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Senators Jordan, Tavares

Cosponsors: Senators Beagle, Brown, Eklund, Uecker, Yuko, Coley, Burke, Faber, Hite, Hughes, Jones, Obhof, Peterson Representatives Brown, Green, Amstutz, Anielski, Antani, Antonio, Barnes, Boose, Boyd, Brenner, Burkley, Butler, Celebrezze, Conditt, Craig, Driehaus, Ginter, Hambley, Henne, Howse, Kunze, McColley, O'Brien, M., Perales, Ramos, Reece, Reineke, Rezabek, Roegner, Rogers, Ruhl, Sears, Smith, K., Sprague, Strahorn, Sweeney, Thompson

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-five unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I opiate or opium derivative; 45
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(b) An amount equal to or exceeding ten grams of a compound, mixture, preparation, or substance that is or contains any amount of raw or gum opium; 49
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(c) An amount equal to or exceeding thirty grams or ten unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I hallucinogen other than tetrahydrocannabinol or lysergic acid amide, or a schedule I stimulant or depressant; 52
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(d) An amount equal to or exceeding twenty grams or five times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II opiate or opium derivative; 57
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(e) An amount equal to or exceeding five grams or ten unit doses of a compound, mixture, preparation, or substance that is or contains any amount of phencyclidine; 62
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(f) An amount equal to or exceeding one hundred twenty grams or thirty times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II stimulant that is in a final dosage form manufactured by a person authorized by the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and the federal drug abuse control laws, as defined in section 3719.01 of the Revised Code, that is 65
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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 preparation that would be hazardous to health or safety if used without the supervision of a licensed health professional authorized to prescribe drugs, or a drug of abuse, and that, at one time, had been placed in a container plainly marked as a sample by a manufacturer.

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

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

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

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

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

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

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

(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	249
practice architecture issued or renewed and registered under	250
Chapter 4703. of the Revised Code;	251
(4) A person who is registered as a landscape architect	252
under Chapter 4703. of the Revised Code or who holds a permit as	253
a landscape architect issued under that chapter;	254
(5) A person licensed under Chapter 4707. of the Revised	255
Code;	256
(6) A person who has been issued a certificate of	257
registration as a registered barber under Chapter 4709. of the	258
Revised Code;	259
(7) A person licensed and regulated to engage in the	260
business of a debt pooling company by a legislative authority,	261
under authority of Chapter 4710. of the Revised Code;	262
(8) A person who has been issued a cosmetologist's	263
license, hair designer's license, manicurist's license,	264
esthetician's license, natural hair stylist's license, managing-	265
<u>advanced</u> cosmetologist's license, managing- <u>advanced</u> hair	266
designer's license, managing- <u>advanced</u> manicurist's license,	267
managing- <u>advanced</u> esthetician's license, managing- <u>advanced</u>	268
natural hair stylist's license, cosmetology instructor's	269
license, hair design instructor's license, manicurist	270
instructor's license, esthetics instructor's license, natural	271
hair style instructor's license, independent contractor's	272
license, or tanning facility permit under Chapter 4713. of the	273
Revised Code;	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 teaching license, a dental hygienist's license, or a dental hygienist's teacher's certificate under Chapter 4715. of the Revised Code;	275 276 277 278 279 280
(10) A person who has been issued an embalmer's license, a funeral director's license, a funeral home license, or a crematory license, or who has been registered for an embalmer's or funeral director's apprenticeship under Chapter 4717. of the Revised Code;	281 282 283 284 285
(11) A person who has been licensed as a registered nurse or practical nurse, or who has been issued a certificate for the practice of nurse-midwifery under Chapter 4723. of the Revised Code;	286 287 288 289
(12) A person who has been licensed to practice optometry or to engage in optical dispensing under Chapter 4725. of the Revised Code;	290 291 292
(13) A person licensed to act as a pawnbroker under Chapter 4727. of the Revised Code;	293 294
(14) A person licensed to act as a precious metals dealer under Chapter 4728. of the Revised Code;	295 296
(15) A person licensed as a pharmacist, a pharmacy intern, a wholesale distributor of dangerous drugs, or a terminal distributor of dangerous drugs under Chapter 4729. of the Revised Code;	297 298 299 300
(16) A person who is authorized to practice as a physician assistant under Chapter 4730. of the Revised Code;	301 302

(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	307
psychologist under Chapter 4732. of the Revised Code;	308
(19) A person registered to practice the profession of	309
engineering or surveying under Chapter 4733. of the Revised	310
Code;	311
(20) A person who has been issued a license to practice	312
chiropractic under Chapter 4734. of the Revised Code;	313
(21) A person licensed to act as a real estate broker or	314
real estate salesperson under Chapter 4735. of the Revised Code;	315
(22) A person registered as a registered sanitarian under	316
Chapter 4736. of the Revised Code;	317
(23) A person licensed to operate or maintain a junkyard	318
under Chapter 4737. of the Revised Code;	319
(24) A person who has been issued a motor vehicle salvage	320
dealer's license under Chapter 4738. of the Revised Code;	321
(25) A person who has been licensed to act as a steam	322
engineer under Chapter 4739. of the Revised Code;	323
(26) A person who has been issued a license or temporary	324
permit to practice veterinary medicine or any of its branches,	325
or who is registered as a graduate animal technician under	326
Chapter 4741. of the Revised Code;	327
(27) A person who has been issued a hearing aid dealer's	328
or fitter's license or trainee permit under Chapter 4747. of the	329

Revised Code;	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 security guard employee under Chapter 4749. of the Revised Code;	331 332 333
(29) A person licensed and registered to practice as a nursing home administrator under Chapter 4751. of the Revised Code;	334 335 336
(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised Code;	337 338 339
(31) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;	340 341 342
(32) A person who is licensed as a licensed professional clinical counselor, licensed professional counselor, social worker, independent social worker, independent marriage and family therapist, or marriage and family therapist, or registered as a social work assistant under Chapter 4757. of the Revised Code;	343 344 345 346 347 348
(33) A person issued a license to practice dietetics under Chapter 4759. of the Revised Code;	349 350
(34) A person who has been issued a license or limited permit to practice respiratory therapy under Chapter 4761. of the Revised Code;	351 352 353
(35) A person who has been issued a real estate appraiser certificate under Chapter 4763. of the Revised Code;	354 355
(36) A person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and	356 357

published rules. 358

(X) "Cocaine" means any of the following: 359

(1) A cocaine salt, isomer, or derivative, a salt of a 360
cocaine isomer or derivative, or the base form of cocaine; 361

(2) Coca leaves or a salt, compound, derivative, or 362
preparation of coca leaves, including ecgonine, a salt, isomer, 363
or derivative of ecgonine, or a salt of an isomer or derivative 364
of ecgonine; 365

(3) A salt, compound, derivative, or preparation of a 366
substance identified in division (X) (1) or (2) of this section 367
that is chemically equivalent to or identical with any of those 368
substances, except that the substances shall not include 369
decocainized coca leaves or extraction of coca leaves if the 370
extractions do not contain cocaine or ecgonine. 371

(Y) "L.S.D." means lysergic acid diethylamide. 372

(Z) "Hashish" means the resin or a preparation of the 373
resin contained in marihuana, whether in solid form or in a 374
liquid concentrate, liquid extract, or liquid distillate form. 375

(AA) "Marihuana" has the same meaning as in section 376
3719.01 of the Revised Code, except that it does not include 377
hashish. 378

(BB) An offense is "committed in the vicinity of a 379
juvenile" if the offender commits the offense within one hundred 380
feet of a juvenile or within the view of a juvenile, regardless 381
of whether the offender knows the age of the juvenile, whether 382
the offender knows the offense is being committed within one 383
hundred feet of or within view of the juvenile, or whether the 384
juvenile actually views the commission of the offense. 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 Code, that a prison term is a necessary sanction for a felony in order to comply with the purposes and principles of sentencing under section 2929.11 of the Revised Code.

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

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

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

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

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

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

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

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

(JJ) "Lawful prescription" means a prescription that is

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" means braiding, threading, and 438
shampooing. 439

"Braiding" means intertwining the hair in a systematic 440
motion to create patterns in a three-dimensional form, inverting 441

the hair against the scalp along part of a straight or curved 442
row of intertwined hair, or twisting the hair in a systematic 443
motion, and includes extending the hair with natural or 444
synthetic hair fibers. 445

"Branch of cosmetology" means the practice of cosmetology, 446
practice of esthetics, practice of hair design, practice of 447
manicuring, ~~or~~ practice of natural hair styling, or practice of 448
boutique services. 449

"Cosmetic therapy" has the same meaning as in section 450
4731.15 of the Revised Code. 451

"Cosmetologist" means ~~a person~~ an individual authorized to 452
engage in all branches of cosmetology in a licensed facility. 453

"Cosmetology" means the art or practice of embellishment, 454
cleansing, beautification, and styling of hair, wigs, postiches, 455
face, body, or nails. 456

"Cosmetology instructor" means ~~a person~~ an individual 457
authorized to teach the theory and practice of all branches of 458
cosmetology at a school of cosmetology. 459

"Esthetician" means ~~a person~~ an individual who engages in 460
the practice of esthetics but no other branch of cosmetology in 461
a licensed facility. 462

"Esthetics instructor" means ~~a person~~ an individual who 463
teaches the theory and practice of esthetics, but no other 464
branch of cosmetology, at a school of cosmetology. 465

"Esthetics salon" means ~~any premises, building, or part of~~ 466
~~a building~~ salon in which ~~a person~~ an individual engages in the 467
practice of esthetics but no other branch of cosmetology. 468

"Eye lash extensions" include temporary and semi-permanent 469

enhancements designed to add length, thickness, and fullness to 470
natural eyelashes. 471

"Hair designer" means ~~a person~~ an individual who engages 472
in the practice of hair design but no other branch of 473
cosmetology in a licensed facility. 474

"Hair design instructor" means ~~a person~~ an individual who 475
teaches the theory and practice of hair design, but no other 476
branch of cosmetology, at a school of cosmetology. 477

"Hair design salon" means ~~any premises, building, or part~~ 478
~~of a building~~ salon in which ~~a person~~ an individual engages in 479
the practice of hair design but no other branch of cosmetology. 480

"Hair removal" includes tweezing, waxing, sugaring, and 481
threading. "Hair removal" does not include electrolysis. 482

"Independent contractor ~~license~~" means ~~a license to~~ 483
~~practice~~ an individual who is not an employee of a salon but 484
practices a branch of cosmetology ~~at~~ within a salon in ~~which the~~ 485
~~license holder rents booth space~~ a licensed facility. 486

"Instructor license" means a license to teach the theory 487
and practice of a branch of cosmetology at a school of 488
cosmetology. 489

"Licensed facility" means any premises, building, or part 490
of a building licensed under section 4713.41 of the Revised Code 491
in which cosmetology services are authorized by the state board 492
of cosmetology to be performed. 493

~~"Managing Advanced cosmetologist"~~ means ~~a person~~ an 494
individual authorized to ~~manage work in~~ a beauty salon and 495
engage in all branches of cosmetology. 496

~~"Managing Advanced esthetician"~~ means ~~a person~~ an 497

individual authorized to ~~manage work in an~~ esthetics salon, but 498
no other type of salon, and engage in the practice of esthetics, 499
but no other branch of cosmetology. 500

~~"Managing Advanced hair designer"~~ means ~~a person an~~ 501
individual authorized to ~~manage work in a~~ hair design salon, but 502
no other type of salon, and engage in the practice of hair 503
design, but no other branch of cosmetology. 504

~~"Managing Advanced license"~~ means a license to ~~manage work~~ 505
in a salon and practice the branch of cosmetology practiced at 506
the salon. 507

~~"Managing Advanced manicurist"~~ means ~~a person an~~ 508
individual authorized to ~~manage work in a~~ nail salon, but no 509
other type of salon, and engage in the practice of manicuring, 510
but no other branch of cosmetology. 511

~~"Managing Advanced natural hair stylist"~~ means ~~a person an~~ 512
individual authorized to ~~manage work in a~~ natural hair style 513
salon, but no other type of salon, and engage in the practice of 514
natural hair styling, but no other branch of cosmetology. 515

"Manicurist" means ~~a person an individual~~ who engages in 516
the practice of manicuring but no other branch of cosmetology in 517
a licensed facility. 518

"Manicurist instructor" means ~~a person an individual~~ who 519
teaches the theory and practice of manicuring, but no other 520
branch of cosmetology, at a school of cosmetology. 521

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

~~practice of manicuring.~~ 527

"Natural hair stylist" means ~~a person~~ an individual who 528
engages in the practice of natural hair styling but no other 529
branch of cosmetology in a licensed facility. 530

"Natural hair style instructor" means ~~a person~~ an 531
individual who teaches the theory and practice of natural hair 532
styling, but no other branch of cosmetology, at a school of 533
cosmetology. 534

"Natural hair style salon" means ~~any premises, building,~~ 535
~~or part of a building~~ salon in which ~~a person~~ an individual 536
engages in the practice of natural hair styling but no other 537
branch of cosmetology. 538

