

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 58

Representative Gross

**Cosponsors: Representatives Ferguson, Stewart, Powell, Click, Creech, Forhan,
Kick, Fowler Arthur, Merrin, Barhorst, Lear**

A BILL

To amend sections 2925.01, 4709.01, 4713.01, 1
4713.07, 4713.081, 4713.09, 4713.10, 4713.14, 2
4713.25, 4713.28, 4713.30, 4713.31, 4713.35, 3
4713.41, 4713.56, 4713.57, 4713.58, 4713.60, and 4
4713.62; to enact new section 4713.69; and to 5
repeal section 4713.69 of the Revised Code to 6
enact the Provider of Boutique Services 7
Opportunity Act regarding natural hair stylists 8
and boutique salon registrants and to amend the 9
versions of sections 4713.10, 4713.30, and 10
4713.31 and to repeal the version of section 11
4713.69 of the Revised Code that are scheduled 12
to take effect on December 29, 2023, to continue 13
the changes on and after that date. 14

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

Section 1. That sections 2925.01, 4709.01, 4713.01, 15
4713.07, 4713.081, 4713.09, 4713.10, 4713.14, 4713.25, 4713.28, 16
4713.30, 4713.31, 4713.35, 4713.41, 4713.56, 4713.57, 4713.58, 17
4713.60, and 4713.62 be amended and new section 4713.69 of the 18

Revised Code be enacted to read as follows:	19
Sec. 2925.01. As used in this chapter:	20
(A) "Administer," "controlled substance," "controlled substance analog," "dispense," "distribute," "hypodermic," "manufacturer," "official written order," "person," "pharmacist," "pharmacy," "sale," "schedule I," "schedule II," "schedule III," "schedule IV," "schedule V," and "wholesaler" have the same meanings as in section 3719.01 of the Revised Code.	21 22 23 24 25 26 27
(B) "Drug dependent person" and "drug of abuse" have the same meanings as in section 3719.011 of the Revised Code.	28 29
(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.	30 31 32 33
(D) "Bulk amount" of a controlled substance means any of the following:	34 35
(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:	36 37 38 39 40 41
(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;	42 43 44 45
(b) An amount equal to or exceeding ten grams of a	46

compound, mixture, preparation, or substance that is or contains 47
any amount of raw or gum opium; 48

(c) An amount equal to or exceeding thirty grams or ten 49
unit doses of a compound, mixture, preparation, or substance 50
that is or contains any amount of a schedule I hallucinogen 51
other than tetrahydrocannabinol or lysergic acid amide, or a 52
schedule I stimulant or depressant; 53

(d) An amount equal to or exceeding twenty grams or five 54
times the maximum daily dose in the usual dose range specified 55
in a standard pharmaceutical reference manual of a compound, 56
mixture, preparation, or substance that is or contains any 57
amount of a schedule II opiate or opium derivative; 58

(e) An amount equal to or exceeding five grams or ten unit 59
doses of a compound, mixture, preparation, or substance that is 60
or contains any amount of phencyclidine; 61

(f) An amount equal to or exceeding one hundred twenty 62
grams or thirty times the maximum daily dose in the usual dose 63
range specified in a standard pharmaceutical reference manual of 64
a compound, mixture, preparation, or substance that is or 65
contains any amount of a schedule II stimulant that is in a 66
final dosage form manufactured by a person authorized by the 67
"Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 68
U.S.C.A. 301, as amended, and the federal drug abuse control 69
laws, as defined in section 3719.01 of the Revised Code, that is 70
or contains any amount of a schedule II depressant substance or 71
a schedule II hallucinogenic substance; 72

(g) An amount equal to or exceeding three grams of a 73
compound, mixture, preparation, or substance that is or contains 74
any amount of a schedule II stimulant, or any of its salts or 75

isomers, that is not in a final dosage form manufactured by a 76
person authorized by the Federal Food, Drug, and Cosmetic Act 77
and the federal drug abuse control laws. 78

(2) An amount equal to or exceeding one hundred twenty 79
grams or thirty times the maximum daily dose in the usual dose 80
range specified in a standard pharmaceutical reference manual of 81
a compound, mixture, preparation, or substance that is or 82
contains any amount of a schedule III or IV substance other than 83
an anabolic steroid or a schedule III opiate or opium 84
derivative; 85

(3) An amount equal to or exceeding twenty grams or five 86
times the maximum daily dose in the usual dose range specified 87
in a standard pharmaceutical reference manual of a compound, 88
mixture, preparation, or substance that is or contains any 89
amount of a schedule III opiate or opium derivative; 90

(4) An amount equal to or exceeding two hundred fifty 91
milliliters or two hundred fifty grams of a compound, mixture, 92
preparation, or substance that is or contains any amount of a 93
schedule V substance; 94

(5) An amount equal to or exceeding two hundred solid 95
dosage units, sixteen grams, or sixteen milliliters of a 96
compound, mixture, preparation, or substance that is or contains 97
any amount of a schedule III anabolic steroid; 98

(6) For any compound, mixture, preparation, or substance 99
that is a combination of a fentanyl-related compound and any 100
other compound, mixture, preparation, or substance included in 101
schedule III, schedule IV, or schedule V, if the defendant is 102
charged with a violation of section 2925.11 of the Revised Code 103
and the sentencing provisions set forth in divisions (C) (10) (b) 104

and (C) (11) of that section will not apply regarding the 105
defendant and the violation, the bulk amount of the controlled 106
substance for purposes of the violation is the amount specified 107
in division (D) (1), (2), (3), (4), or (5) of this section for 108
the other schedule III, IV, or V controlled substance that is 109
combined with the fentanyl-related compound. 110

(E) "Unit dose" means an amount or unit of a compound, 111
mixture, or preparation containing a controlled substance that 112
is separately identifiable and in a form that indicates that it 113
is the amount or unit by which the controlled substance is 114
separately administered to or taken by an individual. 115

(F) "Cultivate" includes planting, watering, fertilizing, 116
or tilling. 117

(G) "Drug abuse offense" means any of the following: 118

(1) A violation of division (A) of section 2913.02 that 119
constitutes theft of drugs, or a violation of section 2925.02, 120
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 121
2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36, 122
or 2925.37 of the Revised Code; 123

(2) A violation of an existing or former law of this or 124
any other state or of the United States that is substantially 125
equivalent to any section listed in division (G) (1) of this 126
section; 127

(3) An offense under an existing or former law of this or 128
any other state, or of the United States, of which planting, 129
cultivating, harvesting, processing, making, manufacturing, 130
producing, shipping, transporting, delivering, acquiring, 131
possessing, storing, distributing, dispensing, selling, inducing 132
another to use, administering to another, using, or otherwise 133

dealing with a controlled substance is an element;	134
(4) A conspiracy to commit, attempt to commit, or	135
complicity in committing or attempting to commit any offense	136
under division (G) (1), (2), or (3) of this section.	137
(H) "Felony drug abuse offense" means any drug abuse	138
offense that would constitute a felony under the laws of this	139
state, any other state, or the United States.	140
(I) "Harmful intoxicant" does not include beer or	141
intoxicating liquor but means any of the following:	142
(1) Any compound, mixture, preparation, or substance the	143
gas, fumes, or vapor of which when inhaled can induce	144
intoxication, excitement, giddiness, irrational behavior,	145
depression, stupefaction, paralysis, unconsciousness,	146
asphyxiation, or other harmful physiological effects, and	147
includes, but is not limited to, any of the following:	148
(a) Any volatile organic solvent, plastic cement, model	149
cement, fingernail polish remover, lacquer thinner, cleaning	150
fluid, gasoline, or other preparation containing a volatile	151
organic solvent;	152
(b) Any aerosol propellant;	153
(c) Any fluorocarbon refrigerant;	154
(d) Any anesthetic gas.	155
(2) Gamma Butyrolactone;	156
(3) 1,4 Butanediol.	157
(J) "Manufacture" means to plant, cultivate, harvest,	158
process, make, prepare, or otherwise engage in any part of the	159
production of a drug, by propagation, extraction, chemical	160

synthesis, or compounding, or any combination of the same, and 161
includes packaging, repackaging, labeling, and other activities 162
incident to production. 163

(K) "Possess" or "possession" means having control over a 164
thing or substance, but may not be inferred solely from mere 165
access to the thing or substance through ownership or occupation 166
of the premises upon which the thing or substance is found. 167

(L) "Sample drug" means a drug or pharmaceutical 168
preparation that would be hazardous to health or safety if used 169
without the supervision of a licensed health professional 170
authorized to prescribe drugs, or a drug of abuse, and that, at 171
one time, had been placed in a container plainly marked as a 172
sample by a manufacturer. 173

(M) "Standard pharmaceutical reference manual" means the 174
current edition, with cumulative changes if any, of references 175
that are approved by the state board of pharmacy. 176

(N) "Juvenile" means a person under eighteen years of age. 177

(O) "Counterfeit controlled substance" means any of the 178
following: 179

(1) Any drug that bears, or whose container or label 180
bears, a trademark, trade name, or other identifying mark used 181
without authorization of the owner of rights to that trademark, 182
trade name, or identifying mark; 183

(2) Any unmarked or unlabeled substance that is 184
represented to be a controlled substance manufactured, 185
processed, packed, or distributed by a person other than the 186
person that manufactured, processed, packed, or distributed it; 187

(3) Any substance that is represented to be a controlled 188

substance but is not a controlled substance or is a different 189
controlled substance; 190

(4) Any substance other than a controlled substance that a 191
reasonable person would believe to be a controlled substance 192
because of its similarity in shape, size, and color, or its 193
markings, labeling, packaging, distribution, or the price for 194
which it is sold or offered for sale. 195

(P) An offense is "committed in the vicinity of a school" 196
if the offender commits the offense on school premises, in a 197
school building, or within one thousand feet of the boundaries 198
of any school premises, regardless of whether the offender knows 199
the offense is being committed on school premises, in a school 200
building, or within one thousand feet of the boundaries of any 201
school premises. 202

(Q) "School" means any school operated by a board of 203
education, any community school established under Chapter 3314. 204
of the Revised Code, or any nonpublic school for which the state 205
board of education prescribes minimum standards under section 206
3301.07 of the Revised Code, whether or not any instruction, 207
extracurricular activities, or training provided by the school 208
is being conducted at the time a criminal offense is committed. 209

(R) "School premises" means either of the following: 210

(1) The parcel of real property on which any school is 211
situated, whether or not any instruction, extracurricular 212
activities, or training provided by the school is being 213
conducted on the premises at the time a criminal offense is 214
committed; 215

(2) Any other parcel of real property that is owned or 216
leased by a board of education of a school, the governing 217

authority of a community school established under Chapter 3314. 218
of the Revised Code, or the governing body of a nonpublic school 219
for which the state board of education prescribes minimum 220
standards under section 3301.07 of the Revised Code and on which 221
some of the instruction, extracurricular activities, or training 222
of the school is conducted, whether or not any instruction, 223
extracurricular activities, or training provided by the school 224
is being conducted on the parcel of real property at the time a 225
criminal offense is committed. 226

(S) "School building" means any building in which any of 227
the instruction, extracurricular activities, or training 228
provided by a school is conducted, whether or not any 229
instruction, extracurricular activities, or training provided by 230
the school is being conducted in the school building at the time 231
a criminal offense is committed. 232

(T) "Disciplinary counsel" means the disciplinary counsel 233
appointed by the board of commissioners on grievances and 234
discipline of the supreme court under the Rules for the 235
Government of the Bar of Ohio. 236

