

As Introduced

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

S. B. No. 25

Senator Johnson

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.

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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:

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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.

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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.

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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

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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 105
this section, the board shall take disciplinary action pursuant 106
to an adjudication under Chapter 119. of the Revised Code. 107

(2) The board may take disciplinary action without 108
conducting an adjudication under Chapter 119. of the Revised 109
Code against an individual or salon who violates division (A) (9) 110
or (10) of this section. After the board takes such disciplinary 111
action, the board shall give written notice to the subject of 112
the disciplinary action of the right to request a hearing under 113
Chapter 119. of the Revised Code. 114

(3) In lieu of an adjudication, the board may enter into a 115
consent agreement with the holder of a license, permit, or 116
registration issued under this chapter. A consent agreement that 117
is ratified by a majority vote of a quorum of the board members 118
is considered to constitute the findings and orders of the board 119
with respect to the matter addressed in the agreement. If the 120
board does not ratify a consent agreement, the admissions and 121
findings contained in the agreement are of no effect, and the 122
case shall be scheduled for adjudication under Chapter 119. of 123
the Revised Code. 124

(D) The amount and content of corrective action courses 125
and other relevant criteria shall be established by the board in 126
rules adopted under section 4713.08 of the Revised Code. 127

(E) (1) The board may impose a separate fine for each 128
offense listed in division (A) of this section. The amount of 129
the first fine issued for a violation as the result of an 130
inspection shall be not more than two hundred fifty dollars if 131
the violator has not previously been fined for that offense. Any 132
fines issued for additional violations during such an inspection 133
shall not be more than one hundred dollars for each additional 134

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 164
penalty, remains unpaid on the ninety-first day after the board 165
issues an order under division (E) (2) of this section, the 166
amount of the fine and any interest or additional penalty shall 167
be certified to the attorney general for collection in the form 168
and manner prescribed by the attorney general. The attorney 169
general may assess the collection cost to the amount certified 170
in such a manner and amount as prescribed by the attorney 171
general. 172

(F) In the case of an offense of failure to comply with 173
~~division (A) or (B) (2) or (3) of section 4713.50 of the Revised~~ 174
Code, the board shall impose a fine of five hundred dollars if 175
the violator has not previously been fined for that offense. If 176
the violator has previously been fined for the offense, the 177
board may impose a fine in accordance with this division or take 178
another action in accordance with division (B) of this section. 179

(G) The board shall notify a licensee or registrant who is 180
in violation of division (A) of this section and the owner of 181
the salon in which the conditions constituting the violation 182
were found. The individual receiving the notice of violation and 183
the owner of the salon may request a hearing pursuant to section 184
119.07 of the Revised Code. If the individual or owner fails to 185
request a hearing or enter into a consent agreement thirty days 186
after the date the board, in accordance with section 119.07 of 187
the Revised Code and division (J) of this section, notifies the 188
individual or owner of the board's intent to act against the 189
individual or owner under division (A) of this section, the 190
board by a majority vote of a quorum of the board members may 191
take the action against the individual or owner without holding 192
an adjudication hearing. 193

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

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

(J) 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 (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.

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