"Practice of braiding" means utilizing the technique of 539
intertwining hair in a systematic motion to create patterns in a 540
three-dimensional form, including patterns that are inverted, 541
upright, or singled against the scalp that follow along straight 542
or curved partings. It may include twisting or locking the hair 543
while adding bulk or length with human hair, synthetic hair, or 544
both and using simple devices such as clips, combs, and 545
hairpins. "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; enhancement of 559
the skin by skin care, facials, body treatments, hair removal, 560
and other treatments; and eye lash extension services. 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 and embellishments to any 573
~~person, individual;~~ massaging the hands and lower arms up to the 574
elbow of any ~~person, individual;~~ massaging the feet and lower 575
legs up to the knee of any ~~person, individual;~~ using lotions or 576
softeners on the hands and feet of any individual; or any 577
combination of these ~~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 590
of cosmetology in a licensed facility. 591

"Salon" means a ~~beauty salon, esthetics salon, hair design~~ 592
~~salon, nail salon, or natural hair style salon~~ licensed facility 593
on any premises, building, or part of a building in which an 594
individual engages in the practice of one or more branches of 595
cosmetology. "Salon" does not include a barber shop licensed 596
under Chapter 4709. of the Revised Code. "Salon" does not mean a 597
tanning facility, although a tanning facility may be located in 598
a salon. 599

"School of cosmetology" means any premises, building, or 600
part of a building in which students are instructed in the 601
theories and practices of one or more branches of cosmetology. 602

"Shampooing" means the act of cleansing and conditioning 603
an individual's hair under the supervision of an individual 604
licensed under this chapter and in preparation to immediately 605
receive a service from a licensee. 606

"Student" means ~~a person~~ an individual, other than an 607
apprentice instructor, who is engaged in learning or acquiring 608
knowledge of the practice of a branch of cosmetology at a school 609
of cosmetology. 610

"Tanning facility" means any premises, building, or part 611
of a building that contains one or more rooms or booths with any 612
of the following: 613

(A) Equipment or beds used for tanning human skin by the 614

use of fluorescent sun lamps using ultraviolet or other 615
artificial radiation; 616

(B) Equipment or booths that applies use chemicals applied 617
to human skin ~~to create the appearance of being suntanned,~~ 618
including chemical applications commonly referred to as spray- 619
on, mist-on, or sunless tans; 620

(C) Equipment or beds that use visible light for cosmetic 621
purposes. 622

"Threading" includes a service that results in the removal 623
of hair from its follicle from around the eyebrows and from 624
other parts of the face with the use of a single strand of 625
thread and an astringent, if the service does not use chemicals 626
of any kind, wax, or any implements, instruments, or tools to 627
remove hair. 628

Sec. 4713.02. (A) There is hereby created the state board 629
of cosmetology, consisting of all of the following members 630
appointed by the governor, with the advice and consent of the 631
senate: 632

(1) One ~~person~~ individual holding a current, valid 633
cosmetologist, ~~managing cosmetologist,~~ or cosmetology instructor 634
license at the time of appointment; 635

(2) Two ~~persons~~ individuals holding current, valid 636
~~managing~~ cosmetologist licenses and actively engaged in managing 637
beauty salons for a period of not less than five years at the 638
time of appointment; 639

(3) One ~~person~~ individual who holds a current, valid 640
independent contractor license at the time of appointment ~~or the~~ 641
~~owner or manager of a licensed salon in which at least one~~ 642
~~person holding a current, valid independent contractor license~~ 643

- and practices a branch of cosmetology; 644
- (4) One ~~person~~individual who represents individuals who 645
teach the theory and practice of a branch of cosmetology at a 646
vocational or career-technical school; 647
- (5) One owner or executive actively engaged in the daily 648
operations of a licensed school of cosmetology; 649
- (6) One owner of at least five licensed salons; 650
- (7) One ~~person~~individual who is either a certified nurse 651
practitioner or clinical nurse specialist holding a certificate 652
of authority issued under Chapter 4723. of the Revised Code, or 653
a physician authorized under Chapter 4731. of the Revised Code 654
to practice medicine and surgery or osteopathic medicine and 655
surgery; 656
- (8) One ~~person~~individual representing the general 657
public; 658
- (9) One individual who holds a current, valid tanning 659
permit and who has owned or managed a tanning facility for at 660
least five years immediately preceding the individual's 661
appointment; 662
- (10) One individual who holds a current, valid esthetician 663
license and who has been actively practicing esthetics for a 664
period of not less than five years immediately preceding the 665
individual's appointment. 666
- (B) The superintendent of public instruction shall 667
nominate three ~~persons~~individuals for the governor to choose 668
from when making an appointment under division (A) (4) of this 669
section. 670
- (C) All members shall be at least twenty-five years of 671

age, residents of the state, and citizens of the United States. 672
No more than two members, at any time, shall be graduates of the 673
same school of cosmetology. Not more than one member shall have 674
a common financial connection with any school of cosmetology or 675
salon. 676

~~Except for the initial members appointed under divisions~~ 677
~~(A) (3) and (4) of this section, terms~~ Terms of office are for 678
five years. ~~The term of the initial member appointed under~~ 679
~~division (A) (3) of this section shall be three years. The term~~ 680
~~of the initial member appointed under division (A) (4) of this~~ 681
~~section shall be four years.~~ Terms shall commence on the first 682
day of November and end on the thirty-first day of October. Each 683
member shall hold office from the date of appointment until the 684
end of the term for which appointed. In case of a vacancy 685
occurring on the board, the governor shall, in the same manner 686
prescribed for the regular appointment to the board, fill the 687
vacancy by appointing a member. Any member appointed to fill a 688
vacancy occurring prior to the expiration of the term for which 689
the member's predecessor was appointed shall hold office for the 690
remainder of such term. Any member shall continue in office 691
subsequent to the expiration date of the member's term until the 692
member's successor takes office, or until a period of sixty days 693
has elapsed, whichever occurs first. Before entering upon the 694
discharge of the duties of the office of member, each member 695
shall take, and file with the secretary of state, the oath of 696
office required by Section 7 of Article XV, Ohio Constitution. 697

The members of the board shall receive an amount fixed 698
pursuant to Chapter 124. of the Revised Code per diem for every 699
meeting of the board which they attend, together with their 700
necessary expenses, and mileage for each mile necessarily 701
traveled. 702

The members of the board shall annually elect, from among 703
their number, a chairperson and a vice-chairperson. The 704
executive director appointed pursuant to section 4713.06 of the 705
Revised Code shall serve as the board's secretary. 706

(D) The board shall prescribe the duties of its officers 707
and establish an office within Franklin-County county. The board 708
shall keep all records and files at the office and have the 709
records and files at all reasonable hours open to public 710
inspection in accordance with section 149.43 of the Revised Code 711
and any rules adopted by the board in compliance with this 712
state's record retention policy. The board also shall adopt a 713
seal. 714

Sec. 4713.03. The state board of cosmetology shall hold ~~a~~ 715
~~meeting-meetings~~ to transact its business at least four times a 716
year. The board may hold additional meetings as, in its 717
judgment, are necessary. The board shall meet at the times and 718
places it selects. 719

Sec. 4713.06. The state board of cosmetology shall 720
annually appoint an executive director. The executive director 721
may not be a member of the board, but subsequent to appointment, 722
shall serve as secretary of the board. The executive director, 723
before entering upon the discharge of the executive director's 724
duties, shall file with the secretary of state a good and 725
sufficient bond payable to the state, to ensure the faithful 726
performance of duties of the office of executive director. The 727
bond shall be in an amount the board requires. The premium of 728
the bond shall be paid from appropriations made to the board for 729
operating purposes. 730

The board may employ inspectors, examiners, consultants on 731
contents of examinations, ~~and~~ clerks, or other individuals as 732

necessary for the administration of this chapter. All inspectors 733
and examiners shall be licensed cosmetologists. 734

The board may appoint inspectors ~~of~~ to inspect and 735
investigate all facilities regulated by this chapter, including 736
tanning facilities ~~as needed to make periodic inspections as the~~ 737
~~board specifies,~~ to ensure compliance with this chapter, the 738
rules adopted pursuant to it, and the board's policies, in 739
accordance with division (A) (11) of section 4713.07 of the 740
Revised Code. 741

Sec. 4713.07. (A) The state board of cosmetology shall do 742
all of the following: 743

~~(A)~~ (1) Regulate the practice of cosmetology and all of its 744
branches in this state; 745

(2) Investigate or inspect, when evidence appears to 746
demonstrate that an individual has violated any provision of 747
this chapter or any rule adopted pursuant to it, the activities 748
or premises of a license holder or unlicensed individual; 749

(3) Adopt rules in accordance with section 4713.08 of the 750
Revised Code; 751

(4) Prescribe and make available application forms to be 752
used by ~~persons~~ individuals seeking admission to an examination 753
conducted under section 4713.24 of the Revised Code or a license 754
or registration issued under this chapter; 755

~~(B)~~ (5) Prescribe and make available application forms to 756
be used by ~~persons~~ individuals seeking renewal of a license or 757
registration issued under this chapter; 758

~~(C)~~ (6) Provide a toll-free number and an online service to 759
receive complaints alleging violations of this chapter; 760

~~(7)~~ Report to the proper prosecuting officer ~~all~~ 761
violations of section 4713.14 of the Revised Code of which the 762
board is aware; 763

~~(D)~~ (8) Submit a written report annually to the governor 764
that provides all of the following: 765

~~(1)~~ (a) A discussion of the conditions in this state of the 766
branches of cosmetology; 767

~~(2)~~ (b) A brief summary of the board's proceedings during 768
the year the report covers; 769

~~(3)~~ (c) A statement of all money that the board received 770
and expended during the year the report covers. 771

~~(E)~~ (9) Keep a record of all of the following: 772

~~(1)~~ (a) The board's proceedings; 773

~~(2)~~ (b) The name and last known physical address, 774
electronic mail address, and telephone number of each ~~person~~ 775
individual issued a license or registration under ~~section~~ 776
~~4713.28, 4713.30, 4713.31, 4713.34, or 4713.39 of the Revised~~ 777
~~Code~~ this chapter; 778

~~(3)~~ ~~The name and address of each salon issued a license~~ 779
~~under section 4713.41 of the Revised Code and each school of~~ 780
~~cosmetology issued a license under section 4713.44 of the~~ 781
~~Revised Code;~~ 782

~~(4)~~ ~~The name and address of each tanning facility issued a~~ 783
~~permit under section 4713.48 of the Revised Code;~~ 784

~~(5)~~ (c) The date and number of each license ~~and~~ permit, 785
and registration that the board issues ~~;~~ 786

~~(F)~~ (10) Assist ex-offenders and military veterans who hold 787

licenses issued by the board to find employment within salons or 788
other facilities within this state; 789

~~(G)~~ (11) Require inspectors appointed pursuant to section 790
4713.06 of the Revised Code to conduct inspections of licensed 791
or permitted facilities, including salons and boutique salons, 792
schools of cosmetology, and tanning facilities, within ninety 793
days of the opening for business of a licensed facility, upon 794
complaints reported to the board, within ninety days after a 795
violation was documented at a facility, and at least once every 796
two years. Any individual, after providing the individual's name 797
and contact information, may report to the board any information 798
the individual may have that appears to show a violation of any 799
provision of this chapter or rule adopted under it. In the 800
absence of bad faith, any individual who reports information of 801
that nature or who testifies before the board in any 802
adjudication conducted under Chapter 119. of the Revised Code 803
shall not be liable for damages in a civil action as a result of 804
the report or testimony. For the purpose of inspections, an 805
independent contractor shall be added to the board's records as 806
an individual salon. 807

(12) Supply a copy of the poster created pursuant to 808
division (B) of section 5502.63 of the Revised Code to each 809
person authorized to operate a salon, school of cosmetology, 810
tanning facility, or other type of facility under this chapter; 811

(13) All other duties that this chapter imposes on the 812
board. 813

(B) The board may delegate any of the duties listed in 814
division (A) of this section to the executive director of the 815
board or to an individual designated by the executive director. 816

Sec. 4713.071. (A) Beginning one year after the effective 817
date of this section, the state board of cosmetology shall 818
annually submit a written report to the governor, president of 819
the senate, and speaker of the house of representatives. The 820
report shall list all of the following for the preceding twelve- 821
month period: 822

(1) The number of students enrolled in courses at licensed 823
public and private schools of cosmetology; 824

(2) The number of students graduating from licensed public 825
and private schools of cosmetology; 826

(3) The annual cost for students to attend each licensed 827
public or private school of cosmetology; 828

(4) The loan default rates for licensed public and private 829
schools of cosmetology; 830

(5) The first-time licensure passage rate for graduates of 831
all public and private schools; 832

(6) The total number of new and renewal licenses in each 833
profession; 834

(7) The total number of complaint-driven inspections 835
conducted by the board; 836

(8) The total number and type of violations, including a 837
list of the top ten violations, which shall aid in the 838
identification of focus areas for continuing education purposes; 839

(9) The twenty salons and individuals cited with the most 840
violations for unlicensed workers; 841

(10) The number of adjudications or other disciplinary 842
action taken by the board. 843

(B) The board shall include in the final report under 844
division (A) of this section any recommendations it has for 845
changes to this chapter. 846

Sec. 4713.08. (A) The state board of cosmetology shall 847
adopt rules in accordance with Chapter 119. of the Revised Code 848
as necessary to implement this chapter. The rules shall do all 849
of the following: 850

(1) Govern the practice of the branches of cosmetology ~~and~~ 851
~~management of salons;~~ 852

(2) Specify conditions ~~a person~~ an individual must satisfy 853
to qualify for a temporary pre-examination work permit under 854
section 4713.22 of the Revised Code and the conditions and 855
method of renewing a temporary pre-examination work permit under 856
that section; 857

(3) Provide for the conduct of examinations under section 858
4713.24 of the Revised Code; 859

