

**As Introduced**

**134th General Assembly  
Regular Session  
2021-2022**

**S. B. No. 133**

**Senator Roegner**

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**A BILL**

To amend sections 4709.05, 4709.07, 4709.08, 1  
4709.10, 4713.08, 4713.09, 4713.24, 4713.28, 2  
4713.31, 4713.34, 4713.45, and 4713.59 of the 3  
Revised Code to revise the law governing the 4  
regulation of cosmetologists and barbers. 5

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

**Section 1.** That sections 4709.05, 4709.07, 4709.08, 6  
4709.10, 4713.08, 4713.09, 4713.24, 4713.28, 4713.31, 4713.34, 7  
4713.45, and 4713.59 of the Revised Code be amended to read as 8  
follows: 9

**Sec. 4709.05.** In addition to any other duty imposed on the 10  
state cosmetology and barber board under this chapter or Chapter 11  
4713. of the Revised Code, the board shall do all of the 12  
following: 13

(A) Hold regular meetings, at the times and places as it 14  
determines for the purpose of conducting the examinations 15  
required under this chapter, and hold additional meetings for 16  
the transaction of necessary business; 17

(B) Maintain a record of its proceedings and a register of 18  
persons licensed as barbers. The register shall include each 19

licensee's name, place of business, residence, and licensure 20  
date and number, and a record of all licenses issued, refused, 21  
renewed, suspended, or revoked. The records are open to public 22  
inspection at all reasonable times. 23

(C) Ensure that the practice of barbering is conducted 24  
only in a licensed barber shop, except when the practice of 25  
barbering is performed on a person whose physical or mental 26  
disability prevents that person from going to a licensed barber 27  
shop; 28

(D) Conduct or have conducted the examination for 29  
applicants to practice as licensed barbers at least four times 30  
per year at the times and places the board determines; 31

(E) Adopt rules, in accordance with Chapter 119. of the 32  
Revised Code, to administer and enforce this chapter and which 33  
cover all of the following: 34

(1) Sanitary standards for the operation of barber shops 35  
and barber schools that conform to guidelines established by the 36  
department of health; 37

(2) The content of the examination required of an 38  
applicant for a barber license. The examination shall include a 39  
practical demonstration and a written test, shall relate only to 40  
the practice of barbering, and shall require the applicant to 41  
demonstrate that the applicant has a thorough knowledge of and 42  
competence in the proper techniques in the safe use of chemicals 43  
used in the practice of barbering. 44

(3) Continuing education requirements for persons licensed 45  
pursuant to this chapter that may be satisfied by either 46  
classroom instruction or distance education. The board may 47  
impose continuing education requirements upon a licensee for a 48

violation of this chapter or the rules adopted pursuant thereto	49
or if the board determines that the requirements are necessary	50
to preserve the health, safety, or welfare of the public.	51
(4) Requirements for the licensure of barber schools, barber teachers, and assistant barber teachers;	52 53
(5) Requirements for students of barber schools;	54
(6) <u>Standards for board approval of training in barbering by barber schools licensed in this state offered through classroom instruction or distance education;</u>	55 56 57
(7) <u>The designation of testing facilities in this state that are authorized to administer the written portion of the examination required for an applicant for a barber license on behalf of the board;</u>	58 59 60 61
(8) <u>Any other area the board determines appropriate to administer or enforce this chapter.</u>	62 63
(F) Prior to adopting any rule under this chapter, indicate at a formal hearing the reasons why the rule is necessary as a protection of the persons who use barber services or as an improvement of the professional standing of barbers in this state;	64 65 66 67 68
(G) Furnish each owner or manager of a barber shop and barber school with a copy of all sanitary rules adopted pursuant to division (E) of this section;	69 70 71
(H) Conduct such investigations and inspections of persons and establishments licensed or unlicensed pursuant to this chapter and for that purpose, any member of the board or any of its authorized agents may enter and inspect any place of business of a licensee or a person suspected of violating this	72 73 74 75 76

chapter or the rules adopted pursuant thereto, during normal 77  
business hours; 78

