

**As Introduced**

**136th General Assembly  
Regular Session  
2025-2026**

**S. B. No. 25**

**Senator Johnson**

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**A BILL**

To amend sections 4713.50, 4713.51, and 4713.64 of  
the Revised Code to prohibit the provision of  
sun lamp tanning services to individuals under  
age 16. 1  
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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 4713.50, 4713.51, and 4713.64 of  
the Revised Code be amended to read as follows: 5  
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**Sec. 4713.50.** (A) A tanning facility operator or employee  
shall make reasonable efforts, in accordance with procedures  
established under section 4713.08 of the Revised Code, to  
determine whether an individual seeking to use the facility's  
sun lamp tanning services is less than sixteen years of age, at  
least sixteen but less than eighteen years of age, or eighteen  
years of age or older. 7  
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~~(B)(1)~~ (B) A tanning facility operator or employee shall  
not allow an individual who is less than sixteen years of age to  
use the facility's sun lamp tanning services. 14  
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(C)(1) A tanning facility operator or employee shall not  
allow an individual who is eighteen years of age or older to use  
the facility's sun lamp tanning services without first obtaining 17  
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the consent of the individual. The consent shall be evidenced by 20  
the individual's signature on the form developed by the state 21  
cosmetology and barber board under section 4713.51 of the 22  
Revised Code. The consent is valid indefinitely. 23

(2) A tanning facility operator or employee shall not 24  
allow an individual who is at least sixteen but less than 25  
eighteen years of age to use the facility's sun lamp tanning 26  
services without first obtaining the consent of a parent or 27  
legal guardian of the individual each time the individual seeks 28  
to use the facility's sun lamp tanning services. The consent 29  
shall be evidenced by the signature of the parent or legal 30  
guardian on the form developed by the board under section 31  
4713.51 of the Revised Code. The form must be signed in the 32  
presence of the operator or an employee of the tanning facility. 33  
~~The consent is valid for ninety days from the date the form is-~~ 34  
~~signed. A tanning facility operator or employee shall not allow-~~ 35  
~~an individual who is at least sixteen but less than eighteen-~~ 36  
~~years of age to use the facility's sun lamp tanning services for~~ 37  
~~more than forty five sessions during the ninety day period-~~ 38  
~~covered by the consent. A parent or legal guardian of the~~ 39  
~~individual shall be present at the tanning facility for the~~ 40  
~~duration of each session when the individual uses the facility's~~ 41  
~~sun lamp tanning services.~~ No such session may be longer than 42  
the maximum safe time of exposure specified in rules adopted 43  
under division (A) (17) of section 4713.08 of the Revised Code. 44

~~(3) A tanning facility operator or employee shall not~~ 45  
~~allow an individual who is less than sixteen years of age to use~~ 46  
~~the facility's sun lamp tanning services unless both of the~~ 47  
~~following apply:~~ 48

~~(a) The tanning facility operator or employee obtains the~~ 49

~~consent of a parent or legal guardian of the individual prior to 50  
each session of the use of the facility's sun lamp tanning 51  
services. The consent shall be evidenced by the signature of the 52  
parent or legal guardian on the form developed by the board 53  
under section 4713.51 of the Revised Code. The form must be 54  
signed in the presence of the operator or an employee of the 55  
tanning facility. 56~~

~~(b) A parent or legal guardian of the individual is 57  
present at the tanning facility for the duration of each session 58  
of the use of the facility's sun lamp tanning services. 59~~

~~(C) (D) For purposes of division (B) of this section, an 60  
electronic signature may be used to provide and may be accepted 61  
as a signature evidencing consent. 62~~

**Sec. 4713.51.** The state cosmetology and barber board shall 63  
develop a form for use by tanning facility operators and 64  
employees in complying with the consent requirements of ~~division 65  
(B) of~~ section 4713.50 of the Revised Code. The form must 66  
describe the potential health effects of radiation from sun 67  
lamps, including a description of the possible relationship of 68  
the radiation to skin cancer. In developing the form, the board 69  
shall consult with the department of health, dermatologists, and 70  
tanning facility operators. The board shall make the form 71  
available on the internet web site maintained by the board. 72

**Sec. 4713.64.** (A) The state cosmetology and barber board 73  
may take disciplinary action under this chapter for any of the 74  
following: 75

(1) Failure to comply with the safety, sanitation, and 76  
licensing requirements of this chapter or rules adopted under 77  
it; 78

(2) Continued practice by an individual knowingly having an infectious or contagious disease;	79 80
(3) Habitual drunkenness or addiction to any habit-forming drug;	81 82
(4) Willful false and fraudulent or deceptive advertising;	83
(5) Falsification of any record or application required to be filed with the board;	84 85
(6) Failure to pay a fine or abide by a suspension order issued by the board;	86 87
(7) Failure to cooperate with an investigation or inspection;	88 89
(8) Failure to respond to a subpoena;	90
(9) Conviction of or plea of guilty to a violation of section 2905.32 of the Revised Code;	91 92
(10) In the case of a salon, any individual's conviction of or plea of guilty to a violation of section 2905.32 of the Revised Code for an activity that took place on the premises of the salon.	93 94 95 96
(B) On determining that there is cause for disciplinary action, the board may do one or more of the following:	97 98
(1) Deny, revoke, or suspend a license, permit, or registration issued by the board under this chapter;	99 100
(2) Impose a fine;	101
(3) Require the holder of a license, permit, or registration issued under this chapter to take corrective action courses.	102 103 104

(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.