(4) Specify conditions under which the board will take 860
into account, under section 4713.32 of the Revised Code, 861
instruction an applicant for a license under section 4713.28, 862
4713.30, or 4713.31 of the Revised Code received more than five 863
years before the date of application for the license; 864

(5) Provide for the granting of waivers under section 865
4713.29 of the Revised Code; 866

(6) Specify conditions an applicant must satisfy for the 867
board to issue the applicant a license under section 4713.34 of 868
the Revised Code without the applicant taking an examination 869
conducted under section 4713.24 of the Revised Code; 870

(7) Specify locations in which glamour photography 871

services in which a branch of cosmetology is practiced may be 872
provided; 873

(8) Establish conditions and the fee for a temporary 874
special occasion work permit under section 4713.37 of the 875
Revised Code and specify the amount of time such a permit is 876
valid; 877

(9) Specify conditions an applicant must satisfy for the 878
board to issue the applicant an independent contractor license 879
under section 4713.39 of the Revised Code and the fee for 880
issuance and renewal of the license; 881

(10) Establish conditions under which food may be sold at 882
a salon; 883

(11) Specify which professions regulated by a professional 884
regulatory board of this state may be practiced in a salon under 885
section 4713.42 of the Revised Code; 886

(12) Establish standards for the provision of cosmetic 887
therapy, massage therapy, or other professional service in a 888
salon pursuant to section 4713.42 of the Revised Code; 889

(13) Establish standards for board approval of, and the 890
granting of credits for, training in branches of cosmetology at 891
schools of cosmetology licensed in this state; 892

(14) Establish the manner in which a school of cosmetology 893
licensed under section 4713.44 of the Revised Code may offer 894
post-secondary and advanced practice programs; 895

(15) Establish sanitary standards for the practice of the 896
branches of cosmetology, salons, and schools of cosmetology; 897

(16) Establish the application process for obtaining a 898
tanning facility permit under section 4713.48 of the Revised 899

Code, including the amount of the fee for an initial or renewed permit;	900 901
(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:	902 903 904
(a) Establish a maximum safe time of exposure to radiation and a maximum safe temperature at which sun lamps may be operated;	905 906 907
(b) Require consumers to wear protective eyeglasses;	908
(c) Require consumers to be supervised as to the length of time consumers use the facility's sun lamps;	909 910
(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;	911 912 913 914 915
(e) Require the installation of protective shielding for sun lamps and handrails for consumers;	916 917
(f) Require floors to be dry during operation of lamps;	918
(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.	919 920 921 922
(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:	923 924 925
(i) Establish a fee for having a license classified	926

inactive that reflects the cost to the board of providing the 927
inactive license service. If one or more renewal periods have 928
elapsed since the license was valid, the fee shall not include 929
lapsed renewal fees for more than three of those renewal 930
periods; 931

(ii) Specify the continuing education that ~~a person~~ an 932
individual whose license has been classified inactive must 933
complete to have the license restored. The continuing education 934
shall be sufficient to ensure the minimum competency in the use 935
or administration of a new procedure or product required by a 936
licensee necessary to protect public health and safety. The 937
requirement shall not exceed the cumulative number of hours of 938
continuing education that the ~~person~~ individual would have been 939
required to complete had the ~~person~~ individual retained an 940
active license. 941

(b) In addition, the board may specify the conditions and 942
method for granting a temporary work permit to practice a branch 943
of cosmetology to ~~a person~~ an individual whose license has been 944
classified inactive. 945

(19) Establish a fee for approval of a continuing 946
education program under section 4713.62 of the Revised Code that 947
is adequate to cover any expense the board incurs in the 948
approval process; 949

(20) Anything else necessary to implement this chapter. 950

(B) (1) The rules adopted under division (A) (2) of this 951
section may establish additional conditions for a temporary pre- 952
examination work permit under section 4713.22 of the Revised 953
Code that are applicable to ~~persons~~ individuals who practice a 954
branch of cosmetology in another state or country. 955

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

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

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

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

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

Sec. 4713.081. The state board of cosmetology shall furnish a copy of the sanitary standards established by rules adopted under section 4713.08 of the Revised Code to each ~~person~~ individual to whom the board issues a practicing license, ~~managing advanced license, or~~ license to operate a salon or school of cosmetology, or boutique services registration. The board also shall furnish a copy of the sanitary standards to

each ~~person~~individual providing cosmetic therapy, massage 985
therapy, or other professional service in a salon under section 986
4713.42 of the Revised Code. A salon or school of cosmetology 987
provided a copy of the sanitary standards shall post the 988
standards in a public and conspicuous place in the salon or 989
school. 990

Sec. 4713.082. The state board of cosmetology shall 991
furnish a copy of the standards established by rules adopted 992
under section 4713.08 of the Revised Code for installing and 993
operating a tanning facility to each ~~person~~individual to whom 994
the board issues a permit to operate a tanning facility. ~~A~~ 995
~~person~~An individual provided a copy of the standards shall post 996
the standards in a public and conspicuous place in the tanning 997
facility. 998

Sec. 4713.09. The state board of cosmetology may adopt 999
rules in accordance with ~~Chapter 119.~~section 4713.08 of the 1000
Revised Code to establish a continuing education requirement, 1001
not to exceed eight hours in a biennial licensing period, as a 1002
condition of renewal for a practicing license, ~~managing advanced~~ 1003
license, ~~or~~instructor license, or boutique services 1004
registration. These hours may include training in identifying 1005
and addressing the crime of trafficking in persons as described 1006
in section 2905.32 of the Revised Code. At least two of the 1007
eight hours of the continuing education requirement must be 1008
achieved in courses concerning safety and sanitation, and at 1009
least one hour of the eight hours of the continuing education 1010
requirement must be achieved in courses concerning law and rule 1011
updates. 1012

Sec. 4713.10. (A) The state board of cosmetology shall 1013
charge and collect the following fees: 1014

- ~~(A)~~ (1) For a temporary pre-examination work permit under section 4713.22 of the Revised Code, ~~five~~ seven dollars and fifty cents; 1015
1016
1017
- ~~(B)~~ (2) For initial application to take an examination under section 4713.24 of the Revised Code, ~~twenty one~~ thirty one dollars and fifty cents; 1018
1019
1020
- ~~(C)~~ (3) For application to take an examination under section 4713.24 of the Revised Code by an applicant who has previously applied to take, but failed to appear for, the examination, forty dollars; 1021
1022
1023
1024
- ~~(D)~~ (4) For application to re-take an examination under section 4713.24 of the Revised Code by an applicant who has previously appeared for, but failed to pass, the examination, ~~twenty one~~ thirty one dollars and fifty cents; 1025
1026
1027
1028
- ~~(E)~~ (5) For the issuance of a license under section 4713.28, 4713.30, or 4713.31 of the Revised Code, ~~thirty~~ forty five dollars; 1029
1030
1031
- ~~(F)~~ (6) For the issuance of a license under section 4713.34 of the Revised Code, ~~sixty~~ seventy dollars; 1032
1033
- ~~(G)~~ (7) For renewal of a license issued under section 4713.28, 4713.30, 4713.31, or 4713.34 of the Revised Code, ~~thirty~~ forty five dollars; 1034
1035
1036
- ~~(H)~~ (8) For the issuance or renewal of a cosmetology school license, two hundred fifty dollars; 1037
1038
- ~~(I)~~ (9) For the ~~inspection and~~ issuance of a new salon license or the change of name or ownership of a salon license under section 4713.41 of the Revised Code, ~~sixty~~ seventy five dollars; 1039
1040
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1042

~~(J)~~ (10) For the renewal of a salon license under section 1043
4713.41 of the Revised Code, fifty-sixty dollars; 1044

~~(K)~~ (11) For the restoration of an expired license that may 1045
be restored pursuant to section 4713.63 of the Revised Code, ~~and~~ 1046
~~in addition to the payments for all~~ an amount equal to the sum 1047
of the current license renewal fee and a lapsed renewal fees, 1048
~~thirty fee of forty-five dollars per license renewal period that~~ 1049
has elapsed since the license was last issued or renewed; 1050

~~(L)~~ (12) For the issuance of a duplicate of any license, 1051
~~fifteen-twenty dollars;~~ 1052

~~(M)~~ (13) For the preparation and mailing of a licensee's 1053
records to another state for a reciprocity license, fifty 1054
dollars; 1055

~~(N)~~ (14) For the processing of any fees related to a check 1056
from a licensee returned to the board for insufficient funds, an 1057
additional ~~twenty-thirty~~ dollars. 1058

(B) The board may establish an installment plan for the 1059
payment of fines and fees and may reduce fees as considered 1060
appropriate by the board. 1061

(C) At the request of a person who is temporarily unable 1062
to pay a fee imposed under division (A) of this section, or on 1063
its own motion, the board may extend the date payment is due by 1064
up to ninety days. If the fee remains unpaid after the date 1065
payment is due, the amount of the fee shall be certified to the 1066
attorney general for collection in the form and manner 1067
prescribed by the attorney general. The attorney general may 1068
assess the collection cost to the amount certified in such a 1069
manner and amount as prescribed by the attorney general. 1070

Sec. 4713.13. Whenever in the judgment of the state board 1071

of cosmetology any ~~person~~individual has engaged in or is about 1072
to engage in any acts or practices that constitute a violation 1073
of this chapter, or any rule adopted under this chapter, the 1074
board may apply to the appropriate court for an order enjoining 1075
the acts or practices, and upon a showing by the board that the 1076
~~person~~individual has engaged in the acts or practices, the 1077
court shall grant an injunction, restraining order, or other 1078
order as may be appropriate. 1079

Sec. 4713.14. No ~~person~~individual shall do any of the 1080
following: 1081

(A) Use fraud or deceit in making application for a 1082
~~license or, permit, or registration;~~ 1083

(B) Aid or abet any ~~person~~individual or entity in any of 1084
the following: 1085

(1) Violating this chapter or a rule adopted under it; 1086

(2) Obtaining a ~~license or, permit, or registration~~ 1087
fraudulently; 1088

(3) Falsely pretending to hold a current, valid license or 1089
permit. 1090

(C) Practice a branch of cosmetology, for pay, free, or 1091
otherwise, without one of the following authorizing the practice 1092
of that branch of cosmetology: 1093

(1) A current, valid license under section 4713.28, 1094
4713.30, or 4713.34 of the Revised Code; 1095

(2) A current, valid temporary pre-examination work permit 1096
issued under section 4713.22 of the Revised Code; 1097

(3) A current, valid temporary special occasion work 1098

permit issued under section 4713.37 of the Revised Code; 1099

(4) A current, valid temporary work permit issued under 1100
rules adopted by the board pursuant to section 4713.08 of the 1101
Revised Code; 1102

(5) A current, valid registration under section 4713.69 of 1103
the Revised Code. 1104

(D) Employ ~~a person~~ an individual to practice a branch of 1105
cosmetology if the ~~person~~ individual does not hold one of the 1106
following authorizing the practice of that branch of 1107
cosmetology: 1108

(1) A current, valid license under section 4713.28, 1109
4713.30, or 4713.34 of the Revised Code; 1110

(2) A current, valid temporary pre-examination work permit 1111
issued under section 4713.22 of the Revised Code; 1112

(3) A current, valid temporary special occasion work 1113
permit issued under section 4713.37 of the Revised Code; 1114

(4) A current, valid temporary work permit issued under 1115
rules adopted by the board pursuant to section 4713.08 of the 1116
Revised Code; 1117

(5) A current, valid registration under section 4713.69 of 1118
the Revised Code. 1119

(E) ~~Manage a salon without a current, valid license under~~ 1120
~~section 4713.30 or 4713.34 of the Revised Code to manage that~~ 1121
~~type of salon;~~ 1122

~~(F)~~ Except for apprentice instructors and as provided in 1123
section 4713.45 of the Revised Code, teach the theory or 1124
practice of a branch of cosmetology at a school of cosmetology 1125

without either of the following authorizing the teaching of that 1126
branch of cosmetology: 1127

(1) A current, valid license under section 4713.31 or 1128
4713.34 of the Revised Code; 1129

(2) A current, valid temporary special occasion work 1130
permit issued under section 4713.37 of the Revised Code. 1131

~~(G)~~(F) Advertise or operate a glamour photography service 1132
in which a branch of cosmetology is practiced unless the ~~person-~~ 1133
individual practicing the branch of cosmetology holds either of 1134
the following authorizing the practice of that branch of 1135
cosmetology: 1136

(1) A current, valid license under section 4713.28, 1137
4713.30, or 4713.34 of the Revised Code; 1138

(2) A current, valid temporary special occasion work 1139
permit issued under section 4713.37 of the Revised Code. 1140

~~(H)~~(G) Advertise or operate a glamour photography service 1141
in which a branch of cosmetology is practiced at a location not 1142
specified by rules adopted under section 4713.08 of the Revised 1143
Code; 1144

~~(I)~~(H) Practice a branch of cosmetology at a salon ~~in~~ 1145
~~which the person rents booth space as an independent contractor~~ 1146
without a current, valid independent contractor license issued 1147
under section 4713.39 of the Revised Code; 1148

~~(J)~~(I) Operate a salon without a current, valid license 1149
under section 4713.41 of the Revised Code; 1150

~~(K)~~(J) Provide cosmetic therapy or massage therapy at a 1151
salon for pay, free, or otherwise without a current, valid 1152
certificate issued by the state medical board under section 1153