(I) Upon the written request of an applicant and the 79  
payment of the appropriate fee, provide to the applicant 80  
licensure information concerning the applicant; 81

(J) Do all things necessary for the proper administration 82  
and enforcement of this chapter. 83

**Sec. 4709.07.** (A) Each person who desires to obtain an 84  
initial license to practice barbering shall apply to the state 85  
cosmetology and barber board, on forms provided by the board. 86  
The application form shall include the name of the person 87  
applying for the license and evidence that the applicant meets 88  
all of the requirements of division (B) of this section. The 89  
application shall be accompanied by two signed current 90  
photographs of the applicant, in the size determined by the 91  
board, that show only the head and shoulders of the applicant, 92  
and the examination application fee. 93

(B) In order to take the required barber examination and 94  
to qualify for licensure as a barber, an applicant must 95  
demonstrate that the applicant meets all of the following: 96

(1) Is at least eighteen years of age; 97

(2) Has an eighth grade education or an equivalent 98  
education as determined by the state board of education in the 99  
state where the applicant resides; 100

(3) Has graduated with at least one thousand ~~eight hundred~~ 101  
hours of training from a board-approved barber school or has 102  
graduated with at least ~~one thousand~~ four hundred hours of 103  
training from a board-approved barber school in this state and 104  
has a current cosmetology or hair designer license issued 105

pursuant to Chapter 4713. of the Revised Code. No hours of 106  
instruction earned by an applicant five or more years prior to 107  
the examination apply to the hours of study required by this 108  
division. 109

(C) (1) Any applicant who meets all of the requirements of 110  
divisions (A) and (B) of this section may take the barber 111  
examination at the time and place specified by the board. An 112  
applicant may elect to take the written portion of the 113  
examination at a testing facility designated by the board under 114  
section 4709.05 of the Revised Code, and the practical 115  
demonstration portion of the examination at the barber school 116  
from which the applicant graduated. The applicant is responsible 117  
for any additional costs associated with taking the examination 118  
at a testing facility or barber school. 119

(2) If the applicant fails to attain at least a seventy- 120  
five per cent pass rate on each part of the examination, the 121  
applicant is ineligible for licensure; however, the applicant 122  
may reapply for examination within ninety days after the date of 123  
the release of the examination scores by paying the required 124  
reexamination fee. An applicant is only required to take that 125  
part or parts of the examination on which the applicant did not 126  
receive a score of seventy-five per cent or higher. If the 127  
applicant fails to reapply for examination within ninety days or 128  
fails the second examination, in order to reapply for 129  
examination for licensure the applicant shall complete an 130  
additional course of study of not less than two hundred hours, 131  
in a board-approved barber school. The board shall provide to an 132  
applicant, upon request, a report which explains the reasons for 133  
the applicant's failure to pass the examination. 134

(D) The board shall issue a license to practice barbering 135

to any applicant who, to the satisfaction of the board, meets 136  
the requirements of divisions (A) and (B) of this section, who 137  
passes the required examination, and pays the initial licensure 138  
fee. Every licensed barber shall display the certificate of 139  
licensure in a conspicuous place adjacent to or near the 140  
licensed barber's work chair, along with a signed current 141  
photograph, in the size determined by the board, showing head 142  
and shoulders only. 143

**Sec. 4709.08.** (A) Any person who holds a current license 144  
or registration to practice as a barber in any other state or 145  
district of the United States or country ~~whose requirements for~~ 146  
~~licensure or registration of barbers are substantially~~ 147  
~~equivalent to the requirements of this chapter and rules adopted~~ 148  
~~under it and that extends similar reciprocity to persons~~ 149  
~~licensed as barbers in this state may apply to the state~~ 150  
cosmetology and barber board for a barber license. The board 151  
shall, ~~without examination, unless the board determines to~~ 152  
~~require an examination,~~ issue a license by endorsement to 153  
practice as a licensed barber in this state if the person meets 154  
all of the requirements of this section, is following applicable 155  
conditions: 156