(U) "Certified grievance committee" means a duly 237
constituted and organized committee of the Ohio state bar 238
association or of one or more local bar associations of the 239
state of Ohio that complies with the criteria set forth in Rule 240
V, section 6 of the Rules for the Government of the Bar of Ohio. 241

(V) "Professional license" means any license, permit, 242
certificate, registration, qualification, admission, temporary 243
license, temporary permit, temporary certificate, or temporary 244
registration that is described in divisions (W)(1) to (37) of 245
this section and that qualifies a person as a professionally 246
licensed person. 247

(W) "Professionally licensed person" means any of the following:	248 249
(1) A person who has received a certificate or temporary certificate as a certified public accountant or who has registered as a public accountant under Chapter 4701. of the Revised Code and who holds an Ohio permit issued under that chapter;	250 251 252 253 254
(2) A person who holds a certificate of qualification to practice architecture issued or renewed and registered under Chapter 4703. of the Revised Code;	255 256 257
(3) A person who is registered as a landscape architect under Chapter 4703. of the Revised Code or who holds a permit as a landscape architect issued under that chapter;	258 259 260
(4) A person licensed under Chapter 4707. of the Revised Code;	261 262
(5) A person who has been issued a certificate of registration as a registered barber under Chapter 4709. of the Revised Code;	263 264 265
(6) A person licensed and regulated to engage in the business of a debt pooling company by a legislative authority, under authority of Chapter 4710. of the Revised Code;	266 267 268
(7) A person who has been issued a cosmetologist's license, hair designer's license, manicurist's license, esthetician's license, natural hair stylist's license, advanced cosmetologist's license, advanced hair designer's license, advanced manicurist's license, advanced esthetician's license, advanced natural hair stylist's license, cosmetology instructor's license, hair design instructor's license, manicurist instructor's license, esthetics instructor's license,	269 270 271 272 273 274 275 276

natural hair style instructor's license, independent	277
contractor's license, or tanning facility permit under Chapter 4713. of the Revised Code;	278 279
(8) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious sedation permit, a limited resident's license, a limited teaching license, a dental hygienist's license, or a dental hygienist's teacher's certificate under Chapter 4715. of the Revised Code;	280 281 282 283 284
(9) A person who has been issued an embalmer's license, a funeral director's license, a funeral home license, or a crematory license, or who has been registered for an embalmer's or funeral director's apprenticeship under Chapter 4717. of the Revised Code;	285 286 287 288 289
(10) A person who has been licensed as a registered nurse or practical nurse, or who has been issued a certificate for the practice of nurse-midwifery under Chapter 4723. of the Revised Code;	290 291 292 293
(11) A person who has been licensed to practice optometry or to engage in optical dispensing under Chapter 4725. of the Revised Code;	294 295 296
(12) A person licensed to act as a pawnbroker under Chapter 4727. of the Revised Code;	297 298
(13) A person licensed to act as a precious metals dealer under Chapter 4728. of the Revised Code;	299 300
(14) A person licensed under Chapter 4729. of the Revised Code as a pharmacist or pharmacy intern or registered under that chapter as a registered pharmacy technician, certified pharmacy technician, or pharmacy technician trainee;	301 302 303 304

(15) A person licensed under Chapter 4729. of the Revised Code as a manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, repackager of dangerous drugs, wholesale distributor of dangerous drugs, or terminal distributor of dangerous drugs;	305 306 307 308 309
(16) A person who is authorized to practice as a physician assistant under Chapter 4730. of the Revised Code;	310 311
(17) A person who has been issued a license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery under Chapter 4731. of the Revised Code or has been issued a certificate to practice a limited branch of medicine under that chapter;	312 313 314 315 316
(18) A person licensed as a psychologist or school psychologist under Chapter 4732. of the Revised Code;	317 318
(19) A person registered to practice the profession of engineering or surveying under Chapter 4733. of the Revised Code;	319 320 321
(20) A person who has been issued a license to practice chiropractic under Chapter 4734. of the Revised Code;	322 323
(21) A person licensed to act as a real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;	324 325
(22) A person registered as a registered environmental health specialist under Chapter 4736. of the Revised Code;	326 327
(23) A person licensed to operate or maintain a junkyard under Chapter 4737. of the Revised Code;	328 329
(24) A person who has been issued a motor vehicle salvage dealer's license under Chapter 4738. of the Revised Code;	330 331

(25) A person who has been licensed to act as a steam engineer under Chapter 4739. of the Revised Code;	332 333
(26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Chapter 4741. of the Revised Code;	334 335 336 337
(27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Chapter 4747. of the Revised Code;	338 339 340
(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;	341 342 343
(29) A person licensed to practice as a nursing home administrator under Chapter 4751. of the Revised Code;	344 345
(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised Code;	346 347 348
(31) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;	349 350 351
(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;	352 353 354 355 356 357
(33) A person issued a license to practice dietetics under Chapter 4759. of the Revised Code;	358 359

(34) A person who has been issued a license or limited permit to practice respiratory therapy under Chapter 4761. of the Revised Code;

(35) A person who has been issued a real estate appraiser certificate under Chapter 4763. of the Revised Code;

(36) A person who has been issued a home inspector license under Chapter 4764. of the Revised Code;

(37) A person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and published rules.

(X) "Cocaine" means any of the following:

(1) A cocaine salt, isomer, or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine;

(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;

(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.

(Y) "L.S.D." means lysergic acid diethylamide.

(Z) "Hashish" means a resin or a preparation of a resin to which both of the following apply:

(1) It is contained in or derived from any part of the

plant of the genus cannabis, whether in solid form or in a 387
liquid concentrate, liquid extract, or liquid distillate form. 388

(2) It has a delta-9 tetrahydrocannabinol concentration of 389
more than three-tenths per cent. 390

"Hashish" does not include a hemp byproduct in the 391
possession of a licensed hemp processor under Chapter 928. of 392
the Revised Code, provided that the hemp byproduct is being 393
produced, stored, and disposed of in accordance with rules 394
adopted under section 928.03 of the Revised Code. 395

(AA) "Marihuana" has the same meaning as in section 396
3719.01 of the Revised Code, except that it does not include 397
hashish. 398

(BB) An offense is "committed in the vicinity of a 399
juvenile" if the offender commits the offense within one hundred 400
feet of a juvenile or within the view of a juvenile, regardless 401
of whether the offender knows the age of the juvenile, whether 402
the offender knows the offense is being committed within one 403
hundred feet of or within view of the juvenile, or whether the 404
juvenile actually views the commission of the offense. 405

(CC) "Presumption for a prison term" or "presumption that 406
a prison term shall be imposed" means a presumption, as 407
described in division (D) of section 2929.13 of the Revised 408
Code, that a prison term is a necessary sanction for a felony in 409
order to comply with the purposes and principles of sentencing 410
under section 2929.11 of the Revised Code. 411

(DD) "Major drug offender" has the same meaning as in 412
section 2929.01 of the Revised Code. 413

(EE) "Minor drug possession offense" means either of the 414
following: 415

(1) A violation of section 2925.11 of the Revised Code as it existed prior to July 1, 1996;	416 417
(2) A violation of section 2925.11 of the Revised Code as it exists on and after July 1, 1996, that is a misdemeanor or a felony of the fifth degree.	418 419 420
(FF) "Mandatory prison term" has the same meaning as in section 2929.01 of the Revised Code.	421 422
(GG) "Adulterate" means to cause a drug to be adulterated as described in section 3715.63 of the Revised Code.	423 424
(HH) "Public premises" means any hotel, restaurant, tavern, store, arena, hall, or other place of public accommodation, business, amusement, or resort.	425 426 427
(II) "Methamphetamine" means methamphetamine, any salt, isomer, or salt of an isomer of methamphetamine, or any compound, mixture, preparation, or substance containing methamphetamine or any salt, isomer, or salt of an isomer of methamphetamine.	428 429 430 431 432
(JJ) "Deception" has the same meaning as in section 2913.01 of the Revised Code.	433 434
(KK) "Fentanyl-related compound" means any of the following:	435 436
(1) Fentanyl;	437
(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4- piperidyl]propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);	438 439 440
(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4- piperidinyl]-N-phenylpropanamide);	441 442

- (4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl] -N-phenylpropanamide); 443
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- (5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide); 445
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- (6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide); 448
449
- (7) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide); 450
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- (8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide; 452
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- (9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide; 454
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- (10) Alfentanil; 456
- (11) Carfentanil; 457
- (12) Remifentanil; 458
- (13) Sufentanil; 459
- (14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide); and 460
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- (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: 462
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- (a) A chemical scaffold consisting of both of the 469

following: 470

(i) A five, six, or seven member ring structure containing 471
a nitrogen, whether or not further substituted; 472

(ii) An attached nitrogen to the ring, whether or not that 473
nitrogen is enclosed in a ring structure, including an attached 474
aromatic ring or other lipophilic group to that nitrogen. 475

(b) A polar functional group attached to the chemical 476
scaffold, including but not limited to a hydroxyl, ketone, 477
amide, or ester; 478

(c) An alkyl or aryl substitution off the ring nitrogen of 479
the chemical scaffold; and 480

(d) The compound has not been approved for medical use by 481
the United States food and drug administration. 482

(LL) "First degree felony mandatory prison term" means one 483
of the definite prison terms prescribed in division (A) (1) (b) of 484
section 2929.14 of the Revised Code for a felony of the first 485
degree, except that if the violation for which sentence is being 486
imposed is committed on or after March 22, 2019, it means one of 487
the minimum prison terms prescribed in division (A) (1) (a) of 488
that section for a felony of the first degree. 489

(MM) "Second degree felony mandatory prison term" means 490
one of the definite prison terms prescribed in division (A) (2) 491
(b) of section 2929.14 of the Revised Code for a felony of the 492
second degree, except that if the violation for which sentence 493
is being imposed is committed on or after March 22, 2019, it 494
means one of the minimum prison terms prescribed in division (A) 495
(2) (a) of that section for a felony of the second degree. 496

(NN) "Maximum first degree felony mandatory prison term" 497

means the maximum definite prison term prescribed in division 498
(A) (1) (b) of section 2929.14 of the Revised Code for a felony of 499
the first degree, except that if the violation for which 500
sentence is being imposed is committed on or after March 22, 501
2019, it means the longest minimum prison term prescribed in 502
division (A) (1) (a) of that section for a felony of the first 503
degree. 504

(OO) "Maximum second degree felony mandatory prison term" 505
means the maximum definite prison term prescribed in division 506
(A) (2) (b) of section 2929.14 of the Revised Code for a felony of 507
the second degree, except that if the violation for which 508
sentence is being imposed is committed on or after March 22, 509
2019, it means the longest minimum prison term prescribed in 510
division (A) (2) (a) of that section for a felony of the second 511
degree. 512

(PP) "Delta-9 tetrahydrocannabinol" has the same meaning 513
as in section 928.01 of the Revised Code. 514

(QQ) An offense is "committed in the vicinity of a 515
substance addiction services provider or a recovering addict" if 516
either of the following apply: 517

(1) The offender commits the offense on the premises of a 518
substance addiction services provider's facility, including a 519
facility licensed prior to June 29, 2019, under section 5119.391 520
of the Revised Code to provide methadone treatment or an opioid 521
treatment program licensed on or after that date under section 522
5119.37 of the Revised Code, or within five hundred feet of the 523
premises of a substance addiction services provider's facility 524
and the offender knows or should know that the offense is being 525
committed within the vicinity of the substance addiction 526
services provider's facility. 527

