

As Introduced

131st General Assembly

Regular Session

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S. B. No. 213

Senators Jordan, Tavares

Cosponsors: Senators Beagle, Brown, Eklund, Uecker, Yuko

A BILL

To amend sections 2925.01, 4713.01, 4713.02, 1
4713.03, 4713.06, 4713.07, 4713.08, 4713.081, 2
4713.082, 4713.09, 4713.10, 4713.13, 4713.14, 3
4713.141, 4713.16, 4713.17, 4713.20, 4713.21, 4
4713.22, 4713.24, 4713.25, 4713.26, 4713.28, 5
4713.30, 4713.31, 4713.34, 4713.35, 4713.36, 6
4713.37, 4713.39, 4713.41, 4713.42, 4713.44, 7
4713.45, 4713.48, 4713.55, 4713.56, 4713.57, 8
4713.58, 4713.59, 4713.60, 4713.61, 4713.62, 9
4713.63, 4713.64, 4713.641, and 4713.99 and to 10
enact sections 4713.071, 4713.66, and 4713.69 of 11
the Revised Code to make changes to the 12
Cosmetology Licensing Law. 13

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

Section 1. That sections 2925.01, 4713.01, 4713.02, 14
4713.03, 4713.06, 4713.07, 4713.08, 4713.081, 4713.082, 4713.09, 15
4713.10, 4713.13, 4713.14, 4713.141, 4713.16, 4713.17, 4713.20, 16
4713.21, 4713.22, 4713.24, 4713.25, 4713.26, 4713.28, 4713.30, 17
4713.31, 4713.34, 4713.35, 4713.36, 4713.37, 4713.39, 4713.41, 18
4713.42, 4713.44, 4713.45, 4713.48, 4713.55, 4713.56, 4713.57, 19

4713.58, 4713.59, 4713.60, 4713.61, 4713.62, 4713.63, 4713.64, 20
4713.641, and 4713.99 be amended and sections 4713.071, 4713.66, 21
and 4713.69 of the Revised Code be enacted to read as follows: 22

Sec. 2925.01. As used in this chapter: 23

(A) "Administer," "controlled substance," "controlled 24
substance analog," "dispense," "distribute," "hypodermic," 25
"manufacturer," "official written order," "person," 26
"pharmacist," "pharmacy," "sale," "schedule I," "schedule II," 27
"schedule III," "schedule IV," "schedule V," and "wholesaler" 28
have the same meanings as in section 3719.01 of the Revised 29
Code. 30

(B) "Drug dependent person" and "drug of abuse" have the 31
same meanings as in section 3719.011 of the Revised Code. 32

(C) "Drug," "dangerous drug," "licensed health 33
professional authorized to prescribe drugs," and "prescription" 34
have the same meanings as in section 4729.01 of the Revised 35
Code. 36

(D) "Bulk amount" of a controlled substance means any of 37
the following: 38

(1) For any compound, mixture, preparation, or substance 39
included in schedule I, schedule II, or schedule III, with the 40
exception of controlled substance analogs, marihuana, cocaine, 41
L.S.D., heroin, and hashish and except as provided in division 42
(D)(2) or (5) of this section, whichever of the following is 43
applicable: 44

(a) An amount equal to or exceeding ten grams or twenty- 45
five unit doses of a compound, mixture, preparation, or 46
substance that is or contains any amount of a schedule I opiate 47
or opium derivative; 48

(b) An amount equal to or exceeding ten grams of a 49
compound, mixture, preparation, or substance that is or contains 50
any amount of raw or gum opium; 51

(c) An amount equal to or exceeding thirty grams or ten 52
unit doses of a compound, mixture, preparation, or substance 53
that is or contains any amount of a schedule I hallucinogen 54
other than tetrahydrocannabinol or lysergic acid amide, or a 55
schedule I stimulant or depressant; 56

(d) An amount equal to or exceeding twenty grams or five 57
times the maximum daily dose in the usual dose range specified 58
in a standard pharmaceutical reference manual of a compound, 59
mixture, preparation, or substance that is or contains any 60
amount of a schedule II opiate or opium derivative; 61

(e) An amount equal to or exceeding five grams or ten unit 62
doses of a compound, mixture, preparation, or substance that is 63
or contains any amount of phencyclidine; 64

(f) An amount equal to or exceeding one hundred twenty 65
grams or thirty times the maximum daily dose in the usual dose 66
range specified in a standard pharmaceutical reference manual of 67
a compound, mixture, preparation, or substance that is or 68
contains any amount of a schedule II stimulant that is in a 69
final dosage form manufactured by a person authorized by the 70
"Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 71
U.S.C.A. 301, as amended, and the federal drug abuse control 72
laws, as defined in section 3719.01 of the Revised Code, that is 73
or contains any amount of a schedule II depressant substance or 74
a schedule II hallucinogenic substance; 75

(g) An amount equal to or exceeding three grams of a 76
compound, mixture, preparation, or substance that is or contains 77

any amount of a schedule II stimulant, or any of its salts or 78
isomers, that is not in a final dosage form manufactured by a 79
person authorized by the Federal Food, Drug, and Cosmetic Act 80
and the federal drug abuse control laws. 81

(2) An amount equal to or exceeding one hundred twenty 82
grams or thirty times the maximum daily dose in the usual dose 83
range specified in a standard pharmaceutical reference manual of 84
a compound, mixture, preparation, or substance that is or 85
contains any amount of a schedule III or IV substance other than 86
an anabolic steroid or a schedule III opiate or opium 87
derivative; 88

(3) An amount equal to or exceeding twenty grams or five 89
times the maximum daily dose in the usual dose range specified 90
in a standard pharmaceutical reference manual of a compound, 91
mixture, preparation, or substance that is or contains any 92
amount of a schedule III opiate or opium derivative; 93

(4) An amount equal to or exceeding two hundred fifty 94
milliliters or two hundred fifty grams of a compound, mixture, 95
preparation, or substance that is or contains any amount of a 96
schedule V substance; 97

(5) An amount equal to or exceeding two hundred solid 98
dosage units, sixteen grams, or sixteen milliliters of a 99
compound, mixture, preparation, or substance that is or contains 100
any amount of a schedule III anabolic steroid. 101

(E) "Unit dose" means an amount or unit of a compound, 102
mixture, or preparation containing a controlled substance that 103
is separately identifiable and in a form that indicates that it 104
is the amount or unit by which the controlled substance is 105
separately administered to or taken by an individual. 106

(F) "Cultivate" includes planting, watering, fertilizing,	107
or tilling.	108
(G) "Drug abuse offense" means any of the following:	109
(1) A violation of division (A) of section 2913.02 that	110
constitutes theft of drugs, or a violation of section 2925.02,	111
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12,	112
2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36,	113
or 2925.37 of the Revised Code;	114
(2) A violation of an existing or former law of this or	115
any other state or of the United States that is substantially	116
equivalent to any section listed in division (G) (1) of this	117
section;	118
(3) An offense under an existing or former law of this or	119
any other state, or of the United States, of which planting,	120
cultivating, harvesting, processing, making, manufacturing,	121
producing, shipping, transporting, delivering, acquiring,	122
possessing, storing, distributing, dispensing, selling, inducing	123
another to use, administering to another, using, or otherwise	124
dealing with a controlled substance is an element;	125
(4) A conspiracy to commit, attempt to commit, or	126
complicity in committing or attempting to commit any offense	127
under division (G) (1), (2), or (3) of this section.	128
(H) "Felony drug abuse offense" means any drug abuse	129
offense that would constitute a felony under the laws of this	130
state, any other state, or the United States.	131
(I) "Harmful intoxicant" does not include beer or	132
intoxicating liquor but means any of the following:	133
(1) Any compound, mixture, preparation, or substance the	134

gas, fumes, or vapor of which when inhaled can induce 135
intoxication, excitement, giddiness, irrational behavior, 136
depression, stupefaction, paralysis, unconsciousness, 137
asphyxiation, or other harmful physiological effects, and 138
includes, but is not limited to, any of the following: 139

(a) Any volatile organic solvent, plastic cement, model 140
cement, fingernail polish remover, lacquer thinner, cleaning 141
fluid, gasoline, or other preparation containing a volatile 142
organic solvent; 143

(b) Any aerosol propellant; 144

(c) Any fluorocarbon refrigerant; 145

(d) Any anesthetic gas. 146

(2) Gamma Butyrolactone; 147

(3) 1,4 Butanediol. 148

(J) "Manufacture" means to plant, cultivate, harvest, 149
process, make, prepare, or otherwise engage in any part of the 150
production of a drug, by propagation, extraction, chemical 151
synthesis, or compounding, or any combination of the same, and 152
includes packaging, repackaging, labeling, and other activities 153
incident to production. 154

(K) "Possess" or "possession" means having control over a 155
thing or substance, but may not be inferred solely from mere 156
access to the thing or substance through ownership or occupation 157
of the premises upon which the thing or substance is found. 158

(L) "Sample drug" means a drug or pharmaceutical 159
preparation that would be hazardous to health or safety if used 160
without the supervision of a licensed health professional 161
authorized to prescribe drugs, or a drug of abuse, and that, at 162

one time, had been placed in a container plainly marked as a 163
sample by a manufacturer. 164

(M) "Standard pharmaceutical reference manual" means the 165
current edition, with cumulative changes if any, of references 166
that are approved by the state board of pharmacy. 167

(N) "Juvenile" means a person under eighteen years of age. 168

(O) "Counterfeit controlled substance" means any of the 169
following: 170

(1) Any drug that bears, or whose container or label 171
bears, a trademark, trade name, or other identifying mark used 172
without authorization of the owner of rights to that trademark, 173
trade name, or identifying mark; 174

(2) Any unmarked or unlabeled substance that is 175
represented to be a controlled substance manufactured, 176
processed, packed, or distributed by a person other than the 177
person that manufactured, processed, packed, or distributed it; 178

(3) Any substance that is represented to be a controlled 179
substance but is not a controlled substance or is a different 180
controlled substance; 181

(4) Any substance other than a controlled substance that a 182
reasonable person would believe to be a controlled substance 183
because of its similarity in shape, size, and color, or its 184
markings, labeling, packaging, distribution, or the price for 185
which it is sold or offered for sale. 186

(P) An offense is "committed in the vicinity of a school" 187
if the offender commits the offense on school premises, in a 188
school building, or within one thousand feet of the boundaries 189
of any school premises, regardless of whether the offender knows 190

the offense is being committed on school premises, in a school 191
building, or within one thousand feet of the boundaries of any 192
school premises. 193

(Q) "School" means any school operated by a board of 194
education, any community school established under Chapter 3314. 195
of the Revised Code, or any nonpublic school for which the state 196
board of education prescribes minimum standards under section 197
3301.07 of the Revised Code, whether or not any instruction, 198
extracurricular activities, or training provided by the school 199
is being conducted at the time a criminal offense is committed. 200

(R) "School premises" means either of the following: 201

(1) The parcel of real property on which any school is 202
situated, whether or not any instruction, extracurricular 203
activities, or training provided by the school is being 204
conducted on the premises at the time a criminal offense is 205
committed; 206

(2) Any other parcel of real property that is owned or 207
leased by a board of education of a school, the governing 208
authority of a community school established under Chapter 3314. 209
of the Revised Code, or the governing body of a nonpublic school 210
for which the state board of education prescribes minimum 211
standards under section 3301.07 of the Revised Code and on which 212
some of the instruction, extracurricular activities, or training 213
of the school is conducted, whether or not any instruction, 214
extracurricular activities, or training provided by the school 215
is being conducted on the parcel of real property at the time a 216
criminal offense is committed. 217

(S) "School building" means any building in which any of 218
the instruction, extracurricular activities, or training 219

provided by a school is conducted, whether or not any 220
instruction, extracurricular activities, or training provided by 221
the school is being conducted in the school building at the time 222
a criminal offense is committed. 223

(T) "Disciplinary counsel" means the disciplinary counsel 224
appointed by the board of commissioners on grievances and 225
discipline of the supreme court under the Rules for the 226
Government of the Bar of Ohio. 227

(U) "Certified grievance committee" means a duly 228
constituted and organized committee of the Ohio state bar 229
association or of one or more local bar associations of the 230
state of Ohio that complies with the criteria set forth in Rule 231
V, section 6 of the Rules for the Government of the Bar of Ohio. 232

(V) "Professional license" means any license, permit, 233
certificate, registration, qualification, admission, temporary 234
license, temporary permit, temporary certificate, or temporary 235
registration that is described in divisions (W)(1) to (36) of 236
this section and that qualifies a person as a professionally 237
licensed person. 238

(W) "Professionally licensed person" means any of the 239
following: 240

(1) A person who has obtained a license as a manufacturer 241
of controlled substances or a wholesaler of controlled 242
substances under Chapter 3719. of the Revised Code; 243

(2) A person who has received a certificate or temporary 244
certificate as a certified public accountant or who has 245
registered as a public accountant under Chapter 4701. of the 246
Revised Code and who holds an Ohio permit issued under that 247
chapter; 248

(3) A person who holds a certificate of qualification to practice architecture issued or renewed and registered under Chapter 4703. of the Revised Code;	249 250 251
(4) 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;	252 253 254
(5) A person licensed under Chapter 4707. of the Revised Code;	255 256
(6) A person who has been issued a certificate of registration as a registered barber under Chapter 4709. of the Revised Code;	257 258 259
(7) 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;	260 261 262
(8) 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, managing <u>advanced</u> cosmetologist's license, managing <u>advanced</u> hair designer's license, managing <u>advanced</u> manicurist's license, managing <u>advanced</u> esthetician's license, managing <u>advanced</u> natural hair stylist's license, cosmetology instructor's license, hair design instructor's license, manicurist instructor's license, esthetics instructor's license, natural hair style instructor's license, independent contractor's license, or tanning facility permit under Chapter 4713. of the Revised Code;	263 264 265 266 267 268 269 270 271 272 273 274
(9) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious intravenous sedation permit, a limited resident's license, a limited	275 276 277

teaching license, a dental hygienist's license, or a dental	278
hygienist's teacher's certificate under Chapter 4715. of the	279
Revised Code;	280
(10) A person who has been issued an embalmer's license, a	281
funeral director's license, a funeral home license, or a	282
crematory license, or who has been registered for an embalmer's	283
or funeral director's apprenticeship under Chapter 4717. of the	284
Revised Code;	285
(11) A person who has been licensed as a registered nurse	286
or practical nurse, or who has been issued a certificate for the	287
practice of nurse-midwifery under Chapter 4723. of the Revised	288
Code;	289
(12) A person who has been licensed to practice optometry	290
or to engage in optical dispensing under Chapter 4725. of the	291
Revised Code;	292
(13) A person licensed to act as a pawnbroker under	293
Chapter 4727. of the Revised Code;	294
(14) A person licensed to act as a precious metals dealer	295
under Chapter 4728. of the Revised Code;	296
(15) A person licensed as a pharmacist, a pharmacy intern,	297
a wholesale distributor of dangerous drugs, or a terminal	298
distributor of dangerous drugs under Chapter 4729. of the	299
Revised Code;	300
(16) A person who is authorized to practice as a physician	301
assistant under Chapter 4730. of the Revised Code;	302
(17) A person who has been issued a certificate to	303
practice medicine and surgery, osteopathic medicine and surgery,	304
a limited branch of medicine, or podiatry under Chapter 4731. of	305

the Revised Code;	306
(18) A person licensed as a psychologist or school psychologist under Chapter 4732. of the Revised Code;	307 308
(19) A person registered to practice the profession of engineering or surveying under Chapter 4733. of the Revised Code;	309 310 311
(20) A person who has been issued a license to practice chiropractic under Chapter 4734. of the Revised Code;	312 313
(21) A person licensed to act as a real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;	314 315
(22) A person registered as a registered sanitarian under Chapter 4736. of the Revised Code;	316 317
(23) A person licensed to operate or maintain a junkyard under Chapter 4737. of the Revised Code;	318 319
(24) A person who has been issued a motor vehicle salvage dealer's license under Chapter 4738. of the Revised Code;	320 321
(25) A person who has been licensed to act as a steam engineer under Chapter 4739. of the Revised Code;	322 323
(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;	324 325 326 327
(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;	328 329 330
(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	331 332

security guard employee under Chapter 4749. of the Revised Code;	333
(29) A person licensed and registered to practice as a	334
nursing home administrator under Chapter 4751. of the Revised	335
Code;	336
(30) A person licensed to practice as a speech-language	337
pathologist or audiologist under Chapter 4753. of the Revised	338
Code;	339
(31) A person issued a license as an occupational	340
therapist or physical therapist under Chapter 4755. of the	341
Revised Code;	342
(32) A person who is licensed as a licensed professional	343
clinical counselor, licensed professional counselor, social	344
worker, independent social worker, independent marriage and	345
family therapist, or marriage and family therapist, or	346
registered as a social work assistant under Chapter 4757. of the	347
Revised Code;	348
(33) A person issued a license to practice dietetics under	349
Chapter 4759. of the Revised Code;	350
(34) A person who has been issued a license or limited	351
permit to practice respiratory therapy under Chapter 4761. of	352
the Revised Code;	353
(35) A person who has been issued a real estate appraiser	354
certificate under Chapter 4763. of the Revised Code;	355
(36) A person who has been admitted to the bar by order of	356
the supreme court in compliance with its prescribed and	357
published rules.	358
(X) "Cocaine" means any of the following:	359