(1) Is at least eighteen years of age, and pays; 157

(2) Pays the required fees; 158

(3) If the person is licensed or registered in another 159  
state, submits to the board satisfactory evidence of that fact; 160

(4) If the person is licensed or registered or was trained 161  
in another country, submits to the board satisfactory evidence 162  
of that fact and that the standards for licensure, registration, 163  
or training in that country were substantially similar to those 164

of this state at the time the person was licensed, registered, 165  
or trained. The 166

(B) The board may waive do either of the following for a 167  
person applying for a license under this section: 168

(1) Waive any of the requirements listed in division (A) 169  
of this section; 170

(2) Require the person to pass an examination. 171

**Sec. 4709.10.** (A) Each person who desires to obtain a 172  
license to operate a barber school shall apply to the state 173  
cosmetology and barber board, on forms provided by the board. 174  
The board shall issue a barber school license to a person if the 175  
board determines that the person meets and will comply with all 176  
of the requirements of division (B) of this section and pays the 177  
required licensure and inspection fees. 178

(B) In order for a person to qualify for a license to 179  
operate a barber school, the barber school to be operated by the 180  
person must meet all of the following requirements: 181

(1) Have a training facility sufficient to meet the 182  
required educational curriculum established by the board, 183  
including enough space to accommodate all the facilities and 184  
equipment required by rule by the board; 185

(2) Provide sufficient licensed teaching personnel to meet 186  
the minimum pupil-teacher ratio established by rule of the 187  
board; 188

(3) Have established and provide to the board proof that 189  
it has met all of the board requirements to operate a barber 190  
school, as adopted by rule of the board; 191

(4) File with the board a program of its curriculum, 192

accounting for not less than one thousand ~~eight hundred~~ hours of 193  
instruction in the courses of theory and practical demonstration 194  
required by rule of the board; 195

(5) File with the board a surety bond in the amount of ten 196  
thousand dollars issued by a bonding company licensed to do 197  
business in this state. The bond shall be in the form prescribed 198  
by the board and conditioned upon the barber school's continued 199  
instruction in the theory and practice of barbering. The bond 200  
shall continue in effect until notice of its termination is 201  
provided to the board. In no event, however, shall the bond be 202  
terminated while the barber school is in operation. Any student 203  
who is injured or damaged by reason of a barber school's failure 204  
to continue instruction in the theory and practice of barbering 205  
may maintain an action on the bond against the barber school or 206  
the surety, or both, for the recovery of any money or tuition 207  
paid in advance for instruction in the theory and practice of 208  
barbering which was not received. The aggregate liability of the 209  
surety to all students shall not exceed the sum of the bond. 210

(6) Maintain adequate record keeping to ensure that it has 211  
met the requirements for records of student progress as required 212  
by board rule; 213

(7) Establish minimum standards for acceptance of student 214  
applicants for admission to the barber school. The barber school 215  
may establish entrance requirements which are more stringent 216  
than those prescribed by the board, but the requirements must at 217  
a minimum require the applicant to meet all of the following: 218

(a) Be at least seventeen years of age; 219

(b) Have an eighth grade education, or an equivalent 220  
education as determined by the state board of education; 221



(c) Submit two signed current photographs of the applicant, in the size determined by the board.	222 223
(8) Have a procedure to submit every student applicant's admission application to the board for the board's review and approval prior to the applicant's admission to the barber school;	224 225 226 227
(9) Operate in a manner which reflects credit upon the barbering profession;	228 229
(10) Offer a curriculum of study which covers all aspects of the scientific fundamentals of barbering as specified by rule of the board;	230 231 232
(11) Employ no more than two licensed assistant barber teachers for each licensed barber teacher employed or fewer than two licensed teachers or one licensed teacher and one licensed assistant teacher at each facility.	233 234 235 236
(C) <u>A barber school may offer the required education curriculum by classroom instruction or distance education for the purpose of satisfying minimum hours of instruction.</u>	237 238 239
<u>(D)</u> Each person who desires to obtain a barber teacher or assistant barber teacher license shall apply to the board, on forms provided by the board. The board shall only issue a barber teacher license to a person who meets all of the following requirements:	240 241 242 243 244
(1) Holds a current barber license issued pursuant to this chapter and has at least eighteen months of work experience in a licensed barber shop or has been employed as an assistant barber teacher under the supervision of a licensed barber teacher for at least one year, unless, for good cause, the board waives this requirement;	245 246 247 248 249 250