4731.15 of the Revised Code or provide any other professional 1154
service at a salon for pay, free, or otherwise without a 1155
current, valid license or certificate issued by the professional 1156
regulatory board of this state that regulates the profession; 1157

~~(L)~~ (K) Teach a branch of cosmetology at a salon, unless 1158
the ~~person~~ individual receiving the instruction holds either of 1159
the following authorizing the practice of that branch of 1160
cosmetology: 1161

(1) A current, valid license under section 4713.28, 1162
4713.30, or 4713.34 of the Revised Code; 1163

(2) A current, valid temporary pre-examination work permit 1164
issued under section 4713.22 of the Revised Code. 1165

~~(M)~~ (L) Operate a school of cosmetology without a current, 1166
valid license under section 4713.44 of the Revised Code; 1167

~~(N)~~ (M) At a salon or school of cosmetology, do ~~either~~ any 1168
of the following: 1169

(1) Use or possess a cosmetic product containing an 1170
ingredient that the United States food and drug administration 1171
has prohibited by regulation; 1172

(2) Use a cosmetic product in a manner inconsistent with a 1173
restriction established by the United States food and drug 1174
administration by regulation; 1175

(3) Use or possess a liquid nail monomer containing any 1176
trace of methyl methacrylate (MMA). 1177

~~(O)~~ (N) While in charge of a salon or school of 1178
cosmetology, permit any ~~person~~ individual to sleep in, or use 1179
for residential purposes, any room used wholly or in part as the 1180
salon or school of cosmetology; 1181

~~(P)~~ (O) Maintain, as an established place of business for 1182
the practice of one or more of the branches of cosmetology, a 1183
room used wholly or in part for sleeping or residential 1184
purposes; 1185

~~(Q)~~ (P) Operate a tanning facility that is offered to the 1186
public for a fee or other compensation without a current, valid 1187
permit under section 4713.48 of the Revised Code; 1188

(Q) Practice a branch of cosmetology in a location other 1189
than a licensed facility unless otherwise exempted under section 1190
4713.16 or 4713.17 of the Revised Code; 1191

(R) Use any of the services or arts that are part of 1192
cosmetology to treat or attempt to cure a physical or mental 1193
disease or ailment. 1194

Sec. 4713.141. An inspector employed by the state board of 1195
cosmetology may take a sample of a product used or sold in a 1196
salon or school of cosmetology for the purpose of examining the 1197
sample, or causing an examination of the sample to be made, to 1198
determine whether division ~~(N)~~ (M) of section 4713.14 of the 1199
Revised Code has been violated. 1200

Should the results of the test prove that division (M) of 1201
section 4713.14 of the Revised Code has been violated, the board 1202
shall take action in accordance with section 4713.64 of the 1203
Revised Code. A fine imposed under that section shall include 1204
the cost of the test. The person's license may be suspended or 1205
revoked. 1206

Sec. 4713.16. (A) This chapter does not prohibit any of 1207
the following: 1208

~~(A)~~ (1) Practicing a branch of cosmetology without a 1209
license or registration if the ~~person~~ individual does so for 1210

free at the ~~person's~~individual's home for a family member who 1211
resides in the same household as the ~~person~~individual; 1212

~~(B)~~(2) The retail sale, or trial demonstration by 1213
application to the skin for purposes of retail sale, of 1214
cosmetics, preparations, tonics, antiseptics, creams, lotions, 1215
wigs, or hairpieces without a practicing license or 1216
registration; 1217

~~(C)~~(3) The retailing, at a salon, of cosmetics, 1218
preparations, tonics, antiseptics, creams, lotions, wigs, 1219
hairpieces, clothing, or any other items that pose no risk of 1220
creating unsanitary conditions at the salon; 1221

~~(D)~~(4) The provision of glamour photography services at a 1222
licensed salon if either of the following is the case: 1223

~~(1)~~(a) A branch of cosmetology is not practiced as part 1224
of the services. 1225

~~(2)~~(b) If a branch of cosmetology is practiced as part of 1226
the services, the part of the services that is a branch of 1227
cosmetology is performed by ~~a person~~an individual who holds 1228
either of the following authorizing the ~~person~~individual to 1229
practice that branch of cosmetology: 1230

~~(a)~~(i) A current, valid license under section 4713.28, 1231
4713.30, or 4713.34 of the Revised Code; 1232

~~(b)~~(ii) A current, valid temporary special occasion work 1233
permit issued under section 4713.37 of the Revised Code. 1234

~~(E)~~(5) A student engaging, as a student, in work 1235
connected with a branch of cosmetology taught at the school of 1236
cosmetology at which the student is enrolled; 1237

(B) A student in a career-technical program learning a 1238

branch of cosmetology may continue developing skills in the 1239
respective branch of cosmetology after completing the required 1240
coursework or obtaining a license in the respective branch of 1241
cosmetology by working in the licensed career-technical school 1242
clinic if the student does not receive any compensation. This 1243
allowance terminates upon the graduation of the student from the 1244
career-technical school. 1245

Sec. 4713.17. (A) The following persons are exempt from 1246
the provisions of this chapter, except, as applicable, section 1247
4713.42 of the Revised Code: 1248

(1) All ~~persons~~individuals authorized to practice 1249
medicine, surgery, dentistry, and nursing or any of its branches 1250
in this state; 1251

(2) Commissioned surgical and medical officers of the 1252
United States army, navy, air force, or marine hospital service 1253
when engaged in the actual performance of their official duties, 1254
and attendants attached to same; 1255

(3) Barbers, insofar as their usual and ordinary vocation 1256
and profession is concerned; 1257

(4) Funeral directors, embalmers, and apprentices licensed 1258
or registered under Chapter 4717. of the Revised Code; 1259

(5) Persons who are engaged in the retail sale, cleaning, 1260
or beautification of wigs and hairpieces but who do not engage 1261
in any other act constituting the practice of a branch of 1262
cosmetology; 1263

(6) Volunteers of hospitals, and homes as defined in 1264
section 3721.01 of the Revised Code, who render service to 1265
registered patients and inpatients who reside in such hospitals 1266
or homes. Such volunteers shall not use or work with any 1267

chemical products such as permanent wave, hair dye, or chemical hair relaxer, which without proper training would pose a health or safety problem to the patient. 1268
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(7) Nurse aides and other employees of hospitals and homes as defined in section 3721.01 of the Revised Code, who practice a branch of cosmetology on registered patients only as part of general patient care services and who do not charge patients directly on a fee for service basis; 1271
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(8) Cosmetic therapists and massage therapists who hold current, valid certificates to practice cosmetic or massage therapy issued by the state medical board under section 4731.15 of the Revised Code, to the extent their actions are authorized by their certificates to practice; 1276
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(9) Inmates who provide services related to a branch of cosmetology to other inmates, except when those services are provided in a licensed school of cosmetology within a state correctional institution for females. 1281
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(B) The director of rehabilitation and correction shall oversee the services described in division (A) (9) of this section with respect to sanitation and adopt rules governing those types of services provided by inmates. 1285
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Sec. 4713.20. ~~(A) Each person~~ individual who seeks admission to an examination conducted under section 4713.24 of the Revised Code ~~and each person who seeks a license under this chapter shall do all~~ submit both of the following: 1289
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1291
1292

~~(1) Submit to the state board of cosmetology a written application containing:~~ 1293
1294

(A) As part of a license application, proof of the following: 1295
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~~(a) If the person seeks admission to an examination, that~~ 1297
the ~~person~~ individual satisfies all conditions to obtain the 1298
license for which the examination is conducted, other than the 1299
requirement to have passed the examination; 1300

~~(b) If the person seeks a license, that the person~~ 1301
~~satisfies all conditions for obtaining the license.~~ 1302

~~(2) Pay to the board the applicable fee;~~ 1303

~~(3) Verify by oath that the application is true.~~ 1304

~~(B) An application to operate a salon or school of~~ 1305
~~cosmetology may be submitted by the owner, manager, or person in~~ 1306
~~charge of the salon or school.~~ A set of the individual's biometric 1307
fingerprint scan taken at the board's offices. 1308

Sec. 4713.21. Both of the following may apply again under 1309
section 4713.20 of the Revised Code for admission to an 1310
examination conducted under section 4713.24 of the Revised Code: 1311

(A) ~~A person~~ An individual who failed to appear for an 1312
examination that the ~~person~~ individual was previously scheduled 1313
to take; 1314

(B) ~~A person~~ An individual who appeared for a previously 1315
scheduled examination but failed to pass it. 1316

Sec. 4713.22. (A) The state board of cosmetology shall 1317
issue a temporary pre-examination work permit to ~~a person~~ an 1318
individual who applies under section 4713.20 of the Revised Code 1319
for admission to an examination conducted under section 4713.24 1320
of the Revised Code, if the ~~person~~ individual satisfies all of 1321
the following conditions: 1322

(1) Is seeking a practicing license or an instructor 1323
license; 1324

(2) Has not previously failed an examination conducted 1325
under section 4713.24 of the Revised Code to determine the 1326
applicant's fitness to practice or instruct the branch of 1327
cosmetology for which the ~~person~~-individual seeks a license; 1328

(3) Pays to the board the applicable fee; 1329

(4) Satisfies all other conditions established by rules 1330
adopted under section 4713.08 of the Revised Code. 1331

(B) ~~A person~~-An individual issued a temporary pre- 1332
examination work permit may practice the branch of cosmetology 1333
for which the ~~person~~-individual seeks a practicing license until 1334
the date the ~~person~~-individual is scheduled to take an 1335
examination under section 4713.24 of the Revised Code. The 1336
~~person~~-individual shall practice under the supervision of a- 1337
~~person~~-an individual holding a current, valid ~~managing~~-license 1338
appropriate for the type of salon in which the permit holder 1339
practices. ~~A~~ 1340

(C) An individual issued a temporary pre-examination work 1341
permit may instruct the branch of cosmetology for which the 1342
individual seeks an instructor license for a period not to 1343
exceed one hundred twenty days. 1344

(D) A temporary pre-examination work permit is renewable 1345
in accordance with rules adopted under section 4713.08 of the 1346
Revised Code. 1347

Sec. 4713.24. (A) The state board of cosmetology shall 1348
conduct an examination for each ~~person~~-individual who satisfies 1349
the requirements established by section 4713.20 of the Revised 1350
Code for admission to the examination. Examinations for 1351
licensure for any branch of cosmetology shall assess the ability 1352
of a prospective cosmetology professional to maintain a safe and 1353

sanitary place of service delivery. The board may develop and 1354
administer the appropriate examination or enter into an 1355
agreement with a national testing service to develop the 1356
examination, administer the examination, or both. The 1357
examination shall be specific to the type of license the ~~person-~~ 1358
individual seeks and satisfy all of the following conditions: 1359

~~(A)~~ (1) Include both practical demonstrations and written 1360
or oral tests related to the type of license the ~~person-~~ 1361
individual seeks; 1362

~~(B)~~ (2) Relate only to a branch of cosmetology, ~~managing-~~ 1363
~~license, or both,~~ but not be confined to any special system or 1364
method; 1365

~~(C)~~ (3) Be consistent in both practical and technical 1366
requirements for the type of license the ~~person-~~individual 1367
seeks; 1368

~~(D)~~ (4) Be of sufficient thoroughness to satisfy the board 1369
as to the ~~person's-~~individual's skill in and knowledge of the 1370
branch of cosmetology, ~~managing license, or both,~~ for which the 1371
examination is conducted. 1372

(B) Not later than two years after the effective date of 1373
this amendment, the board shall create a curriculum and an 1374
examination for individuals seeking licensure to become an 1375
instructor and shall conduct an examination for each individual 1376
who satisfies the requirements established pursuant to section 1377
4713.31 of the Revised Code for admission to the examination. 1378

(C) The board shall adopt rules regarding the equipment or 1379
supplies an individual is required to bring to an examination 1380
described in this section. 1381

(D) The board shall not release the questions developed 1382

for the examinations and the practical demonstrations used in 1383
the testing process, except for the following purposes: 1384

(1) Reviewing or rewriting of any part of the examination 1385
on a periodic basis as prescribed in rules adopted under section 1386
4713.08 of the Revised Code; 1387

(2) Testing of individuals in another state for admission 1388
to the profession of cosmetology or any of its branches as 1389
required under a contract or by means of a license with that 1390
state; 1391

(3) Complying with a public records request after which 1392
the questions or the demonstrations have become a public record 1393
under division (F) of this section and otherwise may lawfully be 1394
released. 1395

(E) The examination papers and the scored results of the 1396
practical demonstrations of each individual examined by the 1397
board shall be open for inspection by the individual or the 1398
individual's attorney for at least ninety days following the 1399
announcement of the individual's grade, except for papers that 1400
under the terms of a contract with a testing service are not 1401
available for inspection. On written request of an individual or 1402
the individual's attorney made to the board not later than 1403
ninety days after announcement of the individual's grade, the 1404
board shall have the individual's practical examination papers 1405
regraded manually. 1406

(F) Test materials, examinations, or evaluation tools used 1407
in an examination for licensure under this chapter that the 1408
board develops or contracts with a private or government entity 1409
to administer shall become public records under section 149.43 1410
of the Revised Code fifteen years after the materials, 1411

examinations, or tools were first used in an assessment for 1412
licensure, unless the release of the record is otherwise 1413
prohibited by state or federal law, or the record is deemed to 1414
be the proprietary information of a private entity. 1415

Sec. 4713.25. (A) The state board of cosmetology may 1416
administer a separate ~~managing advanced~~ cosmetologist 1417
examination for ~~persons individuals~~ who complete a ~~managing an~~ 1418
advanced cosmetologist training course separate from a 1419
cosmetologist training course. The board may combine the 1420
~~managing advanced~~ cosmetologist examination with the 1421
cosmetologist examination for ~~persons individuals~~ who complete a 1422
combined ~~eighteen hundred hour~~ cosmetologist and ~~managing~~ 1423
advanced cosmetologist training course. 1424

(B) The board may administer a separate ~~managing advanced~~ 1425
esthetician examination for ~~persons individuals~~ who complete a 1426
~~managing an advanced~~ esthetician training course separate from 1427
an esthetician training course. The board may combine the 1428
~~managing advanced~~ esthetician examination with the esthetician 1429
examination for ~~persons individuals~~ who complete a ~~combined~~ 1430
~~seven hundred fifty hour an~~ esthetician and ~~managing advanced~~ 1431
esthetician training course. 1432

(C) The board may administer a separate ~~managing advanced~~ 1433
hair designer examination for ~~persons individuals~~ who complete a 1434
~~managing an advanced~~ hair designer training course separate from 1435
a hair designer training course. The board may combine the 1436
~~managing advanced~~ hair designer examination with the hair 1437
designer examination for ~~persons individuals~~ who complete a 1438
~~combined one thousand four hundred forty hour~~ hair designer and 1439
~~managing advanced~~ hair designer training course. 1440

(D) The board may administer a separate ~~managing advanced~~ 1441

manicurist examination for ~~persons~~ individuals who complete a ~~a~~ managing an advanced manicurist training course separate from a manicurist training course. The board may combine the ~~managing advanced~~ manicurist examination with the manicurist examination for ~~persons~~ individuals who complete a ~~combined three hundred hour~~ manicurist and ~~managing advanced~~ manicurist training course.

