or an 3074  
advanced ~~cosmetologist license to practice cosmetology~~, is 3075  
entitled to the reissuance of ~~a cosmetologist the practicing or~~ 3076  
advanced cosmetologist license; 3077

(2) An esthetics instructor who has previously been 3078  
~~licensed as an issued a practicing esthetician license~~ or an 3079  
advanced ~~esthetician license to practice esthetics~~, is entitled 3080  
to the reissuance of ~~an esthetician the practicing or~~ advanced 3081  
esthetician license; 3082

(3) A hair design instructor who has previously been 3083  
~~licensed as issued a practicing hair designer license~~ or an 3084  
advanced ~~hair designer license to practice hair design~~, is 3085  
entitled to the reissuance of ~~a hair designer the practicing or~~ 3086  
advanced hair designer license; 3087

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

(5) A natural hair style instructor who has previously 3093  
been ~~licensed as issued a practicing natural hair stylist~~ 3094  
~~license~~ or an advanced ~~natural hair stylist license to practice~~ 3095  
~~natural hair styling~~, is entitled to the reissuance of ~~a natural~~ 3096  
~~hair stylist the practicing or~~ advanced natural hair stylist 3097  
license. 3098

(B) No individual is entitled to the reissuance of a 3099  
license under division (A) of this section if the license was 3100  
revoked or suspended or the individual has an outstanding unpaid 3101  
fine levied under section 4713.64 of the Revised Code. 3102

**Sec. 4713.59.** If the state cosmetology and barber board 3103  
adopts rules under section 4713.09 of the Revised Code to 3104  
establish a continuing education requirement as a condition of 3105  
renewal for a practicing license, advanced license, ~~or~~ 3106  
instructor license, or boutique services registration, the board 3107  
shall inform each affected licensee or registrant of the 3108  
continuing education requirement that applies to the next 3109  
biennial licensing period by including that information in the 3110  
renewal notification it sends the licensee or registrant. The 3111  
notification shall state that the licensee or registrant must 3112  
complete the continuing education requirement by the fifteenth 3113  
day of January of the next odd-numbered year. 3114

Hours completed in excess of the continuing education 3115  
requirement may not be applied to the next biennial licensing 3116  
period. 3117

**Sec. 4713.60.** (A) Except as provided in division ~~(C)~~ (B) 3118  
of this section, an individual seeking a renewal of a license to 3119  
practice a branch of cosmetology, advanced license, instructor 3120  
license, or boutique services registration shall ~~include~~ attest 3121  
in the renewal application ~~proof satisfactory~~ to the ~~board of~~ 3122  
completion of any applicable continuing education requirements 3123  
established by rules adopted under section 4713.09 of the 3124  
Revised Code. 3125

~~(B) If an applicant fails to provide satisfactory proof of~~ 3126  
~~completion of any applicable continuing education requirements,~~ 3127  
~~the board shall notify the applicant that the application is~~ 3128  
~~incomplete. The board shall not renew the license or~~ 3129  
~~registration until the applicant provides satisfactory proof of~~ 3130  
~~completion of any applicable continuing education requirements.~~ 3131  
~~The board may provide the applicant with an extension of up to~~ 3132

~~ninety days in which to complete the continuing education- 3133  
requirement. In providing for the extension, the board may- 3134  
charge the licensee or registrant a fine of up to one hundred- 3135  
dollars. 3136~~

~~(C) The state cosmetology and barber board may waive, or 3137  
extend the period for completing, any continuing education 3138  
requirement if a licensee or registrant applies to the board and 3139  
provides proof satisfactory to the board of being unable to 3140  
complete the requirement within the time allowed because of any 3141  
of the following: 3142~~

~~(1) An emergency; 3143~~

~~(2) An unusual or prolonged illness; 3144~~

~~(3) Active duty service in any branch of the armed forces 3145  
of the United States or a reserve component of the armed forces 3146  
of the United States, including the Ohio national guard or the 3147  
national guard of any other state. 3148~~

~~The board shall determine the period of time during which 3149  
each extension is effective and shall inform the applicant. The 3150  
board shall also inform the applicant of the continuing 3151  
education requirements that must be met to have the license or 3152  
registration renewed. If an extension is granted for less than 3153  
one year, the continuing education requirement for that year, in 3154  
addition to the required continuing education for the succeeding 3155  
year, must be completed in the succeeding year. In all other 3156  
cases the board may waive all or part of the continuing 3157  
education requirement on a case-by-case basis. Any required 3158  
continuing education shall be completed ~~and satisfactory proof-~~ 3159  
~~of its completion submitted to the board by a date specified by~~ 3160  
the board. Every license or registration that has not been 3161~~

renewed in the timeframe specified in section 4713.57 of the Revised Code and for which the continuing education requirement has not been waived or extended shall be considered expired.

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

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

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

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

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

**Sec. 4713.62.** (A) An individual holding a practicing 3191  
license, advanced license, instructor license, or boutique 3192  
services registration may satisfy a continuing education 3193  
requirement established by rules adopted under section 4713.09 3194  
of the Revised Code only by completing continuing education 3195  
programs approved under division (B) of this section. 3196

(B) The state cosmetology and barber board shall approve a 3197  
continuing education program if all of the following conditions 3198  
are satisfied: 3199

(1) The person operating the program submits to the board 3200  
a written application for approval. 3201

(2) The person operating the program pays to the board a 3202  
fee established by rules adopted under section 4713.08 of the 3203  
Revised Code. 3204

(3) The program is operated by an employee, officer, or 3205  
director of a nonprofit professional association, college or 3206  
university, proprietary continuing education institutions 3207  
providing programs approved by the board, vocational school, 3208  
postsecondary proprietary school ~~of cosmetology~~ licensed by the 3209  
board, salon licensed by the board, barber shop licensed by the 3210  
board under section 4709.09 of the Revised Code, or manufacturer 3211  
of supplies or equipment used in the practice of a branch of 3212  
cosmetology or barbering. 3213