(2) Meets such other requirements as adopted by rule by the board;	251 252
(3) Passes the required examination; and	253
(4) Pays the required fees. If an applicant fails to pass the examination, the applicant may reapply for the examination and licensure no earlier than one year after the failure to pass and provided that during that period, the applicant remains employed as an assistant barber teacher.	254 255 256 257 258
The board shall only issue an assistant barber teacher license to a person who holds a current barber license issued pursuant to this chapter and pays the required fees.	259 260 261
<del>(D)</del> <u>(E)</u> Any person who meets the qualifications of an assistant teacher pursuant to division <del>(C)</del> <u>(D)</u> of this section, may be employed as an assistant teacher, provided that within five days after the commencement of the employment the barber school submits to the board, on forms provided by the board, the applicant's qualifications.	262 263 264 265 266 267
<b>Sec. 4713.08.</b> (A) The state cosmetology and barber board shall adopt rules in accordance with Chapter 119. of the Revised Code as necessary to implement this chapter. The rules shall do all of the following:	268 269 270 271
(1) Govern the practice of the branches of cosmetology;	272
(2) Specify conditions an individual must satisfy to qualify for a temporary pre-examination work permit under section 4713.22 of the Revised Code and the conditions and method of renewing a temporary pre-examination work permit under that section;	273 274 275 276 277
(3) Provide for the conduct of examinations under section	278

4713.24 of the Revised Code;	279
(4) <u>Designate testing facilities in this state that are</u>	280
<u>authorized to administer the written portion of the examination</u>	281
<u>required by section 4713.24 of the Revised Code for an applicant</u>	282
<u>seeking a practicing license on behalf of the board;</u>	283
<u>(5) Specify conditions under which the board will take</u>	284
<u>into account, under section 4713.32 of the Revised Code,</u>	285
<u>instruction an applicant for a license under section 4713.28,</u>	286
<u>4713.30, or 4713.31 of the Revised Code received more than five</u>	287
<u>years before the date of application for the license;</u>	288
<del>(5)-(6) Provide for the granting of waivers under section</del>	289
<del>4713.29 of the Revised Code;</del>	290
<del>(6) Specify conditions an applicant must satisfy for the</del>	291
<del>board to issue the applicant a license under section 4713.34 of</del>	292
<del>the Revised Code without the applicant taking an examination</del>	293
<del>conducted under section 4713.24 of the Revised Code;</del>	294
(7) Specify locations in which glamour photography	295
services in which a branch of cosmetology is practiced may be	296
provided;	297
(8) Establish conditions and the fee for a temporary	298
special occasion work permit under section 4713.37 of the	299
Revised Code and specify the amount of time such a permit is	300
valid;	301
(9) Specify conditions an applicant must satisfy for the	302
board to issue the applicant an independent contractor license	303
under section 4713.39 of the Revised Code and the fee for	304
issuance and renewal of the license;	305
(10) Establish conditions under which food may be sold at	306