(2) The offender sells, offers to sell, delivers, or 528
distributes the controlled substance or controlled substance 529
analog to a person who is receiving treatment at the time of the 530
commission of the offense, or received treatment within thirty 531
days prior to the commission of the offense, from a substance 532
addiction services provider and the offender knows that the 533
person is receiving or received that treatment. 534

(RR) "Substance addiction services provider" means an 535
agency, association, corporation or other legal entity, 536
individual, or program that provides one or more of the 537
following at a facility: 538

(1) Either alcohol addiction services, or drug addiction 539
services, or both such services that are certified by the 540
director of mental health and addiction services under section 541
5119.36 of the Revised Code; 542

(2) Recovery supports that are related to either alcohol 543
addiction services, or drug addiction services, or both such 544
services and paid for with federal, state, or local funds 545
administered by the department of mental health and addiction 546
services or a board of alcohol, drug addiction, and mental 547
health services. 548

(SS) "Premises of a substance addiction services 549
provider's facility" means the parcel of real property on which 550
any substance addiction service provider's facility is situated. 551

(TT) "Alcohol and drug addiction services" has the same 552
meaning as in section 5119.01 of the Revised Code. 553

Sec. 4709.01. As used in this chapter: 554

(A) (1) Except as provided in division (A) (2) of this 555
section, "the practice of barbering" means any one or more of 556

the following when performed upon the head, neck, or face for	557
cosmetic purposes and when performed upon the public for pay,	558
free, or otherwise:	559
(a) Shaving the face, shaving around the vicinity of the	560
ears and neckline, or trimming facial hair;	561
(b) Cutting or styling hair;	562
(c) Facials, skin care, or scalp massages;	563
(d) Shampooing, bleaching, coloring, straightening, or	564
permanent waving hair;	565
(e) Cutting, fitting, or forming head caps for wigs or	566
hair pieces.	567
(2) <u>"The practice of barbering"</u> does not include the	568
practice of natural hair styling <u>braiding</u> .	569
(B) <u>"Sanitary"</u> means free of infectious agents, disease,	570
or infestation by insects or vermin and free of soil, dust, or	571
foreign material.	572
(C) <u>"Barber"</u> means any person who engages in or attempts	573
to engage in the practice of barbering.	574
(D) <u>"Barber school"</u> means any establishment that engages	575
in or attempts to engage in the teaching of the practice of	576
barbering.	577
(E) <u>"Barber teacher"</u> means any person who engages in or	578
attempts to engage in the teaching of the practice of barbering.	579
(F) <u>"Assistant barber teacher"</u> means any person who	580
assists a barber teacher in the teaching of the practice of	581
barbering.	582
(G) <u>"Barber pole"</u> means a cylinder or pole with	583

alternating stripes of any combination including red and white, 584
and red, white, and blue, which run diagonally along the length 585
of the cylinder or pole. 586

~~(H) The practice of natural hair styling means work done 587
for a fee or other form of compensation, by any person, 588
utilizing techniques performed by hand that result in tension on 589
hair roots such as twisting, wrapping, weaving, extending, 590
locking, or braiding of the hair, and which work does not 591
include the application of dyes, reactive chemicals, or other 592
preparations to alter the color or to straighten, curl, or alter 593
the structure of the hair. 594~~

~~(I) "Braiding means intertwining the hair in a systematic 595
motion to create patterns in a three-dimensional form, inverting 596
the hair against the scalp along part of a straight or curved 597
row of intertwined hair, or twisting the hair in a systematic 598
motion, and includes extending the hair with natural or 599
synthetic hair fibers" has the same meaning as in section 600
4713.01 of the Revised Code. 601~~

Sec. 4713.01. As used in this chapter: 602

(A) "Apprentice instructor" means an individual holding a 603
practicing license issued by the state cosmetology and barber 604
board who is engaged in learning or acquiring knowledge of the 605
occupation of an instructor of a branch of cosmetology at a 606
school of cosmetology. 607

(B) "Beauty salon" means a salon in which an individual is 608
authorized to engage in all branches of cosmetology. 609

(C) "Biennial licensing period" means the two-year period 610
beginning on the first day of February of an odd-numbered year 611
and ending on the last day of January of the next odd-numbered 612

year. 613

(D) "Boutique salon" means a salon, facility, or residence 614
in which an individual engages in the practice of boutique 615
services and no other branch of cosmetology. 616

~~"Boutique services" means braiding, threading, shampooing,~~ 617
~~and makeup artistry.~~ 618

(E) (1) "Blow-dry styling" means the practice of cleaning, 619
drying, arranging, or styling hair and includes both of the 620
following: 621

(a) The use of hair sprays and topical agents, such as 622
shampoos and conditioners; 623

(b) The use and styling of hair extensions and wigs. 624

(2) "Blow-dry styling" does not include cutting hair or 625
the application of dyes, bleach, reactive chemicals, keratin, or 626
other preparations to color or alter the structure of hair. 627

(F) (1) "Braiding" means intertwining the hair in a 628
systematic motion to create patterns in a three-dimensional 629
form, inverting the hair against the scalp along part of a 630
straight or curved row of intertwined hair, or twisting the hair 631
in a systematic motion, ~~and includes.~~ "Braiding" may include any 632
of the following: 633

(a) Accessorizing, beading, crocheting, extending, 634
locking, twisting, weaving, wrapping, or similarly manipulating 635
the hair, while adding bulk or length with natural or human 636
hair, synthetic hair fibers, or both; 637

(b) Using simple devices such as blunt-tipped needles, 638
clips, combs, crochet hooks, and hairpins; 639

(c) Using topical agents such as conditioners, gels, moisturizers, mousse, oils, pomades, shampoos, and water-based sprays; 640
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(d) Making wigs from natural hair, natural fibers, synthetic fibers, and hair extensions. 643
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(2) "Braiding" does not include any of the following: 645

(a) The use of chemical hair-joining agents such as synthetic tape, keratin bonds, or fusion bonds to weave or fuse individual strands or wefts; 646
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(b) The application of dyes, reactive chemicals, or other preparations to alter the color or straighten, curl, or alter the structure of hair; 649
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(c) The cutting or singeing of hair, except as needed to finish the ends of synthetic fibers, and except to trim the ends of natural hair if performed incidentally to providing services described under division (F)(1) of this section. 652
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(G) "Branch of cosmetology" means the practice of cosmetology, practice of esthetics, practice of hair design, practice of manicuring, ~~practice of natural hair styling,~~ or practice of boutique services. 656
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(H) "Cosmetic therapy" means the permanent removal of hair from the human body through the use of electric modalities and may include the systematic friction, stroking, slapping, and kneading or tapping of the face, neck, scalp, or shoulders. 660
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(I) "Cosmetologist" means an individual authorized to engage in all branches of cosmetology in a licensed facility. 664
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(J) "Cosmetology" means the art or practice of embellishment, cleansing, beautification, and styling of hair, 666
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wigs, postiches, face, body, or nails. 668

(K) "Cosmetology instructor" means an individual 669
authorized to teach the theory and practice of all branches of 670
cosmetology at a school of cosmetology. 671

(L) "Esthetician" means an individual who engages in the 672
practice of esthetics but no other branch of cosmetology in a 673
licensed facility. 674

(M) "Esthetics instructor" means an individual who teaches 675
the theory and practice of esthetics, but no other branch of 676
cosmetology, at a school of cosmetology. 677

(N) "Esthetics salon" means a salon in which an individual 678
engages in the practice of esthetics but no other branch of 679
cosmetology. 680

(O) "Eye lash extensions" include temporary and semi- 681
permanent enhancements designed to add length, thickness, and 682
fullness to natural eyelashes. 683

(P) "Hair designer" means an individual who engages in the 684
practice of hair design but no other branch of cosmetology in a 685
licensed facility. 686

(Q) "Hair design instructor" means an individual who 687
teaches the theory and practice of hair design, but no other 688
branch of cosmetology, at a school of cosmetology. 689

(R) "Hair design salon" means a salon in which an 690
individual engages in the practice of hair design but no other 691
branch of cosmetology. 692

(S) "Hair removal" includes tweezing, waxing, sugaring, 693
and threading. "Hair removal" does not include electrolysis. 694

(T) "Independent contractor" means an individual who is 695
not an employee of a salon but practices a branch of 696
cosmetology, other than the practice of boutique services, 697
within a salon in a licensed facility. 698

(U) "Instructor license" means a license to teach the 699
theory and practice of a branch of cosmetology at a school of 700
cosmetology. 701

(V) "Licensed facility" means any premises, building, or 702
part of a building licensed under section 4713.41 of the Revised 703
Code in which cosmetology services are authorized by the state 704
cosmetology and barber board to be performed. 705

(W) "Advanced cosmetologist" means an individual 706
authorized to work in a beauty salon and engage in all branches 707
of cosmetology. 708

(X) "Advanced esthetician" means an individual authorized 709
to work in an esthetics salon, but no other type of salon, and 710
engage in the practice of esthetics, but no other branch of 711
cosmetology. 712

(Y) "Advanced hair designer" means an individual 713
authorized to work in a hair design salon, but no other type of 714
salon, and engage in the practice of hair design, but no other 715
branch of cosmetology. 716

(Z) "Advanced license" means a license to work in a salon 717
and practice the branch of cosmetology practiced at the salon. 718

(AA) "Advanced manicurist" means an individual authorized 719
to work in a nail salon, but no other type of salon, and engage 720
in the practice of manicuring, but no other branch of 721
cosmetology. 722

~~"Advanced natural hair stylist" means an individual authorized to work in a natural hair style salon, but no other type of salon, and engage in the practice of natural hair styling, but no other branch of cosmetology.~~ 723
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(BB) "Makeup artistry" means the application of cosmetics for the purpose of skin beautification. "Makeup artistry" does not include any other services described in the practice of any other branch of cosmetology. 727
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(CC) "Manicurist" means an individual who engages in the practice of manicuring but no other branch of cosmetology in a licensed facility. 731
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(DD) "Manicurist instructor" means an individual who teaches the theory and practice of manicuring, but no other branch of cosmetology, at a school of cosmetology. 734
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(EE) "Nail salon" means a salon in which an individual engages in the practice of manicuring but no other branch of cosmetology. 737
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~~"Natural hair stylist" means an individual who engages in the practice of natural hair styling but no other branch of cosmetology in a licensed facility.~~ 740
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~~"Natural hair style instructor" means an individual who teaches the theory and practice of natural hair styling, but no other branch of cosmetology, at a school of cosmetology.~~ 743
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~~"Natural hair style salon" means a salon in which an individual engages in the practice of natural hair styling but no other branch of cosmetology.~~ 746
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~~"Practice of braiding" means utilizing the technique of intertwining hair in a systematic motion to create patterns in a~~ 749
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~~three dimensional form, including patterns that are inverted, 751
upright, or singled against the scalp that follow along straight 752
or curved partings. It may include twisting or locking the hair 753
while adding bulk or length with human hair, synthetic hair, or 754
both and using simple devices such as clips, combs, and 755
hairpins. "Practice of braiding" does not include application of 756
weaving, bonding, and fusion of individual strands or wefts; 757
application of dyes, reactive chemicals, or other preparations 758
to alter the color or straighten, curl, or alter the structure 759
of hair; embellishing or beautifying hair by cutting or 760
singeing, except as needed to finish the ends of synthetic 761
fibers used to add bulk to or lengthen hair. 762~~

(FF) "Practice of boutique services" means braiding, 763
threading, shampooing, blow-dry styling, makeup artistry, eye 764
lash extension services, and wig styling and application. 765

(GG) "Practice of cosmetology" means the practice of all 766
branches of cosmetology. 767