(1) A cocaine salt, isomer, or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine;	360 361
(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;	362 363 364 365
(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.	366 367 368 369 370 371
(Y) "L.S.D." means lysergic acid diethylamide.	372
(Z) "Hashish" means the resin or a preparation of the resin contained in marihuana, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.	373 374 375
(AA) "Marihuana" has the same meaning as in section 3719.01 of the Revised Code, except that it does not include hashish.	376 377 378
(BB) An offense is "committed in the vicinity of a juvenile" if the offender commits the offense within one hundred feet of a juvenile or within the view of a juvenile, regardless of whether the offender knows the age of the juvenile, whether the offender knows the offense is being committed within one hundred feet of or within view of the juvenile, or whether the juvenile actually views the commission of the offense.	379 380 381 382 383 384 385
(CC) "Presumption for a prison term" or "presumption that a prison term shall be imposed" means a presumption, as described in division (D) of section 2929.13 of the Revised	386 387 388

Code, that a prison term is a necessary sanction for a felony in 389
order to comply with the purposes and principles of sentencing 390
under section 2929.11 of the Revised Code. 391

(DD) "Major drug offender" has the same meaning as in 392
section 2929.01 of the Revised Code. 393

(EE) "Minor drug possession offense" means either of the 394
following: 395

(1) A violation of section 2925.11 of the Revised Code as 396
it existed prior to July 1, 1996; 397

(2) A violation of section 2925.11 of the Revised Code as 398
it exists on and after July 1, 1996, that is a misdemeanor or a 399
felony of the fifth degree. 400

(FF) "Mandatory prison term" has the same meaning as in 401
section 2929.01 of the Revised Code. 402

(GG) "Adulterate" means to cause a drug to be adulterated 403
as described in section 3715.63 of the Revised Code. 404

(HH) "Public premises" means any hotel, restaurant, 405
tavern, store, arena, hall, or other place of public 406
accommodation, business, amusement, or resort. 407

(II) "Methamphetamine" means methamphetamine, any salt, 408
isomer, or salt of an isomer of methamphetamine, or any 409
compound, mixture, preparation, or substance containing 410
methamphetamine or any salt, isomer, or salt of an isomer of 411
methamphetamine. 412

(JJ) "Lawful prescription" means a prescription that is 413
issued for a legitimate medical purpose by a licensed health 414
professional authorized to prescribe drugs, that is not altered 415
or forged, and that was not obtained by means of deception or by 416

the commission of any theft offense. 417

(KK) "Deception" and "theft offense" have the same 418
meanings as in section 2913.01 of the Revised Code. 419

Sec. 4713.01. As used in this chapter: 420

"Apprentice instructor" means ~~a person~~ an individual 421
holding a practicing license issued by the state board of 422
cosmetology who is engaged in learning or acquiring knowledge of 423
the occupation of an instructor of a branch of cosmetology at a 424
school of cosmetology. 425

"Beauty salon" means ~~any premises, building, or part of a~~ 426
~~building~~ salon in which ~~a person~~ an individual is authorized to 427
engage in all branches of cosmetology. ~~"Beauty salon" does not~~ 428
~~include a barber shop licensed under Chapter 4709. of the~~ 429
~~Revised Code in which a person engages in the practice of~~ 430
~~manicuring.~~ 431

"Biennial licensing period" means the two-year period 432
beginning on the first day of February of an odd-numbered year 433
and ending on the last day of January of the next odd-numbered 434
year. 435

"Boutique salon" means a salon in which an individual 436
engages in boutique services and no other branch of cosmetology. 437

"Boutique services" include braiding, threading, and eye 438
lash extension services, and any other beauty service considered 439
to be a "boutique service" by the board of cosmetology. 440

"Braiding" means intertwining the hair in a systematic 441
motion to create patterns in a three-dimensional form, inverting 442
the hair against the scalp along part of a straight or curved 443
row of intertwined hair, or twisting the hair in a systematic 444

motion, and includes extending the hair with natural or 445
synthetic hair fibers. 446

"Branch of cosmetology" means the practice of cosmetology, 447
practice of esthetics, practice of hair design, practice of 448
manicuring, ~~or~~ practice of natural hair styling, or practice of 449
boutique services. 450

"Cosmetic therapy" has the same meaning as in section 451
4731.15 of the Revised Code. 452

"Cosmetologist" means ~~a person~~ an individual authorized to 453
engage in all branches of cosmetology in a licensed facility. 454

"Cosmetology" means the art or practice of embellishment, 455
cleaning, beautification, and styling of hair, wigs, postiches, 456
face, body, or nails. 457

"Cosmetology instructor" means ~~a person~~ an individual 458
authorized to teach the theory and practice of all branches of 459
cosmetology at a school of cosmetology. 460

"Esthetician" means ~~a person~~ an individual who engages in 461
the practice of esthetics but no other branch of cosmetology in 462
a licensed facility. 463

"Esthetics instructor" means ~~a person~~ an individual who 464
teaches the theory and practice of esthetics, but no other 465
branch of cosmetology, at a school of cosmetology. 466

"Esthetics salon" means ~~any premises, building, or part of~~ 467
a ~~building~~ salon in which ~~a person~~ an individual engages in the 468
practice of esthetics but no other branch of cosmetology. 469

"Eye lash extensions" include temporary and semi-permanent 470
enhancements designed to add length, thickness, and fullness to 471
natural eyelashes. 472

"Hair designer" means ~~a person~~ an individual who engages 473
in the practice of hair design but no other branch of 474
cosmetology in a licensed facility. 475

"Hair design instructor" means ~~a person~~ an individual who 476
teaches the theory and practice of hair design, but no other 477
branch of cosmetology, at a school of cosmetology. 478

"Hair design salon" means ~~any premises, building, or part~~ 479
~~of a building~~ salon in which ~~a person~~ an individual engages in 480
the practice of hair design but no other branch of cosmetology. 481

"Independent contractor ~~license~~" means ~~a license to~~ 482
~~practice~~ an individual who is not an employee of a salon but 483
practices a branch of cosmetology ~~at~~ within a salon in ~~which the~~ 484
~~license holder rents booth space~~ licensed facility. 485

"Instructor license" means a license to teach the theory 486
and practice of a branch of cosmetology at a school of 487
cosmetology. 488

"Licensed facility" means any premises, building, or part 489
of a building licensed under section 4713.41 of the Revised Code 490
in which cosmetology services are authorized by the state board 491
of cosmetology to be performed. 492

~~"Managing Advanced cosmetologist"~~ means ~~a person~~ an 493
individual authorized to ~~manage work in a~~ beauty salon and 494
engage in all branches of cosmetology. 495

~~"Managing Advanced esthetician"~~ means ~~a person~~ an 496
individual authorized to ~~manage work in an~~ esthetics salon, but 497
no other type of salon, and engage in the practice of esthetics, 498
but no other branch of cosmetology. 499

~~"Managing Advanced hair designer"~~ means ~~a person~~ an 500

individual authorized to ~~manage work in~~ a hair design salon, but 501
no other type of salon, and engage in the practice of hair 502
design, but no other branch of cosmetology. 503

~~"Managing Advanced license"~~ means a license to ~~manage work~~ 504
in a salon and practice the branch of cosmetology practiced at 505
the salon. 506

~~"Managing Advanced manicurist"~~ means ~~a person an~~ 507
individual authorized to ~~manage work in~~ a nail salon, but no 508
other type of salon, and engage in the practice of manicuring, 509
but no other branch of cosmetology. 510

~~"Managing Advanced natural hair stylist"~~ means ~~a person an~~ 511
individual authorized to ~~manage work in~~ a natural hair style 512
salon, but no other type of salon, and engage in the practice of 513
natural hair styling, but no other branch of cosmetology. 514

"Manicurist" means ~~a person an~~ individual who engages in 515
the practice of manicuring but no other branch of cosmetology in 516
a licensed facility. 517

"Manicurist instructor" means ~~a person an~~ individual who 518
teaches the theory and practice of manicuring, but no other 519
branch of cosmetology, at a school of cosmetology. 520

"Nail salon" means ~~any premises, building, or part of a~~ 521
~~building~~ salon in which ~~a person an~~ individual engages in the 522
practice of manicuring but no other branch of cosmetology. ~~"Nail-~~ 523
~~salon"~~ does not include a barber shop licensed under Chapter 524
4709. of the Revised Code in which a person engages in the 525
~~practice of manicuring.~~ 526

"Natural hair stylist" means ~~a person an~~ individual who 527
engages in the practice of natural hair styling but no other 528
branch of cosmetology in a licensed facility. 529

"Natural hair style instructor" means ~~a person an~~ 530
individual who teaches the theory and practice of natural hair 531
styling, but no other branch of cosmetology, at a school of 532
cosmetology. 533

"Natural hair style salon" means ~~any premises, building,~~ 534
~~or part of a building~~ salon in which ~~a person an~~ individual 535
engages in the practice of natural hair styling but no other 536
branch of cosmetology. 537

"Practice of braiding" means utilizing the technique of 538
intertwining hair in a systematic motion to create patterns in a 539
three-dimensional form, including patterns that are inverted, 540
upright, or singled against the scalp that follow along straight 541
or curved partings. It may include twisting or locking the hair 542
while adding bulk or length with human hair, synthetic hair, or 543
both and using simple devices such as clips, combs, and 544
hairpins. 545

"Practice of braiding" does not include application of 546
weaving, bonding, and fusion of individual strands or wefts; 547
application of dyes, reactive chemicals, or other preparations 548
to alter the color or straighten, curl, or alter the structure 549
of hair; embellishing or beautifying hair by cutting or 550
singeing, except as needed to finish the ends of synthetic 551
fibers used to add bulk to or lengthen hair. 552

"Practice of cosmetology" means the practice of all 553
branches of cosmetology. 554

"Practice of esthetics" means the application of 555
cosmetics, tonics, antiseptics, creams, lotions, or other 556
preparations for the purpose of skin beautification and includes 557
preparation of the skin by manual massage techniques or by use 558

of electrical, mechanical, or other apparatus; and enhancement 559
of the skin by skin care, facials, body treatments, hair 560
removal, and other treatments. 561

"Practice of hair design" means embellishing or 562
beautifying hair, wigs, or hairpieces by arranging, dressing, 563
pressing, curling, waving, permanent waving, cleansing, cutting, 564
singeing, bleaching, coloring, braiding, weaving, or similar 565
work. "Practice of hair design" includes utilizing techniques 566
performed by hand that result in tension on hair roots such as 567
twisting, wrapping, weaving, extending, locking, or braiding of 568
the hair. 569

"Practice of manicuring" means ~~manicuring~~ cleaning, 570
trimming, shaping the free edge of, or applying polish to the 571
nails of any ~~person, individual;~~ applying ~~artificial or~~ 572
~~sculptured nails~~ nail enhancements to any ~~person, individual;~~ 573
massaging the hands and lower arms up to the elbow of any 574
~~person, individual;~~ massaging the feet and lower legs up to the 575
knee of any ~~person, individual;~~ using lotions or softeners on the 576
hands and feet of any individual; or any combination of these 577
four types of services. 578

"Practice of natural hair styling" means utilizing 579
techniques performed by hand that result in tension on hair 580
roots such as twisting, wrapping, weaving, extending, locking, 581
or braiding of the hair. "Practice of natural hair styling" does 582
not include the application of dyes, reactive chemicals, or 583
other preparations to alter the color or to straighten, curl, or 584
alter the structure of the hair. "Practice of natural hair 585
styling" also does not include embellishing or beautifying hair 586
by cutting or singeing, except as needed to finish off the end 587
of a braid, or by dressing, pressing, curling, waving, permanent 588

waving, or similar work.	589
"Practicing license" means a license to practice a branch of cosmetology <u>in a licensed facility.</u>	590 591
"Salon" means a beauty salon, esthetics salon, hair design salon, nail salon, or natural hair style salon <u>licensed facility on any premises, building, or part of a building in which an individual engages in the practice of one or more branches of cosmetology. "Salon" does not include a barber shop licensed under Chapter 4709. of the Revised Code. "Salon" does not mean a tanning facility, although a tanning facility may be located in a salon.</u>	592 593 594 595 596 597 598 599
"School of cosmetology" means any premises, building, or part of a building in which students are instructed in the theories and practices of one or more branches of cosmetology.	600 601 602
"Student" means a person <u>an individual</u> , other than an apprentice instructor, who is engaged in learning or acquiring knowledge of the practice of a branch of cosmetology at a school of cosmetology.	603 604 605 606
"Tanning facility" means any premises, building, or part of a building that contains one or more rooms or booths with any of the following:	607 608 609
(A) Equipment or beds used for tanning human skin by the use of fluorescent sun lamps using ultraviolet or other artificial radiation;	610 611 612
(B) <u>Equipment or beds that</u> applies use chemicals applied to human skin to create the appearance of being suntanned, including chemical applications commonly referred to as spray-on, mist-on, or sunless tans;	613 614 615 616

(C) Equipment or beds that use visible light for cosmetic purposes. 617
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"Threading" includes a service that results in the removal of hair from its follicle from around the eyebrows and from other parts of the face with the use of a single strand of thread and an astringent, if the service does not use chemicals of any kind, wax, or any implements, instruments, or tools to remove hair. 619
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Sec. 4713.02. (A) There is hereby created the state board of cosmetology, consisting of all of the following members appointed by the governor, with the advice and consent of the senate: 625
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(1) One ~~person~~ individual holding a current, valid cosmetologist, ~~managing cosmetologist,~~ or cosmetology instructor license at the time of appointment; 629
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(2) Two ~~persons~~ individuals holding current, valid ~~managing~~ cosmetologist licenses and actively engaged in managing beauty salons for a period of not less than five years at the time of appointment; 632
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(3) One ~~person~~ individual who holds a current, valid independent contractor license at the time of appointment ~~or the owner or manager of a licensed salon in which at least one person holding a current, valid independent contractor license~~ and practices a branch of cosmetology; 636
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(4) One ~~person~~ individual who represents individuals who teach the theory and practice of a branch of cosmetology at a vocational or career-technical school; 641
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(5) One owner of a licensed school of cosmetology; 644