a salon;	307
(11) Specify which professions regulated by a professional regulatory board of this state may be practiced in a salon under section 4713.42 of the Revised Code;	308 309 310
(12) Establish standards for the provision of cosmetic therapy, massage therapy, or other professional service in a salon pursuant to section 4713.42 of the Revised Code;	311 312 313
(13) Establish standards for board approval of, and the granting of credits for, training in branches of cosmetology at schools of cosmetology licensed in this state <u>offered through classroom instruction or distance education</u> ;	314 315 316 317
(14) Establish the manner in which a school of cosmetology licensed under section 4713.44 of the Revised Code may offer post-secondary and advanced practice programs, <u>including classroom instruction or distance education</u> ;	318 319 320 321
(15) Establish sanitary standards for the practice of the branches of cosmetology, salons, and schools of cosmetology;	322 323
(16) Establish the application process for obtaining a tanning facility permit under section 4713.48 of the Revised Code, including the amount of the fee for an initial or renewed permit;	324 325 326 327
(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:	328 329 330
(a) Establish a maximum safe time of exposure to radiation and a maximum safe temperature at which sun lamps may be operated;	331 332 333
(b) Require consumers to wear protective eyeglasses;	334

(c) Require consumers to be supervised as to the length of time consumers use the facility's sun lamps;	335 336
(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 individuals taking certain medications and of the possible relationship of the radiation to skin cancer;	337 338 339 340 341
(e) Require the installation of protective shielding for sun lamps and handrails for consumers;	342 343
(f) Require floors to be dry during operation of lamps;	344
(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.	345 346 347 348
(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:	349 350 351
(i) Establish a fee for having a license classified inactive that reflects the cost to the board of providing the inactive license service. If one or more renewal periods have elapsed since the license was valid, the fee shall not include lapsed renewal fees for more than three of those renewal periods;	352 353 354 355 356 357
(ii) Specify the continuing education that an individual whose license has been classified inactive must complete to have the license restored. The continuing education shall be sufficient to ensure the minimum competency in the use or administration of a new procedure or product required by a licensee necessary to protect public health and safety. The	358 359 360 361 362 363

requirement shall not exceed the cumulative number of hours of 364  
continuing education that the individual would have been 365  
required to complete had the individual retained an active 366  
license. 367

(b) In addition, the board may specify the conditions and 368  
method for granting a temporary work permit to practice a branch 369  
of cosmetology to an individual whose license has been 370  
classified inactive. 371

(19) Establish a fee for approval of a continuing 372  
education program under section 4713.62 of the Revised Code that 373  
is adequate to cover any expense the board incurs in the 374  
approval process; 375

(20) Establish conditions under which a cosmetology 376  
student seeking a practicing license may take the written 377  
portion of the examination required by section 4713.24 of the 378  
Revised Code before the student has completed the minimum number 379  
of hours of training required under section 4713.28 of the 380  
Revised Code for the license; 381

(21) Anything else necessary to implement this chapter. 382

(B) (1) The rules adopted under division (A) (2) of this 383  
section may establish additional conditions for a temporary pre- 384  
examination work permit under section 4713.22 of the Revised 385  
Code that are applicable to individuals who practice a branch of 386  
cosmetology in another state or country. 387

(2) The rules adopted under division (A) (18) (b) of this 388  
section may establish additional conditions for a temporary work 389  
permit that are applicable to individuals who practice a branch 390  
of cosmetology in another state. 391

(C) ~~The conditions specified in rules adopted under~~ 392

~~division (A) (6) of this section may include that an applicant is~~ 393  
~~applying for a license to practice a branch of cosmetology for~~ 394  
~~which the board determines an examination is unnecessary.~~ 395

~~(D)~~The rules adopted under division (A) (11) of this 396  
section shall not include a profession if practice of the 397  
profession in a salon is a violation of a statute or rule 398  
governing the profession. 399

~~(E)~~(D) The sanitary standards established under division 400  
(A) (15) of this section shall focus in particular on precautions 401  
to be employed to prevent infectious or contagious diseases 402  
being created or spread. The board shall consult with the Ohio 403  
department of health when establishing the sanitary standards. 404

~~(F)~~(E) The fee established by rules adopted under 405  
division (A) (16) of this section shall cover the cost the board 406  
incurs in inspecting tanning facilities and enforcing the 407  
board's rules but may not exceed one hundred dollars per 408  
location of such facilities. 409

(F) The rules adopted under division (A) (20) of this 410  
section shall do all of the following: 411