(HH) "Practice of esthetics" means the application of 768
cosmetics, tonics, antiseptics, creams, lotions, or other 769
preparations for the purpose of skin beautification and includes 770
preparation of the skin by manual massage techniques or by use 771
of electrical, mechanical, or other apparatus; enhancement of 772
the skin by skin care, facials, body treatments, hair removal, 773
and other treatments; and eye lash extension services. 774

(II) "Practice of hair design" means embellishing or 775
beautifying hair, wigs, or hairpieces by arranging, dressing, 776
pressing, curling, waving, permanent waving, cleansing, cutting, 777
singeing, bleaching, coloring, braiding, weaving, or similar 778
work. "Practice of hair design" includes utilizing techniques 779
performed by hand that result in tension on hair roots such as 780

twisting, wrapping, weaving, extending, locking, or braiding of 781
the hair. 782

(JJ) "Practice of manicuring" means cleaning, trimming, 783
shaping the free edge of, or applying polish to the nails of any 784
individual; applying nail enhancements and embellishments to any 785
individual; massaging the hands and lower arms up to the elbow 786
of any individual; massaging the feet and lower legs up to the 787
knee of any individual; using lotions or softeners on the hands 788
and feet of any individual; or any combination of these types of 789
services. 790

~~"Practice of natural hair styling" means utilizing 791
techniques performed by hand that result in tension on hair 792
roots such as twisting, wrapping, weaving, extending, locking, 793
or braiding of the hair. "Practice of natural hair styling" does 794
not include the application of dyes, reactive chemicals, or 795
other preparations to alter the color or to straighten, curl, or 796
alter the structure of the hair. "Practice of natural hair 797
styling" also does not include embellishing or beautifying hair 798
by cutting or singeing, except as needed to finish off the end 799
of a braid, or by dressing, pressing, curling, waving, permanent 800
waving, or similar work. 801~~

(KK) "Practicing license" means a license to practice a 802
branch of cosmetology in a licensed facility. 803

(LL) "Salon" means a licensed facility on any premises, 804
building, or part of a building in which an individual engages 805
in the practice of one or more branches of cosmetology. "Salon" 806
does not include a barber shop licensed under Chapter 4709. of 807
the Revised Code. "Salon" does not mean a tanning facility, 808
although a tanning facility may be located in a salon. 809

(MM) "School of cosmetology" means any premises, building, 810
or part of a building in which students are instructed in the 811
theories and practices of one or more branches of cosmetology. 812

(NN) "Shampooing" means the act of cleansing and 813
conditioning an individual's hair ~~under the supervision of an~~ 814
~~individual licensed under this chapter and in preparation to~~ 815
~~immediately receive a service from a licensee.~~ 816

(OO) "Student" means an individual, other than an 817
apprentice instructor, who is engaged in learning or acquiring 818
knowledge of the practice of a branch of cosmetology at a school 819
of cosmetology. 820

(PP) "Tanning facility" means any premises, building, or 821
part of a building that contains one or more rooms or booths 822
with any of the following: 823

~~(A)~~ (1) Equipment or beds used for tanning human skin by 824
the use of fluorescent sun lamps using ultraviolet or other 825
artificial radiation; 826

~~(B)~~ (2) Equipment or booths that use chemicals applied to 827
human skin, including chemical applications commonly referred to 828
as spray-on, mist-on, or sunless tans; 829

~~(C)~~ (3) Equipment or beds that use visible light for 830
cosmetic purposes. 831

(QQ) "Threading" includes a service that results in the 832
removal of hair from its follicle from around the eyebrows and 833
from other parts of the face with the use of a single strand of 834
thread and an astringent, if the service does not use chemicals 835
of any kind, wax, or any implements, instruments, or tools to 836
remove hair. 837

Sec. 4713.07. (A) The state cosmetology and barber board	838
shall do all of the following:	839
(1) Regulate the practice of cosmetology and all of its branches in this state;	840 841
(2) Investigate or inspect, when evidence appears to demonstrate that an individual has violated any provision of this chapter or any rule adopted pursuant to it, the activities or premises of a license holder or unlicensed individual;	842 843 844 845
(3) Adopt rules in accordance with section 4713.08 of the Revised Code;	846 847
(4) Prescribe and make available application forms to be used by individuals seeking admission to an examination conducted under section 4713.24 of the Revised Code or a license or registration issued under this chapter;	848 849 850 851
(5) Prescribe and make available application forms to be used by individuals seeking renewal of a license or registration issued under this chapter;	852 853 854
(6) Provide a toll-free number and an online service to receive complaints alleging violations of this chapter or Chapter 4709. of the Revised Code;	855 856 857
(7) Report to the proper prosecuting officer violations of section 4713.14 of the Revised Code of which the board is aware;	858 859
(8) Submit a written report annually to the governor that provides all of the following:	860 861
(a) A discussion of the conditions in this state of the branches of cosmetology;	862 863
(b) An evaluation of board activities intended to aid or	864

protect consumers;	865
(c) A brief summary of the board's proceedings during the year the report covers;	866 867
(d) A statement of all money that the board received and expended during the year the report covers.	868 869
(9) Keep a record of all of the following:	870
(a) The board's proceedings;	871
(b) The name and last known physical address, electronic mail address, and telephone number of each individual issued a license or registration under this chapter;	872 873 874
(c) The date and number of each license, permit, and registration that the board issues.	875 876
(10) Assist ex-offenders and military veterans who hold licenses issued by the board to find employment within salons or other facilities within this state;	877 878 879
(11) Require inspectors appointed pursuant to section 4713.06 of the Revised Code to conduct inspections of licensed or permitted facilities, including salons and boutique salons , schools of cosmetology, barber schools, barber shops, and tanning facilities, within ninety days of the opening for business of a licensed facility, upon complaints reported to the board, within ninety days after a violation was documented at a facility, and at least once every two years. Any individual, after providing the individual's name and contact information, may report to the board any information the individual may have that appears to show a violation of any provision of this chapter or rule adopted under it or a violation of any provision of Chapter 4709. of the Revised Code or rule adopted by the	880 881 882 883 884 885 886 887 888 889 890 891 892

board pursuant to Chapter 4709. of the Revised Code. In the 893
absence of bad faith, any individual who reports information of 894
that nature or who testifies before the board in any 895
adjudication conducted under Chapter 119. of the Revised Code 896
shall not be liable for damages in a civil action as a result of 897
the report or testimony. For the purpose of inspections, an 898
independent contractor shall be added to the board's records as 899
an individual salon. 900

(12) Supply a copy of the poster created pursuant to 901
division (B) of section 5502.63 of the Revised Code to each 902
person authorized to operate a salon, school of cosmetology, 903
tanning facility, or other type of facility under this chapter; 904

(13) All other duties that this chapter imposes on the 905
board. 906

(B) The board may delegate any of the duties listed in 907
division (A) of this section to the executive director of the 908
board or to an individual designated by the executive director. 909

Sec. 4713.081. The state cosmetology and barber board 910
shall furnish a copy of the sanitary standards established by 911
rules adopted under section 4713.08 of the Revised Code to each 912
individual to whom the board issues a practicing license, 913
advanced license, or license to operate a salon or school of 914
cosmetology, ~~or boutique services registration~~. The board also 915
shall furnish a copy of the sanitary standards to each 916
individual providing cosmetic therapy, massage therapy, or other 917
professional service in a salon under section 4713.42 of the 918
Revised Code. A salon or school of cosmetology provided a copy 919
of the sanitary standards shall post the standards in a public 920
and conspicuous place in the salon or school. 921

Sec. 4713.09. The state cosmetology and barber board may 922
adopt rules in accordance with section 4713.08 of the Revised 923
Code to establish a continuing education requirement, not to 924
exceed eight hours in a biennial licensing period, as a 925
condition of renewal for a practicing license, advanced license, 926
or instructor license, ~~or boutique services registration~~. These 927
hours may include training in identifying and addressing the 928
crime of trafficking in persons as described in section 2905.32 929
of the Revised Code. At least two of the eight hours of the 930
continuing education requirement must be achieved in courses 931
concerning safety and sanitation, and at least one hour of the 932
eight hours of the continuing education requirement must be 933
achieved in courses concerning law and rule updates. 934

Sec. 4713.10. (A) The state cosmetology and barber board 935
shall charge and collect the following fees: 936

(1) For a temporary pre-examination work permit under 937
section 4713.22 of the Revised Code, not more than fifteen 938
dollars; 939

(2) For initial application to take an examination under 940
section 4713.24 of the Revised Code, not more than forty 941
dollars; 942

(3) For application to take an examination under section 943
4713.24 of the Revised Code by an applicant who has previously 944
applied to take, but failed to appear for, the examination, not 945
more than fifty-five dollars; 946

(4) For application to re-take an examination under 947
section 4713.24 of the Revised Code by an applicant who has 948
previously appeared for, but failed to pass, the examination, 949
not more than forty dollars; 950

(5) For the issuance of a license under section 4713.28,	951
4713.30, or 4713.31 of the Revised Code, not more than seventy-	952
five dollars;	953
(6) For the issuance of a license under section 4713.34 of	954
the Revised Code, not more than seventy dollars;	955
(7) For renewal of a license issued under section 4713.28,	956
4713.30, 4713.31, or 4713.34 of the Revised Code, not more than	957
seventy dollars;	958
(8) For the issuance or renewal of a cosmetology school	959
license, not more than two hundred fifty dollars;	960
(9) For the issuance of a new salon license or the change	961
of name or ownership of a salon license under section 4713.41 of	962
the Revised Code, not more than one hundred dollars;	963
(10) For the renewal of a salon license under section	964
4713.41 of the Revised Code, not more than ninety dollars;	965
(11) For the restoration of an expired license that may be	966
restored pursuant to section 4713.63 of the Revised Code, an	967
amount equal to the sum of the current license renewal fee and a	968
lapsed renewal fee of not more than forty-five dollars per	969
license renewal period that has elapsed since the license was	970
last issued or renewed;	971
(12) For the issuance of a duplicate of any license, not	972
more than thirty dollars;	973
(13) For the preparation and mailing of a licensee's	974
records to another state for a reciprocity license, not more	975
than fifty dollars;	976
(14) For the processing of any fees related to a check	977
from a licensee returned to the board for insufficient funds, an	978

additional thirty dollars;	979
<u>(15) For the issuance of a boutique salon registration</u>	980
<u>under section 4713.69 of the Revised Code, not more than twenty-</u>	981
<u>five dollars.</u>	982
(B) The board shall adjust the fees biennially, by rule,	983
within the limits established by division (A) of this section,	984
to provide sufficient revenues to meet its expenses.	985
(C) The board may establish an installment plan for the	986
payment of fines and fees and may reduce fees as considered	987
appropriate by the board.	988
(D) At the request of a person who is temporarily unable	989
to pay a fee imposed under division (A) of this section, or on	990
its own motion, the board may extend the date payment is due by	991
up to ninety days. If the fee remains unpaid after the date	992
payment is due, the amount of the fee shall be certified to the	993
attorney general for collection in the form and manner	994
prescribed by the attorney general. The attorney general may	995
assess the collection cost to the amount certified in such a	996
manner and amount as prescribed by the attorney general.	997
Sec. 4713.14. No individual shall do any of the following:	998
(A) Use fraud or deceit in making application for a	999
license, permit, or registration;	1000
(B) Aid or abet any individual or entity in any of the	1001
following:	1002
(1) Violating this chapter or a rule adopted under it;	1003
(2) Obtaining a license, permit, or registration	1004
fraudulently;	1005