(E) The board may administer a separate ~~managing advanced~~ natural hair stylist examination for ~~persons~~ individuals who complete a ~~a managing an advanced~~ natural hair stylist training course separate from a natural hair stylist training course. The board may combine the ~~managing advanced~~ natural hair stylist examination with the natural hair stylist examination for ~~persons~~ individuals who complete a ~~combined six hundred hour~~ natural hair stylist and ~~managing advanced~~ natural hair stylist training course.

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

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

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

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

~~(C)~~ (3) Has the equivalent of an Ohio public school tenth grade education;

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

- (a) The name of the individual and any other identifying information required by the board; 1471
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- (b) A recent photograph of the individual that meets the specifications established by the board; 1473
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- (c) A photocopy of the individual's current driver's license or other proof of legal residence; 1475
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- (d) Proof that the individual is qualified to take the applicable examination as required by section 4713.20 of the Revised Code; 1477
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- (e) An oath verifying that the information in the application is true; 1480
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- (f) The applicable application fee. 1482
- (5) Passes an examination conducted under division (A) of section 4713.24 of the Revised Code for the branch of cosmetology the applicant seeks to practice; 1483
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- ~~(E)~~ (6) Pays to the board the applicable license fee; 1486
- ~~(F)~~ (7) In the case of an applicant for an initial cosmetologist license, has successfully completed at least fifteen one thousand five hundred hours of board-approved cosmetology training in a school of cosmetology licensed in this state, except that only one thousand hours of board-approved cosmetology training in a school of cosmetology licensed in this state is required of a person an individual licensed as a barber under Chapter 4709. of the Revised Code; 1487
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- ~~(G)~~ (8) In the case of an applicant for an initial esthetician license, has successfully completed at least six hundred hours of board-approved esthetics training in a school of cosmetology licensed in this state; 1495
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~~(H)~~(9) In the case of an applicant for an initial hair designer license, has successfully completed at least one thousand two hundred hours of board-approved hair designer training in a school of cosmetology licensed in this state, except that only one thousand hours of board-approved hair designer training in a school of cosmetology licensed in this state is required of ~~a person~~ an individual licensed as a barber under Chapter 4709. of the Revised Code;

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

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

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

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

(A) Is at least sixteen years of age;

(B) Is of good moral character;

(C) Has the equivalent of an Ohio public school tenth grade education;

- (D) Pays to the board the applicable fee; 1528
- (E) Passes the appropriate ~~managing~~ advanced license examination; 1529
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- (F) In the case of an applicant for an initial ~~managing~~ advanced cosmetologist license, does either of the following: 1531
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- (1) Has a licensed ~~managing~~ advanced 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 one~~ thousand eight hundred hours in a licensed beauty salon; 1533
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- (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 hundred hours of board-approved ~~managing~~ advanced cosmetologist training. 1538
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- (G) In the case of an applicant for an initial ~~managing~~ advanced esthetician license, does either of the following: 1543
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- (1) Has the licensed ~~managing~~ advanced esthetician, licensed ~~managing~~ advanced 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 one~~ thousand eight hundred hours as an esthetician in a licensed esthetics salon or as a cosmetologist in a licensed beauty salon; 1545
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- (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 an esthetician or cosmetologist, at least one hundred fifty hours of board-approved ~~managing~~ advanced esthetician training. 1552
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(H) In the case of an applicant for an initial ~~managing-~~ 1557
advanced hair designer license, does either of the following: 1558

(1) Has the licensed ~~managing-advanced~~ hair designer, 1559
licensed ~~managing-advanced~~ cosmetologist, or owner of a licensed 1560
hair design salon or licensed beauty salon located in this or 1561
another state certify to the board that the applicant has 1562
practiced hair design for at least ~~two thousand~~ one thousand 1563
eight hundred hours as a hair designer in a licensed hair design 1564
salon or as a cosmetologist in a licensed beauty salon; 1565

(2) Has a school of cosmetology licensed in this state 1566
certify to the board that the applicant has successfully 1567
completed, in addition to the hours required for licensure as a 1568
hair designer or cosmetologist, at least two hundred forty hours 1569
of board-approved ~~managing-advanced~~ hair designer training. 1570

(I) In the case of an applicant for an initial ~~managing-~~ 1571
advanced manicurist license, does either of the following: 1572

(1) Has the licensed ~~managing-advanced~~ manicurist, 1573
licensed ~~managing-advanced~~ cosmetologist, or owner of a licensed 1574
nail salon, licensed beauty salon, or licensed barber shop 1575
located in this or another state certify to the board that the 1576
applicant has practiced manicuring for at least ~~two~~ one thousand 1577
eight hundred hours as a manicurist in a licensed nail salon or 1578
licensed barber shop or as a cosmetologist in a licensed beauty 1579
salon or licensed barber shop; 1580

(2) Has a school of cosmetology licensed in this state 1581
certify to the board that the applicant has successfully 1582
completed, in addition to the hours required for licensure as a 1583
manicurist or cosmetologist, at least one hundred hours of 1584
board-approved ~~managing-advanced~~ manicurist training. 1585

(J) In the case of an applicant for an initial ~~managing-~~ 1586
advanced natural hair stylist license, does either of the 1587
following: 1588

(1) Has the licensed ~~managing-~~ advanced natural hair 1589
stylist, licensed ~~managing-~~ advanced cosmetologist, or owner of a 1590
licensed natural hair style salon or licensed beauty salon 1591
located in this or another state certify to the board that the 1592
applicant has practiced natural hair styling for at least ~~two-~~ 1593
one thousand eight hundred hours as a natural hair stylist in a 1594
licensed natural hair style salon or as a cosmetologist in a 1595
licensed beauty salon; 1596

(2) Has a school of cosmetology licensed in this state 1597
certify to the board that the applicant has successfully 1598
completed, in addition to the hours required for licensure as 1599
natural hair stylist or cosmetologist, at least one hundred 1600
fifty hours of board-approved ~~managing-~~ advanced natural hair 1601
stylist training. 1602

Sec. 4713.31. The state board of cosmetology shall issue 1603
an instructor license to an applicant who satisfies all of the 1604
following applicable conditions: 1605

(A) Is at least eighteen years of age; 1606

(B) Is of good moral character; 1607

(C) Has the equivalent of an Ohio public school twelfth 1608
grade education; 1609

(D) Pays to the board the applicable fee; 1610

(E) In the case of an applicant for an initial cosmetology 1611
instructor license, holds a current, valid ~~managing-~~ advanced 1612
cosmetologist license issued in this state and does either of 1613

the following: 1614

(1) Has the licensed ~~managing-advanced~~ cosmetologist or 1615
owner of the licensed beauty salon in which the applicant has 1616
been employed certify to the board that the applicant has 1617
engaged in the practice of cosmetology in a licensed beauty 1618
salon for at least ~~two-one~~ thousand eight hundred hours; 1619

(2) Has a school of cosmetology licensed in this state 1620
certify to the board that the applicant has successfully 1621
completed one thousand hours of board-approved cosmetology 1622
instructor training as an apprentice instructor. 1623

(F) In the case of an applicant for an initial esthetics 1624
instructor license, holds a current, valid ~~managing-advanced~~ 1625
esthetician or ~~managing-advanced~~ cosmetologist license issued in 1626
this state and does either of the following: 1627

(1) Has the licensed ~~managing-advanced~~ esthetician, 1628
licensed ~~managing-advanced~~ cosmetologist, or owner of the 1629
licensed esthetics salon or licensed beauty salon in which the 1630
applicant has been employed certify to the board that the 1631
applicant has engaged in the practice of esthetics in a licensed 1632
esthetics salon or practice of cosmetology in a licensed beauty 1633
salon for at least ~~two-one~~ thousand eight hundred hours; 1634

(2) Has a school of cosmetology licensed in this state 1635
certify to the board that the applicant has successfully 1636
completed at least five hundred hours of board-approved 1637
esthetics instructor training as an apprentice instructor. 1638

(G) In the case of an applicant for an initial hair design 1639
instructor license, holds a current, valid ~~managing-advanced~~ 1640
hair designer or ~~managing-advanced~~ cosmetologist license and 1641
does either of the following: 1642

(1) Has the licensed ~~managing-advanced~~ hair designer, 1643
licensed ~~managing-advanced~~ cosmetologist, or owner of the 1644
licensed hair design salon or licensed beauty salon in which the 1645
applicant has been employed certify to the board that the 1646
applicant has engaged in the practice of hair design in a 1647
licensed hair design salon or practice of cosmetology in a 1648
licensed beauty salon for at least ~~two-one~~ thousand eight 1649
hundred hours; 1650

(2) Has a school of cosmetology licensed in this state 1651
certify to the board that the applicant has successfully 1652
completed at least eight hundred hours of board-approved hair 1653
design instructor's training as an apprentice instructor. 1654

(H) In the case of an applicant for an initial manicurist 1655
instructor license, holds a current, valid ~~managing-advanced~~ 1656
manicurist or ~~managing-advanced~~ cosmetologist license and does 1657
either of the following: 1658

(1) Has the licensed ~~managing-advanced~~ manicurist, 1659
licensed ~~managing-advanced~~ cosmetologist, or owner of the 1660
licensed nail salon or licensed beauty salon in which the 1661
applicant has been employed certify to the board that the 1662
applicant has engaged in the practice of manicuring in a 1663
licensed nail salon or practice of cosmetology in a licensed 1664
beauty salon for at least ~~two-one~~ thousand eight hundred hours; 1665

(2) Has a school of cosmetology licensed in this state 1666
certify to the board that the applicant has successfully 1667
completed at least three hundred hours of board-approved 1668
manicurist instructor training as an apprentice instructor. 1669

(I) In the case of an applicant for an initial natural 1670
hair style instructor license, holds a current, valid ~~managing-~~ 1671

advanced natural hair stylist or ~~managing-advanced~~ cosmetologist 1672
license and does either of the following: 1673

(1) Has the licensed ~~managing-advanced~~ natural hair 1674
stylist, licensed ~~managing-advanced~~ cosmetologist, or owner of 1675
the licensed natural hair style salon or licensed beauty salon 1676
in which the applicant has been employed certify to the board 1677
that the applicant has engaged in the practice of natural hair 1678
styling in a licensed natural hair style salon or practice of 1679
cosmetology in a licensed beauty salon for at least ~~two-one~~ 1680
thousand eight hundred hours; 1681

(2) Has a school of cosmetology licensed in this state 1682
certify to the board that the applicant has successfully 1683
completed at least four hundred hours of board-approved natural 1684
hair style instructor training as an apprentice instructor. 1685

(J) In the case of all applicants, passes an examination 1686
conducted under division (B) of section 4713.24 of the Revised 1687
Code for the branch of cosmetology the applicant seeks to 1688
instruct. 1689

Sec. 4713.34. The state board of cosmetology shall issue a 1690
license to practice a branch of cosmetology, ~~managing license,~~ 1691
or instructor license to an applicant who is licensed or 1692
registered in another state or country to practice that branch 1693
of cosmetology, ~~manage that type of salon,~~ or teach the theory 1694
and practice of that branch of cosmetology, as appropriate, if 1695
all of the following conditions are satisfied: 1696

(A) The applicant satisfies all of the following 1697
conditions: 1698

(1) Is not less than eighteen years of age; 1699

(2) Is of good moral character; 1700

(3) In the case of an applicant for a practicing licensee ~~or~~ 1701
~~managing license~~, passes an examination conducted under section 1702
4713.24 of the Revised Code for the license the applicant seeks, 1703
unless the applicant satisfies conditions specified in rules 1704
adopted under section 4713.08 of the Revised Code for the board 1705
to issue the applicant a license without taking the examination; 1706