(2) The board may take disciplinary action without conducting an adjudication under Chapter 119. of the Revised Code against an individual or salon who violates 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.

(3) In lieu of an adjudication, the board may enter into a consent agreement with the holder of a license, permit, or registration 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.

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

(E) (1) The board may impose a separate fine for each offense listed in division (A) of this section. The amount of the first fine issued for a violation as the result of an inspection shall be not more than two hundred fifty dollars if the violator has not previously been fined for that offense. Any fines issued for additional violations during such an inspection shall not be more than one hundred dollars for each additional

violation. The fine shall be not more than five hundred dollars 135  
if the violator has been fined for the same offense once before. 136  
Any fines issued for additional violations during a second 137  
inspection shall not be more than two hundred dollars for each 138  
additional violation. The fine shall be not more than one 139  
thousand dollars if the violator has been fined for the same 140  
offense two or more times before. Any fines issued for 141  
additional violations during a third inspection shall not be 142  
more than three hundred dollars for each additional violation. 143

(2) The board shall issue an order notifying a violator of 144  
a fine imposed under division (E) (1) of this section. The notice 145  
shall specify the date by which the fine is to be paid. The date 146  
shall be less than forty-five days after the board issues the 147  
order. 148

(3) At the request of a violator who is temporarily unable 149  
to pay a fine, or upon its own motion, the board may extend the 150  
time period within which the violator shall pay the fine up to 151  
ninety days after the date the board issues the order. 152

(4) If a violator fails to pay a fine by the date 153  
specified in the board's order and does not request an extension 154  
within ten days after the date the board issues the order, or if 155  
the violator fails to pay the fine within the extended time 156  
period as described in division (E) (3) of this section, the 157  
board shall add to the fine an additional penalty equal to ten 158  
per cent of the fine. 159

(5) If a violator fails to pay a fine within ninety days 160  
after the board issues the order, the board shall add to the 161  
fine interest at a rate specified by the board in rules adopted 162  
under section 4713.08 of the Revised Code. 163

(6) If the fine, including any interest or additional penalty, remains unpaid on the ninety-first day after the board issues an order under division (E) (2) of this section, the amount of the fine and any interest or additional penalty 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.

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

(G) The board shall notify a licensee or registrant who is in violation of division (A) of this section and the owner of the salon in which the conditions constituting the violation were found. The individual receiving the notice of violation and the owner of the salon may request a hearing pursuant to section 119.07 of the Revised Code. If the individual or owner fails to request a hearing or enter into a consent agreement thirty days after the date the board, in accordance with section 119.07 of the Revised Code and division (J) of this section, notifies the individual or owner of the board's intent to act against the individual or owner under division (A) of this section, the board by a majority vote of a quorum of the board members may take the action against the individual or owner without holding an adjudication hearing.

(H) The board, after a hearing in accordance with Chapter 194  
119. of the Revised Code or pursuant to a consent agreement, may 195  
suspend a license, permit, or registration if the licensee, 196  
permit holder, or registrant fails to correct an unsafe 197  
condition that exists in violation of the board's rules or fails 198  
to cooperate in an inspection. If a violation of this chapter or 199  
rules adopted under it has resulted in a condition reasonably 200  
believed by an inspector to create an immediate danger to the 201  
health and safety of any individual using the facility, the 202  
inspector may suspend the license or permit of the facility or 203  
the individual responsible for the violation without a prior 204  
hearing until the condition is corrected or until a hearing in 205  
accordance with Chapter 119. of the Revised Code is held or a 206  
consent agreement is entered into and the board either upholds 207  
the suspension or reinstates the license, permit, or 208  
registration. 209

(I) The board shall not take disciplinary action against 210  
an individual licensed to operate a salon or school of 211  
cosmetology for a violation of this chapter that was committed 212  
by an individual licensed to practice a branch of cosmetology, 213  
while practicing within the salon or school, when the 214  
individual's actions were beyond the control of the salon owner 215  
or school. 216

(J) In addition to the methods of notification required 217  
under section 119.07 of the Revised Code, the board may send the 218  
notices required under divisions (C) (2), (E) (2), and (G) of this 219  
section by any delivery method that is traceable and requires 220  
that the delivery person obtain a signature to verify that the 221  
notice has been delivered. The board also may send the notices 222  
by electronic mail, provided that the electronic mail delivery 223  
system certifies that a notice has been received. 224



**Section 2.** That existing sections 4713.50, 4713.51, and 225  
4713.64 of the Revised Code are hereby repealed. 226