(3) Falsely pretending to hold a current, valid license or permit.	1006 1007
(C) Practice a branch of cosmetology, for pay, free, or otherwise, without one of the following authorizing the practice of that branch of cosmetology:	1008 1009 1010
(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;	1011 1012
(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code;	1013 1014
(3) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code;	1015 1016
(4) A current, valid temporary work permit issued under rules adopted by the board pursuant to section 4713.08 of the Revised Code;	1017 1018 1019
(5) A current, valid registration under section 4713.69 of the Revised Code.	1020 1021
(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:	1022 1023 1024
(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;	1025 1026
(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code;	1027 1028
(3) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code;	1029 1030
(4) A current, valid temporary work permit issued under rules adopted by the board pursuant to section 4713.08 of the	1031 1032

Revised Code;	1033
(5) A current, valid registration under section 4713.69 of the Revised Code.	1034 1035
(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 of cosmetology without either of the following authorizing the teaching of that branch of cosmetology:	1036 1037 1038 1039 1040
(1) A current, valid license under section 4713.31 or 4713.34 of the Revised Code;	1041 1042
(2) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code.	1043 1044
(F) Advertise or operate a glamour photography service in which a branch of cosmetology is practiced unless the individual practicing the branch of cosmetology holds either of the following authorizing the practice of that branch of cosmetology:	1045 1046 1047 1048 1049
(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;	1050 1051
(2) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code.	1052 1053
(G) Advertise or operate a glamour photography service in which a branch of cosmetology is practiced at a location not specified by rules adopted under section 4713.08 of the Revised Code;	1054 1055 1056 1057
(H) Practice a branch of cosmetology at a salon as an independent contractor without a current, valid independent contractor license issued under section 4713.39 of the Revised	1058 1059 1060

Code;	1061
(I) Operate a salon without a current, valid license under section 4713.41 of the Revised Code;	1062 1063
(J) Provide any of the following at a salon for pay, free, or otherwise:	1064 1065
(1) Massage therapy, unless the individual has a current, valid license issued by the state medical board under section 4731.15 of the Revised Code;	1066 1067 1068
(2) Any other professional service, unless the individual has a current, valid license or certificate issued by the professional regulatory board of this state that regulates the profession;	1069 1070 1071 1072
(3) Cosmetic therapy, unless the individual is authorized by rules adopted under section 4713.08 of the Revised Code.	1073 1074
(K) Teach a branch of cosmetology at a salon, unless the individual receiving the instruction holds either of the following authorizing the practice of that branch of cosmetology:	1075 1076 1077 1078
(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;	1079 1080
(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code.	1081 1082
(L) Operate a school of cosmetology without a current, valid license under section 4713.44 of the Revised Code;	1083 1084
(M) At a salon or school of cosmetology, do any of the following:	1085 1086
(1) Use or possess a cosmetic product containing an	1087

ingredient that the United States food and drug administration 1088
has prohibited by regulation; 1089

(2) Use a cosmetic product in a manner inconsistent with a 1090
restriction established by the United States food and drug 1091
administration by regulation; 1092

(3) Use or possess a liquid nail monomer containing any 1093
trace of methyl methacrylate (MMA). 1094

(N) While in charge of a salon or school of cosmetology, 1095
permit any individual to sleep in, or use for residential 1096
purposes, any room used wholly or in part as the salon or school 1097
of cosmetology; 1098

(O) Maintain, as an established place of business for the 1099
practice of one or more of the branches of cosmetology, a room 1100
used wholly or in part for sleeping or residential purposes; 1101

(P) Operate a tanning facility that is offered to the 1102
public for a fee or other compensation without a current, valid 1103
permit under section 4713.48 of the Revised Code; 1104

(Q) Practice a branch of cosmetology other than the 1105
practice of boutique services in a location other than a 1106
licensed facility unless otherwise exempted under section 1107
4713.16 ~~or~~, 4713.17, or 4713.351 of the Revised Code; 1108

(R) Use any of the services or arts that are part of 1109
cosmetology to treat or attempt to cure a physical or mental 1110
disease or ailment. 1111

Sec. 4713.25. (A) The state cosmetology and barber board 1112
may administer a separate advanced cosmetologist examination for 1113
individuals who complete an advanced cosmetologist training 1114
course separate from a cosmetologist training course. The board 1115

may combine the advanced cosmetologist examination with the 1116
cosmetologist examination for individuals who complete a 1117
combined cosmetologist and advanced cosmetologist training 1118
course. 1119

(B) The board may administer a separate advanced 1120
esthetician examination for individuals who complete an advanced 1121
esthetician training course separate from an esthetician 1122
training course. The board may combine the advanced esthetician 1123
examination with the esthetician examination for individuals who 1124
complete an esthetician and advanced esthetician training 1125
course. 1126

(C) The board may administer a separate advanced hair 1127
designer examination for individuals who complete an advanced 1128
hair designer training course separate from a hair designer 1129
training course. The board may combine the advanced hair 1130
designer examination with the hair designer examination for 1131
individuals who complete a hair designer and advanced hair 1132
designer training course. 1133

(D) The board may administer a separate advanced 1134
manicurist examination for individuals who complete an advanced 1135
manicurist training course separate from a manicurist training 1136
course. The board may combine the advanced manicurist 1137
examination with the manicurist examination for individuals who 1138
complete a manicurist and advanced manicurist training course. 1139

~~(E) The board may administer a separate advanced natural-~~ 1140
~~hair stylist examination for individuals who complete an-~~ 1141
~~advanced natural hair stylist training course separate from a-~~ 1142
~~natural hair stylist training course. The board may combine the-~~ 1143
~~advanced natural hair stylist examination with the natural hair-~~ 1144
~~stylist examination for individuals who complete a natural hair-~~ 1145

~~stylist and advanced natural hair stylist training course.~~ 1146

Sec. 4713.28. (A) The state cosmetology and barber board 1147
shall issue a practicing license to an applicant who satisfies 1148
all of the following applicable conditions: 1149

(1) Is at least sixteen years of age; 1150

(2) Has the equivalent of an Ohio public school tenth 1151
grade education; 1152

(3) Has submitted a written application on a form 1153
furnished by the board that contains all of the following: 1154

(a) The name of the individual and any other identifying 1155
information required by the board; 1156

(b) A recent photograph of the individual that meets the 1157
specifications established by the board; 1158

(c) A photocopy of the individual's current driver's 1159
license or other proof of legal residence; 1160

(d) Proof that the individual is qualified to take the 1161
applicable examination as required by section 4713.20 of the 1162
Revised Code; 1163

(e) An oath verifying that the information in the 1164
application is true; 1165

(f) The applicable application fee. 1166

(4) Passes an examination conducted under division (A) of 1167
section 4713.24 of the Revised Code for the branch of 1168
cosmetology the applicant seeks to practice; 1169

(5) Pays to the board the applicable license fee; 1170

(6) In the case of an applicant for an initial 1171

cosmetologist license, has successfully completed at least one 1172
thousand five hundred hours of board-approved cosmetology 1173
training in a school of cosmetology licensed in this state, 1174
except that only one thousand hours of board-approved 1175
cosmetology training in a school of cosmetology licensed in this 1176
state is required of an individual licensed as a barber under 1177
Chapter 4709. of the Revised Code; 1178

(7) In the case of an applicant for an initial esthetician 1179
license, has successfully completed at least six hundred hours 1180
of board-approved esthetics training in a school of cosmetology 1181
licensed in this state; 1182

(8) In the case of an applicant for an initial hair 1183
designer license, has successfully completed at least one 1184
thousand two hundred hours of board-approved hair designer 1185
training in a school of cosmetology licensed in this state, 1186
except that only one thousand hours of board-approved hair 1187
designer training in a school of cosmetology licensed in this 1188
state is required of an individual licensed as a barber under 1189
Chapter 4709. of the Revised Code; 1190

(9) In the case of an applicant for an initial manicurist 1191
license, has successfully completed at least two hundred hours 1192
of board-approved manicurist training in a school of cosmetology 1193
licensed in this state; 1194

~~(10) In the case of an applicant for an initial natural 1195
hair stylist license, has successfully completed at least four 1196
hundred fifty hours of instruction in subjects relating to 1197
sanitation, scalp care, anatomy, hair styling, communication 1198
skills, and laws and rules governing the practice of 1199
cosmetology. 1200~~

(B) The board shall not deny a license to any applicant 1201
based on prior incarceration or conviction for any crime. If the 1202
board denies an individual a license or license renewal, the 1203
reasons for such denial shall be put in writing. 1204

Sec. 4713.30. The state cosmetology and barber board shall 1205
issue an advanced license to an applicant who satisfies all of 1206
the following applicable conditions: 1207

(A) Is at least sixteen years of age; 1208

(B) Has the equivalent of an Ohio public school tenth 1209
grade education; 1210

(C) Pays to the board the applicable fee; 1211

(D) Passes the appropriate advanced license examination; 1212

(E) In the case of an applicant for an initial advanced 1213
cosmetologist license, does either of the following: 1214

(1) Has a licensed advanced cosmetologist or owner of a 1215
licensed beauty salon located in this or another state certify 1216
to the board that the applicant has practiced as a cosmetologist 1217
for at least one thousand eight hundred hours in a licensed 1218
beauty salon; 1219

(2) Has a school of cosmetology licensed in this state 1220
certify to the board that the applicant has successfully 1221
completed, in addition to the hours required for licensure as a 1222
cosmetologist, at least three hundred hours of board-approved 1223
advanced cosmetologist training. 1224

(F) In the case of an applicant for an initial advanced 1225
esthetician license, does either of the following: 1226

(1) Has the licensed advanced esthetician, licensed 1227

advanced cosmetologist, or owner of a licensed esthetics salon 1228
or licensed beauty salon located in this or another state 1229
certify to the board that the applicant has practiced esthetics 1230
for at least one thousand eight hundred hours as an esthetician 1231
in a licensed esthetics salon or as a cosmetologist in a 1232
licensed beauty salon; 1233

(2) Has a school of cosmetology licensed in this state 1234
certify to the board that the applicant has successfully 1235
completed, in addition to the hours required for licensure as an 1236
esthetician or cosmetologist, at least one hundred fifty hours 1237
of board-approved advanced esthetician training. 1238

(G) In the case of an applicant for an initial advanced 1239
hair designer license, does either of the following: 1240

(1) Has the licensed advanced hair designer, licensed 1241
advanced cosmetologist, or owner of a licensed hair design salon 1242
or licensed beauty salon located in this or another state 1243
certify to the board that the applicant has practiced hair 1244
design for at least one thousand eight hundred hours as a hair 1245
designer in a licensed hair design salon or as a cosmetologist 1246
in a licensed beauty salon; 1247

(2) Has a school of cosmetology licensed in this state 1248
certify to the board that the applicant has successfully 1249
completed, in addition to the hours required for licensure as a 1250
hair designer or cosmetologist, at least two hundred forty hours 1251
of board-approved advanced hair designer training. 1252

(H) In the case of an applicant for an initial advanced 1253
manicurist license, does either of the following: 1254

(1) Has the licensed advanced manicurist, licensed 1255
advanced cosmetologist, or owner of a licensed nail salon, 1256

licensed beauty salon, or licensed barber shop located in this 1257
or another state certify to the board that the applicant has 1258
practiced manicuring for at least one thousand eight hundred 1259
hours as a manicurist in a licensed nail salon or licensed 1260
barber shop or as a cosmetologist in a licensed beauty salon or 1261
licensed barber shop; 1262

(2) Has a school of cosmetology licensed in this state 1263
certify to the board that the applicant has successfully 1264
completed, in addition to the hours required for licensure as a 1265
manicurist or cosmetologist, at least one hundred hours of 1266
board-approved advanced manicurist training. 1267