- (6) One owner of at least five licensed salons; 645
- (7) One ~~person~~ individual who is either a certified nurse practitioner or clinical nurse specialist holding a certificate of authority issued under Chapter 4723. of the Revised Code, or a physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery; 646
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- (8) One ~~person~~ individual representing the general public. 652
- (9) One individual who holds a current, valid tanning permit and who has owned or managed a tanning facility for at least five years immediately preceding the individual's appointment. 653
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- (B) The superintendent of public instruction shall nominate three ~~persons~~ individuals for the governor to choose from when making an appointment under division (A) (4) of this section. 657
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- (C) All members shall be at least twenty-five years of age, residents of the state, and citizens of the United States. No more than two members, at any time, shall be graduates of the same school of cosmetology. Not more than one member shall be financially interested in, or have any financial connection with, any school of cosmetology. 661
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- ~~Except for the initial members appointed under divisions (A) (3) and (4) of this section, terms~~ Terms of office are for five years. ~~The term of the initial member appointed under division (A) (3) of this section shall be three years. The term of the initial member appointed under division (A) (4) of this section shall be four years.~~ Terms shall commence on the first day of November and end on the thirty-first day of October. Each 667
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member shall hold office from the date of appointment until the 674
end of the term for which appointed. In case of a vacancy 675
occurring on the board, the governor shall, in the same manner 676
prescribed for the regular appointment to the board, fill the 677
vacancy by appointing a member. Any member appointed to fill a 678
vacancy occurring prior to the expiration of the term for which 679
the member's predecessor was appointed shall hold office for the 680
remainder of such term. Any member shall continue in office 681
subsequent to the expiration date of the member's term until the 682
member's successor takes office, or until a period of sixty days 683
has elapsed, whichever occurs first. Before entering upon the 684
discharge of the duties of the office of member, each member 685
shall take, and file with the secretary of state, the oath of 686
office required by Section 7 of Article XV, Ohio Constitution. 687

The members of the board shall receive an amount fixed 688
pursuant to Chapter 124. of the Revised Code per diem for every 689
meeting of the board which they attend, together with their 690
necessary expenses, and mileage for each mile necessarily 691
traveled. 692

The members of the board shall annually elect, from among 693
their number, a chairperson and a vice-chairperson. The 694
executive director appointed pursuant to section 4713.06 of the 695
Revised Code shall serve as the board's secretary. 696

(D) The board shall prescribe the duties of its officers 697
and establish an office within Franklin-County county. The board 698
shall keep all records and files at the office and have the 699
records and files at all reasonable hours open to public 700
inspection in accordance with section 149.43 of the Revised Code 701
and any rules adopted by the board in compliance with this 702
state's record retention policy. The board also shall adopt a 703

seal. 704

Sec. 4713.03. The state board of cosmetology shall hold ~~a~~ 705
~~meeting-meetings~~ to transact its business at least four times a 706
year. The board may hold additional meetings as, in its 707
judgment, are necessary. The board shall meet at the times and 708
places it selects. 709

Sec. 4713.06. The state board of cosmetology shall 710
annually appoint an executive director. The executive director 711
may not be a member of the board, but subsequent to appointment, 712
shall serve as secretary of the board. The executive director, 713
before entering upon the discharge of the executive director's 714
duties, shall file with the secretary of state a good and 715
sufficient bond payable to the state, to ensure the faithful 716
performance of duties of the office of executive director. The 717
bond shall be in an amount the board requires. The premium of 718
the bond shall be paid from appropriations made to the board for 719
operating purposes. 720

The board may employ inspectors, examiners, consultants on 721
contents of examinations, ~~and~~ clerks, or other individuals as 722
necessary for the administration of this chapter. All inspectors 723
and examiners shall be licensed cosmetologists. 724

The board may appoint inspectors ~~of~~ to inspect and 725
investigate all facilities regulated by this chapter, including 726
~~tanning facilities as needed to make periodic inspections as the~~ 727
~~board specifies, to ensure compliance with this chapter, the~~ 728
rules adopted pursuant to it, and the board's policies, in 729
accordance with division (A)(11) of section 4713.07 of the 730
Revised Code. 731

Sec. 4713.07. (A) The state board of cosmetology shall do 732

all of the following:	733
(A) <u>(1) Regulate the practice of cosmetology and all of its branches in this state;</u>	734 735
<u>(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;</u>	736 737 738 739
<u>(3) Adopt rules in accordance with section 4713.08 of the Revised Code;</u>	740 741
<u>(4) Prescribe and make available application forms to be used by persons individuals seeking admission to an examination conducted under section 4713.24 of the Revised Code or a license or registration issued under this chapter;</u>	742 743 744 745
(B) <u>(5) Prescribe and make available application forms to be used by persons individuals seeking renewal of a license or registration issued under this chapter;</u>	746 747 748
(C) <u>(6) Provide a toll-free number and an online service to receive complaints alleging violations of this chapter;</u>	749 750
<u>(7) Report to the proper prosecuting officer all violations of section 4713.14 of the Revised Code of which the board is aware;</u>	751 752 753
(D) <u>(8) Submit a written report annually to the governor that provides all of the following:</u>	754 755
(1) <u>(a) A discussion of the conditions in this state of the branches of cosmetology;</u>	756 757
(2) <u>(b) A brief summary of the board's proceedings during the year the report covers;</u>	758 759

(3)(c) A statement of all money that the board received	760
and expended during the year the report covers.	761
(E)(9) Keep a record of all of the following:	762
(1)(a) The board's proceedings;	763
(2)(b) The name and last known <u>physical</u> address, <u></u>	764
<u>electronic mail address, and telephone number</u> of each person	765
<u>individual</u> issued a license <u>or registration</u> under section	766
4713.28, 4713.30, 4713.31, 4713.34, or 4713.39 of the Revised	767
<u>Code</u> this chapter;	768
(3) The name and address of each salon issued a license	769
under section 4713.41 of the Revised Code and each school of	770
cosmetology issued a license under section 4713.44 of the	771
Revised Code;	772
(4) The name and address of each tanning facility issued a	773
permit under section 4713.48 of the Revised Code;	774
(5)(c) The date and number of each license and, <u>permit,</u>	775
<u>and registration</u> that the board issues ;	776
(F)(10) Assist ex-offenders and military veterans who hold	777
licenses issued by the board to find employment within salons or	778
other facilities within this state;	779
(G)(11) <u>Cause inspectors appointed pursuant to section</u>	780
<u>4713.06 of the Revised Code to conduct inspections of licensed</u>	781
<u>or permitted facilities, including salons and boutique salons,</u>	782
<u>schools of cosmetology, and tanning facilities, within ninety</u>	783
<u>days of the opening for business of a licensed facility, upon</u>	784
<u>complaints reported to the board, within ninety days after a</u>	785
<u>violation was documented at a facility, and at least once every</u>	786
<u>two years. Any individual, after providing the individual's name</u>	787

and contact information, may report to the board any information 788
the individual may have that appears to show a violation of any 789
provision of this chapter or rule adopted under it. In the 790
absence of bad faith, any individual who reports information of 791
that nature or who testifies before the board in any 792
adjudication conducted under Chapter 119. of the Revised Code 793
shall not be liable for damages in a civil action as a result of 794
the report or testimony. For the purpose of inspections, an 795
independent contractor shall be added to the board's records as 796
an individual salon. 797

(12) Supply a copy of the poster created pursuant to 798
division (B) of section 5502.63 of the Revised Code to each 799
person authorized to operate a salon, school of cosmetology, 800
tanning facility, or other type of facility under this chapter; 801

(13) All other duties that this chapter imposes on the 802
board. 803

(B) The board may delegate any of the duties listed in 804
division (A) of this section to the executive director of the 805
board or to an individual designated by the executive director. 806

Sec. 4713.071. (A) Beginning one year after the effective 807
date of this section, the state board of cosmetology shall 808
annually submit a written report to the governor, president of 809
the senate, and speaker of the house of representatives. The 810
report shall list all of the following for the preceding twelve- 811
month period: 812

(1) The number of students enrolled in courses at licensed 813
public and private schools of cosmetology; 814

(2) The number of students graduating from licensed public 815
and private schools of cosmetology; 816

<u>(3) The annual cost for students to attend each licensed</u>	817
<u>public or private school of cosmetology;</u>	818
<u>(4) The loan default rates for licensed public and private</u>	819
<u>schools of cosmetology;</u>	820
<u>(5) The first-time licensure passage rate for graduates of</u>	821
<u>all public and private schools;</u>	822
<u>(6) The total number of new and renewal licenses in each</u>	823
<u>profession;</u>	824
<u>(7) The total number of complaint-driven inspections</u>	825
<u>conducted by the board;</u>	826
<u>(8) The total number and type of violations, including a</u>	827
<u>list of the top ten violations, which shall aid in the</u>	828
<u>identification of focus areas for continuing education purposes;</u>	829
<u>(9) The top twenty salons and individuals cited for</u>	830
<u>unlicensed workers;</u>	831
<u>(10) The number of adjudications or other disciplinary</u>	832
<u>action taken by the board.</u>	833
<u>(B) The board shall include in the final report under</u>	834
<u>division (A) of this section any recommendations it has for</u>	835
<u>changes to this chapter.</u>	836
Sec. 4713.08. (A) The state board of cosmetology shall	837
adopt rules in accordance with Chapter 119. of the Revised Code	838
as necessary to implement this chapter. The rules shall do all	839
of the following:	840
(1) Govern the practice of the branches of cosmetology and	841
management of salons;	842
(2) Specify conditions a person <u>an individual</u> must satisfy	843

to qualify for a temporary pre-examination work permit under 844
section 4713.22 of the Revised Code and the conditions and 845
method of renewing a temporary pre-examination work permit under 846
that section; 847

(3) Provide for the conduct of examinations under section 848
4713.24 of the Revised Code; 849

(4) Specify conditions under which the board will take 850
into account, under section 4713.32 of the Revised Code, 851
instruction an applicant for a license under section 4713.28, 852
4713.30, or 4713.31 of the Revised Code received more than five 853
years before the date of application for the license; 854

(5) Provide for the granting of waivers under section 855
4713.29 of the Revised Code; 856

(6) Specify conditions an applicant must satisfy for the 857
board to issue the applicant a license under section 4713.34 of 858
the Revised Code without the applicant taking an examination 859
conducted under section 4713.24 of the Revised Code; 860

(7) Specify locations in which glamour photography 861
services in which a branch of cosmetology is practiced may be 862
provided; 863

(8) Establish conditions and the fee for a temporary 864
special occasion work permit under section 4713.37 of the 865
Revised Code and specify the amount of time such a permit is 866
valid; 867

(9) Specify conditions an applicant must satisfy for the 868
board to issue the applicant an independent contractor license 869
under section 4713.39 of the Revised Code and the fee for 870
issuance and renewal of the license; 871

- (10) Establish conditions under which food may be sold at a salon; 872
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- (11) Specify which professions regulated by a professional regulatory board of this state may be practiced in a salon under section 4713.42 of the Revised Code; 874
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- (12) Establish standards for the provision of cosmetic therapy, massage therapy, or other professional service in a salon pursuant to section 4713.42 of the Revised Code; 877
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- (13) Establish standards for board approval of, and the granting of credits for, training in branches of cosmetology at schools of cosmetology licensed in this state; 880
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- (14) Establish the manner in which a school of cosmetology licensed under section 4713.44 of the Revised Code may offer post-secondary and advanced practice programs; 883
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- (15) Establish sanitary standards for the practice of the branches of cosmetology, salons, and schools of cosmetology; 886
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- (16) Establish the application process for obtaining a tanning facility permit under section 4713.48 of the Revised Code, including the amount of the fee for an initial or renewed permit; 888
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- (17) Establish standards for installing and operating a tanning facility in a manner that ensures the health and safety of consumers, including standards that do all of the following: 892
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- (a) Establish a maximum safe time of exposure to radiation and a maximum safe temperature at which sun lamps may be operated; 895
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- (b) Require consumers to wear protective eyeglasses; 898

(c) Require consumers to be supervised as to the length of time consumers use the facility's sun lamps;	899 900
(d) Require the operator to prohibit consumers from standing too close to sun lamps and to post signs warning consumers of the potential effects of radiation on persons <u>individuals</u> taking certain medications and of the possible relationship of the radiation to skin cancer;	901 902 903 904 905
(e) Require the installation of protective shielding for sun lamps and handrails for consumers;	906 907
(f) Require floors to be dry during operation of lamps;	908
(g) Establish procedures an operator must follow in making reasonable efforts in compliance with section 4713.50 of the Revised Code to determine the age of an individual seeking to use sun lamp tanning services.	909 910 911 912
(18) (a) If the board, under section 4713.61 of the Revised Code, develops a procedure for classifying licenses inactive, do both of the following:	913 914 915
(i) Establish a fee for having a license classified inactive that reflects the cost to the board of providing the inactive license service. <u>If one or more renewal periods have elapsed since the license was valid, the fee shall not include lapsed renewal fees for more than three of those renewal periods;</u>	916 917 918 919 920 921
(ii) Specify the continuing education that a person <u>an individual</u> whose license has been classified inactive must complete to have the license restored. The continuing education shall be sufficient to ensure the minimum competency in the use or administration of a new procedure or product required by a licensee necessary to protect public health and safety. The	922 923 924 925 926 927

requirement shall not exceed the cumulative number of hours of 928
continuing education that the ~~person~~individual would have been 929
required to complete had the ~~person~~individual retained an 930
active license. 931

(b) In addition, the board may specify the conditions and 932
method for granting a temporary work permit to practice a branch 933
of cosmetology to a ~~person~~an individual whose license has been 934
classified inactive. 935

(19) Establish a fee for approval of a continuing 936
education program under section 4713.62 of the Revised Code that 937
is adequate to cover any expense the board incurs in the 938
approval process; 939

(20) Anything else necessary to implement this chapter. 940

(B) (1) The rules adopted under division (A) (2) of this 941
section may establish additional conditions for a temporary pre- 942
examination work permit under section 4713.22 of the Revised 943
Code that are applicable to ~~persons~~individuals who practice a 944
branch of cosmetology in another state or country. 945

(2) The rules adopted under division (A) (18) (b) of this 946
section may establish additional conditions for a temporary work 947
permit that are applicable to ~~persons~~individuals who practice a 948
branch of cosmetology in another state. 949

(C) The conditions specified in rules adopted under 950
division (A) (6) of this section may include that an applicant is 951
applying for a license to practice a branch of cosmetology for 952
which the board determines an examination is unnecessary. 953

(D) The rules adopted under division (A) (11) of this 954
section shall not include a profession if practice of the 955
profession in a salon is a violation of a statute or rule 956

governing the profession. 957

(E) The sanitary standards established under division (A) 958
(15) of this section shall focus in particular on precautions to 959
be employed to prevent infectious or contagious diseases being 960
created or spread. The board shall consult with the Ohio 961
department of health when establishing the sanitary standards. 962

(F) The fee established by rules adopted under division 963
(A) (16) of this section shall cover the cost the board incurs in 964
inspecting tanning facilities and enforcing the board's rules 965
but may not exceed one hundred dollars per location of such 966
facilities. 967