(4) The program will do at least one of the following: 3214

(a) Enhance the professional competency of the affected 3215  
licensees or registrants; 3216

(b) Protect the public; 3217

(c) Educate the affected licensees or registrants in the 3218

application of the laws and rules regulating the practice of a 3219  
branch of cosmetology or barbering. 3220

(5) The person operating the program provides the board a 3221  
tentative schedule of when the program will be available so that 3222  
the board can make the schedule readily available to all 3223  
licensees and registrants throughout the state. 3224

**Sec. 4713.63.** A practicing license, advanced license, or 3225  
instructor license that has not been renewed for any reason 3226  
other than because it has been revoked, suspended, or classified 3227  
inactive, or because the license holder has been given a waiver 3228  
or extension under section 4713.60 of the Revised Code, is 3229  
expired. An expired license may be restored if the individual 3230  
who held the license meets ~~all both~~ of the following applicable 3231  
conditions: 3232

(A) Pays to the state cosmetology and barber board the 3233  
restoration fee established under section 4713.10 of the Revised 3234  
Code; 3235

(B) In the case of a practicing license or advanced 3236  
license ~~that has been expired for more than two consecutive~~ 3237  
~~license renewal periods, completes eight hours of the~~ continuing 3238  
education ~~for each license renewal period that has elapsed since~~ 3239  
~~the license was last issued or renewed, up to a maximum of~~ 3240  
~~twenty four hours~~ requirement for renewal of a license 3241  
established by the board in the rules adopted under section 3242  
4713.09 of the Revised Code. 3243

~~At least four of those hours shall include a course~~ 3244  
~~pertaining to sanitation and safety methods.~~ 3245

~~The board shall deposit all fees it receives under~~ 3246  
~~division (B) of this section into the general revenue fund.~~ 3247

Sec. 4713.64. (A) The state cosmetology and barber board	3248
may take disciplinary action under this chapter for any of the	3249
following:	3250
(1) Failure to comply with the safety, <del>sanitation</del>	3251
<u>infection control</u> , and licensing requirements of this chapter or	3252
rules adopted under it;	3253
(2) Continued practice by an individual knowingly having	3254
an infectious or contagious disease;	3255
(3) Habitual drunkenness or addiction to any habit-forming	3256
drug;	3257
(4) Willful false and fraudulent or deceptive advertising;	3258
(5) Falsification of any record or application required to	3259
be filed with the board;	3260
(6) Failure to pay a fine or abide by a suspension order	3261
issued by the board;	3262
(7) Failure to cooperate with an investigation or	3263
inspection;	3264
(8) Failure to respond to a subpoena;	3265
(9) Conviction of or plea of guilty to a violation of	3266
section 2905.32 of the Revised Code;	3267
(10) In the case of a salon, any individual's conviction	3268
of or plea of guilty to a violation of section 2905.32 of the	3269
Revised Code for an activity that took place on the premises of	3270
the salon.	3271
(B) On determining that there is cause for disciplinary	3272
action, the board may do one or more of the following:	3273
(1) Deny, revoke, <del>or suspend</del> , <u>or impose conditions on a</u>	3274

license, permit, or registration issued by the board under this 3275  
chapter; 3276

(2) Impose a fine; 3277

(3) Require the holder of a license, permit, or 3278  
registration issued under this chapter to take corrective action 3279  
courses. 3280

(C) (1) Except as provided in divisions (C) (2) and (3) of 3281  
this section, the board shall take disciplinary action pursuant 3282  
to an adjudication under Chapter 119. of the Revised Code. 3283

(2) The board may take disciplinary action without 3284  
conducting an adjudication under Chapter 119. of the Revised 3285  
Code against an individual who or salon ~~who~~ that violates 3286  
division (A) (9) or (10) of this section. After the board takes 3287  
such disciplinary action, the board shall give written notice to 3288  
the subject of the disciplinary action of the right to request a 3289  
hearing under Chapter 119. of the Revised Code. 3290

(3) In lieu of an adjudication, the board may enter into a 3291  
consent agreement with the holder of a license, permit, or 3292  
registration issued under this chapter. A consent agreement that 3293  
is ratified by a majority vote of a quorum of the board members 3294  
is considered to constitute the findings and orders of the board 3295  
with respect to the matter addressed in the agreement. If the 3296  
board does not ratify a consent agreement, the admissions and 3297  
findings contained in the agreement are of no effect, and the 3298  
case shall be scheduled for adjudication under Chapter 119. of 3299  
the Revised Code. 3300

(D) The amount and content of corrective action courses 3301  
and other relevant criteria shall be established by the board in 3302  
rules adopted under section 4713.08 of the Revised Code. 3303

(E) (1) The board may impose a separate fine for each 3304  
offense listed in division (A) of this section. The amount of 3305  
the first fine issued for a violation as the result of an 3306  
inspection shall be not more than two hundred fifty dollars if 3307  
the violator has not previously been fined for that offense. Any 3308  
fines issued for additional violations during such an inspection 3309  
shall not be more than one hundred dollars for each additional 3310  
violation. The fine shall be not more than five hundred dollars 3311  
if the violator has been fined for the same offense once before. 3312  
Any fines issued for additional violations during a second 3313  
inspection shall not be more than two hundred dollars for each 3314  
additional violation. The fine shall be not more than one 3315  
thousand dollars if the violator has been fined for the same 3316  
offense two or more times before. Any fines issued for 3317  
additional violations during a third inspection shall not be 3318  
more than three hundred dollars for each additional violation. 3319

(2) The board shall issue an order notifying a violator of 3320  
a fine imposed under division (E) (1) of this section. The notice 3321  
shall specify the date by which the fine is to be paid. The date 3322  
shall be less than forty-five days after the board issues the 3323  
order. 3324

(3) At the request of a violator who is temporarily unable 3325  
to pay a fine, or upon its own motion, the board may extend the 3326  
time period within which the violator shall pay the fine up to 3327  
ninety days after the date the board issues the order. 3328