(4) Pays the applicable fee. 1707

(B) At the time the applicant obtained the license or 1708
registration in the other state or country, the requirements in 1709
this state for obtaining the license the applicant seeks were 1710
substantially equal to the other state or country's 1711
requirements. 1712

(C) The jurisdiction that issued the applicant's license 1713
or registration extends similar reciprocity to ~~persons~~ 1714
individuals holding a license issued by the board. 1715

Sec. 4713.35. ~~A person~~ An individual who holds a current, 1716
valid cosmetologist or advanced cosmetologist license issued by 1717
the state board of cosmetology may engage in the practice of one 1718
or more branches of cosmetology as the ~~person~~ individual chooses 1719
in a licensed facility. 1720

~~A person~~ An individual who holds a current, valid 1721
esthetician or advanced esthetician license issued by the board 1722
may engage in the practice of esthetics but no other branch of 1723
cosmetology in a licensed facility. 1724

~~A person~~ An individual who holds a current, valid hair 1725
designer or advanced hair designer license issued by the board 1726
may engage in the practice of hair design but no other branch of 1727
cosmetology in a licensed facility. 1728

~~A person~~ An individual who holds a current, valid 1729

~~manicurist or advanced manicurist~~ license issued by the board 1730
may engage in the practice of manicuring but no other branch of 1731
cosmetology in a licensed facility. 1732

~~A person~~An individual who holds a current, valid natural 1733
~~hair stylist or advanced natural hair stylist~~ license issued by 1734
the board may engage in the practice of natural hair styling but 1735
no other branch of cosmetology in a licensed facility. 1736

~~A person who holds a current, valid managing cosmetologist~~ 1737
~~license issued by the board may manage all types of salons and~~ 1738
~~engage in the practice of one or more branches of cosmetology as~~ 1739
~~the person chooses.~~ 1740

~~A person who holds a current, valid managing esthetician~~ 1741
~~license issued by the board may manage an esthetics salon, but~~ 1742
~~no other type of salon, and engage in the practice of esthetics,~~ 1743
~~but no other branch of cosmetology.~~ 1744

~~A person who holds a current, valid managing hair designer~~ 1745
~~license issued by the board may manage a hair design salon, but~~ 1746
~~no other type of salon, and engage in the practice of hair~~ 1747
~~design, but no other branch of cosmetology.~~ 1748

~~A person who holds a current, valid managing manicurist~~ 1749
~~license issued by the board may manage a nail salon, but no~~ 1750
~~other type of salon, and engage in the practice of manicuring,~~ 1751
~~but no other branch of cosmetology.~~ 1752

~~A person who holds a current, valid managing natural hair~~ 1753
~~stylist license issued by the board may manage a natural hair~~ 1754
~~style salon, but no other type of salon, and engage in the~~ 1755
~~practice of natural hair styling, but no other branch of~~ 1756
~~cosmetology.~~ 1757

~~A person~~An individual who holds a current, valid 1758

cosmetology instructor license issued by the board may teach the 1759
theory and practice of one or more branches of cosmetology at a 1760
school of cosmetology as the ~~person~~individual chooses. 1761

~~A person~~An individual who holds a current, valid 1762
esthetics instructor license issued by the board may teach the 1763
theory and practice of esthetics, but no other branch of 1764
cosmetology, at a school of cosmetology. 1765

~~A person~~An individual who holds a current, valid hair 1766
design instructor license issued by the board may teach the 1767
theory and practice of hair design, but no other branch of 1768
cosmetology, at a school of cosmetology. 1769

~~A person~~An individual who holds a current, valid 1770
manicurist instructor license issued by the board may teach the 1771
theory and practice of manicuring, but no other branch of 1772
cosmetology, at a school of cosmetology. 1773

~~A person~~An individual who holds a current, valid natural 1774
hair style instructor license issued by the board may teach the 1775
theory and practice of natural hair styling, but no other branch 1776
of cosmetology, at a school of cosmetology. 1777

An individual who holds a current, valid boutique 1778
registration with the board may engage in the practice of 1779
boutique services but no other branch of cosmetology. 1780

Sec. 4713.36. A licensed manicurist or licensed ~~managing~~ 1781
~~advanced~~ manicurist may engage in the practice of manicuring at 1782
a nail salon or beauty salon licensed under section 4713.41 of 1783
the Revised Code or a barber shop licensed under Chapter 4709. 1784
of the Revised Code. 1785

Sec. 4713.37. (A) The state board of cosmetology may issue 1786
a temporary special occasion work permit to ~~a person~~an 1787

individual who satisfies all of the following conditions: 1788

(1) Has been licensed or registered in another state or 1789
country to practice a branch of cosmetology or teach the theory 1790
and practice of a branch of cosmetology for at least five years; 1791

(2) Is a recognized expert in the practice or teaching of 1792
the branch of cosmetology the ~~person~~individual practices or 1793
teaches; 1794

(3) Is to practice that branch of cosmetology or teach the 1795
theory and practice of that branch of cosmetology in this state 1796
as part of a promotional or instructional program for not more 1797
than the amount of time a temporary special occasion work permit 1798
is effective; 1799

(4) Satisfies all other conditions for a temporary special 1800
occasion work permit established by rules adopted under section 1801
4713.08 of the Revised Code; 1802

(5) Pays the fee established by rules adopted under 1803
section 4713.08 of the Revised Code. 1804

(B) ~~A person~~An individual issued a temporary special 1805
occasion work permit may practice the branch of cosmetology the 1806
~~person~~individual practices in another state or country, or 1807
teach the theory and practice of the branch of cosmetology the 1808
~~person~~individual teaches in another state or country, until the 1809
expiration date of the permit. A temporary special occasion work 1810
permit is valid for the period of time specified in rules 1811
adopted under section 4713.08 of the Revised Code. 1812

Sec. 4713.39. The state board of cosmetology shall issue a 1813
license to engage in the practice of a branch of cosmetology as 1814
an independent contractor to an applicant who pays the 1815
applicable fee; holds a current, valid license ~~to manage~~for the 1816

type of salon in which the applicant will practice that branch 1817
of cosmetology; and satisfies the conditions for the license 1818
established by rules adopted under section 4713.08 of the 1819
Revised Code. 1820

Sec. 4713.41. The state board of cosmetology shall issue a 1821
license to operate a salon, including a boutique salon, to an 1822
applicant who pays the applicable fee and affirms that all of 1823
the following conditions will be met: 1824

(A) (1) ~~A person~~ An individual holding a current, valid 1825
~~managing~~ cosmetologist license or license to manage that type of 1826
~~salon has charge of and immediate supervision over~~ or boutique 1827
services registration pertaining to the branch of cosmetology 1828
services performed at the salon or boutique salon, shall have 1829
charge of and immediate supervision over the salon at all times 1830
when the salon is open for business except as permitted under 1831
division (A) (2) of this section. 1832

(2) A business establishment that is engaged primarily in 1833
retail sales but is also licensed as a salon shall have ~~a person~~ 1834
present an individual holding a current, valid ~~managing~~ license 1835
~~for or registration to practice in~~ that type of salon in charge 1836
of and in immediate supervision of the salon during posted or 1837
advertised service hours, if the practice of cosmetology is 1838
restricted to those posted or advertised service hours. 1839

(B) The salon is equipped to do all of the following: 1840

(1) Provide potable running hot and cold water and proper 1841
drainage; 1842

(2) Sanitize all instruments and supplies used in the 1843
branch of cosmetology provided at the salon; 1844

(3) If cosmetic therapy, massage therapy, or other 1845

professional service is provided at the salon under section 1846
4713.42 of the Revised Code, sanitize all instruments and 1847
supplies used in the cosmetic therapy, massage therapy, or other 1848
professional service. 1849

(C) Except as provided in sections 4713.42 and 4713.49 of 1850
the Revised Code, only the branch of cosmetology that the salon 1851
is licensed to provide is practiced at the salon. 1852

(D) The salon is kept in a clean and sanitary condition 1853
and properly ventilated. 1854

(E) No food is sold at the salon in a manner inconsistent 1855
with rules adopted under section 4713.08 of the Revised Code. 1856

(F) A notice that contains a toll-free number and online 1857
process for reporting alleged violations of this chapter, as 1858
prescribed by the board of cosmetology, is posted at the salon 1859
in a common area for all customers of salon services. 1860

Sec. 4713.42. ~~A person~~ An individual holding a current, 1861
valid certificate issued under section 4731.15 of the Revised 1862
Code to provide cosmetic therapy or massage therapy may provide 1863
cosmetic therapy or massage therapy, as appropriate, in a salon. 1864
~~A person~~ An individual holding a current, valid license or 1865
certificate issued by a professional regulatory board of this 1866
state may practice the ~~person's~~ individual's profession in a 1867
salon if the ~~person's~~ individual's profession is authorized by 1868
rules adopted under section 4713.08 of the Revised Code to 1869
practice in a salon. 1870

~~A person~~ An individual providing cosmetic therapy, massage 1871
therapy, or other professional service in a salon pursuant to 1872
this section shall satisfy the standards established by rules 1873
adopted under section 4713.08 of the Revised Code. 1874

Sec. 4713.44. (A) The state board of cosmetology shall 1875
issue a license to operate a school of cosmetology to an 1876
applicant who pays the applicable fee and satisfies all of the 1877
following requirements: 1878

(1) Maintains a course of practical training and technical 1879
instruction for the branch or branches of cosmetology to be 1880
taught at the school equal to the requirements for admission to 1881
an examination under section 4713.24 of the Revised Code that ~~a~~ 1882
~~person~~ an individual must pass to obtain a license to practice 1883
that branch or those branches of cosmetology; 1884

(2) Possesses or makes available apparatus and equipment 1885
sufficient for the ready and full teaching of all subjects of 1886
the curriculum; 1887

(3) Maintains ~~persons~~ individuals licensed under section 1888
4713.31 or 4713.34 of the Revised Code to teach the theory and 1889
practice of the branches of cosmetology; 1890

(4) Notifies the board of the enrollment of each new 1891
student, keeps a record devoted to the different practices, 1892
establishes grades, and holds examinations in order to certify 1893
the students' completion of the prescribed course of study 1894
before the issuance of certificates of completion; 1895

(5) In the case of a school of cosmetology that offers 1896
clock hours for the purpose of satisfying minimum hours of 1897
training and instruction, keeps a daily record of the attendance 1898
of each student; 1899

(6) On the date that an apprentice cosmetology instructor 1900
begins cosmetology instructor training at the school, certifies 1901
the name of the apprentice cosmetology instructor to the board 1902
along with the date on which the apprentice's instructor 1903

training began; 1904

(7) Instructs not more than six apprentice cosmetology 1905
instructors at any one time; 1906

(8) Files with the board a good and sufficient surety bond 1907
executed by the ~~person~~individual, firm, or corporation operating 1908
the school of cosmetology as principal and by a surety company 1909
as surety in the amount of ten thousand dollars; provided, that 1910
this requirement does not apply to a vocational or career- 1911
technical school program conducted by a city, exempted village, 1912
local, or joint vocational school district. The bond shall be in 1913
the form prescribed by the board and be conditioned upon the 1914
school's continued instruction in the theory and practice of the 1915
branches of cosmetology. Every bond shall continue in effect 1916
until notice of its termination is given to the board by 1917
registered mail and every bond shall so provide. 1918

(9) Establishes and maintains an internal procedure for 1919
processing complaints filed against the school and for providing 1920
students with instructions on how to file a complaint directly 1921
with the board pursuant to section 4713.641 of the Revised Code. 1922

(B) A school of cosmetology holding a license issued under 1923
division (A) of this section is an educational institution and 1924
is authorized to offer educational programs beyond secondary 1925
education, advanced practice programs, or both in accordance 1926
with rules adopted by the board pursuant to section 4713.08 of 1927
the Revised Code. 1928

(C) A school of cosmetology holding a license to operate a 1929
school of cosmetology on ~~the effective date of this amendment~~ 1930
September 29, 2013, shall establish and maintain an internal 1931
procedure for processing complaints filed against the school and 1932

shall provide each of the school's students with instructions on 1933
how to file a complaint directly with the board pursuant to 1934
section 4713.641 of the Revised Code. 1935

Sec. 4713.45. (A) A school of cosmetology may do the 1936
following: 1937

(1) In accordance with rules adopted under section 4713.08 1938
of the Revised Code, a school of cosmetology operated by a 1939
public entity or a private person may offer clock hours, credit 1940
hours, or competency-based credits, ~~and a school of cosmetology~~ 1941
~~that is operated by a private person may offer clock or credit~~ 1942
~~hours,~~ for the purpose of satisfying minimum hours of training 1943
and instruction; 1944

(2) Allow an apprentice cosmetology instructor the regular 1945
quota of students prescribed by the state board of cosmetology 1946
if a cosmetology instructor is present; 1947

(3) Compensate an apprentice cosmetology instructor; 1948

(4) Subject to division (B) of this section, employ a 1949
~~person~~ an individual who does not hold a current, valid 1950
instructor license to teach subjects related to a branch of 1951
cosmetology. 1952

(B) A school of cosmetology shall have a licensed 1953
cosmetology instructor present when ~~a person~~ an individual 1954
employed pursuant to division (A) (4) of this section teaches at 1955
the school, unless the ~~person~~ individual is one of the 1956
following: 1957

(1) ~~A person~~ An individual with a current, valid teacher's 1958
certificate or educator license issued by the state board of 1959
education; 1960

(2) ~~A person~~An individual with a bachelor's degree in the 1961
subject the person teaches at the school; 1962