Sec. 4713.081. The state board of cosmetology shall 968
furnish a copy of the sanitary standards established by rules 969
adopted under section 4713.08 of the Revised Code to each ~~person~~ 970
individual to whom the board issues a practicing license, 971
~~managing advanced license, or license to operate a salon or~~ 972
school of cosmetology, or boutique services registration. The 973
board also shall furnish a copy of the sanitary standards to 974
each ~~person~~ individual providing cosmetic therapy, massage 975
therapy, or other professional service in a salon under section 976
4713.42 of the Revised Code. A salon or school of cosmetology 977
provided a copy of the sanitary standards shall post the 978
standards in a public and conspicuous place in the salon or 979
school. 980

Sec. 4713.082. The state board of cosmetology shall 981
furnish a copy of the standards established by rules adopted 982
under section 4713.08 of the Revised Code for installing and 983
operating a tanning facility to each ~~person~~ individual to whom 984
the board issues a permit to operate a tanning facility. ~~A~~ 985
~~person~~ An individual provided a copy of the standards shall post 986

the standards in a public and conspicuous place in the tanning 987
facility. 988

Sec. 4713.09. The state board of cosmetology may adopt 989
rules in accordance with ~~Chapter 119.~~section 4713.08 of the 990
Revised Code to establish a continuing education requirement, 991
not to exceed eight hours in a biennial licensing period, as a 992
condition of renewal for a practicing license, ~~managing advanced~~ 993
~~license, or instructor license, or boutique services~~ 994
registration. These hours may include training in identifying 995
and addressing the crime of trafficking in persons as described 996
in section 2905.32 of the Revised Code. At least two of the 997
eight hours of the continuing education requirement must be 998
achieved in courses concerning safety and sanitation, and at 999
least one hour of the eight hours of the continuing education 1000
requirement must be achieved in courses concerning law and rule 1001
updates. 1002

Sec. 4713.10. (A) The state board of cosmetology shall 1003
charge and collect the following fees: 1004

~~(A)~~ (1) For a temporary pre-examination work permit under 1005
section 4713.22 of the Revised Code, ~~five~~seven dollars and 1006
fifty cents; 1007

~~(B)~~ (2) For initial application to take an examination 1008
under section 4713.24 of the Revised Code, ~~twenty one~~thirty-one 1009
dollars and fifty cents; 1010

~~(C)~~ (3) For application to take an examination under 1011
section 4713.24 of the Revised Code by an applicant who has 1012
previously applied to take, but failed to appear for, the 1013
examination, forty dollars; 1014

~~(D)~~ (4) For application to re-take an examination under 1015

section 4713.24 of the Revised Code by an applicant who has 1016
previously appeared for, but failed to pass, the examination, 1017
~~twenty-one~~ thirty-one dollars and fifty cents; 1018

~~(E)~~ (5) For the issuance of a license under section 1019
4713.28, 4713.30, or 4713.31 of the Revised Code, ~~thirty-fourty-~~ 1020
five dollars; 1021

~~(F)~~ (6) For the issuance of a license under section 4713.34 1022
of the Revised Code, ~~sixty-seventy~~ dollars; 1023

~~(G)~~ (7) For renewal of a license issued under section 1024
4713.28, 4713.30, 4713.31, or 4713.34 of the Revised Code, 1025
~~thirty-fourty-five~~ dollars; 1026

~~(H)~~ (8) For the issuance or renewal of a cosmetology school 1027
license, two hundred fifty dollars; 1028

~~(I)~~ (9) For the ~~inspection and~~ issuance of a new salon 1029
license or the change of name or ownership of a salon license 1030
under section 4713.41 of the Revised Code, ~~sixty-seventy-five~~ 1031
dollars; 1032

~~(J)~~ (10) For the renewal of a salon license under section 1033
4713.41 of the Revised Code, ~~fifty-sixty~~ dollars; 1034

~~(K)~~ (11) For the restoration of an expired license that may 1035
be restored pursuant to section 4713.63 of the Revised Code, ~~and~~ 1036
~~in addition to the payments for all~~ an amount equal to the sum 1037
of the current license renewal fee and a lapsed renewal fees, 1038
~~thirty-fee of forty-five~~ dollars per license renewal period that 1039
has elapsed since the license was last issued or renewed; 1040

~~(L)~~ (12) For the issuance of a duplicate of any license, 1041
~~fifteen-twenty~~ dollars; 1042

~~(M)~~ (13) For the preparation and mailing of a licensee's 1043

records to another state for a reciprocity license, fifty 1044
dollars; 1045

~~(N)~~ (14) For the processing of any fees related to a check 1046
from a licensee returned to the board for insufficient funds, an 1047
additional ~~twenty~~thirty dollars. 1048

(B) The board may establish an installment plan for the 1049
payment of fines and fees and may reduce fees as considered 1050
appropriate by the board. 1051

(C) At the request of a person who is temporarily unable 1052
to pay a fee imposed under division (A) of this section, or on 1053
its own motion, the board may extend the date payment is due by 1054
up to ninety days. If the fee remains unpaid after the date 1055
payment is due, the amount of the fee shall be certified to the 1056
attorney general for collection in the form and manner 1057
prescribed by the attorney general. The attorney general may 1058
assess the collection cost to the amount certified in such a 1059
manner and amount as prescribed by the attorney general. 1060

Sec. 4713.13. Whenever in the judgment of the state board 1061
of cosmetology any ~~person~~individual has engaged in or is about 1062
to engage in any acts or practices that constitute a violation 1063
of this chapter, or any rule adopted under this chapter, the 1064
board may apply to the appropriate court for an order enjoining 1065
the acts or practices, and upon a showing by the board that the 1066
~~person~~individual has engaged in the acts or practices, the 1067
court shall grant an injunction, restraining order, or other 1068
order as may be appropriate. 1069

Sec. 4713.14. No ~~person~~individual shall do any of the 1070
following: 1071

(A) Use fraud or deceit in making application for a 1072

license or , <u>permit, or registration</u> ;	1073
(B) Aid or abet any person <u>individual or entity in any of</u>	1074
<u>the following</u> :	1075
(1) Violating this chapter or a rule adopted under it;	1076
(2) Obtaining a license or , <u>permit, or registration</u>	1077
fraudulently;	1078
(3) Falsely pretending to hold a current, valid license or	1079
permit.	1080
(C) Practice a branch of cosmetology, for pay, free, or	1081
otherwise, without one of the following authorizing the practice	1082
of that branch of cosmetology:	1083
(1) A current, valid license under section 4713.28,	1084
4713.30, or 4713.34 of the Revised Code;	1085
(2) A current, valid temporary pre-examination work permit	1086
issued under section 4713.22 of the Revised Code;	1087
(3) A current, valid temporary special occasion work	1088
permit issued under section 4713.37 of the Revised Code;	1089
(4) A current, valid temporary work permit issued under	1090
rules adopted by the board pursuant to section 4713.08 of the	1091
Revised Code;	1092
(5) <u>A current, valid registration under section 4713.69 of</u>	1093
<u>the Revised Code.</u>	1094
(D) Employ a person <u>an individual</u> to practice a branch of	1095
cosmetology if the person <u>individual</u> does not hold one of the	1096
following authorizing the practice of that branch of	1097
cosmetology:	1098
(1) A current, valid license under section 4713.28,	1099

4713.30, or 4713.34 of the Revised Code;	1100
(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code;	1101 1102
(3) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code;	1103 1104
(4) A current, valid temporary work permit issued under rules adopted by the board pursuant to section 4713.08 of the Revised Code;	1105 1106 1107
<u>(5) A current, valid registration under section 4713.69 of the Revised Code.</u>	1108 1109
(E) Manage a salon without a current, valid license under section 4713.30 or 4713.34 of the Revised Code to manage that type of salon;	1110 1111 1112
(F) 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:	1113 1114 1115 1116 1117
(1) A current, valid license under section 4713.31 or 4713.34 of the Revised Code;	1118 1119
(2) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code.	1120 1121
(G) <u>(F)</u> Advertise or operate a glamour photography service in which a branch of cosmetology is practiced unless the person <u>individual</u> practicing the branch of cosmetology holds either of the following authorizing the practice of that branch of cosmetology:	1122 1123 1124 1125 1126

- (1) A current, valid license under section 4713.28, 1127
4713.30, or 4713.34 of the Revised Code; 1128
- (2) A current, valid temporary special occasion work 1129
permit issued under section 4713.37 of the Revised Code. 1130
- ~~(H)~~ (G) Advertise or operate a glamour photography service 1131
in which a branch of cosmetology is practiced at a location not 1132
specified by rules adopted under section 4713.08 of the Revised 1133
Code; 1134
- ~~(I)~~ (H) Practice a branch of cosmetology at a salon ~~in~~ 1135
~~which the person rents booth space as an independent contractor~~ 1136
without a current, valid independent contractor license issued 1137
under section 4713.39 of the Revised Code; 1138
- ~~(J)~~ (I) Operate a salon without a current, valid license 1139
under section 4713.41 of the Revised Code; 1140
- ~~(K)~~ (J) Provide cosmetic therapy or massage therapy at a 1141
salon for pay, free, or otherwise without a current, valid 1142
certificate issued by the state medical board under section 1143
4731.15 of the Revised Code or provide any other professional 1144
service at a salon for pay, free, or otherwise without a 1145
current, valid license or certificate issued by the professional 1146
regulatory board of this state that regulates the profession; 1147
- ~~(L)~~ (K) Teach a branch of cosmetology at a salon, unless 1148
the ~~person~~ individual receiving the instruction holds either of 1149
the following authorizing the practice of that branch of 1150
cosmetology: 1151
- (1) A current, valid license under section 4713.28, 1152
4713.30, or 4713.34 of the Revised Code; 1153
- (2) A current, valid temporary pre-examination work permit 1154

issued under section 4713.22 of the Revised Code. 1155

~~(M)~~ (L) Operate a school of cosmetology without a current, 1156
valid license under section 4713.44 of the Revised Code; 1157

~~(N)~~ (M) At a salon or school of cosmetology, do ~~either~~ any 1158
of the following: 1159

(1) Use or possess a cosmetic product containing an 1160
ingredient that the United States food and drug administration 1161
has prohibited by regulation; 1162

(2) Use a cosmetic product in a manner inconsistent with a 1163
restriction established by the United States food and drug 1164
administration by regulation; 1165

(3) Use or possess a liquid nail monomer containing any 1166
trace of methyl methacrylate (MMA). 1167

~~(O)~~ (N) While in charge of a salon or school of 1168
cosmetology, permit any ~~person~~ individual to sleep in, or use 1169
for residential purposes, any room used wholly or in part as the 1170
salon or school of cosmetology; 1171

~~(P)~~ (O) Maintain, as an established place of business for 1172
the practice of one or more of the branches of cosmetology, a 1173
room used wholly or in part for sleeping or residential 1174
purposes; 1175

~~(Q)~~ (P) Operate a tanning facility that is offered to the 1176
public for a fee or other compensation without a current, valid 1177
permit under section 4713.48 of the Revised Code; 1178

(Q) Practice a branch of cosmetology in a location other 1179
than a licensed facility unless otherwise exempted under section 1180
4713.16 or 4713.17 of the Revised Code; 1181

(R) Use any of the services or arts that are part of 1182
cosmetology to treat or attempt to cure a physical or mental 1183
disease or ailment. 1184

Sec. 4713.141. An inspector employed by the state board of 1185
cosmetology may take a sample of a product used or sold in a 1186
salon or school of cosmetology for the purpose of examining the 1187
sample, or causing an examination of the sample to be made, to 1188
determine whether division ~~(N)~~ (M) of section 4713.14 of the 1189
Revised Code has been violated. 1190

Should the results of the test prove that division (M) of 1191
section 4713.14 of the Revised Code has been violated, the board 1192
shall take action in accordance with section 4713.64 of the 1193
Revised Code. A fine imposed under that section shall include 1194
the cost of the test. The person's license may be suspended or 1195
revoked. 1196

Sec. 4713.16. (A) This chapter does not prohibit any of 1197
the following: 1198

~~(A)~~ (1) Practicing a branch of cosmetology without a 1199
license or registration if the ~~person~~ individual does so for 1200
free at the ~~person's~~ individual's home for a family member who 1201
resides in the same household as the ~~person~~ individual; 1202

~~(B)~~ (2) The retail sale, or trial demonstration by 1203
application to the skin for purposes of retail sale, of 1204
cosmetics, preparations, tonics, antiseptics, creams, lotions, 1205
wigs, or hairpieces without a practicing license or 1206
registration; 1207

~~(C)~~ (3) The retailing, at a salon, of cosmetics, 1208
preparations, tonics, antiseptics, creams, lotions, wigs, 1209
hairpieces, clothing, or any other items that pose no risk of 1210

creating unsanitary conditions at the salon; 1211

~~(D)~~ (4) The provision of glamour photography services at a 1212
licensed salon if either of the following is the case: 1213

~~(1)~~ (a) A branch of cosmetology is not practiced as part 1214
of the services. 1215

~~(2)~~ (b) If a branch of cosmetology is practiced as part of 1216
the services, the part of the services that is a branch of 1217
cosmetology is performed by ~~a person~~ an individual who holds 1218
either of the following authorizing the ~~person~~ individual to 1219
practice that branch of cosmetology: 1220

~~(a)~~ (i) A current, valid license under section 4713.28, 1221
4713.30, or 4713.34 of the Revised Code; 1222

~~(b)~~ (ii) A current, valid temporary special occasion work 1223
permit issued under section 4713.37 of the Revised Code. 1224

~~(E)~~ (5) A student engaging, as a student, in work 1225
connected with a branch of cosmetology taught at the school of 1226
cosmetology at which the student is enrolled; 1227

(B) A student in a career-technical program learning a 1228
branch of cosmetology may continue developing skills in the 1229
respective branch of cosmetology after completing the required 1230
coursework or obtaining a license in the respective branch of 1231
cosmetology by working in the licensed career-technical school 1232
clinic if the student does not receive any compensation. This 1233
allowance terminates upon the graduation of the student from the 1234
career-technical school. 1235

Sec. 4713.17. (A) The following persons are exempt from 1236
the provisions of this chapter, except, as applicable, section 1237
4713.42 of the Revised Code: 1238

- (1) All ~~persons~~individuals authorized to practice 1239
medicine, surgery, dentistry, and nursing or any of its branches 1240
in this state; 1241
- (2) Commissioned surgical and medical officers of the 1242
United States army, navy, air force, or marine hospital service 1243
when engaged in the actual performance of their official duties, 1244
and attendants attached to same; 1245
- (3) Barbers, insofar as their usual and ordinary vocation 1246
and profession is concerned; 1247
- (4) Funeral directors, embalmers, and apprentices licensed 1248
or registered under Chapter 4717. of the Revised Code; 1249
- (5) Persons who are engaged in the retail sale, cleaning, 1250
or beautification of wigs and hairpieces but who do not engage 1251
in any other act constituting the practice of a branch of 1252
cosmetology; 1253
- (6) Volunteers of hospitals, and homes as defined in 1254
section 3721.01 of the Revised Code, who render service to 1255
registered patients and inpatients who reside in such hospitals 1256
or homes. Such volunteers shall not use or work with any 1257
chemical products such as permanent wave, hair dye, or chemical 1258
hair relaxer, which without proper training would pose a health 1259
or safety problem to the patient. 1260
- (7) Nurse aides and other employees of hospitals and homes 1261
as defined in section 3721.01 of the Revised Code, who practice 1262
a branch of cosmetology on registered patients only as part of 1263
general patient care services and who do not charge patients 1264
directly on a fee for service basis; 1265
- (8) Cosmetic therapists and massage therapists who hold 1266
current, valid certificates to practice cosmetic or massage 1267

therapy issued by the state medical board under section 4731.15 1268
of the Revised Code, to the extent their actions are authorized 1269
by their certificates to practice; 1270