(1) Permit a cosmetology student to take the written 412  
portion of the examination required by section 4713.24 of the 413  
Revised Code after the student has completed the minimum hours 414  
of training for that license described in division (H) of 415  
section 4713.24 of the Revised Code; 416

(2) Require the student to complete the remainder of the 417  
required training before licensure; 418

(3) Require the board to grant the student a license on 419  
successful completion of the requirements established in the 420  
rules, unless the individual is subject to potential 421

disciplinary action under section 4713.64 of the Revised Code. 422

**Sec. 4713.09.** (A) The state cosmetology and barber board 423  
may adopt rules in accordance with section 4713.08 of the 424  
Revised Code to establish a continuing education requirement, 425  
not to exceed eight hours in a biennial licensing period, as a 426  
condition of renewal for a practicing license, advanced license, 427  
instructor license, or boutique services registration. These 428  
hours may include training in identifying and addressing the 429  
crime of trafficking in persons as described in section 2905.32 430  
of the Revised Code. At least two of the eight hours of the 431  
continuing education requirement must be achieved in courses 432  
concerning safety and sanitation, and at least one hour of the 433  
eight hours of the continuing education requirement must be 434  
achieved in courses concerning law and rule updates. 435

(B) The rules adopted in accordance with division (A) of 436  
this section shall permit the continuing education requirement 437  
to be satisfied by either classroom instruction or distance 438  
education. 439

**Sec. 4713.24.** (A) The state cosmetology and barber board 440  
shall conduct an examination for each individual who satisfies 441  
the requirements established by section 4713.20 of the Revised 442  
Code for admission to the examination. An individual may elect 443  
to take the written portion of the examination at a testing 444  
facility designated by the board in rules adopted in accordance 445  
with section 4713.08 of the Revised Code, and the practical 446  
demonstration portion of the examination at the school of 447  
cosmetology the applicant graduated from. The applicant is 448  
responsible for any additional costs associated with taking the 449  
examination at a testing facility or school of cosmetology. 450

(B) Examinations for licensure for any branch of 451



cosmetology shall assess the ability of a prospective 452  
cosmetology professional to maintain a safe and sanitary place 453  
of service delivery. The board may develop and administer the 454  
appropriate examination or enter into an agreement with a 455  
national testing service to develop the examination, administer 456  
the examination, or both. The examination shall be specific to 457  
the type of license the individual seeks and satisfy all of the 458  
following conditions: 459

(1) Include both practical demonstrations and written or 460  
oral tests related to the type of license the individual seeks; 461

(2) Relate only to a branch of cosmetology, but not be 462  
confined to any special system or method; 463

(3) Be consistent in both practical and technical 464  
requirements for the type of license the individual seeks; 465

(4) Be of sufficient thoroughness to satisfy the board as 466  
to the individual's skill in and knowledge of the branch of 467  
cosmetology for which the examination is conducted. 468

~~(B) Not later than two years after September 13, 2016, the~~ 469  
(C) The board shall create a curriculum and an examination for 470  
individuals seeking licensure to become an instructor and shall 471  
conduct an examination for each individual who satisfies the 472  
requirements established pursuant to section 4713.31 of the 473  
Revised Code for admission to the examination. 474

~~(C)~~ (D) The board shall adopt rules regarding the 475  
equipment or supplies an individual is required to bring to an 476  
examination described in this section. 477

~~(D)~~ (E) The board shall not release the questions 478  
developed for the examinations and the practical demonstrations 479  
used in the testing process, except for the following purposes: 480

(1) Reviewing or rewriting of any part of the examination 481  
on a periodic basis as prescribed in rules adopted under section 482  
4713.08 of the Revised Code; 483

(2) Testing of individuals in another state for admission 484  
to the profession of cosmetology or any of its branches as 485  
required under a contract or by means of a license with that 486  
state; 487

(3) Complying with a public records request after which 488  
the questions or the demonstrations have become a public record 489  
under division ~~(F)~~(G) of this section and otherwise may 490  
lawfully be released. 491