~~(4) If a violator fails to pay a fine by the date 3329  
specified in the board's order and does not request an extension 3330  
within ten days after the date the board issues the order, or if 3331  
the violator fails to pay the fine within the extended time 3332  
period as described in division (E) (3) of this section, the 3333~~

~~board shall add to the fine an additional penalty equal to ten- 3334  
per cent of the fine. 3335~~

~~(5) If a violator fails to pay a fine within ninety days- 3336  
after the board issues the order, the board shall add to the 3337  
fine interest at a rate specified by the board in rules adopted- 3338  
under section 4713.08 of the Revised Code. 3339~~

~~(6) If the fine, including any interest or additional- 3340  
penalty, remains unpaid on the ninety-first day after the board 3341  
issues an order under division (E) (2) of this section, the 3342  
amount of the fine and any interest or additional penalty shall 3343  
be certified to the attorney general for collection in the form 3344  
and manner prescribed by the attorney general. The attorney 3345  
general may assess the collection cost to the amount certified 3346  
in such a manner and amount as prescribed by the attorney 3347  
general. 3348~~

(F) In the case of an offense of failure to comply with 3349  
division (A) or (B) (2) or (3) of section 4713.50 of the Revised 3350  
Code, the board shall impose a fine of five hundred dollars if 3351  
the violator has not previously been fined for that offense. If 3352  
the violator has previously been fined for the offense, the 3353  
board may impose a fine in accordance with this division or take 3354  
another action in accordance with division (B) of this section. 3355

(G) The board shall notify a licensee or registrant who is 3356  
in violation of division (A) of this section and the owner of 3357  
the salon in which the conditions constituting the violation 3358  
were found. The individual receiving the notice of violation and 3359  
the owner of the salon may request a hearing pursuant to section 3360  
119.07 of the Revised Code. If the individual or owner fails to 3361  
request a hearing or enter into a consent agreement thirty days 3362  
after the date the board, in accordance with section 119.07 of 3363

the Revised Code and division (J) of this section, notifies the 3364  
individual or owner of the board's intent to act against the 3365  
individual or owner under division (A) of this section, the 3366  
board by a majority vote of a quorum of the board members may 3367  
take the action against the individual or owner without holding 3368  
an adjudication hearing. 3369

(H) The board, after a hearing in accordance with Chapter 3370  
119. of the Revised Code or pursuant to a consent agreement, may 3371  
suspend a license, permit, or registration if the licensee, 3372  
permit holder, or registrant fails to correct an unsafe 3373  
condition that exists in violation of the board's rules or fails 3374  
to cooperate in an inspection. If a violation of this chapter or 3375  
rules adopted under it has resulted in a condition reasonably 3376  
believed by an inspector to create an immediate danger to the 3377  
health and safety of any individual using the facility, the 3378  
inspector may suspend the license or permit of the facility or 3379  
the individual responsible for the violation without a prior 3380  
hearing until the condition is corrected or until a hearing in 3381  
accordance with Chapter 119. of the Revised Code is held or a 3382  
consent agreement is entered into and the board either upholds 3383  
the suspension or reinstates the license, permit, or 3384  
registration. 3385

(I) The board shall not take disciplinary action against 3386  
~~an individual~~ a person licensed to operate a salon or school ~~of~~ 3387  
~~cosmetology~~ for a violation of this chapter that was committed 3388  
by an individual licensed to practice a branch of cosmetology or 3389  
barbering, while practicing within the salon or school, when the 3390  
individual's actions were beyond the control of the salon owner 3391  
or school. 3392

(J) In addition to the methods of notification required 3393

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 3425  
investigate or inspect the activities or premises of an 3426  
individual or entity who is alleged to have violated this 3427  
chapter or Chapter 4709. of the Revised Code or rules adopted 3428  
under ~~it~~either chapter, regardless of whether the individual or 3429  
entity holds a license ~~or, registration, or permit~~ issued under 3430  
this chapter or Chapter 4709. of the Revised Code. 3431

~~(B) If, based on its investigation, the board determines~~ 3432  
~~that there is reasonable cause to believe that an individual or~~ 3433  
~~entity has violated this chapter or rules adopted under it, the~~ 3434  
~~board shall afford the individual or entity an opportunity for a~~ 3435  
~~hearing. Notice shall be given and any hearing conducted in~~ 3436  
~~accordance with Chapter 119. of the Revised Code.~~ 3437

~~(C) The board shall maintain a transcript of the hearing~~ 3438  
~~and issue a written opinion to all parties, citing its findings~~ 3439  
~~and ground for any action it takes. Any action shall be taken in~~ 3440  
~~accordance with section 4713.64 of the Revised Code.~~ 3441

**Sec. 4713.69.** (A) The state cosmetology and barber board 3442  
shall issue a boutique services registration to an applicant who 3443  
satisfies all of the following applicable conditions: 3444

(1) Is at least sixteen years of age; 3445

(2) ~~Has the equivalent of an Ohio public school tenth-~~ 3446  
~~grade education;~~ 3447

~~(3) Has submitted a written application on a form~~ 3448  
prescribed by the board containing all of the following: 3449

(a) The applicant's name and home address; 3450

(b) The applicant's home telephone number and cellular 3451  
telephone number, if any; 3452

(c) The applicant's electronic mail address, if any; 3453

(d) The applicant's date of birth; 3454

(e) ~~The address and telephone number where boutique services will be performed. The address shall not contain a post office box number.~~ 3455  
3456  
3457

~~(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; 3458  
3459  
3460  
3461

~~(g)~~ (f) Whether the applicant has ever had an occupational license, certification, or registration suspended, revoked, or denied in any state; 3462  
3463  
3464

~~(h)~~ (g) An affidavit or certificate providing proof of formal training or apprenticeship under an individual providing such services. 3465  
3466  
3467

(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.~~ 3468  
3469  
3470  
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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. 3472  
3473  
3474