(9) Inmates who provide services related to a branch of 1271
cosmetology to other inmates, except when those services are 1272
provided in a licensed school of cosmetology within a state 1273
correctional institution for females. 1274

(B) The director of rehabilitation and correction shall 1275
oversee the services described in division (A) (9) of this 1276
section with respect to sanitation and adopt rules governing 1277
those types of services provided by inmates. 1278

Sec. 4713.20. ~~(A) Each person-individual who seeks 1279
admission to an examination conducted under section 4713.24 of 1280
the Revised Code and each person who seeks a license under this 1281
chapter shall ~~do all~~ submit both of the following:~~ 1282

~~(1) Submit to the state board of cosmetology a written 1283
application containing:~~ 1284

~~(A) As part of a license application, proof of the 1285
following:~~ 1286

~~(a) If the person seeks admission to an examination, that 1287
the person-individual satisfies all conditions to obtain the 1288
license for which the examination is conducted, other than the 1289
requirement to have passed the examination; 1290~~

~~(b) If the person seeks a license, that the person 1291
satisfies all conditions for obtaining the license. 1292~~

~~(2) Pay to the board the applicable fee; 1293~~

~~(3) Verify by oath that the application is true. 1294~~

(B) ~~An application to operate a salon or school of~~ 1295
~~cosmetology may be submitted by the owner, manager, or person in~~ 1296
~~charge of the salon or school.~~A set of the individual's 1297
fingerprint impressions taken at the board's offices. 1298

Sec. 4713.21. Both of the following may apply again under 1299
section 4713.20 of the Revised Code for admission to an 1300
examination conducted under section 4713.24 of the Revised Code: 1301

(A) ~~A person~~An individual who failed to appear for an 1302
examination that the ~~person~~individual was previously scheduled 1303
to take; 1304

(B) ~~A person~~An individual who appeared for a previously 1305
scheduled examination but failed to pass it. 1306

Sec. 4713.22. (A) The state board of cosmetology shall 1307
issue a temporary pre-examination work permit to ~~a person~~an 1308
individual who applies under section 4713.20 of the Revised Code 1309
for admission to an examination conducted under division (A) of 1310
section 4713.24 of the Revised Code, if the ~~person~~individual 1311
satisfies all of the following conditions: 1312

(1) Is seeking a practicing license; 1313

(2) Has not previously failed an examination conducted 1314
under section 4713.24 of the Revised Code to determine the 1315
applicant's fitness to practice the branch of cosmetology for 1316
which the ~~person~~individual seeks a license; 1317

(3) Pays to the board the applicable fee; 1318

(4) Satisfies all other conditions established by rules 1319
adopted under section 4713.08 of the Revised Code. 1320

(B) ~~A person~~An individual issued a temporary pre- 1321
examination work permit may practice the branch of cosmetology 1322

for which the ~~person~~individual seeks a license until the date 1323
the ~~person~~individual is scheduled to take an examination under 1324
section 4713.24 of the Revised Code. The ~~person~~individual shall 1325
practice under the supervision of ~~a person~~an individual holding 1326
a current, valid ~~managing~~ license appropriate for the type of 1327
salon in which the permit holder practices. A temporary pre- 1328
examination work permit is renewable in accordance with rules 1329
adopted under section 4713.08 of the Revised Code. 1330

Sec. 4713.24. (A) The state board of cosmetology shall 1331
conduct an examination for each ~~person~~individual who satisfies 1332
the requirements established by section 4713.20 of the Revised 1333
Code for admission to the examination. Examinations for 1334
licensure for any branch of cosmetology shall assess the ability 1335
of a prospective cosmetology professional to maintain a safe and 1336
sanitary place of service delivery. The board may develop and 1337
administer the appropriate examination or enter into an 1338
agreement with a national testing service to develop the 1339
examination, administer the examination, or both. The 1340
examination shall be specific to the type of license the ~~person~~ 1341
individual seeks and satisfy all of the following conditions: 1342

~~(A)~~ (1) Include both practical demonstrations and written 1343
or oral tests related to the type of license the ~~person~~ 1344
individual seeks; 1345

~~(B)~~ (2) Relate only to a branch of cosmetology, ~~managing~~ 1346
~~license, or both,~~ but not be confined to any special system or 1347
method; 1348

~~(C)~~ (3) Be consistent in both practical and technical 1349
requirements for the type of license the ~~person~~individual 1350
seeks; 1351

~~(D)~~ (4) Be of sufficient thoroughness to satisfy the board 1352
as to the ~~person's~~ individual's skill in and knowledge of the 1353
branch of cosmetology, ~~managing license, or both,~~ for which the 1354
examination is conducted. 1355

(B) The board shall create an examination for individuals 1356
seeking licensure to become an instructor and shall conduct an 1357
examination for each individual who satisfies the requirements 1358
established pursuant to section 4713.31 of the Revised Code for 1359
admission to the examination. Examinations for licensure as an 1360
instructor shall assess an applicant's ability to educate 1361
students using standards established by the department of 1362
education and approved by the board. 1363

(C) The board shall adopt rules regarding the equipment or 1364
supplies an individual is required to bring to an examination 1365
described in this section. 1366

(D) The board shall not release the questions developed 1367
for the examinations and the practical demonstrations used in 1368
the testing process, except for the following purposes: 1369

(1) Reviewing or rewriting of any part of the examination 1370
on a periodic basis as prescribed in rules adopted under section 1371
4713.08 of the Revised Code; 1372

(2) Testing of individuals in another state for admission 1373
to the profession of cosmetology or any of its branches as 1374
required under a contract or by means of a license with that 1375
state. 1376

(E) The examination papers and the scored results of the 1377
practical demonstrations of each individual examined by the 1378
board shall be open for inspection by the individual or the 1379
individual's attorney for at least ninety days following the 1380

announcement of the individual's grade, except for papers that 1381
under the terms of a contract with a testing service are not 1382
available for inspection. On written request of an individual or 1383
the individual's attorney made to the board not later than 1384
ninety days after announcement of the individual's grade, the 1385
board shall have the individual's practical examination papers 1386
regraded manually. 1387

Sec. 4713.25. (A) The state board of cosmetology may 1388
administer a separate ~~managing-advanced~~ cosmetologist 1389
examination for ~~persons~~ individuals who complete a ~~managing-an~~ 1390
advanced cosmetologist training course separate from a 1391
cosmetologist training course. The board may combine the 1392
~~managing-advanced~~ cosmetologist examination with the 1393
cosmetologist examination for ~~persons~~ individuals who complete a 1394
combined ~~eighteen hundred hour~~ cosmetologist and ~~managing-~~ 1395
advanced cosmetologist training course. 1396

(B) The board may administer a separate ~~managing-advanced~~ 1397
esthetician examination for ~~persons~~ individuals who complete a- 1398
~~managing-an~~ advanced esthetician training course separate from 1399
an esthetician training course. The board may combine the 1400
~~managing-advanced~~ esthetician examination with the esthetician 1401
examination for ~~persons~~ individuals who complete a ~~combined-~~ 1402
~~seven hundred fifty hour~~ an esthetician and ~~managing-advanced~~ 1403
esthetician training course. 1404

(C) The board may administer a separate ~~managing-advanced~~ 1405
hair designer examination for ~~persons~~ individuals who complete a- 1406
~~managing-an~~ advanced hair designer training course separate from 1407
a hair designer training course. The board may combine the 1408
~~managing-advanced~~ hair designer examination with the hair 1409
designer examination for ~~persons~~ individuals who complete a 1410

~~combined one thousand four hundred forty hour~~ hair designer and 1411
~~managing advanced~~ hair designer training course. 1412

(D) The board may administer a separate ~~managing advanced~~ 1413
manicurist examination for ~~persons individuals~~ who complete a 1414
~~managing an advanced~~ manicurist training course separate from a 1415
manicurist training course. The board may combine the ~~managing~~ 1416
~~advanced~~ manicurist examination with the manicurist examination 1417
for ~~persons individuals~~ who complete a ~~combined three hundred~~ 1418
~~hour~~ manicurist and ~~managing advanced~~ manicurist training 1419
course. 1420

(E) The board may administer a separate ~~managing advanced~~ 1421
natural hair stylist examination for ~~persons individuals~~ who 1422
complete a ~~managing an advanced~~ natural hair stylist training 1423
course separate from a natural hair stylist training course. The 1424
board may combine the ~~managing advanced~~ natural hair stylist 1425
examination with the natural hair stylist examination for 1426
~~persons individuals~~ who complete a ~~combined six hundred hour~~ 1427
natural hair stylist and ~~managing advanced~~ natural hair stylist 1428
training course. 1429

Sec. 4713.26. Each ~~person individual~~ admitted to an 1430
examination conducted under section 4713.24 of the Revised Code 1431
shall furnish the ~~person's individual's~~ own model. 1432

Sec. 4713.28. (A) The state board of cosmetology shall 1433
issue a practicing license to an applicant who, ~~except as~~ 1434
~~provided in section 4713.30 of the Revised Code,~~ satisfies all 1435
of the following applicable conditions: 1436

~~(A)~~ (1) Is at least sixteen years of age; 1437

~~(B)~~ (2) Is of good moral character; 1438

~~(C)~~ (3) Has the equivalent of an Ohio public school tenth 1439

grade education; 1440

~~(D)~~ (4) Has submitted a written application on a form 1441
furnished by the board that contains all of the following: 1442

(a) The name of the individual and any other identifying 1443
information required by the board; 1444

(b) A recent photograph of the individual that meets the 1445
specifications established by the board; 1446

(c) A photocopy of the individual's current driver's 1447
license or other proof of legal residence; 1448

(d) Proof that the individual is qualified to take the 1449
applicable examination as required by section 4713.20 of the 1450
Revised Code; 1451

(e) An oath verifying that the information in the 1452
application is true; 1453

(f) The applicable application fee. 1454

(5) Passes an examination conducted under division (A) of 1455
section 4713.24 of the Revised Code for the branch of 1456
cosmetology the applicant seeks to practice; 1457

~~(E)~~ (6) Pays to the board the applicable license fee; 1458

~~(F)~~ (7) In the case of an applicant for an initial 1459
cosmetologist license, has successfully completed at least 1460
~~fifteen~~ one thousand five hundred hours of board-approved 1461
cosmetology training in a school of cosmetology licensed in this 1462
state, except that only one thousand hours of board-approved 1463
cosmetology training in a school of cosmetology licensed in this 1464
state is required of ~~a person~~ an individual licensed as a barber 1465
under Chapter 4709. of the Revised Code; 1466

~~(G)~~ (8) In the case of an applicant for an initial 1467
esthetician license, has successfully completed at least six 1468
hundred hours of board-approved esthetics training in a school 1469
of cosmetology licensed in this state; 1470

~~(H)~~ (9) In the case of an applicant for an initial hair 1471
designer license, has successfully completed at least one 1472
thousand two hundred hours of board-approved hair designer 1473
training in a school of cosmetology licensed in this state, 1474
except that only one thousand hours of board-approved hair 1475
designer training in a school of cosmetology licensed in this 1476
state is required of ~~a person~~ an individual licensed as a barber 1477
under Chapter 4709. of the Revised Code; 1478

~~(I)~~ (10) In the case of an applicant for an initial 1479
manicurist license, has successfully completed at least two 1480
hundred hours of board-approved manicurist training in a school 1481
of cosmetology licensed in this state; 1482

~~(J)~~ (11) In the case of an applicant for an initial natural 1483
hair stylist license, has successfully completed at least four 1484
hundred fifty hours of instruction in subjects relating to 1485
sanitation, scalp care, anatomy, hair styling, communication 1486
skills, and laws and rules governing the practice of 1487
cosmetology~~+~~. 1488

~~(K)~~ (B) The board shall not deny a license to any applicant 1489
based on prior incarceration or conviction for any crime. If the 1490
board denies an individual a license or license renewal, the 1491
reasons for such denial shall be put in writing. 1492

Sec. 4713.30. The state board of cosmetology shall issue a~~-~~ 1493
~~managing~~ an advanced license to an applicant who satisfies all 1494
of the following applicable conditions: 1495

(A) Is at least sixteen years of age;	1496
(B) Is of good moral character;	1497
(C) Has the equivalent of an Ohio public school tenth grade education;	1498 1499
(D) Pays to the board the applicable fee;	1500
(E) Passes the appropriate managing <u>advanced</u> license examination;	1501 1502
(F) In the case of an applicant for an initial managing <u>advanced</u> cosmetologist license, does either of the following:	1503 1504
(1) Has a licensed managing <u>advanced</u> cosmetologist or owner of a licensed beauty salon located in this or another state certify to the board that the applicant has practiced as a cosmetologist for at least two <u>one</u> thousand <u>eight hundred</u> hours in a licensed beauty salon;	1505 1506 1507 1508 1509
(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as a cosmetologist, at least three <u>one</u> hundred hours of board-approved managing <u>advanced</u> cosmetologist training.	1510 1511 1512 1513 1514
(G) In the case of an applicant for an initial managing <u>advanced</u> esthetician license, does either of the following:	1515 1516
(1) Has the licensed managing <u>advanced</u> esthetician, licensed managing <u>advanced</u> cosmetologist, or owner of a licensed esthetics salon or licensed beauty salon located in this or another state certify to the board that the applicant has practiced esthetics for at least two <u>one</u> thousand <u>eight hundred</u> hours as an esthetician in a licensed esthetics salon or as a cosmetologist in a licensed beauty salon;	1517 1518 1519 1520 1521 1522 1523

(2) Has a school of cosmetology licensed in this state 1524
certify to the board that the applicant has successfully 1525
completed, in addition to the hours required for licensure as an 1526
esthetician or cosmetologist, at least one hundred ~~fifty~~ hours 1527
of board-approved ~~managing~~ advanced esthetician training. 1528

(H) In the case of an applicant for an initial ~~managing~~ 1529
advanced hair designer license, does either of the following: 1530

(1) Has the licensed ~~managing~~ advanced hair designer, 1531
licensed ~~managing~~ advanced cosmetologist, or owner of a licensed 1532
hair design salon or licensed beauty salon located in this or 1533
another state certify to the board that the applicant has 1534
practiced hair design for at least ~~two thousand one thousand~~ 1535
eight hundred hours as a hair designer in a licensed hair design 1536
salon or as a cosmetologist in a licensed beauty salon; 1537

(2) Has a school of cosmetology licensed in this state 1538
certify to the board that the applicant has successfully 1539
completed, in addition to the hours required for licensure as a 1540
hair designer or cosmetologist, at least ~~two one~~ hundred ~~forty~~ 1541
hours of board-approved ~~managing~~ advanced hair designer 1542
training. 1543

(I) In the case of an applicant for an initial ~~managing~~ 1544
advanced manicurist license, does either of the following: 1545

(1) Has the licensed ~~managing~~ advanced manicurist, 1546
licensed ~~managing~~ advanced cosmetologist, or owner of a licensed 1547
nail salon, licensed beauty salon, or licensed barber shop 1548
located in this or another state certify to the board that the 1549
applicant has practiced manicuring for at least ~~two one~~ 1550
thousand eight hundred hours as a manicurist in a licensed nail 1551
salon or licensed barber shop or as a cosmetologist in a 1552

licensed beauty salon or licensed barber shop; 1553

(2) Has a school of cosmetology licensed in this state 1554
certify to the board that the applicant has successfully 1555
completed, in addition to the hours required for licensure as a 1556
manicurist or cosmetologist, at least one hundred hours of 1557
board-approved ~~managing~~ advanced manicurist training. 1558