(3) ~~A person~~An individual also employed by a university 1963
or college to teach the subject the person teaches at the 1964
school. 1965

(C) A school of cosmetology shall annually review the 1966
subjects and coursework required to receive an initial 1967
cosmetology license and advanced license and, in doing so, shall 1968
incorporate standards adopted by the state board of cosmetology 1969
pursuant to division (A) (13) of section 4713.08 of the Revised 1970
Code. 1971

Sec. 4713.48. (A) The state board of cosmetology shall 1972
issue a permit to operate a tanning facility to an applicant if 1973
all of the following conditions are satisfied: 1974

(1) The applicant applies in accordance with the 1975
application process adopted by rules adopted under section 1976
4713.08 of the Revised Code. 1977

(2) The applicant pays to the treasurer of state the fee 1978
established by those rules. 1979

(3) An initial inspection of the premises indicates that 1980
the tanning facility has been installed and will be operated in 1981
accordance with those rules. 1982

(B) A permit holder shall post the permit in a public and 1983
conspicuous place on any premises where the tanning facility is 1984
located. ~~A person~~An individual shall obtain a separate permit 1985
for each of the premises owned or operated by that ~~person~~ 1986
individual at which the ~~person~~individual seeks to operate a 1987
tanning facility. 1988

(C) ~~A~~ To continue operating, a permit holder may shall 1989
biennially renew ~~a~~ the permit by the last day of January of each 1990
odd-numbered year ~~upon~~. The board shall renew the permit upon 1991
the holder's payment to the treasurer of state of the biennial 1992
renewal fee. 1993

Sec. 4713.55. Every license issued by the state board of 1994
cosmetology shall be signed by the chairperson and attested by 1995
the executive director ~~thereof~~ of the board, with the seal of the 1996
board attached. 1997

The board shall specify on each practicing license that 1998
the board issues the branch of cosmetology that the license 1999
entitles the holder to practice. The board shall specify on each 2000
~~managing advanced~~ license that the board issues the type of 2001
salon ~~that in which~~ the license entitles the holder to ~~manage~~ 2002
work and the branch of cosmetology that the license entitles the 2003
holder to practice. The board shall specify on each instructor 2004
license that the board issues the branch of cosmetology that the 2005
license entitles the holder to teach. The board shall specify on 2006
each salon license that the board issues the branch of 2007
cosmetology that the license entitles the holder to offer. The 2008
board shall specify on each independent contractor license that 2009
the board issues the branch of cosmetology that the license 2010
entitles the holder to offer within a licensed salon. Such 2011
licenses are prima-facie evidence of the right of the holder to 2012
practice or teach the branch of cosmetology, ~~or manage the type~~ 2013
~~of salon,~~ that the license specifies. 2014

Sec. 4713.56. Every holder of a practicing license, ~~or~~ 2015
~~managing license,~~ instructor license, ~~or~~ independent contractor 2016
license, or boutique service registration issued by the state 2017
board of cosmetology shall ~~display~~ maintain the board-issued, 2018

~~wallet-sized license in a public and conspicuous place in the~~ 2019
~~place of employment of the holder or electronically generated~~ 2020
~~license certification or registration and a current government-~~ 2021
~~issued photo identification that can be produced upon inspection~~ 2022
~~or request.~~ 2023

Every holder of a license to operate a salon issued by the 2024
board shall display the license in a public and conspicuous 2025
place in the salon. 2026

Every holder of a license to operate a school of 2027
cosmetology issued by the board shall display the license in a 2028
public and conspicuous place in the school. 2029

Every ~~person~~ individual who provides cosmetic therapy, 2030
massage therapy, or other professional service in a salon under 2031
section 4713.42 of the Revised Code shall ~~display~~ maintain the 2032
~~person's~~ individual's professional license or certificate in a 2033
~~public and conspicuous place in the room used for the therapy or~~ 2034
~~other service~~ and a state of Ohio issued photo identification 2035
that can be produced upon inspection or request. 2036

Sec. 4713.57. A license or registration issued by the 2037
state board of cosmetology is valid until the last day of 2038
January of the odd-numbered year following its original issuance 2039
or renewal, unless the license is revoked or suspended prior to 2040
that date. Renewal shall be done in accordance with the standard 2041
renewal procedure of Chapter 4745. of the Revised Code. The 2042
board may refuse to renew a license if the ~~person~~ individual 2043
holding the license has an outstanding unpaid fine levied under 2044
section 4713.64 of the Revised Code. 2045

Sec. 4713.58. (A) Except as provided in division (B) of 2046
this section, on payment of the renewal fee and submission of 2047

proof satisfactory to the state board of cosmetology that any 2048
applicable continuing education requirements have been 2049
completed, ~~a person~~ an individual currently licensed as: 2050

(1) A cosmetology instructor who has previously been 2051
licensed as a cosmetologist or ~~a managing~~ an advanced 2052
cosmetologist, is entitled to the reissuance of a cosmetologist 2053
or ~~managing~~ advanced cosmetologist license; 2054

(2) An esthetics instructor who has previously been 2055
licensed as an esthetician or ~~a managing~~ an advanced 2056
esthetician, is entitled to the reissuance of an esthetician or 2057
~~managing~~ advanced esthetician license; 2058

(3) A hair design instructor who has previously been 2059
licensed as a hair designer or ~~a managing~~ an advanced hair 2060
designer, is entitled to the reissuance of a hair designer or 2061
~~managing~~ advanced hair designer license; 2062

(4) A manicurist instructor who has previously been 2063
licensed as a manicurist or ~~a managing~~ an advanced manicurist, 2064
is entitled to the reissuance of a manicurist or ~~managing~~ 2065
advanced manicurist license; 2066

(5) A natural hair style instructor who has previously 2067
been licensed as a natural hair stylist or ~~a managing~~ an 2068
advanced natural hair stylist, is entitled to the reissuance of 2069
a natural hair stylist or ~~managing~~ advanced natural hair stylist 2070
license. 2071

(B) No ~~person~~ individual is entitled to the reissuance of 2072
a license under division (A) of this section if the license was 2073
revoked or suspended or the ~~person~~ individual has an outstanding 2074
unpaid fine levied under section 4713.64 of the Revised Code. 2075

Sec. 4713.59. If the state board of cosmetology adopts 2076

rules under section 4713.09 of the Revised Code to establish a 2077
continuing education requirement as a condition of renewal for a 2078
practicing license, ~~managing advanced~~ license, or instructor 2079
license, the board shall inform each affected licensee of the 2080
continuing education requirement that applies to the next 2081
biennial licensing period by including ~~that information in the~~ 2082
renewal notification ~~in the license renewal application form~~ it 2083
sends the licensee. The notification shall state that the 2084
licensee must complete the continuing education requirement by 2085
the ~~last~~ fifteenth day of January of the next odd-numbered year. 2086

Hours completed in excess of the continuing education 2087
requirement may not be applied to the next biennial licensing 2088
period. 2089

Sec. 4713.60. (A) Except as provided in division (C) of 2090
this section, ~~a person~~ an individual seeking a renewal of a 2091
license to practice a branch of cosmetology, ~~managing advanced~~ 2092
license, ~~or~~ instructor license, or boutique services 2093
registration shall include in the renewal application proof 2094
satisfactory to the board of completion of any applicable 2095
continuing education requirements established by rules adopted 2096
under section 4713.09 of the Revised Code. 2097

(B) If an applicant fails to provide satisfactory proof of 2098
completion of any applicable continuing education requirements, 2099
the board shall notify the applicant that the application is 2100
incomplete. The board shall not renew the license or 2101
registration until the applicant provides satisfactory proof of 2102
completion of any applicable continuing education requirements. 2103
The board may provide the applicant with an extension of up to 2104
ninety days in which to complete the continuing education 2105
requirement. In providing for the extension, the board may 2106

charge the licensee or registrant a fine of up to one hundred 2107
dollars. 2108

(C) The board may waive, or extend the period for 2109
completing, any continuing education requirement if a licensee 2110
or registrant applies to the board and provides proof 2111
satisfactory to the board of being unable to complete the 2112
requirement within the time allowed because of any of the 2113
following: 2114

(1) An emergency; 2115

(2) An unusual or prolonged illness; 2116

(3) Active duty service in any branch of the armed forces 2117
of the United States or a reserve component of the armed forces 2118
of the United States, including the Ohio national guard or the 2119
national guard of any other state. 2120

The board shall determine the period of time during which 2121
each extension is effective and shall inform the applicant. The 2122
board shall also inform the applicant of the continuing 2123
education requirements that must be met to have the license or 2124
registration renewed. If an extension is granted for less than 2125
one year, the continuing education requirement for that year, in 2126
addition to the required continuing education for the succeeding 2127
year, must be completed in the succeeding year. In all other 2128
cases the board may waive all or part of the continuing 2129
education requirement on a case-by-case basis. Any required 2130
continuing education shall be completed and satisfactory proof 2131
of its completion submitted to the board by a date specified by 2132
the board. Every license ~~which~~ or registration that has not been 2133
~~renewed in any odd-numbered year by the last day of January in~~ 2134
the timeframe specified in section 4713.57 of the Revised Code 2135

and for which the continuing education requirement has not been 2136
waived or extended shall be considered expired. 2137

Sec. 4713.61. (A) If the state board of cosmetology adopts 2138
a continuing education requirement under section 4713.09 of the 2139
Revised Code, it may develop a procedure by which ~~a person~~an 2140
individual who holds a license to practice a branch of 2141
cosmetology, ~~managing an advanced~~ license, or instructor license 2142
and who is not currently engaged in the practice of the branch 2143
of cosmetology, ~~managing a salon,~~ or teaching the theory and 2144
practice of the branch of cosmetology, but who desires to be so 2145
engaged in the future, may apply to the board to have the 2146
~~person's~~individual's license classified inactive. If the board 2147
develops such a procedure, ~~a person~~an individual seeking to 2148
have the ~~person's~~individual's license classified inactive shall 2149
apply to the board on a form provided by the board and pay the 2150
fee established by rules adopted under section 4713.08 of the 2151
Revised Code. 2152

(B) The board shall not restore an inactive license until 2153
the later of the following: 2154

(1) The date that the ~~person~~individual holding the 2155
license submits proof satisfactory to the board that the ~~person~~individual 2156
has completed the continuing education that a rule 2157
adopted under section 4713.08 of the Revised Code requires; 2158

(2) The last day of January of the next odd-numbered year 2159
following the year the license is classified inactive. 2160

(C) ~~A person~~An individual who holds an inactive license 2161
may engage in the practice of a branch of cosmetology if the 2162
~~person~~individual holds a temporary work permit as specified in 2163
rules adopted by the board under section 4713.08 of the Revised 2164

Code. 2165

Sec. 4713.62. (A) ~~A person~~ An individual holding a 2166
practicing license, ~~managing advanced license, or instructor~~ 2167
license, or boutique services registration may satisfy a 2168
continuing education requirement established by rules adopted 2169
under section 4713.09 of the Revised Code only by completing 2170
continuing education programs approved under division (B) of 2171
this section ~~or developed under division (C) of this section.~~ 2172

(B) The state board of cosmetology shall approve a 2173
continuing education program if all of the following conditions 2174
are satisfied: 2175

(1) The person operating the program submits to the board 2176
a written application for approval. 2177

(2) The person operating the program pays to the board a 2178
fee established by rules adopted under section 4713.08 of the 2179
Revised Code. 2180

(3) The program is operated by an employee, officer, or 2181
director of a nonprofit professional association, college or 2182
university, proprietary continuing education institutions 2183
providing programs approved by the board, vocational school, 2184
postsecondary proprietary school of cosmetology licensed by the 2185
board, salon licensed by the board, or manufacturer of supplies 2186
or equipment used in the practice of a branch of cosmetology. 2187

(4) The program will do at least one of the following: 2188

(a) Enhance the professional competency of the affected 2189
licensees or registrants; 2190

(b) Protect the public; 2191

(c) Educate the affected licensees or registrants in the 2192

application of the laws and rules regulating the practice of a 2193
branch of cosmetology. 2194

(5) The person operating the program provides the board a 2195
tentative schedule of when the program will be available so that 2196
the board can make the schedule readily available to all 2197
licensees and registrants throughout the state. 2198

Sec. 4713.63. A practicing license, ~~managing~~ advanced 2199
license, or instructor license that has not been renewed for any 2200
reason other than because it has been revoked, suspended, or 2201
classified inactive, or because the license holder has been 2202
given a waiver or extension under section 4713.60 of the Revised 2203
Code, is expired. An expired license may be restored if the 2204
~~person~~ individual who held the license meets all of the 2205
following applicable conditions: 2206

(A) Pays to the state board of cosmetology the restoration 2207
~~fee, the current renewal fee, and any applicable late fees~~ 2208
established under section 4713.10 of the Revised Code; 2209

(B) ~~Pays a lapsed renewal fee of forty five dollars per~~ 2210
~~license renewal period that has elapsed since the license was~~ 2211
~~last issued or renewed;~~ 2212

~~(C)~~ In the case of a practicing license or ~~managing~~ 2213
advanced license that has been expired for more than two 2214
consecutive license renewal periods, completes eight hours of 2215
continuing education for each license renewal period that has 2216
elapsed since the license was last issued or renewed, up to a 2217
maximum of twenty-four hours. At least four of those hours shall 2218
include a course pertaining to sanitation and safety methods. 2219

The board shall deposit all fees it receives under 2220
division (B) of this section into the general revenue fund. 2221

