



SENATE BILL 133 – COSMETOLOGY LICENSURE

PROPONENT TESTIMONY

OHIO SENATE SMALL BUSINESS & ECONOMIC OPPORTUNITY COMMITTEE

MAY 5, 2021

Chairman Rulli, Vice-Chair Lang, Ranking Member Sykes, and members of the Ohio Senate Small Business and Economic Opportunity Committee, my name is Chris Ferruso. I am here on behalf of the nearly 22,000 governing members of the National Federation of Independent Business in Ohio (NFIB) to lend our support for Senate Bill 133, legislation bringing common sense reforms to Ohio’s cosmetology laws. We applaud Senator Roegner for reintroducing this bill.

By way of background, a typical NFIB member in Ohio employs 20 or fewer and does less than \$2 million in annual receipts. Our members come from all industry types and each of the 88 counties. Our members range in size from sole proprietors to large operations employing hundreds.

In addition to our public policy work, we also have the NFIB Research Foundation which is constantly surveying our members on a host of topics. Our quadrennial publication *Problems & Priorities*, captures our members’ responses to a list of 75 small business issues, asking them to rank them based upon the biggest impediment to job creation / expansion / growth. “Locating qualified employees” and “finding and keeping skilled employees” are the second and third greatest challenges facing our members. Close on the heels is “unreasonable government regulations” which continues to rank in the top 10 at sixth.¹ Our members are not only challenged with finding and retaining employees but also concerned about the barriers elected officials are preserving or erecting that impede their ability to expand and grow their operations.

Senate Bill 133 adopts meaningful reform for the cosmetology industry. Today’s requirements to obtain a license can serve as a hindrance to individuals seeking a career in this industry. There exists a discrepancy based upon where an individual receives their education with respect to the number of hours that must be accumulated. While seeking training at a joint vocational school, public institution, one needs to acquire 1125 hours of training and education to fulfill requirements for licensure consideration. However, should one enroll and attend a private school, that individual is required to obtain 1,500 hours.

¹ <https://assets.nfib.com/nfibcom/NFIB-Problems-and-Priorities-2020.pdf>

This discrepancy seems illogical and hopefully begs the question, why? Why does Ohio require students to stay in private schools longer, potentially racking up more debt to pay their tuition, as a prerequisite to obtaining licensure? I think an important point to note is Senate Bill 133 establishes a floor, not a ceiling. If there is a unique or special program offered that requires further training, Senate Bill 133 does not preclude such a program from operating. Let the individual decide if he or she wants to pursue such opportunities.

Of course, we want to ensure the safety of the public and we feel that this reasonable reduction in hours will not diminish these goals. Massachusetts, New York, Texas, and Vermont have reduced their hours to 1,000. Why not have Ohio be a leader instead of a follower in modernizing licensure? Let us serve as a beacon to attract individuals here, where we encourage individuals to learn or bring their skills to Ohio, thus increasing Ohio tax revenue and supporting local communities.

Additionally, with respect to public health and safety, ultimate accountability remains with the salons and establishments where licensed cosmetologists are practicing. I believe it stands to reason that any business owner is not going to subject him or herself to potential legal liability by allowing less than qualified individuals to serve their customers. It would be an unwise business practice to do so. In addition, these establishments are subjected to inspection by health departments.

NFIB's interest in this legislation is to ensure that our laws are not overly burdensome and serve as barriers to individuals pursuing their passions. As reported in our monthly jobs report, 42 percent of our members are having difficulty filling open positions. This is an all-time high recording.² This, on the heels of the COVID-19 pandemic. I can't stand here before you and pretend Senate Bill 133 is a panacea for all of our members' hiring issues, but this bill and hopefully its passage demonstrates Ohio policymakers are committed to being a part of the solution to addressing workforce shortages. We have heard from some of our members in this industry that believe enactment of House Bill 133 will help fill their workforce needs.

We also feel it is important to create an environment that attracts new individuals into an industry where they can complete appropriate training and enter their desired field of practice sooner and at less cost. For many, obtaining a cosmetology license fosters the entrepreneurial spirit of starting one's own business. By modernizing Ohio's training requirements, Ohio will send a strong message to these potential new business owners that their skill is needed, valued, and important.

We view Senate Bill 133 as the first step in the review, evaluation, and potential reform of Ohio's overall licensure structure. We believe enactment of Senate Bill 133 will spur the review of other licenses to ensure the requirements and obligations are not overburdensome and individuals can pursue their passions. Senate Bill 133 provides meaningful reform to Ohio's cosmetology laws. The bill ensures proper training

² <https://www.nfib.com/surveys/small-business-economic-trends/>

requirements and protects the safety of the public while also reducing over-burdensome government requirements that discourage entrepreneurship and potentially leave individuals with large amounts of debt. Ohio has the opportunity to be a leader. We encourage swift passage of Senate Bill 133.

Thank you, Mr. Chairman, I would be happy to try and address any questions the committee may have.