~~(I) In the case of an applicant for an initial advanced-~~ 1268
~~natural hair stylist license, does either of the following:~~ 1269

~~(1) Has the licensed advanced natural hair stylist,~~ 1270
~~licensed advanced cosmetologist, or owner of a licensed natural-~~ 1271
~~hair style salon or licensed beauty salon located in this or-~~ 1272
~~another state certify to the board that the applicant has-~~ 1273
~~practiced natural hair styling for at least one thousand eight-~~ 1274
~~hundred hours as a natural hair stylist in a licensed natural-~~ 1275
~~hair style salon or as a cosmetologist in a licensed beauty-~~ 1276
~~salon;~~ 1277

~~(2) Has a school of cosmetology licensed in this state-~~ 1278
~~certify to the board that the applicant has successfully-~~ 1279
~~completed, in addition to the hours required for licensure as-~~ 1280
~~natural hair stylist or cosmetologist, at least one hundred-~~ 1281
~~fifty hours of board approved advanced natural hair stylist-~~ 1282
~~training.~~ 1283

Sec. 4713.31. The state cosmetology and barber board shall 1284
issue an instructor license to an applicant who satisfies all of 1285

the following applicable conditions:	1286
(A) Is at least eighteen years of age;	1287
(B) Has the equivalent of an Ohio public school twelfth grade education;	1288 1289
(C) Pays to the board the applicable fee;	1290
(D) In the case of an applicant for an initial cosmetology instructor license, holds a current, valid advanced cosmetologist license issued in this state and does either of the following:	1291 1292 1293 1294
(1) Has the licensed advanced cosmetologist or owner of the licensed beauty salon in which the applicant has been employed certify to the board that the applicant has engaged in the practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;	1295 1296 1297 1298 1299
(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed one thousand hours of board-approved cosmetology instructor training as an apprentice instructor.	1300 1301 1302 1303
(E) In the case of an applicant for an initial esthetics instructor license, holds a current, valid advanced esthetician or advanced cosmetologist license issued in this state and does either of the following:	1304 1305 1306 1307
(1) Has the licensed advanced esthetician, licensed advanced cosmetologist, or owner of the licensed esthetics salon or licensed beauty salon in which the applicant has been employed certify to the board that the applicant has engaged in the practice of esthetics in a licensed esthetics salon or practice of cosmetology in a licensed beauty salon for at least	1308 1309 1310 1311 1312 1313

one thousand eight hundred hours; 1314

(2) Has a school of cosmetology licensed in this state 1315
certify to the board that the applicant has successfully 1316
completed at least five hundred hours of board-approved 1317
esthetics instructor training as an apprentice instructor. 1318

(F) In the case of an applicant for an initial hair design 1319
instructor license, holds a current, valid advanced hair 1320
designer or advanced cosmetologist license and does either of 1321
the following: 1322

(1) Has the licensed advanced hair designer, licensed 1323
advanced cosmetologist, or owner of the licensed hair design 1324
salon or licensed beauty salon in which the applicant has been 1325
employed certify to the board that the applicant has engaged in 1326
the practice of hair design in a licensed hair design salon or 1327
practice of cosmetology in a licensed beauty salon for at least 1328
one thousand eight hundred hours; 1329

(2) Has a school of cosmetology licensed in this state 1330
certify to the board that the applicant has successfully 1331
completed at least eight hundred hours of board-approved hair 1332
design instructor's training as an apprentice instructor. 1333

(G) In the case of an applicant for an initial manicurist 1334
instructor license, holds a current, valid advanced manicurist 1335
or advanced cosmetologist license and does either of the 1336
following: 1337

(1) Has the licensed advanced manicurist, licensed 1338
advanced cosmetologist, or owner of the licensed nail salon or 1339
licensed beauty salon in which the applicant has been employed 1340
certify to the board that the applicant has engaged in the 1341
practice of manicuring in a licensed nail salon or practice of 1342

cosmetology in a licensed beauty salon for at least one thousand 1343
eight hundred hours; 1344

(2) Has a school of cosmetology licensed in this state 1345
certify to the board that the applicant has successfully 1346
completed at least three hundred hours of board-approved 1347
manicurist instructor training as an apprentice instructor. 1348

~~(H) In the case of an applicant for an initial natural 1349
hair style instructor license, holds a current, valid advanced 1350
natural hair stylist or advanced cosmetologist license and does 1351
either of the following: 1352~~

~~(1) Has the licensed advanced natural hair stylist, 1353
licensed advanced cosmetologist, or owner of the licensed 1354
natural hair style salon or licensed beauty salon in which the 1355
applicant has been employed certify to the board that the 1356
applicant has engaged in the practice of natural hair styling in 1357
a licensed natural hair style salon or practice of cosmetology 1358
in a licensed beauty salon for at least one thousand eight 1359
hundred hours; 1360~~

~~(2) Has a school of cosmetology licensed in this state 1361
certify to the board that the applicant has successfully 1362
completed at least four hundred hours of board-approved natural 1363
hair style instructor training as an apprentice instructor. 1364~~

~~(I) In the case of all applicants, passes an examination 1365
conducted under division (B) of section 4713.24 of the Revised 1366
Code for the branch of cosmetology the applicant seeks to 1367
instruct. 1368~~

Sec. 4713.35. An individual who holds a current, valid 1369
cosmetologist or advanced cosmetologist license issued by the 1370
state cosmetology and barber board may engage in the practice of 1371

one or more branches of cosmetology as the individual chooses in 1372
a licensed facility. 1373

An individual who holds a current, valid esthetician or 1374
advanced esthetician license issued by the board may engage in 1375
the practice of esthetics but no other branch of cosmetology in 1376
a licensed facility. 1377

An individual who holds a current, valid hair designer or 1378
advanced hair designer license issued by the board may engage in 1379
the practice of hair design but no other branch of cosmetology 1380
in a licensed facility. 1381

An individual who holds a current, valid manicurist or 1382
advanced manicurist license issued by the board may engage in 1383
the practice of manicuring but no other branch of cosmetology in 1384
a licensed facility. 1385

~~An individual who holds a current, valid natural hair 1386
stylist or advanced natural hair stylist license issued by the 1387
board may engage in the practice of natural hair styling but no 1388
other branch of cosmetology in a licensed facility. 1389~~

An individual who holds a current, valid cosmetology 1390
instructor license issued by the board may teach the theory and 1391
practice of one or more branches of cosmetology at a school of 1392
cosmetology as the individual chooses. 1393

An individual who holds a current, valid esthetics 1394
instructor license issued by the board may teach the theory and 1395
practice of esthetics, but no other branch of cosmetology, at a 1396
school of cosmetology. 1397

An individual who holds a current, valid hair design 1398
instructor license issued by the board may teach the theory and 1399
practice of hair design, but no other branch of cosmetology, at 1400

a school of cosmetology. 1401

An individual who holds a current, valid manicurist 1402
instructor license issued by the board may teach the theory and 1403
practice of manicuring, but no other branch of cosmetology, at a 1404
school of cosmetology. 1405

~~An individual who holds a current, valid natural hair 1406
style instructor license issued by the board may teach the 1407
theory and practice of natural hair styling, but no other branch 1408
of cosmetology, at a school of cosmetology. 1409~~

~~An individual who holds a current, valid boutique 1410
registration with the board may engage in the practice of 1411
boutique services but no other branch of cosmetology. 1412~~

Sec. 4713.41. The state cosmetology and barber board shall 1413
issue a license to operate a salon, ~~including a boutique salon,~~ 1414
to an applicant who pays the applicable fee and affirms that all 1415
of the following conditions will be met: 1416

(A) (1) An individual holding a current, valid 1417
cosmetologist license ~~or boutique services registration~~ 1418
pertaining to the branch of cosmetology services performed at 1419
the salon ~~or boutique salon,~~ shall have charge of and immediate 1420
supervision over the salon at all times when the salon is open 1421
for business except as permitted under division (A) (2) of this 1422
section. 1423

(2) A business establishment that is engaged primarily in 1424
retail sales but is also licensed as a salon shall have present 1425
an individual holding a current, valid license ~~or registration~~ 1426
to practice in that type of salon in charge of and in immediate 1427
supervision of the salon during posted or advertised service 1428
hours, if the practice of cosmetology is restricted to those 1429

posted or advertised service hours. 1430

(B) The salon is equipped to do all of the following: 1431

(1) Provide potable running hot and cold water and proper 1432
drainage; 1433

(2) Sanitize all instruments and supplies used in the 1434
branch of cosmetology provided at the salon; 1435

(3) If cosmetic therapy, massage therapy, or other 1436
professional service is provided at the salon under section 1437
4713.42 of the Revised Code, sanitize all instruments and 1438
supplies used in the cosmetic therapy, massage therapy, or other 1439
professional service. 1440

(C) Except as provided in sections 4713.42 ~~and,~~ 4713.49, 1441
and 4713.69 of the Revised Code, only the branch of cosmetology 1442
that the salon is licensed to provide is practiced at the salon. 1443

(D) The salon is kept in a clean and sanitary condition 1444
and properly ventilated. 1445

(E) No food is sold at the salon in a manner inconsistent 1446
with rules adopted under section 4713.08 of the Revised Code. 1447

(F) A notice that contains a toll-free number and online 1448
process for reporting alleged violations of this chapter, as 1449
prescribed by the board of cosmetology, is posted at the salon 1450
in a common area for all customers of salon services. 1451

Sec. 4713.56. Every holder of a practicing license, 1452
instructor license, or independent contractor license, ~~or~~ 1453
~~boutique service registration~~ issued by the state cosmetology 1454
and barber board shall maintain the board-issued, wallet-sized 1455
license or electronically generated license certification ~~or~~ 1456
~~registration~~ and a current government-issued photo 1457

identification that can be produced upon inspection or request. 1458

Every holder of a license to operate a salon issued by the 1459
board shall display the license in a public and conspicuous 1460
place in the salon. 1461

Every holder of a license to operate a school of 1462
cosmetology issued by the board shall display the license in a 1463
public and conspicuous place in the school. 1464

Every individual who provides massage therapy or other 1465
professional service in a salon under section 4713.42 of the 1466
Revised Code shall maintain the individual's professional 1467
license or certificate or electronically generated license 1468
certification or registration and a state of Ohio issued photo 1469
identification that can be produced upon inspection or request. 1470

Sec. 4713.57. A license ~~or registration~~ issued by the 1471
state cosmetology and barber board pursuant to this chapter is 1472
valid until the last day of January of the odd-numbered year 1473
following its original issuance or renewal, unless the license 1474
is revoked or suspended prior to that date. Renewal shall be 1475
done in accordance with the standard renewal procedure of 1476
Chapter 4745. of the Revised Code. The board may refuse to renew 1477
a license if the individual holding the license has an 1478
outstanding unpaid fine levied under section 4713.64 of the 1479
Revised Code. 1480

Sec. 4713.58. (A) Except as provided in division (B) of 1481
this section, on payment of the renewal fee and submission of 1482
proof satisfactory to the state cosmetology and barber board 1483
that any applicable continuing education requirements have been 1484
completed, an individual currently licensed as: 1485

(1) A cosmetology instructor who has previously been 1486

licensed as a cosmetologist or an advanced cosmetologist, is 1487
entitled to the reissuance of a cosmetologist or advanced 1488
cosmetologist license; 1489

(2) An esthetics instructor who has previously been 1490
licensed as an esthetician or an advanced esthetician, is 1491
entitled to the reissuance of an esthetician or advanced 1492
esthetician license; 1493