Sec. 4713.64. (A) The state board of cosmetology may take	2222
disciplinary action for any of the following:	2223
(1) Failure to comply with the <u>safety, sanitation, and</u>	2224
<u>licensing</u> requirements of this chapter or rules adopted under	2225
it;	2226
(2) Continued practice by a person <u>an individual</u> knowingly	2227
having an infectious or contagious disease;	2228
(3) Habitual drunkenness or addiction to any habit-forming	2229
drug;	2230
(4) Willful false and fraudulent or deceptive advertising;	2231
(5) Falsification of any record or application required to	2232
be filed with the board;	2233
(6) Failure to pay a fine or abide by a suspension order	2234
issued by the board;	2235
<u>(7) Failure to cooperate with an investigation or</u>	2236
<u>inspection;</u>	2237
<u>(8) Failure to respond to a subpoena;</u>	2238
<u>(9) Conviction of or plea of guilty to a violation of</u>	2239
<u>section 2905.32 of the Revised Code;</u>	2240
<u>(10) In the case of a salon, any individual's conviction</u>	2241
<u>of or plea of guilty to a violation of section 2905.32 of the</u>	2242
<u>Revised Code for an activity that took place on the premises of</u>	2243
<u>the salon.</u>	2244
(B) On determining that there is cause for disciplinary	2245
action, the board may do one or more of the following:	2246
(1) Deny, revoke, or suspend a license or , <u>permit, or</u>	2247
<u>registration</u> issued by the board;	2248

(2) Impose a fine; 2249

(3) Require the holder of a license ~~or~~, permit, or
registration to take corrective action courses. 2250
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(C) (1) Except as provided in divisions (C) (2) and (3) of
this section, the board shall take disciplinary action pursuant
to an adjudication under Chapter 119. of the Revised Code. 2252
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(2) The board may take disciplinary action without
conducting an adjudication under Chapter 119. of the Revised
Code against an individual or salon who violates division (A) (9)
or (10) of this section. After the board takes such disciplinary
action, the board shall give written notice to the subject of
the disciplinary action of the right to request a hearing under
Chapter 119. of the Revised Code. 2255
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(3) In lieu of an adjudication, the board may enter into a
consent agreement with the holder of a license, permit, or
registration. A consent agreement that is ratified by a majority
vote of a quorum of the board members is considered to
constitute the findings and orders of the board with respect to
the matter addressed in the agreement. If the board does not
ratify a consent agreement, the admissions and findings
contained in the agreement are of no effect, and the case shall
be scheduled for adjudication under Chapter 119. of the Revised
Code. 2262
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(D) The amount and content of corrective action courses
and other relevant criteria shall be established by the board in
rules adopted under section 4713.08 of the Revised Code. 2272
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~~(D)~~ (E) (1) The board may impose a separate fine for each
offense listed in division (A) of this section. The amount of ~~a~~
the first fine issued for a violation as the result of an 2275
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2277

inspection shall be not more than ~~five~~two hundred fifty dollars 2278
if the violator has not previously been fined for that offense. 2279
Any fines issued for additional violations during such an 2280
inspection shall not be more than one hundred dollars for each 2281
additional violation. The fine shall be not more than ~~one~~ 2282
~~thousand~~five hundred dollars if the violator has been fined for 2283
the same offense once before. Any fines issued for additional 2284
violations during a second inspection shall not be more than two 2285
hundred dollars for each additional violation. The fine shall be 2286
not more than one thousand ~~five hundred~~ dollars if the violator 2287
has been fined for the same offense two or more times before. 2288
Any fines issued for additional violations during a third 2289
inspection shall not be more than three hundred dollars for each 2290
additional violation. 2291

(2) The board shall issue an order notifying a violator of 2292
a fine imposed under division (E) (1) of this section. The notice 2293
shall specify the date by which the fine is to be paid. The date 2294
shall be less than forty-five days after the board issues the 2295
order. 2296

(3) At the request of a violator who is temporarily unable 2297
to pay a fine, or upon its own motion, the board may extend the 2298
time period within which the violator shall pay the fine up to 2299
ninety days after the date the board issues the order. 2300

(4) If a violator fails to pay a fine by the date 2301
specified in the board's order and does not request an extension 2302
within ten days after the date the board issues the order, or if 2303
the violator fails to pay the fine within the extended time 2304
period as described in division (E) (3) of this section, the 2305
board shall add to the fine an additional penalty equal to ten 2306
per cent of the fine. 2307

(5) If a violator fails to pay a fine within ninety days 2308
after the board issues the order, the board shall add to the 2309
fine interest at a rate specified by the board in rules adopted 2310
under section 4713.08 of the Revised Code. 2311

(6) If the fine, including any interest or additional 2312
penalty, remains unpaid on the ninety-first day after the board 2313
issues an order under division (E)(2) of this section, the 2314
amount of the fine and any interest or additional penalty shall 2315
be certified to the attorney general for collection in the form 2316
and manner prescribed by the attorney general. The attorney 2317
general may assess the collection cost to the amount certified 2318
in such a manner and amount as prescribed by the attorney 2319
general. 2320

(F) In the case of an offense of failure to comply with 2321
division (A) or (B)(2) or (3) of section 4713.50 of the Revised 2322
Code, the board shall impose a fine of five hundred dollars if 2323
the violator has not previously been fined for that offense. If 2324
the violator has previously been fined for the offense, the 2325
board may impose a fine in accordance with this division or take 2326
another action in accordance with division (B) of this section. 2327

~~(E)~~(G) The board shall notify a licensee or registrant 2328
who is in violation of division (A) of this section and the 2329
owner of the salon in which the conditions constituting the 2330
violation were found. The individual receiving the notice of 2331
violation and the owner of the salon may request a hearing 2332
pursuant to section 119.07 of the Revised Code. If a person—the 2333
individual or owner fails to request a hearing within or enter 2334
into a consent agreement thirty days of—after the date the 2335
board, in accordance with section 119.07 of the Revised Code and 2336
division (J) of this section, notifies the person—individual or 2337

owner of the board's intent to act against the ~~person~~individual 2338
or owner under division (A) of this section, the board by a 2339
majority vote of a quorum of the board members may take the 2340
action against the ~~person~~individual or owner without holding an 2341
adjudication hearing. 2342

~~(F)~~(H) The board, after a hearing in accordance with 2343
Chapter 119. of the Revised Code or pursuant to a consent 2344
agreement, may suspend a ~~tanning facility license, permit, or~~ 2345
registration if the ~~owner or operator licensee, permit holder,~~ 2346
or registrant fails to correct an unsafe condition that exists 2347
in violation of the board's rules or fails to cooperate in an 2348
inspection ~~of the tanning facility~~. If a violation of this 2349
chapter or rules adopted under it has resulted in a condition 2350
reasonably believed by an inspector to create an immediate 2351
danger to the health and safety of any ~~person~~individual using 2352
the ~~tanning facility~~, the inspector may suspend the license or 2353
permit of the facility or the individual responsible for the 2354
violation without a prior hearing until the condition is 2355
corrected or until a hearing in accordance with Chapter 119. of 2356
the Revised Code is held or a consent agreement is entered into 2357
and the board either upholds the suspension or reinstates the 2358
license, permit, or registration. 2359

(I) The board shall not take disciplinary action against 2360
an individual licensed to operate a salon or school of 2361
cosmetology for a violation of this chapter that was committed 2362
by an individual licensed to practice a branch of cosmetology, 2363
while practicing within the salon or school, when the 2364
individual's actions were beyond the control of the salon owner 2365
or school. 2366

(J) In addition to the methods of notification required 2367

under section 119.07 of the Revised Code, the board may send the 2368
notices required under divisions (C) (2), (E) (2), and (G) of this 2369
section by any delivery method that is traceable and requires 2370
that the delivery person obtain a signature to verify that the 2371
notice has been delivered. The board also may send the notices 2372
by electronic mail, provided that the electronic mail delivery 2373
system certifies that a notice has been received. 2374

Sec. 4713.641. Any student or former student of a school 2375
of cosmetology licensed under division (A) of section 4713.44 of 2376
the Revised Code may file a complaint with the state board of 2377
cosmetology alleging that the school has violated division (A) 2378
of section 4713.64 of the Revised Code. The complaint shall be 2379
in writing and signed by the ~~person~~individual bringing the 2380
complaint. Upon receiving a complaint, the board shall initiate 2381
a preliminary investigation to determine whether it is probable 2382
that a violation was committed. If the board determines after 2383
preliminary investigation that it is not probable that a 2384
violation was committed, the board shall notify the ~~person~~ 2385
individual who filed the complaint of the board's findings and 2386
that the board will not issue a formal complaint in the matter. 2387
If the board determines after a preliminary investigation that 2388
it is probable that a violation was committed, the board shall 2389
proceed against the school pursuant to the board's authority 2390
under section 4713.64 of the Revised Code and in accordance with 2391
the hearing and notice requirements prescribed in Chapter 119. 2392
of the Revised Code. 2393

Sec. 4713.66. (A) The state board of cosmetology, on its 2394
own motion or on receipt of a written complaint, may investigate 2395
or inspect the activities or premises of an individual or entity 2396
who is alleged to have violated this chapter or rules adopted 2397
under it, regardless of whether the individual or entity holds a 2398

license or registration issued under this chapter. 2399

(B) If, based on its investigation, the board determines 2400
that there is reasonable cause to believe that an individual or 2401
entity has violated this chapter or rules adopted under it, the 2402
board shall afford the individual or entity an opportunity for a 2403
hearing. Notice shall be given and any hearing conducted in 2404
accordance with Chapter 119. of the Revised Code. 2405

(C) The board shall maintain a transcript of the hearing 2406
and issue a written opinion to all parties, citing its findings 2407
and ground for any action it takes. Any action shall be taken in 2408
accordance with section 4713.64 of the Revised Code. 2409

Sec. 4713.69. (A) The state board of cosmetology shall 2410
issue a boutique services registration to an applicant who 2411
satisfies all of the following applicable conditions: 2412

(1) Is at least sixteen years of age; 2413

(2) Is of good moral character; 2414

(3) Has the equivalent of an Ohio public school tenth 2415
grade education; 2416

(4) Has submitted a written application on a form 2417
prescribed by the board containing all of the following: 2418

(a) The applicant's name and home address; 2419

(b) The applicant's home telephone number and cellular 2420
telephone number, if any; 2421

(c) The applicant's electronic mail address, if any; 2422

(d) The applicant's date of birth; 2423

(e) The address and telephone number where boutique 2424
services will be performed. The address shall not contain a post 2425

<u>office box number.</u>	2426
<u>(f) Whether the applicant has an occupational license, certification, or registration to provide beauty services in another state, and if so, what type of license and in what state;</u>	2427 2428 2429 2430
<u>(g) Whether the applicant has ever had an occupational license, certification, or registration suspended, revoked, or denied in any state;</u>	2431 2432 2433
<u>(h) An affidavit providing proof of formal training or apprenticeship under an individual providing such services.</u>	2434 2435
<u>(B) The place of business where boutique services are performed must comply with the safety and sanitation requirements for licensed salon facilities as described in section 4713.41 of the Revised Code.</u>	2436 2437 2438 2439
<u>(C) Within six months of the effective date of this section, the board shall specify the manner by which boutique services registrants shall fulfill the continuing education requirements set forth in section 4713.09 of the Revised Code.</u>	2440 2441 2442 2443
Sec. 4713.99. Whoever violates section 4713.14 of the Revised Code is guilty of a misdemeanor of the fourth degree on a first offense; on each subsequent offense, such person <u>individual</u> is guilty of a misdemeanor of the third degree.	2444 2445 2446 2447
Section 2. That existing sections 2925.01, 4713.01, 4713.02, 4713.03, 4713.06, 4713.07, 4713.08, 4713.081, 4713.082, 4713.09, 4713.10, 4713.13, 4713.14, 4713.141, 4713.16, 4713.17, 4713.20, 4713.21, 4713.22, 4713.24, 4713.25, 4713.26, 4713.28, 4713.30, 4713.31, 4713.34, 4713.35, 4713.36, 4713.37, 4713.39, 4713.41, 4713.42, 4713.44, 4713.45, 4713.48, 4713.55, 4713.56, 4713.57, 4713.58, 4713.59, 4713.60, 4713.61, 4713.62, 4713.63,	2448 2449 2450 2451 2452 2453 2454

4713.64, 4713.641, and 4713.99 of the Revised Code are hereby 2455
repealed. 2456

Section 3. Not more than two years after the effective 2457
date of this act, the State Board of Cosmetology shall issue an 2458
advanced license to all individuals holding a valid managing 2459
license for the level of licensure attained by the individual 2460
prior to the effective date of this act. 2461

Section 4. On or before December 31, 2016, the Governor 2462
shall appoint the member of the State Board of Cosmetology who 2463
holds a tanning permit, and the member who holds an esthetician 2464
license as described in section 4713.02 of the Revised Code. The 2465
initial terms of office shall be from the date of appointment 2466
until October 31, 2021. 2467

Section 5. Notwithstanding division (A) of section 4713.02 2468
of the Revised Code which, as a result of amendments made by 2469
this act, no longer permits an owner or manager of a licensed 2470
salon in which at least one person holding a current, valid 2471
independent contractor license practices a branch of cosmetology 2472
to be appointed to a seat on the Board of Cosmetology, an owner 2473
or manager of such a salon who holds a seat on the Board on the 2474
effective date of this act may retain that seat until the 2475
current term of the seat expires. 2476