(J) In the case of an applicant for an initial ~~managing~~ 1559
advanced natural hair stylist license, does either of the 1560
following: 1561

(1) Has the licensed ~~managing~~ advanced natural hair 1562
stylist, licensed ~~managing~~ advanced cosmetologist, or owner of a 1563
licensed natural hair style salon or licensed beauty salon 1564
located in this or another state certify to the board that the 1565
applicant has practiced natural hair styling for at least ~~two~~ 1566
one thousand eight hundred hours as a natural hair stylist in a 1567
licensed natural hair style salon or as a cosmetologist in a 1568
licensed beauty salon; 1569

(2) Has a school of cosmetology licensed in this state 1570
certify to the board that the applicant has successfully 1571
completed, in addition to the hours required for licensure as 1572
natural hair stylist or cosmetologist, at least one hundred 1573
~~fifty~~ hours of board-approved ~~managing~~ advanced natural hair 1574
stylist training. 1575

Sec. 4713.31. The state board of cosmetology shall issue 1576
an instructor license to an applicant who satisfies all of the 1577
following applicable conditions: 1578

(A) Is at least eighteen years of age; 1579

(B) Is of good moral character; 1580

(C) Has the equivalent of an Ohio public school twelfth grade education;	1581 1582
(D) Pays to the board the applicable fee;	1583
(E) In the case of an applicant for an initial cosmetology instructor license, holds a current, valid managing-advanced cosmetologist license issued in this state and does either of the following:	1584 1585 1586 1587
(1) Has the licensed managing-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 two-one thousand <u>eight hundred</u> hours;	1588 1589 1590 1591 1592
(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.	1593 1594 1595 1596
(F) In the case of an applicant for an initial esthetics instructor license, holds a current, valid managing-advanced esthetician or managing-advanced cosmetologist license issued in this state and does either of the following:	1597 1598 1599 1600
(1) Has the licensed managing-advanced esthetician, licensed managing-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 two-one thousand <u>eight hundred</u> hours;	1601 1602 1603 1604 1605 1606 1607
(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully	1608 1609

completed at least five hundred hours of board-approved 1610
esthetics instructor training as an apprentice instructor. 1611

(G) In the case of an applicant for an initial hair design 1612
instructor license, holds a current, valid ~~managing-advanced~~ 1613
hair designer or ~~managing-advanced~~ cosmetologist license and 1614
does either of the following: 1615

(1) Has the licensed ~~managing-advanced~~ hair designer, 1616
licensed ~~managing-advanced~~ cosmetologist, or owner of the 1617
licensed hair design salon or licensed beauty salon in which the 1618
applicant has been employed certify to the board that the 1619
applicant has engaged in the practice of hair design in a 1620
licensed hair design salon or practice of cosmetology in a 1621
licensed beauty salon for at least ~~two-one~~ thousand eight 1622
hundred hours; 1623

(2) Has a school of cosmetology licensed in this state 1624
certify to the board that the applicant has successfully 1625
completed at least eight hundred hours of board-approved hair 1626
design instructor's training as an apprentice instructor. 1627

(H) In the case of an applicant for an initial manicurist 1628
instructor license, holds a current, valid ~~managing-advanced~~ 1629
manicurist or ~~managing-advanced~~ cosmetologist license and does 1630
either of the following: 1631

(1) Has the licensed ~~managing-advanced~~ manicurist, 1632
licensed ~~managing-advanced~~ cosmetologist, or owner of the 1633
licensed nail salon or licensed beauty salon in which the 1634
applicant has been employed certify to the board that the 1635
applicant has engaged in the practice of manicuring in a 1636
licensed nail salon or practice of cosmetology in a licensed 1637
beauty salon for at least ~~two-one~~ thousand eight hundred hours; 1638

(2) Has a school of cosmetology licensed in this state 1639
certify to the board that the applicant has successfully 1640
completed at least three hundred hours of board-approved 1641
manicurist instructor training as an apprentice instructor. 1642

(I) In the case of an applicant for an initial natural 1643
hair style instructor license, holds a current, valid ~~managing-~~ 1644
advanced natural hair stylist or ~~managing-advanced~~ cosmetologist 1645
license and does either of the following: 1646

(1) Has the licensed ~~managing-advanced~~ natural hair 1647
stylist, licensed ~~managing-advanced~~ cosmetologist, or owner of 1648
the licensed natural hair style salon or licensed beauty salon 1649
in which the applicant has been employed certify to the board 1650
that the applicant has engaged in the practice of natural hair 1651
styling in a licensed natural hair style salon or practice of 1652
cosmetology in a licensed beauty salon for at least ~~two-one~~ 1653
thousand eight hundred hours; 1654

(2) Has a school of cosmetology licensed in this state 1655
certify to the board that the applicant has successfully 1656
completed at least four hundred hours of board-approved natural 1657
hair style instructor training as an apprentice instructor. 1658

(J) In the case of all applicants, has a school of 1659
cosmetology in this state certify to the board that the 1660
applicant has successfully completed courses in educating 1661
students using standards established by the department of 1662
education and approved by the board. 1663

Sec. 4713.34. The state board of cosmetology shall issue a 1664
license to practice a branch of cosmetology, ~~managing license,~~ 1665
or instructor license to an applicant who is licensed or 1666
registered in another state or country to practice that branch 1667

of cosmetology, ~~manage that type of salon,~~ or teach the theory 1668
and practice of that branch of cosmetology, as appropriate, if 1669
all of the following conditions are satisfied: 1670

(A) The applicant satisfies all of the following 1671
conditions: 1672

(1) Is not less than eighteen years of age; 1673

(2) Is of good moral character; 1674

(3) In the case of an applicant for a practicing licensee~~or~~ 1675
~~managing license,~~ passes an examination conducted under section 1676
4713.24 of the Revised Code for the license the applicant seeks, 1677
unless the applicant satisfies conditions specified in rules 1678
adopted under section 4713.08 of the Revised Code for the board 1679
to issue the applicant a license without taking the examination; 1680

(4) Pays the applicable fee. 1681

(B) At the time the applicant obtained the license or 1682
registration in the other state or country, the requirements in 1683
this state for obtaining the license the applicant seeks were 1684
substantially equal to the other state or country's 1685
requirements. 1686

(C) The jurisdiction that issued the applicant's license 1687
or registration extends similar reciprocity to ~~persons~~ 1688
individuals holding a license issued by the board. 1689

Sec. 4713.35. ~~A person~~ (A) (1) An individual who holds a 1690
current, valid cosmetologist or advanced cosmetologist license 1691
issued by the state board of cosmetology may engage in the 1692
practice of one or more branches of cosmetology as the ~~person~~ 1693
individual chooses in a licensed facility. 1694

~~A person~~ (2) An individual who holds a current, valid 1695

esthetician or advanced esthetician license issued by the board 1696
may engage in the practice of esthetics but no other branch of 1697
cosmetology in a licensed facility. 1698

~~A person~~ (3) An individual who holds a current, valid hair 1699
designer or advanced hair designer license issued by the board 1700
may engage in the practice of hair design but no other branch of 1701
cosmetology in a licensed facility. 1702

~~A person~~ (4) An individual who holds a current, valid 1703
manicurist or advanced manicurist license issued by the board 1704
may engage in the practice of manicuring but no other branch of 1705
cosmetology in a licensed facility. 1706

~~A person~~ (5) An individual who holds a current, valid 1707
natural hair stylist or advanced natural hair stylist license 1708
issued by the board may engage in the practice of natural hair 1709
styling but no other branch of cosmetology in a licensed 1710
facility. 1711

~~A person who holds a current, valid managing cosmetologist~~ 1712
~~license issued by the board may manage all types of salons and~~ 1713
~~engage in the practice of one or more branches of cosmetology as~~ 1714
~~the person chooses.~~ 1715

~~A person who holds a current, valid managing esthetician~~ 1716
~~license issued by the board may manage an esthetics salon, but~~ 1717
~~no other type of salon, and engage in the practice of esthetics,~~ 1718
~~but no other branch of cosmetology.~~ 1719

~~A person who holds a current, valid managing hair designer~~ 1720
~~license issued by the board may manage a hair design salon, but~~ 1721
~~no other type of salon, and engage in the practice of hair~~ 1722
~~design, but no other branch of cosmetology.~~ 1723

~~A person who holds a current, valid managing manicurist~~ 1724

~~license issued by the board may manage a nail salon, but no other type of salon, and engage in the practice of manicuring, but no other branch of cosmetology.~~ 1725
1726
1727

~~A person who holds a current, valid managing natural hair stylist license issued by the board may manage 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.~~ 1728
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~~A person~~ (6) An individual who holds a current, valid cosmetology instructor license issued by the board may teach the theory and practice of one or more branches of cosmetology at a school of cosmetology as the ~~person~~ individual chooses. 1733
1734
1735
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~~A person~~ (7) An individual who holds a current, valid esthetics instructor license issued by the board may teach the theory and practice of esthetics, but no other branch of cosmetology, at a school of cosmetology. 1737
1738
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~~A person~~ (8) An individual who holds a current, valid hair design instructor license issued by the board may teach the theory and practice of hair design, but no other branch of cosmetology, at a school of cosmetology. 1741
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~~A person~~ (9) An individual who holds a current, valid manicurist instructor license issued by the board may teach the theory and practice of manicuring, but no other branch of cosmetology, at a school of cosmetology. 1745
1746
1747
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~~A person~~ (10) An individual who holds a current, valid natural hair style instructor license issued by the board may teach the theory and practice of natural hair styling, but no other branch of cosmetology, at a school of cosmetology. 1749
1750
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(11) An individual who holds a current, valid boutique 1753

registration with the board may engage in the practice of 1754
boutique services but no other branch of cosmetology. 1755

(B) All newly licensed individuals with no related work 1756
history under this chapter shall complete a six-month 1757
apprenticeship in a salon prior to practicing without 1758
supervision in a salon. This division does not apply to 1759
independent contractors, instructors, or boutique services 1760
registrants. 1761

Sec. 4713.36. A licensed manicurist or licensed ~~managing~~ 1762
~~advanced~~ manicurist may engage in the practice of manicuring at 1763
a nail salon or beauty salon licensed under section 4713.41 of 1764
the Revised Code or a barber shop licensed under Chapter 4709. 1765
of the Revised Code. 1766

Sec. 4713.37. (A) The state board of cosmetology may issue 1767
a temporary special occasion work permit to ~~a person~~ an 1768
individual who satisfies all of the following conditions: 1769

(1) Has been licensed or registered in another state or 1770
country to practice a branch of cosmetology or teach the theory 1771
and practice of a branch of cosmetology for at least five years; 1772

(2) Is a recognized expert in the practice or teaching of 1773
the branch of cosmetology the ~~person~~ individual practices or 1774
teaches; 1775

(3) Is to practice that branch of cosmetology or teach the 1776
theory and practice of that branch of cosmetology in this state 1777
as part of a promotional or instructional program for not more 1778
than the amount of time a temporary special occasion work permit 1779
is effective; 1780

(4) Satisfies all other conditions for a temporary special 1781
occasion work permit established by rules adopted under section 1782

4713.08 of the Revised Code; 1783

(5) Pays the fee established by rules adopted under 1784
section 4713.08 of the Revised Code. 1785

(B) ~~A person~~An individual issued a temporary special 1786
occasion work permit may practice the branch of cosmetology the 1787
~~person~~individual practices in another state or country, or 1788
teach the theory and practice of the branch of cosmetology the 1789
~~person~~individual teaches in another state or country, until the 1790
expiration date of the permit. A temporary special occasion work 1791
permit is valid for the period of time specified in rules 1792
adopted under section 4713.08 of the Revised Code. 1793

Sec. 4713.39. The state board of cosmetology shall issue a 1794
license to engage in the practice of a branch of cosmetology as 1795
an independent contractor to an applicant who pays the 1796
applicable fee; holds a current, valid advanced license ~~to~~ 1797
~~manage for~~ the type of salon in which the applicant will 1798
practice that branch of cosmetology; and satisfies the 1799
conditions for the license established by rules adopted under 1800
section 4713.08 of the Revised Code. 1801

Sec. 4713.41. The state board of cosmetology shall issue a 1802
license to operate a salon, including a boutique salon, to an 1803
applicant who pays the applicable fee and affirms that all of 1804
the following conditions will be met: 1805

(A) (1) ~~A person~~An individual holding a current, valid 1806
~~managing~~ cosmetologist license ~~or license to manage that type of~~ 1807
~~salon has charge of and immediate supervision over~~ or boutique 1808
services registration pertaining to the branch of cosmetology 1809
services performed at the salon or boutique salon, shall have 1810
charge of and immediate supervision over the salon at all times 1811

when the salon is open for business except as permitted under 1812
division (A) (2) of this section. 1813

(2) A business establishment that is engaged primarily in 1814
retail sales but is also licensed as a salon shall have ~~a person~~ 1815
present an individual holding a current, valid ~~managing~~ license 1816
for or registration to practice in that type of salon in charge 1817
of and in immediate supervision of the salon during posted or 1818
advertised service hours, if the practice of cosmetology is 1819
restricted to those posted or advertised service hours. 1820

(B) The salon is equipped to do all of the following: 1821

(1) Provide potable running hot and cold water and proper 1822
drainage; 1823

(2) Sanitize all instruments and supplies used in the 1824
branch of cosmetology provided at the salon; 1825

(3) If cosmetic therapy, massage therapy, or other 1826
professional service is provided at the salon under section 1827
4713.42 of the Revised Code, sanitize all instruments and 1828
supplies used in the cosmetic therapy, massage therapy, or other 1829
professional service. 1830

(C) Except as provided in sections 4713.42 and 4713.49 of 1831
the Revised Code, only the branch of cosmetology that the salon 1832
is licensed to provide is practiced at the salon. 1833

(D) The salon is kept in a clean and sanitary condition 1834
and properly ventilated. 1835

(E) No food is sold at the salon in a manner inconsistent 1836
with rules adopted under section 4713.08 of the Revised Code. 1837

(F) A notice that contains a toll-free number and online 1838
process for reporting alleged violations of this chapter, as 1839

prescribed by the board of cosmetology, is posted at the salon 1840
in a common area for all customers of salon services. 1841

(G) Except for boutique salons, all newly licensed 1842
individuals with no related work history under this chapter 1843
shall be required by the operator to complete a six-month 1844
apprenticeship in the salon prior to practicing without 1845
supervision in the salon. This division does not apply to 1846
independent contractors or instructors. 1847

Sec. 4713.42. ~~A person~~ An individual holding a current, 1848
valid certificate issued under section 4731.15 of the Revised 1849
Code to provide cosmetic therapy or massage therapy may provide 1850
cosmetic therapy or massage therapy, as appropriate, in a salon. 1851
~~A person~~ An individual holding a current, valid license or 1852
certificate issued by a professional regulatory board of this 1853
state may practice the ~~person's~~ individual's profession in a 1854
salon if the ~~person's~~ individual's profession is authorized by 1855
rules adopted under section 4713.08 of the Revised Code to 1856
practice in a salon. 1857

~~A person~~ An individual providing cosmetic therapy, massage 1858
therapy, or other professional service in a salon pursuant to 1859
this section shall satisfy the standards established by rules 1860
adopted under section 4713.08 of the Revised Code. 1861