**Sec. 4713.99.** Whoever violates section 4713.14 of the Revised Code ~~is guilty of a misdemeanor of the fourth degree on~~ 3475  
shall be fined not less than one hundred nor more than five 3476  
hundred dollars for a first offense; on for each subsequent 3477  
offense violation of the same provision, such individual is 3478  
guilty of a misdemeanor of the third degree shall be fined not 3479  
3480

less than five hundred nor more than one thousand dollars. 3481

**Section 2.** That existing sections 2925.01, 3333.26, 3482  
4709.01, 4709.07, 4709.08, 4709.09, 4709.11, 4709.12, 4709.14, 3483  
4709.99, 4713.01, 4713.02, 4713.06, 4713.07, 4713.071, 4713.08, 3484  
4713.081, 4713.09, 4713.10, 4713.14, 4713.141, 4713.16, 4713.17, 3485  
4713.25, 4713.28, 4713.30, 4713.31, 4713.34, 4713.35, 4713.39, 3486  
4713.41, 4713.46, 4713.49, 4713.55, 4713.56, 4713.58, 4713.59, 3487  
4713.60, 4713.61, 4713.62, 4713.63, 4713.64, 4713.641, 4713.66, 3488  
4713.69, and 4713.99 of the Revised Code are hereby repealed. 3489

**Section 3.** That sections 4709.02, 4709.03, 4709.05, 3490  
4709.10, 4709.13, 4709.23, 4713.26, 4713.36, 4713.44, and 3491  
4713.45 of the Revised Code are hereby repealed. 3492

**Section 4.** That the versions of sections 4709.07, 4709.08, 3493  
4713.10, 4713.28, 4713.30, 4713.31, 4713.34, and 4713.69 of the 3494  
Revised Code that are scheduled to take effect December 29, 3495  
2023, be amended to read as follows: 3496

**Sec. 4709.07.** (A) Each ~~person individual~~ who desires to 3497  
~~obtain an initial license to practice barbering shall apply to~~ 3498  
~~the state cosmetology and barber board, on forms provided by the~~ 3499  
~~board. The application form shall include the name of the person~~ 3500  
~~applying for the license and evidence that the applicant meets~~ 3501  
~~all of the requirements of division (B) of this section. The~~ 3502  
~~application shall be accompanied by the examination application~~ 3503  
~~fee.~~ 3504

~~(B) In order~~ applies to take the required barber 3505  
examination ~~and to qualify for licensure as a barber, an~~ 3506  
~~applicant must~~ shall demonstrate that the ~~applicant individual~~ 3507  
meets all of the following: 3508

(1) Is at least ~~eighteen~~ sixteen years of age; 3509

(2) Has an eighth grade education or an equivalent 3510  
education as determined by the state board of education in the 3511  
state where the applicant resides; 3512

(3) Has submitted a written application on a form 3513  
furnished by the board that contains all of the following: 3514

(a) The name of the individual and any other identifying 3515  
information required by the board; 3516

(b) A photocopy of the individual's current driver's 3517  
license or other proof of legal residence; 3518

(c) An oath verifying that the information in the 3519  
application is true. 3520

(4) Notwithstanding section 4798.05 of the Revised Code, 3521  
submits to having a photograph and biometric fingerprint scan 3522  
taken by the board; 3523

(5) Has graduated with at least one thousand eight hundred 3524  
hours of board-approved training from a ~~board-approved barber~~ 3525  
school or has graduated with at least one thousand hours of 3526  
board-approved training from a ~~board-approved barber~~ school in- 3527  
~~this state~~ and has a current cosmetology or hair designer 3528  
license issued pursuant to Chapter 4713. of the Revised Code. ~~No~~ 3529  
~~hours of instruction earned by an applicant five or more years~~ 3530  
~~prior to the examination apply to the hours of study required by~~ 3531  
~~this division;~~ 3532

(6) Has paid the application fee. 3533

(B) The board shall issue a barber license to an applicant 3534  
who passes the examination and pays the license fee. 3535

(C) ~~Any applicant who meets all of the requirements of~~ 3536  
~~divisions (A) and (B) of this section may take the barber~~ 3537

~~examination at the time and place specified by the board. If the~~ 3538  
~~an applicant fails to attain at least a seventy-five per cent-~~ 3539  
~~pass rate on each any part of the examination, the applicant is~~ 3540  
~~ineligible for licensure; however, the applicant may reapply for~~ 3541  
~~examination within ninety days after the date of the release of~~ 3542  
~~the examination scores by paying and pay the required~~ 3543  
~~reexamination fee. An applicant is only required to take that~~ 3544  
~~part or parts of the examination on which that the applicant did~~ 3545  
~~not receive a score of seventy-five per cent or higher pass. If-~~ 3546  
~~the applicant fails to reapply for examination within ninety-~~ 3547  
~~days or fails the second examination, in order to reapply for-~~ 3548  
~~examination for licensure the applicant shall complete an-~~ 3549  
~~additional course of study of not less than two hundred hours,-~~ 3550  
~~in a board approved barber school. The board shall provide to an~~ 3551  
~~applicant, upon request, a report which explains the reasons for~~ 3552  
~~the applicant's failure to pass the examination.~~ 3553

(D) ~~The board shall issue a license to practice barbering-~~ 3554  
~~to any applicant who, to the satisfaction of the board, meets-~~ 3555  
~~the requirements of divisions (A) and (B) of this section, who-~~ 3556  
~~passes the required examination, and pays the initial licensure-~~ 3557  
~~fee. Every licensed barber shall display maintain the~~ 3558  
~~certificate of licensure in a conspicuous place adjacent to or-~~ 3559  
~~near the licensed barber's work chair~~board-issued, wallet-sized 3560  
license or electronically generated license certification and a 3561  
current government-issued photo identification that can be 3562  
produced on inspection or request. 3563

(E) The board shall issue a license to practice barbering 3564  
in accordance with Chapter 4796. of the Revised Code to an 3565  
applicant if either of the following applies: 3566

(1) The applicant holds a license to practice barbering in 3567

another state. 3568

(2) The applicant has satisfactory work experience, a 3569  
government certification, or a private certification as 3570  
described in that chapter as a barber in a state that does not 3571  
issue that license. 3572