(3) A hair design instructor who has previously been 1494
licensed as a hair designer or an advanced hair designer, is 1495
entitled to the reissuance of a hair designer or advanced hair 1496
designer license; 1497

(4) A manicurist instructor who has previously been 1498
licensed as a manicurist or an advanced manicurist, is entitled 1499
to the reissuance of a manicurist or advanced manicurist 1500
license; 1501

~~(5) A natural hair style instructor who has previously~~ 1502
~~been licensed as a natural hair stylist or an advanced natural~~ 1503
~~hair stylist, is entitled to the reissuance of a natural hair~~ 1504
~~stylist or advanced natural hair stylist license.~~ 1505

(B) No individual is entitled to the reissuance of a 1506
license under division (A) of this section if the license was 1507
revoked or suspended or the individual has an outstanding unpaid 1508
fine levied under section 4713.64 of the Revised Code. 1509

Sec. 4713.60. (A) Except as provided in division (C) of 1510
this section, an individual seeking a renewal of a license to 1511
practice a branch of cosmetology, advanced license, or 1512
instructor license, ~~or boutique services registration~~ shall 1513
include in the renewal application proof satisfactory to the 1514
state cosmetology and barber board of completion of any 1515

applicable continuing education requirements established by 1516
rules adopted under section 4713.09 of the Revised Code. 1517

(B) If an applicant fails to provide satisfactory proof of 1518
completion of any applicable continuing education requirements, 1519
the board shall notify the applicant that the application is 1520
incomplete. The board shall not renew the license ~~or~~ 1521
~~registration~~ until the applicant provides satisfactory proof of 1522
completion of any applicable continuing education requirements. 1523
The board may provide the applicant with an extension of up to 1524
ninety days in which to complete the continuing education 1525
requirement. In providing for the extension, the board may 1526
charge the licensee ~~or registrant~~ a fine of up to one hundred 1527
dollars. 1528

(C) The board may waive, or extend the period for 1529
completing, any continuing education requirement if a licensee 1530
~~or registrant~~ applies to the board and provides proof 1531
satisfactory to the board of being unable to complete the 1532
requirement within the time allowed because of any of the 1533
following: 1534

(1) An emergency; 1535

(2) An unusual or prolonged illness; 1536

(3) Active duty service in any branch of the armed forces 1537
of the United States or a reserve component of the armed forces 1538
of the United States, including the Ohio national guard or the 1539
national guard of any other state. 1540

The board shall determine the period of time during which 1541
each extension is effective and shall inform the applicant. The 1542
board shall also inform the applicant of the continuing 1543
education requirements that must be met to have the license ~~or~~ 1544

~~registration~~ renewed. If an extension is granted for less than 1545
one year, the continuing education requirement for that year, in 1546
addition to the required continuing education for the succeeding 1547
year, must be completed in the succeeding year. In all other 1548
cases the board may waive all or part of the continuing 1549
education requirement on a case-by-case basis. Any required 1550
continuing education shall be completed and satisfactory proof 1551
of its completion submitted to the board by a date specified by 1552
the board. Every license ~~or registration~~ that has not been 1553
renewed in the timeframe specified in section 4713.57 of the 1554
Revised Code and for which the continuing education requirement 1555
has not been waived or extended shall be considered expired. 1556

Sec. 4713.62. (A) An individual holding a practicing 1557
license, advanced license, or instructor license, ~~or boutique~~ 1558
~~services registration~~ may satisfy a continuing education 1559
requirement established by rules adopted under section 4713.09 1560
of the Revised Code only by completing continuing education 1561
programs approved under division (B) of this section. 1562

(B) The state cosmetology and barber board shall approve a 1563
continuing education program if all of the following conditions 1564
are satisfied: 1565

(1) The person operating the program submits to the board 1566
a written application for approval. 1567

(2) The person operating the program pays to the board a 1568
fee established by rules adopted under section 4713.08 of the 1569
Revised Code. 1570

(3) The program is operated by an employee, officer, or 1571
director of a nonprofit professional association, college or 1572
university, proprietary continuing education institutions 1573

providing programs approved by the board, vocational school, 1574
postsecondary proprietary school of cosmetology licensed by the 1575
board, salon licensed by the board, or manufacturer of supplies 1576
or equipment used in the practice of a branch of cosmetology. 1577

(4) The program will do at least one of the following: 1578

(a) Enhance the professional competency of the affected 1579
licensees ~~or registrants~~; 1580

(b) Protect the public; 1581

(c) Educate the affected licensees ~~or registrants~~ in the 1582
application of the laws and rules regulating the practice of a 1583
branch of cosmetology. 1584

(5) The person operating the program provides the board a 1585
tentative schedule of when the program will be available so that 1586
the board can make the schedule readily available to all 1587
licensees ~~and registrants~~ throughout the state. 1588

Sec. 4713.69. (A) An individual who engages in the 1589
practice of boutique services shall obtain a boutique salon 1590
registration. 1591

(B) An individual wishing to obtain a boutique salon 1592
registration shall do both of the following: 1593

(1) Submit an application on a form prescribed by the 1594
state cosmetology and barber board containing all of the 1595
following: 1596

(a) The applicant's name; 1597

(b) The address of the physical location where an 1598
applicant engages in the practice of boutique services or the 1599
applicant's primary home address if the applicant primarily 1600

engages in the practice of boutique services at multiple 1601
locations; 1602

(c) The applicant's primary telephone number; 1603

(d) The applicant's primary electronic mail address. 1604

(2) Pay the applicable fee, if any, to the board. 1605

(C) The board shall issue a boutique salon registration to 1606
an individual who submits a boutique salon registration 1607
application on the form prescribed by the board and pays to the 1608
board the applicable fee, if any. 1609

(D) An individual with a boutique salon registration shall 1610
do all of the following: 1611

(1) Inform the board whenever the information provided in 1612
the individual's application for a registration changes; 1613

(2) Sanitize all instruments and supplies used in the 1614
practice of boutique services; 1615

(3) Engage in the practice of boutique services only at a 1616
salon or boutique salon that is in clean and sanitary condition 1617
with proper ventilation, potable running hot and cold water, and 1618
proper drainage. 1619

(E) An individual with a valid boutique salon registration 1620
may engage in the practice of boutique services at a salon. 1621

(F) The board shall not require initial inspection of a 1622
boutique salon as a condition for issuing a boutique salon 1623
registration. The board shall require inspectors appointed 1624
pursuant to section 4713.06 of the Revised Code to conduct 1625
inspections of boutique salons only under one of the following 1626
conditions: 1627

(1) The inspection is to occur after a complaint is reported to the board in accordance with division (A) (11) of section 4713.07 of the Revised Code; 1628
1629
1630

(2) The inspection is to occur within ninety days after a violation was documented at a boutique salon. 1631
1632

(G) The board shall maintain a registry of boutique salons. 1633
1634

(H) A registration issued under division (C) of this section does not expire. 1635
1636

(I) An individual who engages in the practice of boutique services and no other branch of cosmetology is exempt from any requirement under this chapter to obtain a current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code. 1637
1638
1639
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1641

(J) If an individual holds a license issued under section 4713.28, 4713.30, or 4713.34 of the Revised Code, the individual is not required to register under this section if the individual's practice of boutique services falls under the scope of practice of that license. 1642
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1646

Section 2. That existing sections 2925.01, 4709.01, 4713.01, 4713.07, 4713.081, 4713.09, 4713.10, 4713.14, 4713.25, 4713.28, 4713.30, 4713.31, 4713.35, 4713.41, 4713.56, 4713.57, 4713.58, 4713.60, and 4713.62 of the Revised Code are hereby repealed. 1647
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Section 3. That section 4713.69 of the Revised Code is hereby repealed. 1652
1653

Section 4. That the versions of sections 4713.10, 4713.30, and 4713.31 of the Revised Code that are scheduled to take 1654
1655

effect December 29, 2023, be amended to read as follows: 1656

Sec. 4713.10. (A) The state cosmetology and barber board 1657
shall charge and collect the following fees: 1658

(1) For a temporary pre-examination work permit under 1659
section 4713.22 of the Revised Code, not more than fifteen 1660
dollars; 1661

(2) For initial application to take an examination under 1662
section 4713.24 of the Revised Code, not more than forty 1663
dollars; 1664

(3) For application to take an examination under section 1665
4713.24 of the Revised Code by an applicant who has previously 1666
applied to take, but failed to appear for, the examination, not 1667
more than fifty-five dollars; 1668

(4) For application to re-take an examination under 1669
section 4713.24 of the Revised Code by an applicant who has 1670
previously appeared for, but failed to pass, the examination, 1671
not more than forty dollars; 1672

(5) For the issuance of a license by examination under 1673
section 4713.28, 4713.30, or 4713.31 of the Revised Code, not 1674
more than seventy-five dollars; 1675

(6) For the issuance of a license under section 4713.34 of 1676
the Revised Code, not more than seventy dollars; 1677

(7) For renewal of a license issued under section 4713.28, 1678
4713.30, 4713.31, or 4713.34 of the Revised Code, not more than 1679
seventy dollars; 1680

(8) For the issuance or renewal of a cosmetology school 1681
license, not more than two hundred fifty dollars; 1682

(9) For the issuance of a new salon license or the change of name or ownership of a salon license under section 4713.41 of the Revised Code, not more than one hundred dollars;	1683 1684 1685
(10) For the renewal of a salon license under section 4713.41 of the Revised Code, not more than ninety dollars;	1686 1687
(11) For the restoration of an expired license that may be restored pursuant to section 4713.63 of the Revised Code, an amount equal to the sum of the current license renewal fee and a lapsed renewal fee of not more than forty-five dollars per license renewal period that has elapsed since the license was last issued or renewed;	1688 1689 1690 1691 1692 1693
(12) For the issuance of a duplicate of any license, not more than thirty dollars;	1694 1695
(13) For the preparation and mailing of a licensee's records to another state for a reciprocity license, not more than fifty dollars;	1696 1697 1698
(14) For the processing of any fees related to a check from a licensee returned to the board for insufficient funds, an additional thirty dollars;	1699 1700 1701
<u>(15) For the issuance of a boutique salon registration under section 4713.69 of the Revised Code, not more than twenty-five dollars.</u>	1702 1703 1704
(B) The board shall adjust the fees biennially, by rule, within the limits established by division (A) of this section, to provide sufficient revenues to meet its expenses.	1705 1706 1707
(C) The board may establish an installment plan for the payment of fines and fees and may reduce fees as considered appropriate by the board.	1708 1709 1710

(D) At the request of a person who is temporarily unable 1711
to pay a fee imposed under division (A) of this section, or on 1712
its own motion, the board may extend the date payment is due by 1713
up to ninety days. If the fee remains unpaid after the date 1714
payment is due, the amount of the fee shall be certified to the 1715
attorney general for collection in the form and manner 1716
prescribed by the attorney general. The attorney general may 1717
assess the collection cost to the amount certified in such a 1718
manner and amount as prescribed by the attorney general. 1719

Sec. 4713.30. (A) Except as provided in division (B) of 1720
this section, the state cosmetology and barber board shall issue 1721
an advanced license to an applicant who satisfies all of the 1722
following applicable conditions: 1723

(1) Is at least sixteen years of age; 1724

(2) Has the equivalent of an Ohio public school tenth 1725
grade education; 1726

(3) Pays to the board the applicable fee; 1727

(4) Passes the appropriate advanced license examination; 1728

(5) In the case of an applicant for an initial advanced 1729
cosmetologist license, does either of the following: 1730