Sec. 4713.44. (A) The state board of cosmetology shall 1862
issue a license to operate a school of cosmetology to an 1863
applicant who pays the applicable fee and satisfies all of the 1864
following requirements: 1865

(1) Maintains a course of practical training and technical 1866
instruction for the branch or branches of cosmetology to be 1867
taught at the school equal to the requirements for admission to 1868

an examination under section 4713.24 of the Revised Code that a ~~person~~ an individual must pass to obtain a license to practice that branch or those branches of cosmetology;

(2) Possesses or makes available apparatus and equipment sufficient for the ready and full teaching of all subjects of the curriculum;

(3) Maintains ~~persons~~ individuals licensed under section 4713.31 or 4713.34 of the Revised Code to teach the theory and practice of the branches of cosmetology;

(4) Notifies the board of the enrollment of each new student, keeps a record devoted to the different practices, establishes grades, and holds examinations in order to certify the students' completion of the prescribed course of study before the issuance of certificates of completion;

(5) In the case of a school of cosmetology that offers clock hours for the purpose of satisfying minimum hours of training and instruction, keeps a daily record of the attendance of each student;

(6) On the date that an apprentice cosmetology instructor begins cosmetology instructor training at the school, certifies the name of the apprentice cosmetology instructor to the board along with the date on which the apprentice's instructor training began;

(7) Instructs not more than six apprentice cosmetology instructors at any one time;

(8) Files with the board a good and sufficient surety bond executed by the ~~person~~ individual, firm, or corporation operating the school of cosmetology as principal and by a surety company as surety in the amount of ten thousand dollars; provided, that

this requirement does not apply to a vocational or career- 1898
technical school program conducted by a city, exempted village, 1899
local, or joint vocational school district. The bond shall be in 1900
the form prescribed by the board and be conditioned upon the 1901
school's continued instruction in the theory and practice of the 1902
branches of cosmetology. Every bond shall continue in effect 1903
until notice of its termination is given to the board by 1904
registered mail and every bond shall so provide. 1905

(9) Establishes and maintains an internal procedure for 1906
processing complaints filed against the school and for providing 1907
students with instructions on how to file a complaint directly 1908
with the board pursuant to section 4713.641 of the Revised Code. 1909

(B) A school of cosmetology holding a license issued under 1910
division (A) of this section is an educational institution and 1911
is authorized to offer educational programs beyond secondary 1912
education, advanced practice programs, or both in accordance 1913
with rules adopted by the board pursuant to section 4713.08 of 1914
the Revised Code. 1915

(C) A school of cosmetology holding a license to operate a 1916
school of cosmetology on ~~the effective date of this amendment~~ 1917
September 29, 2013, shall establish and maintain an internal 1918
procedure for processing complaints filed against the school and 1919
shall provide each of the school's students with instructions on 1920
how to file a complaint directly with the board pursuant to 1921
section 4713.641 of the Revised Code. 1922

Sec. 4713.45. (A) A school of cosmetology may do the 1923
following: 1924

(1) In accordance with rules adopted under section 4713.08 1925
of the Revised Code, a school of cosmetology operated by a 1926

public entity or a private person may offer clock hours, credit 1927
hours, or competency-based credits, ~~and a school of cosmetology~~ 1928
~~that is operated by a private person may offer clock or credit~~ 1929
~~hours,~~ for the purpose of satisfying minimum hours of training 1930
and instruction; 1931

(2) Allow an apprentice cosmetology instructor the regular 1932
quota of students prescribed by the state board of cosmetology 1933
if a cosmetology instructor is present; 1934

(3) Compensate an apprentice cosmetology instructor; 1935

(4) Subject to division (B) of this section, employ ~~a~~ 1936
~~person~~ an individual who does not hold a current, valid 1937
instructor license to teach subjects related to a branch of 1938
cosmetology. 1939

(B) A school of cosmetology shall have a licensed 1940
cosmetology instructor present when ~~a person~~ an individual 1941
employed pursuant to division (A) (4) of this section teaches at 1942
the school, unless the ~~person~~ individual is one of the 1943
following: 1944

(1) ~~A person~~ An individual with a current, valid teacher's 1945
certificate or educator license issued by the state board of 1946
education; 1947

(2) ~~A person~~ An individual with a bachelor's degree in the 1948
subject the person teaches at the school; 1949

(3) ~~A person~~ An individual also employed by a university 1950
or college to teach the subject the person teaches at the 1951
school. 1952

(C) A school of cosmetology shall annually review the 1953
subjects and coursework required to receive an initial 1954

cosmetology license and advanced license and, in doing so, shall 1955
incorporate standards adopted by the state board of cosmetology 1956
pursuant to division (A) (13) of section 4713.08 of the Revised 1957
Code. 1958

Sec. 4713.48. (A) The state board of cosmetology shall 1959
issue a permit to operate a tanning facility to an applicant if 1960
~~all~~ both of the following conditions are satisfied: 1961

(1) The applicant applies in accordance with the 1962
application process adopted by rules adopted under section 1963
4713.08 of the Revised Code. 1964

(2) The applicant pays to the treasurer of state the fee 1965
established by those rules. 1966

~~(3) An initial inspection of the premises indicates that~~ 1967
~~the tanning facility has been installed and will be operated in~~ 1968
~~accordance with those rules.~~ 1969

(B) A permit holder shall post the permit in a public and 1970
conspicuous place on any premises where the tanning facility is 1971
located. ~~A person~~ An individual shall obtain a separate permit 1972
for each of the premises owned or operated by that ~~person~~ 1973
individual at which the ~~person~~ individual seeks to operate a 1974
tanning facility. 1975

(C) ~~A~~ To continue operating, a permit holder may shall 1976
biennially renew ~~a~~ the permit by the last day of January of each 1977
odd-numbered year ~~upon~~. The board shall renew the permit upon 1978
the holder's payment to the treasurer of state of the biennial 1979
renewal fee. 1980

Sec. 4713.55. Every license issued by the state board of 1981
cosmetology shall be signed by the chairperson and attested by 1982
the executive director ~~thereof~~ of the board, with the seal of the 1983

board attached. 1984

The board shall specify on each practicing license that 1985
the board issues the branch of cosmetology that the license 1986
entitles the holder to practice. The board shall specify on each 1987
~~managing advanced~~ license that the board issues the type of 1988
salon ~~that in which~~ the license entitles the holder to ~~manage~~ 1989
work and the branch of cosmetology that the license entitles the 1990
holder to practice. The board shall specify on each instructor 1991
license that the board issues the branch of cosmetology that the 1992
license entitles the holder to teach. The board shall specify on 1993
each salon license that the board issues the branch of 1994
cosmetology that the license entitles the holder to offer. The 1995
board shall specify on each independent contractor license that 1996
the board issues the branch of cosmetology that the license 1997
entitles the holder to offer within a licensed salon. Such 1998
licenses are prima-facie evidence of the right of the holder to 1999
practice or teach the branch of cosmetology, ~~or manage the type~~ 2000
~~of salon,~~ that the license specifies. 2001

Sec. 4713.56. Every holder of a practicing license, ~~or~~ 2002
~~managing license,~~ instructor license, ~~or~~ independent contractor 2003
license, or boutique service registration issued by the state 2004
board of cosmetology shall ~~display~~ maintain the board-issued, 2005
wallet-sized license ~~in a public and conspicuous place in the~~ 2006
~~place of employment of the holder or registration and a~~ 2007
government-issued photo identification that can be produced upon 2008
inspection or request. 2009

Every holder of a license to operate a salon issued by the 2010
board shall display the license in a public and conspicuous 2011
place in the salon. 2012

Every holder of a license to operate a school of 2013

cosmetology issued by the board shall display the license in a public and conspicuous place in the school. 2014
2015

Every ~~person~~ individual who provides cosmetic therapy, 2016
massage therapy, or other professional service in a salon under 2017
section 4713.42 of the Revised Code shall ~~display~~ maintain the 2018
~~person's~~ individual's professional license or certificate ~~in a~~ 2019
~~public and conspicuous place in the room used for the therapy or~~ 2020
~~other service~~ and a state of Ohio issued photo identification 2021
that can be produced upon inspection or request. 2022

Sec. 4713.57. A license or registration issued by the 2023
state board of cosmetology is valid ~~until the last day of~~ 2024
~~January of the odd numbered year~~ for at least two years 2025
following its original issuance or renewal, unless the license 2026
is revoked or suspended prior to that date. Renewal shall be 2027
done in accordance with the standard renewal procedure of 2028
Chapter 4745. of the Revised Code. The board may refuse to renew 2029
a license if the ~~person~~ individual holding the license has an 2030
outstanding unpaid fine levied under section 4713.64 of the 2031
Revised Code. 2032

Sec. 4713.58. (A) Except as provided in division (B) of 2033
this section, on payment of the renewal fee and submission of 2034
proof satisfactory to the state board of cosmetology that any 2035
applicable continuing education requirements have been 2036
completed, ~~a person~~ an individual currently licensed as: 2037

(1) A cosmetology instructor who has previously been 2038
licensed as a cosmetologist or ~~a managing~~ an advanced 2039
cosmetologist, is entitled to the reissuance of a cosmetologist 2040
or ~~managing~~ advanced cosmetologist license; 2041

(2) An esthetics instructor who has previously been 2042

licensed as an esthetician or ~~a managing-an advanced~~ 2043
esthetician, is entitled to the reissuance of an esthetician or 2044
~~managing-advanced~~ esthetician license; 2045

(3) A hair design instructor who has previously been 2046
licensed as a hair designer or ~~a managing-an advanced~~ hair 2047
designer, is entitled to the reissuance of a hair designer or 2048
~~managing-advanced~~ hair designer license; 2049

(4) A manicurist instructor who has previously been 2050
licensed as a manicurist or ~~a managing-an advanced~~ manicurist, 2051
is entitled to the reissuance of a manicurist or ~~managing-~~ 2052
~~advanced~~ manicurist license; 2053

(5) A natural hair style instructor who has previously 2054
been licensed as a natural hair stylist or ~~a managing-an~~ 2055
~~advanced~~ natural hair stylist, is entitled to the reissuance of 2056
a natural hair stylist or ~~managing-advanced~~ natural hair stylist 2057
license. 2058

(B) No ~~person-individual~~ is entitled to the reissuance of 2059
a license under division (A) of this section if the license was 2060
revoked or suspended or the ~~person-individual~~ has an outstanding 2061
unpaid fine levied under section 4713.64 of the Revised Code. 2062

Sec. 4713.59. If the state board of cosmetology adopts 2063
rules under section 4713.09 of the Revised Code to establish a 2064
continuing education requirement as a condition of renewal for a 2065
practicing license, ~~managing-advanced~~ license, or instructor 2066
license, the board shall inform each affected licensee of the 2067
continuing education requirement that applies to the next 2068
biennial licensing period by including a notification in the 2069
license renewal application form it sends the licensee. The 2070
notification shall state that the licensee must complete the 2071

continuing education requirement by the last day of January of 2072
the next odd-numbered year. 2073

Hours completed in excess of the continuing education 2074
requirement may not be applied to the next biennial licensing 2075
period. 2076

Sec. 4713.60. (A) Except as provided in division (C) of 2077
this section, ~~a person~~ an individual seeking a renewal of a 2078
license to practice a branch of cosmetology, ~~managing advanced~~ 2079
license, or instructor license, or boutique services 2080
registration shall include in the renewal application proof 2081
satisfactory to the board of completion of any applicable 2082
continuing education requirements established by rules adopted 2083
under section 4713.09 of the Revised Code. 2084

(B) If an applicant fails to provide satisfactory proof of 2085
completion of any applicable continuing education requirements, 2086
the board shall notify the applicant that the application is 2087
incomplete. The board shall not renew the license or 2088
registration until the applicant provides satisfactory proof of 2089
completion of any applicable continuing education requirements. 2090
The board may provide the applicant with an extension of up to 2091
ninety days in which to complete the continuing education 2092
requirement. In providing for the extension, the board may 2093
charge the licensee or registrant a fine of up to one hundred 2094
dollars. 2095

(C) The board may waive, or extend the period for 2096
completing, any continuing education requirement if a licensee 2097
or registrant applies to the board and provides proof 2098
satisfactory to the board of being unable to complete the 2099
requirement within the time allowed because of any of the 2100
following: 2101

- (1) An emergency; 2102
- (2) An unusual or prolonged illness; 2103
- (3) Active duty service in any branch of the armed forces 2104
of the United States or a reserve component of the armed forces 2105
of the United States, including the Ohio national guard or the 2106
national guard of any other state. 2107

The board shall determine the period of time during which 2108
each extension is effective and shall inform the applicant. The 2109
board shall also inform the applicant of the continuing 2110
education requirements that must be met to have the license_or 2111
registration renewed. If an extension is granted for less than 2112
one year, the continuing education requirement for that year, in 2113
addition to the required continuing education for the succeeding 2114
year, must be completed in the succeeding year. In all other 2115
cases the board may waive all or part of the continuing 2116
education requirement on a case-by-case basis. Any required 2117
continuing education shall be completed and satisfactory proof 2118
of its completion submitted to the board by a date specified by 2119
the board. Every license ~~which~~ or registration that has not been 2120
renewed ~~in any odd numbered year by the last day of January in~~ 2121
the timeframe specified in section 4713.57 of the Revised Code 2122
and for which the continuing education requirement has not been 2123
waived or extended shall be considered expired. 2124

Sec. 4713.61. (A) If the state board of cosmetology adopts 2125
a continuing education requirement under section 4713.09 of the 2126
Revised Code, it may develop a procedure by which ~~a person an~~ 2127
individual who holds a license to practice a branch of 2128
cosmetology, ~~managing advanced~~ license, or instructor license 2129
and who is not currently engaged in the practice of the branch 2130
of cosmetology, ~~managing a salon,~~ or teaching the theory and 2131

practice of the branch of cosmetology, but who desires to be so 2132
engaged in the future, may apply to the board to have the 2133
~~person's~~individual's license classified inactive. If the board 2134
develops such a procedure, ~~a person~~an individual seeking to 2135
have the ~~person's~~individual's license classified inactive shall 2136
apply to the board on a form provided by the board and pay the 2137
fee established by rules adopted under section 4713.08 of the 2138
Revised Code. 2139

(B) The board shall not restore an inactive license until 2140
the later of the following: 2141

(1) The date that the ~~person~~individual holding the 2142
license submits proof satisfactory to the board that the ~~person~~individual 2143
individual has completed the continuing education that a rule 2144
adopted under section 4713.08 of the Revised Code requires; 2145

(2) The last day of January of the next odd-numbered year 2146
following the year the license is classified inactive. 2147

(C) ~~A person~~An individual who holds an inactive license 2148
may engage in the practice of a branch of cosmetology if the 2149
~~person~~individual holds a temporary work permit as specified in 2150
rules adopted by the board under section 4713.08 of the Revised 2151
Code. 2152

Sec. 4713.62. (A) ~~A person~~An individual holding a 2153
practicing license, ~~managing advanced~~ license, ~~or~~ instructor 2154
license, or boutique services registration may satisfy a 2155
continuing education requirement established by rules adopted 2156
under section 4713.09 of the Revised Code only by completing 2157
continuing education programs approved under division (B) of 2158
this section or developed under division (C) of this section. 2159

(B) The state board of cosmetology shall approve a 2160

continuing education program if all of the following conditions 2161
are satisfied: 2162

(1) The person operating the program submits to the board 2163
a written application for approval. 2164

(2) The person operating the program pays to the board a 2165
fee established by rules adopted under section 4713.08 of the 2166
Revised Code. 2167