**Sec. 4709.08.** ~~(A) Any person~~ individual who holds a 3573  
current license or registration to practice as a barber or teach 3574  
the theory and practice of barbering in any other country whose 3575  
requirements for licensure or registration of barbers, barber 3576  
instructors, or assistant barber instructors are substantially 3577  
equivalent to the requirements of this chapter and rules adopted 3578  
under it ~~and that extends similar reciprocity to persons~~ 3579  
~~licensed as barbers in this state~~ may apply to the state 3580  
cosmetology and barber board for a barber, barber instructor, or 3581  
assistant barber instructor license. 3582

~~(B) The board shall, without examination, unless the board~~ 3583  
~~determines to require an examination,~~ issue a license to 3584  
~~practice as a licensed barber in this state if the person~~ an 3585  
applicant who meets all of the following requirements of this 3586  
section, is: 3587

(1) Is at least eighteen years of age, and pays; 3588

(2) In the case of an applicant for a barber license, 3589  
passes an examination conducted under section 4709.07 of the 3590  
Revised Code, unless the applicant satisfies conditions 3591  
specified in rules adopted under section 4709.05 of the Revised 3592  
Code for the board to issue the applicant a license without 3593  
taking the examination; 3594

(3) Pays the required fees. ~~The board may waive any of the~~ 3595  
~~requirements of this section.~~ 3596

**Sec. 4713.10.** (A) The state cosmetology and barber board 3597  
shall charge and collect the following nonrefundable fees: 3598

(1) For a temporary pre-examination work permit under 3599  
section 4713.22 of the Revised Code, not more than fifteen 3600  
dollars; 3601

(2) For initial application to take an examination under 3602  
section 4713.24 of the Revised Code, not more than forty 3603  
dollars; 3604

(3) For application to take an examination under section 3605  
4713.24 of the Revised Code by an applicant who has previously 3606  
applied to take, but failed to appear for, the examination, not 3607  
more than fifty-five dollars; 3608

(4) For application to re-take an examination under 3609  
section 4713.24 of the Revised Code by an applicant who has 3610  
previously appeared for, but failed to pass, the examination, 3611  
not more than forty dollars; 3612

(5) For the issuance of a license by examination under 3613  
section 4713.28, 4713.30, or 4713.31 of the Revised Code, not 3614  
more than seventy-five dollars; 3615

(6) For the issuance of a license under section 4713.34 of 3616  
the Revised Code, not more than seventy dollars; 3617

(7) For renewal of a license issued under section 4713.28, 3618  
4713.30, 4713.31, or 4713.34 of the Revised Code, not more than 3619  
seventy dollars; 3620

(8) For the issuance or renewal of a ~~cosmetology~~ school 3621  
license, or the change of name or ownership of a licensed 3622  
school, not more than two hundred fifty dollars; 3623

(9) For the issuance of a new salon license or the change 3624

of name or ownership of a salon license under section 4713.41 of 3625  
the Revised Code, not more than one hundred dollars; 3626

(10) For the renewal of a salon license under section 3627  
4713.41 of the Revised Code, not more than ninety dollars; 3628

(11) For the restoration of an expired license that may be 3629  
restored pursuant to section 4713.63 of the Revised Code, an 3630  
amount equal to the sum of the current license renewal fee and a 3631  
lapsed renewal fee of not more than forty-five dollars per 3632  
license renewal period that has elapsed since the license was 3633  
last issued or renewed for up to three license renewal periods; 3634

(12) For the issuance of a duplicate ~~of any salon license,~~ 3635  
school license, or tanning facility permit, not more than thirty 3636  
dollars; 3637

(13) For the preparation and mailing of a licensee's 3638  
records to another state for a reciprocity license, not more 3639  
than fifty dollars; 3640

(14) For the processing of any fees related to a check 3641  
from a licensee returned to the board for insufficient funds, an 3642  
additional thirty dollars. 3643

(B) The board shall adjust the fees biennially, by rule, 3644  
within the limits established by division (A) of this section, 3645  
to provide sufficient revenues to meet its expenses. 3646

(C) The board may ~~establish an installment plan for the~~ 3647  
~~payment of fines and fees and may reduce fees as considered~~ 3648  
appropriate by the board. 3649

(D) At the request of a person who is temporarily unable 3650  
to pay a fee imposed under division (A) of this section, or on 3651  
its own motion, the board may extend the date payment is due by 3652

up to ninety days. If the fee remains unpaid after the date 3653  
payment is due, the amount of the fee shall be certified to the 3654  
attorney general for collection in the form and manner 3655  
prescribed by the attorney general. The attorney general may 3656  
assess the collection cost to the amount certified in such a 3657  
manner and amount as prescribed by the attorney general. 3658

**Sec. 4713.28.** (A) The-Except as provided in division (C) 3659  
of this section, the state cosmetology and barber board shall 3660  
issue a practicing license to an applicant who satisfies all of 3661  
the following applicable conditions: 3662

(1) Is at least sixteen years of age; 3663

(2) Has the equivalent of an Ohio public school tenth 3664  
grade education; 3665

(3) Has submitted a written application on a form 3666  
furnished by the board that contains all of the following: 3667

(a) The name of the individual and any other identifying 3668  
information required by the board; 3669

(b) A photocopy of the individual's current driver's 3670  
license or other proof of legal residence; 3671

(c) Proof that the individual is qualified to take the 3672  
applicable examination as required by section 4713.20 of the 3673  
Revised Code; 3674

(d) An oath verifying that the information in the 3675  
application is true; 3676

(e) The applicable application fee. 3677

(4) Notwithstanding section 4798.05 of the Revised Code, 3678  
submits to having a photograph taken by the board; 3679

(5) Passes an examination conducted under division (A) of 3680  
section 4713.24 of the Revised Code for the branch of 3681  
cosmetology the applicant seeks to practice; 3682