(a) Has a licensed advanced cosmetologist or owner of a 1731
licensed beauty salon located in this or another state certify 1732
to the board that the applicant has practiced as a cosmetologist 1733
for at least one thousand eight hundred hours in a licensed 1734
beauty salon; 1735

(b) Has a school of cosmetology licensed in this state 1736
certify to the board that the applicant has successfully 1737
completed, in addition to the hours required for licensure as a 1738

cosmetologist, at least three hundred hours of board-approved 1739
advanced cosmetologist training. 1740

(6) In the case of an applicant for an initial advanced 1741
esthetician license, does either of the following: 1742

(a) Has the licensed advanced esthetician, licensed 1743
advanced cosmetologist, or owner of a licensed esthetics salon 1744
or licensed beauty salon located in this or another state 1745
certify to the board that the applicant has practiced esthetics 1746
for at least one thousand eight hundred hours as an esthetician 1747
in a licensed esthetics salon or as a cosmetologist in a 1748
licensed beauty salon; 1749

(b) Has a school of cosmetology licensed in this state 1750
certify to the board that the applicant has successfully 1751
completed, in addition to the hours required for licensure as an 1752
esthetician or cosmetologist, at least one hundred fifty hours 1753
of board-approved advanced esthetician training. 1754

(7) In the case of an applicant for an initial advanced 1755
hair designer license, does either of the following: 1756

(a) Has the licensed advanced hair designer, licensed 1757
advanced cosmetologist, or owner of a licensed hair design salon 1758
or licensed beauty salon located in this or another state 1759
certify to the board that the applicant has practiced hair 1760
design for at least one thousand eight hundred hours as a hair 1761
designer in a licensed hair design salon or as a cosmetologist 1762
in a licensed beauty salon; 1763

(b) Has a school of cosmetology licensed in this state 1764
certify to the board that the applicant has successfully 1765
completed, in addition to the hours required for licensure as a 1766
hair designer or cosmetologist, at least two hundred forty hours 1767

of board-approved advanced hair designer training. 1768

(8) In the case of an applicant for an initial advanced 1769
manicurist license, does either of the following: 1770

(a) Has the licensed advanced manicurist, licensed 1771
advanced cosmetologist, or owner of a licensed nail salon, 1772
licensed beauty salon, or licensed barber shop located in this 1773
or another state certify to the board that the applicant has 1774
practiced manicuring for at least one thousand eight hundred 1775
hours as a manicurist in a licensed nail salon or licensed 1776
barber shop or as a cosmetologist in a licensed beauty salon or 1777
licensed barber shop; 1778

(b) Has a school of cosmetology licensed in this state 1779
certify to the board that the applicant has successfully 1780
completed, in addition to the hours required for licensure as a 1781
manicurist or cosmetologist, at least one hundred hours of 1782
board-approved advanced manicurist training. 1783

~~(9) In the case of an applicant for an initial advanced 1784
natural hair stylist license, does either of the following: 1785~~

~~(a) Has the licensed advanced natural hair stylist, 1786
licensed advanced cosmetologist, or owner of a licensed natural 1787
hair style salon or licensed beauty salon located in this or 1788
another state certify to the board that the applicant has 1789
practiced natural hair styling for at least one thousand eight 1790
hundred hours as a natural hair stylist in a licensed natural 1791
hair style salon or as a cosmetologist in a licensed beauty 1792
salon; 1793~~

~~(b) Has a school of cosmetology licensed in this state 1794
certify to the board that the applicant has successfully 1795
completed, in addition to the hours required for licensure as 1796~~

~~natural hair stylist or cosmetologist, at least one hundred- 1797~~
~~fifty hours of board-approved advanced natural hair stylist- 1798~~
~~training. 1799~~

(B) The board shall issue an advanced license in a branch 1800
of cosmetology in accordance with Chapter 4796. of the Revised 1801
Code to an applicant if either of the following applies: 1802

(1) The applicant holds an advanced license in that branch 1803
of cosmetology in another state. 1804

(2) The applicant has satisfactory work experience, a 1805
government certification, or a private certification as 1806
described in that chapter in that branch of cosmetology in a 1807
state that does not issue that license. 1808

Sec. 4713.31. (A) The state cosmetology and barber board 1809
shall issue an instructor license to an applicant who satisfies 1810
all of the following applicable conditions: 1811

(1) Is at least eighteen years of age; 1812

(2) Has the equivalent of an Ohio public school twelfth 1813
grade education; 1814

(3) Pays to the board the applicable fee; 1815

(4) In the case of an applicant for an initial cosmetology 1816
instructor license, holds a current, valid advanced 1817
cosmetologist license issued in this state and does either of 1818
the following: 1819

(a) Has the licensed advanced cosmetologist or owner of 1820
the licensed beauty salon in which the applicant has been 1821
employed certify to the board that the applicant has engaged in 1822
the practice of cosmetology in a licensed beauty salon for at 1823
least one thousand eight hundred hours; 1824

(b) Has a school of cosmetology licensed in this state 1825
certify to the board that the applicant has successfully 1826
completed one thousand hours of board-approved cosmetology 1827
instructor training as an apprentice instructor. 1828

(5) In the case of an applicant for an initial esthetics 1829
instructor license, holds a current, valid advanced esthetician 1830
or advanced cosmetologist license issued in this state and does 1831
either of the following: 1832

(a) Has the licensed advanced esthetician, licensed 1833
advanced cosmetologist, or owner of the licensed esthetics salon 1834
or licensed beauty salon in which the applicant has been 1835
employed certify to the board that the applicant has engaged in 1836
the practice of esthetics in a licensed esthetics salon or 1837
practice of cosmetology in a licensed beauty salon for at least 1838
one thousand eight hundred hours; 1839

(b) Has a school of cosmetology licensed in this state 1840
certify to the board that the applicant has successfully 1841
completed at least five hundred hours of board-approved 1842
esthetics instructor training as an apprentice instructor. 1843

(6) In the case of an applicant for an initial hair design 1844
instructor license, holds a current, valid advanced hair 1845
designer or advanced cosmetologist license and does either of 1846
the following: 1847

(a) Has the licensed advanced hair designer, licensed 1848
advanced cosmetologist, or owner of the licensed hair design 1849
salon or licensed beauty salon in which the applicant has been 1850
employed certify to the board that the applicant has engaged in 1851
the practice of hair design in a licensed hair design salon or 1852
practice of cosmetology in a licensed beauty salon for at least 1853

one thousand eight hundred hours; 1854

(b) Has a school of cosmetology licensed in this state 1855
certify to the board that the applicant has successfully 1856
completed at least eight hundred hours of board-approved hair 1857
design instructor's training as an apprentice instructor. 1858

(7) In the case of an applicant for an initial manicurist 1859
instructor license, holds a current, valid advanced manicurist 1860
or advanced cosmetologist license and does either of the 1861
following: 1862

(a) Has the licensed advanced manicurist, licensed 1863
advanced cosmetologist, or owner of the licensed nail salon or 1864
licensed beauty salon in which the applicant has been employed 1865
certify to the board that the applicant has engaged in the 1866
practice of manicuring in a licensed nail salon or practice of 1867
cosmetology in a licensed beauty salon for at least one thousand 1868
eight hundred hours; 1869

(b) Has a school of cosmetology licensed in this state 1870
certify to the board that the applicant has successfully 1871
completed at least three hundred hours of board-approved 1872
manicurist instructor training as an apprentice instructor. 1873

~~(8) In the case of an applicant for an initial natural-~~ 1874
~~hair style instructor license, holds a current, valid advanced-~~ 1875
~~natural hair stylist or advanced cosmetologist license and does-~~ 1876
~~either of the following:~~ 1877

~~(a) Has the licensed advanced natural hair stylist,~~ 1878
~~licensed advanced cosmetologist, or owner of the licensed-~~ 1879
~~natural hair style salon or licensed beauty salon in which the-~~ 1880
~~applicant has been employed certify to the board that the-~~ 1881
~~applicant has engaged in the practice of natural hair styling in-~~ 1882

~~a licensed natural hair style salon or practice of cosmetology~~ 1883
~~in a licensed beauty salon for at least one thousand eight~~ 1884
~~hundred hours;~~ 1885

~~(b) Has a school of cosmetology licensed in this state~~ 1886
~~certify to the board that the applicant has successfully~~ 1887
~~completed at least four hundred hours of board approved natural~~ 1888
~~hair style instructor training as an apprentice instructor.~~ 1889

~~(9) In the case of all applicants, passes an examination~~ 1890
~~conducted under division (B) of section 4713.24 of the Revised~~ 1891
~~Code for the branch of cosmetology the applicant seeks to~~ 1892
~~instruct.~~ 1893

(B) The board shall issue an instructor license for a 1894
branch of cosmetology in accordance with Chapter 4796. of the 1895
Revised Code to an applicant if either of the following applies: 1896

(1) The applicant holds an instructor license in that 1897
branch of cosmetology in another state. 1898

(2) The applicant has satisfactory work experience, a 1899
government certification, or a private certification as 1900
described in that chapter as an instructor in that branch of 1901
cosmetology in a state that does not issue that license. 1902

Section 5. That the existing versions of sections 4713.10, 1903
4713.30, and 4713.31 of the Revised Code that are scheduled to 1904
take effect December 29, 2023, are hereby repealed. 1905

Section 6. That the version of section 4713.69 of the 1906
Revised Code that is scheduled to take effect on December 29, 1907
2023, is hereby repealed. 1908

Section 7. Sections 4, 5, and 6 of this act take effect 1909
December 29, 2023. 1910

Section 8. (A) Notwithstanding the amendment of sections 1911
in Chapter 4713. of the Revised Code in this act, which no 1912
longer provides for natural hair stylist licenses, advanced 1913
natural hair stylist licenses, or natural hair style instructor 1914
licenses, a valid natural hair stylist license, valid advanced 1915
natural hair stylist license, or valid natural hair style 1916
instructor license held by a person on or after the effective 1917
date of this section is valid for the duration of that license 1918
term. If the license is not renewed in accordance with division 1919
(B) of this section, the license expires and cannot be renewed. 1920

(B) An individual who holds any of the following licenses 1921
on the effective date of this section may maintain and renew the 1922
license at the discretion of the State Cosmetology and Barber 1923
Board until January 31, 2025: 1924

(1) A valid natural hair stylist license issued under 1925
section 4713.28 of the Revised Code as it existed immediately 1926
before the effective date of this section; 1927

(2) A valid advanced natural hair stylist license issued 1928
under section 4713.30 of the Revised Code as it existed 1929
immediately before the effective date of this section; 1930

(3) A valid natural hair style instructor license issued 1931
under section 4713.31 of the Revised Code as it existed 1932
immediately before the effective date of this section. 1933

Section 9. This act shall be known as the Provider of 1934
Boutique Services Opportunity Act. 1935

Section 10. This act does not affect the scope of practice 1936
or required hours of initial instruction for any of the 1937
following licenses issued by the State Cosmetology and Barber 1938
Board: 1939

(A) A barber license issued under section 4709.07 or 4709.08 of the Revised Code;	1940 1941
(B) A practicing or advanced cosmetologist license issued under section 4713.28, 4713.30, or 4713.34 of the Revised Code;	1942 1943
(C) A practicing or advanced esthetician license issued under section 4713.28, 4713.30, or 4713.34 of the Revised Code;	1944 1945
(D) A practicing or advanced hair designer license issued under section 4713.28, 4713.30, or 4713.34 of the Revised Code;	1946 1947
(E) A practicing or advanced manicurist license issued under section 4713.28, 4713.30, or 4713.34 of the Revised Code.	1948 1949