(3) The program is operated by an employee, officer, or 2168
director of a nonprofit professional association, college or 2169
university, proprietary continuing education institutions 2170
providing programs approved by the board, vocational school, 2171
postsecondary proprietary school of cosmetology licensed by the 2172
board, salon licensed by the board, or manufacturer of supplies 2173
or equipment used in the practice of a branch of cosmetology. 2174

(4) The program will do at least one of the following: 2175

(a) Enhance the professional competency of the affected 2176
licensees or registrants; 2177

(b) Protect the public; 2178

(c) Educate the affected licensees or registrants in the 2179
application of the laws and rules regulating the practice of a 2180
branch of cosmetology. 2181

(5) The person operating the program provides the board a 2182
tentative schedule of when the program will be available so that 2183
the board can make the schedule readily available to all 2184
licensees and registrants throughout the state. 2185

Sec. 4713.63. A practicing license, ~~managing~~ advanced 2186
license, or instructor license that has not been renewed for any 2187
reason other than because it has been revoked, suspended, or 2188

classified inactive, or because the license holder has been 2189
given a waiver or extension under section 4713.60 of the Revised 2190
Code, is expired. An expired license may be restored if the 2191
~~person~~ individual who held the license meets all of the 2192
following applicable conditions: 2193

(A) Pays to the state board of cosmetology the restoration 2194
~~fee, the current renewal fee, and any applicable late fees~~ 2195
established under section 4713.10 of the Revised Code; 2196

(B) ~~Pays a lapsed renewal fee of forty five dollars per~~ 2197
~~license renewal period that has elapsed since the license was~~ 2198
~~last issued or renewed;~~ 2199

~~(C)~~ In the case of a practicing license or ~~managing~~ 2200
advanced license that has been expired for more than two 2201
consecutive license renewal periods, completes eight hours of 2202
continuing education for each license renewal period that has 2203
elapsed since the license was last issued or renewed, up to a 2204
maximum of twenty-four hours. At least four of those hours shall 2205
include a course pertaining to sanitation and safety methods. 2206

The board shall deposit all fees it receives under 2207
division (B) of this section into the general revenue fund. 2208

Sec. 4713.64. (A) The state board of cosmetology may take 2209
disciplinary action for any of the following: 2210

(1) Failure to comply with the safety, sanitation, and 2211
licensing requirements of this chapter or rules adopted under 2212
it; 2213

(2) Continued practice by ~~a person~~ an individual knowingly 2214
having an infectious or contagious disease; 2215

(3) Habitual drunkenness or addiction to any habit-forming 2216

drug;	2217
(4) Willful false and fraudulent or deceptive advertising;	2218
(5) Falsification of any record or application required to be filed with the board;	2219 2220
(6) Failure to pay a fine or abide by a suspension order issued by the board;	2221 2222
<u>(7) Failure to cooperate with an investigation or inspection;</u>	2223 2224
<u>(8) Failure to respond to a subpoena;</u>	2225
<u>(9) Conviction of or plea of guilty to a violation of section 2905.32 of the Revised Code;</u>	2226 2227
<u>(10) In the case of a salon, any individual's conviction of or plea of guilty to a violation of section 2905.32 of the Revised Code for an activity that took place on the premises of the salon.</u>	2228 2229 2230 2231
(B) On determining that there is cause for disciplinary action, the board may do one or more of the following:	2232 2233
(1) Deny, revoke, or suspend a license or , <u>permit, or registration</u> issued by the board;	2234 2235
(2) Impose a fine;	2236
(3) Require the holder of a license or , <u>permit, or registration</u> to take corrective action courses.	2237 2238
(C) <u>(1) Except as provided in divisions (C) (2) and (3) of this section, the board shall take disciplinary action pursuant to an adjudication under Chapter 119. of the Revised Code.</u>	2239 2240 2241
<u>(2) The board may take disciplinary action without</u>	2242

conducting an adjudication under Chapter 119. of the Revised 2243
Code against an individual or salon who violates division (A) (9) 2244
or (10) of this section. After the board takes such disciplinary 2245
action, the board shall give written notice to the subject of 2246
the disciplinary action of the right to request a hearing under 2247
Chapter 119. of the Revised Code. 2248

(3) In lieu of an adjudication, the board may enter into a 2249
consent agreement with the holder of a license, permit, or 2250
registration. A consent agreement that is ratified by a majority 2251
vote of a quorum of the board members is considered to 2252
constitute the findings and orders of the board with respect to 2253
the matter addressed in the agreement. If the board does not 2254
ratify a consent agreement, the admissions and findings 2255
contained in the agreement are of no effect, and the case shall 2256
be scheduled for adjudication under Chapter 119. of the Revised 2257
Code. 2258

(D) The amount and content of corrective action courses 2259
and other relevant criteria shall be established by the board in 2260
rules adopted under section 4713.08 of the Revised Code. 2261

~~(D)~~ (E) (1) The board may impose a separate fine for each 2262
offense listed in division (A) of this section. The amount of a 2263
the first fine issued for a violation as the result of an 2264
inspection shall be not more than five two hundred fifty dollars 2265
if the violator has not previously been fined for that offense. 2266
Any fines issued for additional violations during such an 2267
inspection shall not be more than one hundred dollars for each 2268
additional violation. The fine shall be not more than one 2269
~~thousand~~ five hundred dollars if the violator has been fined for 2270
the same offense once before. Any fines issued for additional 2271
violations during a second inspection shall not be more than two 2272

hundred dollars for each additional violation. The fine shall be 2273
not more than one thousand ~~five hundred~~ dollars if the violator 2274
has been fined for the same offense two or more times before. 2275
Any fines issued for additional violations during a third 2276
inspection shall not be more than three hundred dollars for each 2277
additional violation. 2278

(2) The board shall issue an order notifying a violator of 2279
a fine imposed under division (E) (1) of this section. The notice 2280
shall specify the date by which the fine is to be paid. The date 2281
shall be less than forty-five days after the board issues the 2282
order. 2283

(3) At the request of a violator who is temporarily unable 2284
to pay a fine, or upon its own motion, the board may extend the 2285
time period within which the violator shall pay the fine up to 2286
ninety days after the date the board issues the order. 2287

(4) If a violator fails to pay a fine by the date 2288
specified in the board's order and does not request an extension 2289
within ten days after the date the board issues the order, or if 2290
the violator fails to pay the fine within the extended time 2291
period as described in division (E) (3) of this section, the 2292
board shall add to the fine an additional penalty equal to ten 2293
per cent of the fine. 2294

(5) If a violator fails to pay a fine within ninety days 2295
after the board issues the order, the board shall add to the 2296
fine interest at a rate specified by the board in rules adopted 2297
under section 4713.08 of the Revised Code. 2298

(6) If the fine, including any interest or additional 2299
penalty, remains unpaid on the ninety-first day after the board 2300
issues an order under division (E) (2) of this section, the 2301

amount of the fine and any interest or additional penalty shall 2302
be certified to the attorney general for collection in the form 2303
and manner prescribed by the attorney general. The attorney 2304
general may assess the collection cost to the amount certified 2305
in such a manner and amount as prescribed by the attorney 2306
general. 2307

(F) In the case of an offense of failure to comply with 2308
division (A) or (B) (2) or (3) of section 4713.50 of the Revised 2309
Code, the board shall impose a fine of five hundred dollars if 2310
the violator has not previously been fined for that offense. If 2311
the violator has previously been fined for the offense, the 2312
board may impose a fine in accordance with this division or take 2313
another action in accordance with division (B) of this section. 2314

~~(E)~~ (G) The board shall notify a licensee or registrant 2315
who is in violation of division (A) of this section and the 2316
owner of the salon in which the conditions constituting the 2317
violation were found. The individual receiving the notice of 2318
violation and the owner of the salon may request a hearing 2319
pursuant to section 119.07 of the Revised Code. If a person—the 2320
individual or owner fails to request a hearing within or enter 2321
into a consent agreement thirty days of—after the date the 2322
board, in accordance with section 119.07 of the Revised Code and 2323
division (J) of this section, notifies the ~~person—individual or~~ 2324
owner of the board's intent to act against the ~~person—individual~~ 2325
or owner under division (A) of this section, the board by a 2326
majority vote of a quorum of the board members may take the 2327
action against the ~~person—individual or owner~~ without holding an 2328
adjudication hearing. 2329

~~(F)~~ (H) The board, after a hearing in accordance with 2330
Chapter 119. of the Revised Code or pursuant to a consent 2331

agreement, may suspend a ~~tanning facility license, permit, or~~ 2332
registration if the ~~owner or operator licensee, permit holder,~~ 2333
or registrant fails to correct an unsafe condition that exists 2334
in violation of the board's rules or fails to cooperate in an 2335
inspection ~~of the tanning facility~~. If a violation of this 2336
chapter or rules adopted under it has resulted in a condition 2337
reasonably believed by an inspector to create an immediate 2338
danger to the health and safety of any ~~person~~ individual using 2339
the ~~tanning facility~~, the inspector may suspend the license or 2340
permit of the facility or the individual responsible for the 2341
violation without a prior hearing until the condition is 2342
corrected or until a hearing in accordance with Chapter 119. of 2343
the Revised Code is held or a consent agreement is entered into 2344
and the board either upholds the suspension or reinstates the 2345
license, permit, or registration. 2346

(I) The board shall not take disciplinary action against 2347
an individual licensed to operate a salon or school of 2348
cosmetology for a violation of this chapter that was committed 2349
by an individual licensed to practice a branch of cosmetology, 2350
while practicing within the salon or school, when the 2351
individual's actions were beyond the control of the salon owner 2352
or school. 2353

(J) In addition to the methods of notification required 2354
under section 119.07 of the Revised Code, the board may send the 2355
notices required under divisions (C) (2), (E) (2), and (G) of this 2356
section by any delivery method that is traceable and requires 2357
that the delivery person obtain a signature to verify that the 2358
notice has been delivered. The board also may send the notices 2359
by electronic mail, provided that the electronic mail delivery 2360
system certifies that a notice has been received. 2361

Sec. 4713.641. Any student or former student of a school 2362
of cosmetology licensed under division (A) of section 4713.44 of 2363
the Revised Code may file a complaint with the state board of 2364
cosmetology alleging that the school has violated division (A) 2365
of section 4713.64 of the Revised Code. The complaint shall be 2366
in writing and signed by the ~~person~~individual bringing the 2367
complaint. Upon receiving a complaint, the board shall initiate 2368
a preliminary investigation to determine whether it is probable 2369
that a violation was committed. If the board determines after 2370
preliminary investigation that it is not probable that a 2371
violation was committed, the board shall notify the ~~person~~ 2372
individual who filed the complaint of the board's findings and 2373
that the board will not issue a formal complaint in the matter. 2374
If the board determines after a preliminary investigation that 2375
it is probable that a violation was committed, the board shall 2376
proceed against the school pursuant to the board's authority 2377
under section 4713.64 of the Revised Code and in accordance with 2378
the hearing and notice requirements prescribed in Chapter 119. 2379
of the Revised Code. 2380

Sec. 4713.66. (A) The state board of cosmetology, on its 2381
own motion or on receipt of a written complaint, may investigate 2382
or inspect the activities or premises of an individual or entity 2383
who is alleged to have violated this chapter or rules adopted 2384
under it, regardless of whether the individual or entity holds a 2385
license or registration issued under this chapter. 2386

(B) If, based on its investigation, the board determines 2387
that there is reasonable cause to believe that an individual or 2388
entity has violated this chapter or rules adopted under it, the 2389
board shall afford the individual or entity an opportunity for a 2390
hearing. Notice shall be given and any hearing conducted in 2391
accordance with Chapter 119. of the Revised Code. 2392

(C) The board shall maintain a transcript of the hearing 2393
and issue a written opinion to all parties, citing its findings 2394
and ground for any action it takes. Any action shall be taken in 2395
accordance with section 4713.64 of the Revised Code. 2396

Sec. 4713.69. (A) The state board of cosmetology shall 2397
issue a boutique services registration to an applicant who 2398
satisfies all of the following applicable conditions: 2399

(1) Is at least sixteen years of age; 2400

(2) Is of good moral character; 2401

(3) Has the equivalent of an Ohio public school tenth 2402
grade education; 2403

(4) Has submitted a written application on a form 2404
prescribed by the board containing all of the following: 2405

(a) The applicant's name and home address; 2406

(b) The applicant's home telephone number and cellular 2407
telephone number, if any; 2408

(c) The applicant's electronic mail address, if any; 2409

(d) The applicant's date of birth; 2410

(e) The address and telephone number where boutique 2411
services will be performed. The address shall not contain a post 2412
office box number. 2413

(f) Whether the applicant has an occupational license, 2414
certification, or registration to provide beauty services in 2415
another state, and if so, what type of license and in what 2416
state; 2417

(g) Whether the applicant has ever had an occupational 2418
license, certification, or registration suspended, revoked, or 2419

denied in any state; 2420

(h) An affidavit providing proof of formal training or 2421
apprenticeship under an individual providing such services. 2422

(5) Pays the application fee specified by the board. 2423

(B) The place of business where boutique services are 2424
performed must comply with the safety and sanitation 2425
requirements for licensed salon facilities as described in 2426
section 4713.41 of the Revised Code. 2427

(C) Within six months of the effective date of this 2428
section, the board shall specify the manner by which boutique 2429
services registrants shall fulfill the continuing education 2430
requirements set forth in section 4713.09 of the Revised Code. 2431

Sec. 4713.99. Whoever violates section 4713.14 of the 2432
Revised Code is guilty of a misdemeanor of the fourth degree on 2433
a first offense; on each subsequent offense, such ~~person~~ 2434
individual is guilty of a misdemeanor of the third degree. 2435

Section 2. That existing sections 2925.01, 4713.01, 2436
4713.02, 4713.03, 4713.06, 4713.07, 4713.08, 4713.081, 4713.082, 2437
4713.09, 4713.10, 4713.13, 4713.14, 4713.141, 4713.16, 4713.17, 2438
4713.20, 4713.21, 4713.22, 4713.24, 4713.25, 4713.26, 4713.28, 2439
4713.30, 4713.31, 4713.34, 4713.35, 4713.36, 4713.37, 4713.39, 2440
4713.41, 4713.42, 4713.44, 4713.45, 4713.48, 4713.55, 4713.56, 2441
4713.57, 4713.58, 4713.59, 4713.60, 4713.61, 4713.62, 4713.63, 2442
4713.64, 4713.641, and 4713.99 of the Revised Code are hereby 2443
repealed. 2444

Section 3. Not more than ninety days after the effective 2445
date of this act, the State Board of Cosmetology shall issue an 2446
advanced license to all individuals holding a valid managing 2447
license for the level of licensure attained by the individual 2448

prior to the effective date of this act. 2449

Section 4. On or before December 31, 2016, the Governor 2450
shall appoint the member of the State Board of Cosmetology who 2451
holds a tanning permit as described in division (A) (9) of 2452
section 4713.02 of the Revised Code. The initial term of office 2453
shall be from the date of appointment until October 31, 2021. 2454

Section 5. Notwithstanding division (A) of section 4713.02 2455
of the Revised Code which, as a result of amendments made by 2456
this act, no longer permits an owner or manager of a licensed 2457
salon in which at least one person holding a current, valid 2458
independent contractor license practices a branch of cosmetology 2459
to be appointed to a seat on the Board of Cosmetology, an owner 2460
or manager of such a salon who holds a seat on the Board on the 2461
effective date of this act may retain that seat until the 2462
current term of the seat expires. 2463