~~(5)~~ (6) Pays to the board the applicable license fee; 3683

~~(6)~~ (7) In the case of an applicant for an initial 3684  
cosmetologist license, has successfully completed at least one 3685  
thousand five hundred hours of board-approved cosmetology 3686  
training in a school ~~of cosmetology licensed in this state,~~ 3687  
except that only one thousand hours of board-approved 3688  
cosmetology training in a school ~~of cosmetology licensed in this-~~ 3689  
~~state~~ is required of an individual licensed as a barber under 3690  
Chapter 4709. of the Revised Code; 3691

~~(7)~~ (8) In the case of an applicant for an initial 3692  
esthetician license, has successfully completed at least six 3693  
hundred hours of board-approved esthetics training in a school 3694  
~~of cosmetology licensed in this state;~~ 3695

~~(8)~~ (9) In the case of an applicant for an initial hair 3696  
designer license, has successfully completed at least one 3697  
thousand two hundred hours of board-approved hair designer 3698  
training in a school ~~of cosmetology licensed in this state,~~ 3699  
except that only one thousand hours of board-approved hair 3700  
designer training in a school ~~of cosmetology licensed in this-~~ 3701  
~~state~~ is required of an individual licensed as a barber under 3702  
Chapter 4709. of the Revised Code; 3703

~~(9)~~ (10) In the case of an applicant for an initial 3704  
manicurist license, has successfully completed at least two 3705  
hundred hours of board-approved manicurist training in a school 3706  
~~of cosmetology licensed in this state;~~ 3707

~~(10)~~ (11) In the case of an applicant for an initial 3708

natural hair stylist license, has successfully completed at 3709  
least four hundred fifty hours of instruction in subjects 3710  
relating to ~~sanitation~~infection control, scalp care, anatomy, 3711  
hair styling, communication skills, and laws and rules governing 3712  
the practice of cosmetology. 3713

(B) The board shall not deny a license to any applicant 3714  
based on prior incarceration or conviction for any crime. If the 3715  
board denies an individual a license or license renewal, the 3716  
reasons for such denial shall be put in writing. 3717

(C) The board shall issue a practicing license in a branch 3718  
of cosmetology in accordance with Chapter 4796. of the Revised 3719  
Code to an applicant if either of the following applies: 3720

(1) The applicant holds a license in that branch of 3721  
cosmetology in another state. 3722

(2) The applicant has satisfactory work experience, a 3723  
government certification, or a private certification as 3724  
described in that chapter in that branch of cosmetology in a 3725  
state that does not issue that license. 3726

**Sec. 4713.30.** (A) Except as provided in division (B) of 3727  
this section, the state cosmetology and barber board shall issue 3728  
an advanced license to an applicant who satisfies all of the 3729  
following applicable conditions: 3730

(1) Is at least sixteen years of age; 3731

(2) Has the equivalent of an Ohio public school tenth 3732  
grade education; 3733

(3) Pays to the board the applicable application fee; 3734

(4) Notwithstanding section 4798.05 of the Revised Code, 3735  
submits to having a photograph taken by the board; 3736

(5) Passes the appropriate advanced license examination; 3737

~~(5)~~ (6) In the case of an applicant for an initial 3738  
advanced ~~cosmetologist~~ license to practice cosmetology, does 3739  
either of the following: 3740

(a) ~~Has a licensed advanced cosmetologist or owner of a~~ 3741  
~~licensed beauty salon located in this or another state certify~~ 3742  
~~to~~ Submits proof, as determined by the board, that the applicant 3743  
has practiced as a cosmetologist for at least one thousand eight 3744  
hundred hours in a licensed beauty salon; 3745

(b) Has a school ~~of cosmetology~~ licensed in this state 3746  
certify to the board that the applicant has successfully 3747  
completed, in addition to the hours required for licensure as a 3748  
cosmetologist, at least three hundred hours of board-approved 3749  
advanced cosmetologist training. 3750

~~(6)~~ (7) In the case of an applicant for an initial 3751  
advanced ~~esthetician~~ license to practice esthetics, does either 3752  
of the following: 3753

(a) ~~Has the licensed advanced esthetician, licensed~~ 3754  
~~advanced cosmetologist, or owner of a licensed esthetics salon~~ 3755  
~~or licensed beauty salon located in this or another state~~ 3756  
~~certify to~~ Submits proof, as determined by the board, that the 3757  
applicant has practiced esthetics for at least one thousand 3758  
eight hundred hours as an esthetician in a licensed esthetics 3759  
salon or as a cosmetologist in a licensed beauty salon; 3760

(b) Has a school ~~of cosmetology~~ licensed in this state 3761  
certify to the board that the applicant has successfully 3762  
completed, in addition to the hours required for licensure as an 3763  
esthetician or cosmetologist, at least one hundred fifty hours 3764  
of board-approved advanced esthetician training. 3765

~~(7)~~ (8) In the case of an applicant for an initial 3766  
advanced ~~hair designer~~ license to practice hair design, does 3767  
either of the following: 3768

(a) ~~Has the licensed advanced hair designer, licensed~~ 3769  
~~advanced cosmetologist, or owner of a licensed hair design salon~~ 3770  
~~or licensed beauty salon located in this or another state~~ 3771  
~~certify to~~ Submits proof, as determined by the board, that the 3772  
applicant has practiced hair design for at least one thousand 3773  
eight hundred hours as a hair designer in a licensed hair design 3774  
salon or as a cosmetologist in a licensed beauty salon; 3775

(b) ~~Has a school of cosmetology~~ licensed in this state 3776  
certify to the board that the applicant has successfully 3777  
completed, in addition to the hours required for licensure as a 3778  
hair designer or cosmetologist, at least two hundred forty hours 3779  
of board-approved advanced hair designer training. 3780

~~(8)~~ (9) In the case of an applicant for an initial 3781  
advanced ~~manicurist~~ license to practice manicuring, does either 3782  
of the following: 3783

(a) ~~Has the licensed advanced manicurist, licensed~~ 3784  
~~advanced cosmetologist, or owner of a licensed nail salon,~~ 3785  
~~licensed beauty salon, or licensed barber shop located in this~~ 3786  
~~or another state certify to~~ Submits proof, as determined by the 3787  
board, that the applicant has practiced manicuring for at least 3788  
one thousand eight hundred hours as a manicurist in a licensed 3789  
nail salon or licensed barber shop or as a cosmetologist in a 3790  
licensed beauty salon or licensed barber shop; 3791

(b) ~~Has a school of cosmetology~~ licensed in this state 3792  
certify to the board that the applicant has successfully 3793  
completed, in addition to the hours required for licensure as a 3794

manicurist or cosmetologist, at least one hundred hours of 3795  
board-approved advanced manicurist training. 3796

~~(9)~~ (10) In the case of an applicant for an initial 3797  
advanced ~~natural hair stylist license~~ to practice natural hair 3798  
styling, does either of the following: 3799

(a) ~~Has the licensed advanced natural hair stylist,~~ 3800  
~~licensed advanced cosmetologist, or owner of a licensed natural~~ 3801  
~~hair style salon or licensed beauty salon located in this or~~ 3802  
~~another state certify to~~ Submits proof, as determined by the 3803  
board, that the applicant has practiced natural hair styling for 3804  
at least one thousand eight hundred hours as a natural hair 3805  
stylist in a licensed natural hair style salon or as a 3806  
cosmetologist in a licensed beauty salon; 3807

(b) Has a school ~~of cosmetology~~ licensed in this state 3808  
certify to the board that the applicant has successfully 3809  
completed, in addition to the hours required for licensure as a 3810  
natural hair stylist or cosmetologist, at least one hundred 3811  
fifty hours of board-approved advanced natural hair stylist 3812  
training. 3813

(11) Pays to the board the applicable license fee. 3814

(B) The board shall issue an advanced license in a branch 3815  
of cosmetology in accordance with Chapter 4796. of the Revised 3816  
Code to an applicant if either of the following applies: 3817

(1) The applicant holds an advanced license in that branch 3818  
of cosmetology in another state. 3819

(2) The applicant has satisfactory work experience, a 3820  
government certification, or a private certification as 3821  
described in that chapter in that branch of cosmetology in a 3822  
state that does not issue that license. 3823

**Sec. 4713.31.** (A) ~~The~~ Except as provided in division (B) 3824  
of this section, the state cosmetology and barber board shall 3825  
issue an instructor license to an applicant who satisfies all of 3826  
the following applicable conditions: 3827

(1) Is at least eighteen years of age; 3828

(2) Has the equivalent of an Ohio public school twelfth 3829  
grade education; 3830

(3) Pays to the board the applicable application fee; 3831

(4) Notwithstanding section 4798.05 of the Revised Code, 3832  
submits to having a photograph taken by the board; 3833

(5) In the case of an applicant for an initial cosmetology 3834  
instructor license, holds a current, valid advanced 3835  
~~cosmetologist~~ license to practice cosmetology issued in this 3836  
state and does either of the following: 3837

(a) ~~Has the licensed advanced cosmetologist or owner of~~ 3838  
~~the licensed beauty salon in which the applicant has been~~ 3839  
~~employed certify to~~ Submits proof, as determined by the board, 3840  
that the applicant has engaged in the practice of cosmetology in 3841  
a licensed beauty salon for at least one thousand eight hundred 3842  
hours; 3843

(b) Has a school ~~of cosmetology~~ licensed in this state 3844  
certify to the board that the applicant has successfully 3845  
completed one thousand hours of board-approved cosmetology 3846  
instructor training as an apprentice instructor. 3847

~~(5)~~ (6) In the case of an applicant for an initial 3848  
esthetics instructor license, holds a current, valid advanced 3849  
~~esthetician or advanced cosmetologist~~ license to practice 3850  
esthetics or cosmetology issued in this state and does either of 3851

the following: 3852

(a) ~~Has the licensed advanced esthetician, licensed~~ 3853  
~~advanced cosmetologist, or owner of the licensed esthetics salon~~ 3854  
~~or licensed beauty salon in which the applicant has been~~ 3855  
~~employed certify to~~ Submits proof, as determined by the board, 3856  
that the applicant has engaged in the practice of esthetics in a 3857  
licensed esthetics salon or practice of cosmetology in a 3858  
licensed beauty salon for at least one thousand eight hundred 3859  
hours; 3860

(b) ~~Has a school of cosmetology~~ licensed in this state 3861  
certify to the board that the applicant has successfully 3862  
completed at least five hundred hours of board-approved 3863  
esthetics instructor training as an apprentice instructor. 3864

~~(6)~~ (7) In the case of an applicant for an initial hair 3865  
design instructor license, holds a current, valid advanced ~~hair~~ 3866  
~~designer or advanced cosmetologist~~ license to practice hair 3867  
design or cosmetology and does either of the following: 3868

(a) ~~Has the licensed advanced hair designer, licensed~~ 3869  
~~advanced cosmetologist, or owner of the licensed hair design~~ 3870  
~~salon or licensed beauty salon in which the applicant has been~~ 3871  
~~employed certify to~~ Submits proof, as determined by the board, 3872  
that the applicant has engaged in the practice of hair design in 3873  
a licensed hair design salon or practice of cosmetology in a 3874  
licensed beauty salon for at least one thousand eight hundred 3875  
hours; 3876

(b) ~~Has a school of cosmetology~~ licensed in this state 3877  
certify to the board that the applicant has successfully 3878  
completed at least eight hundred hours of board-approved hair 3879  
design ~~instructor's~~ instructor training as an apprentice 3880

instructor. 3881

~~(7)~~ (8) In the case of an applicant for an initial 3882  
manicurist instructor license, holds a current, valid advanced 3883  
~~manicurist or advanced cosmetologist~~ license to practice 3884  
manicuring or cosmetology and does either of the following: 3885

(a) ~~Has the licensed advanced manicurist, licensed~~ 3886  
~~advanced cosmetologist, or owner of the licensed nail salon or~~ 3887  
~~licensed beauty salon in which the applicant has been employed~~ 3888  
~~certify to~~ Submits proof, as determined by the board, that the 3889  
applicant has engaged in the practice of manicuring in a 3890  
licensed nail salon or practice of cosmetology in a licensed 3891  
beauty salon for at least one thousand eight hundred hours; 3892

(b) Has a school ~~of cosmetology~~ licensed in this state 3893  
certify to the board that the applicant has successfully 3894  
completed at least three hundred hours of board-approved 3895  
manicurist instructor training as an apprentice instructor. 3896

~~(8)~~ (9) In the case of an applicant for an initial natural 3897  
hair style instructor license, holds a current, valid advanced 3898  
~~natural hair stylist or advanced cosmetologist~~ license to 3899  
practice natural hair styling or cosmetology and does either of 3900  
the following: 3901

(a) ~~Has the licensed advanced natural hair stylist,~~ 3902  
~~licensed advanced cosmetologist, or owner of the licensed~~ 3903  
~~natural hair style salon or licensed beauty salon in which the~~ 3904  
~~applicant has been employed~~ certify to Submits proof, as 3905  
determined by the board, that the applicant has engaged in the 3906  
practice of natural hair styling in a licensed natural hair 3907  
style salon or practice of cosmetology in a licensed beauty 3908  
salon for at least one thousand eight hundred hours; 3909

(b) Has a school ~~of cosmetology~~-licensed in this state 3910  
certify to the board that the applicant has successfully 3911  
completed at least four hundred hours of board-approved natural 3912  
hair style instructor training as an apprentice instructor. 3913

~~(9)~~ (10) In the case of all applicants, passes an 3914  
examination conducted under division (B) of section 4713.24 of 3915  
the Revised Code for the branch of cosmetology the applicant 3916  
seeks to instruct. 3917

(11) Pays to the board the applicable license fee. 3918

(B) The board shall issue an instructor license for a 3919  
branch of cosmetology in accordance with Chapter 4796. of the 3920  
Revised Code to an applicant if either of the following applies: 3921

(1) The applicant holds an instructor license in that 3922  
branch of cosmetology in another state. 3923

(2) The applicant has satisfactory work experience, a 3924  
government certification, or a private certification as 3925  
described in that chapter as an instructor in that branch of 3926  
cosmetology in a state that does not issue that license. 3927

**Sec. 4713.34.** (A) The state cosmetology and barber board 3928  
shall issue a license to practice a branch of cosmetology or 3929  
instructor license to an applicant who is licensed or registered 3930  
in another country to practice that branch of cosmetology or 3931  
teach the theory and practice of that branch of cosmetology, as 3932  
appropriate, ~~if all of the following conditions are satisfied:~~ 3933

~~(A)~~ The applicant satisfies all of the following 3934  
conditions: 3935

(1) Is not less than eighteen years of age; 3936

(2) In the case of an applicant for a practicing license, 3937

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.~~ 3965  
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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; 3968  
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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; 3972  
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~~(h)~~ (g) An affidavit or certificate providing proof of formal training or apprenticeship under an individual providing such services. 3975  
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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.~~ 3978  
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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. 3982  
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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: 3985  
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(1) The applicant holds a license or registration in providing boutique services in another state. 3988  
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(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 3990  
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state that does not issue that license or registration. 3993

**Section 5.** That the existing versions of sections 4709.07, 3994  
4709.08, 4713.10, 4713.28, 4713.30, 4713.31, 4713.34, and 3995  
4713.69 of the Revised Code that are scheduled to take effect 3996  
December 29, 2023, are hereby repealed. 3997

**Section 6.** That the version of section 4709.10 of the 3998  
Revised Code that is scheduled to take effect December 29, 2023, 3999  
is hereby repealed. 4000

**Section 7.** Sections 4, 5, and 6 of this act take effect 4001  
December 29, 2023. 4002

**Section 8.** Section 4713.02 of the Revised Code, as amended 4003  
by this act, does not affect the terms of members of the State 4004  
Cosmetology and Barber Board serving on the Board on the 4005  
effective date of this section. 4006

**Section 9.** Notwithstanding the amendment of sections in 4007  
Chapter 4713. of the Revised Code in this act, which no longer 4008  
provides for school of cosmetology licenses, a valid school of 4009  
cosmetology license held by a person on or after the effective 4010  
date of this section is valid for the duration of that license 4011  
term. On the expiration of that license, the State Cosmetology 4012  
and Barber Board shall issue to a license holder who wishes to 4013  
renew that license a school license under section 4713.44 of the 4014  
Revised Code, as enacted by this act, if the license holder 4015  
meets the requirements to be issued the school license. 4016

**Section 10.** Notwithstanding the amendment of sections in 4017  
Chapter 4709. of the Revised Code in this act, which no longer 4018  
provides for barber school licenses, a valid barber school 4019  
license held by a person on or after the effective date of this 4020  
section that is set to expire on August 31, 2024, is valid until 4021

January 31, 2025. On the expiration of that license, the State 4022  
Cosmetology and Barber Board shall issue to a license holder who 4023  
wishes to renew that license a school license under section 4024  
4713.44 of the Revised Code, as enacted by this act, if the 4025  
license holder meets the requirements to be issued the school 4026  
license. 4027

**Section 11.** The General Assembly, applying the principle 4028  
stated in division (B) of section 1.52 of the Revised Code that 4029  
amendments are to be harmonized if reasonably capable of 4030  
simultaneous operation, finds that the following sections, 4031  
presented in this act as composites of the sections as amended 4032  
by the acts indicated, are the resulting versions of the 4033  
sections in effect prior to the effective date of the sections 4034  
as presented in this act: 4035

Section 2925.01 of the Revised Code as amended by H.B. 4036  
281, H.B. 509, and S.B. 25, all of the 134th General Assembly. 4037

Section 4709.07 of the Revised Code that is scheduled to 4038  
take effect December 29, 2023, as amended by both H.B. 509 and 4039  
S.B. 131 of the 134th General Assembly. 4040

Section 4713.28 of the Revised Code that is scheduled to 4041  
take effect December 29, 2023, as amended by H.B. 509 and S.B. 4042  
131, both of the 134th General Assembly. 4043