~~(E)~~(F) The examination papers and the scored results of 492  
the practical demonstrations of each individual examined by the 493  
board shall be open for inspection by the individual or the 494  
individual's attorney for at least ninety days following the 495  
announcement of the individual's grade, except for papers that 496  
under the terms of a contract with a testing service are not 497  
available for inspection. On written request of an individual or 498  
the individual's attorney made to the board not later than 499  
ninety days after announcement of the individual's grade, the 500  
board shall have the individual's practical examination papers 501  
regraded manually. 502

~~(F)~~(G) Test materials, examinations, or evaluation tools 503  
used in an examination for licensure under this chapter that the 504  
board develops or contracts with a private or government entity 505  
to administer shall become public records under section 149.43 506  
of the Revised Code fifteen years after the materials, 507  
examinations, or tools were first used in an assessment for 508  
licensure, unless the release of the record is otherwise 509  
prohibited by state or federal law, or the record is deemed to 510

be the proprietary information of a private entity. 511

(H) The board shall adopt rules in accordance with section 512  
4713.08 of the Revised Code to permit an individual to take any 513  
written portion of the examination required by division (B) of 514  
this section when the individual has completed the following 515  
amount of hours of instruction at a licensed school of 516  
cosmetology in this state: 517

(1) For an individual seeking a cosmetology license, at 518  
least seven hundred fifty hours; 519

(2) For an individual seeking an esthetics license, at 520  
least four hundred fifty hours; 521

(3) For an individual seeking a hair designer license, at 522  
least six hundred hours; 523

(4) For an individual seeking a natural hair stylist 524  
license, at least three hundred thirty-seven and one-half hours; 525

(5) For an individual seeking a manicurist license, at 526  
least one hundred fifty hours. 527

**Sec. 4713.28.** (A) The state cosmetology and barber board 528  
shall issue a practicing license to an applicant who satisfies 529  
all of the following applicable conditions: 530

(1) Is at least sixteen years of age; 531

(2) Has the equivalent of an Ohio public school tenth 532  
grade education; 533

(3) Has submitted a written application on a form 534  
furnished by the board that contains all of the following: 535

(a) The name of the individual and any other identifying 536  
information required by the board; 537

(b) A recent photograph of the individual that meets the specifications established by the board;	538 539
(c) A photocopy of the individual's current driver's license or other proof of legal residence;	540 541
(d) Proof that the individual is qualified to take the applicable examination as required by section 4713.20 of the Revised Code;	542 543 544
(e) An oath verifying that the information in the application is true;	545 546
(f) The applicable application fee.	547
(4) 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;	548 549 550
(5) Pays to the board the applicable license fee;	551
(6) In the case of an applicant for an initial cosmetologist license, has successfully completed at least one thousand <del>five hundred</del> hours of board-approved cosmetology training in a school of cosmetology licensed in this state, except that only <del>one thousand</del> <u>four hundred</u> hours of board-approved cosmetology training in a school of cosmetology licensed in this state is required of an individual licensed as a barber under Chapter 4709. of the Revised Code;	552 553 554 555 556 557 558 559
(7) 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;	560 561 562 563
(8) In the case of an applicant for an initial hair designer license, has successfully completed at least <del>one</del>	564 565

~~thousand two~~ eight hundred hours of board-approved hair designer 566  
training in a school of cosmetology licensed in this state, 567  
except that only ~~one thousand two~~ hundred hours of board- 568  
approved hair designer training in a school of cosmetology 569  
licensed in this state is required of an individual licensed as 570  
a barber under Chapter 4709. of the Revised Code; 571

(9) In the case of an applicant for an initial manicurist 572  
license, has successfully completed at least two hundred hours 573  
of board-approved manicurist training in a school of cosmetology 574  
licensed in this state; 575

(10) In the case of an applicant for an initial natural 576  
hair stylist license, has successfully completed at least four 577  
hundred fifty hours of instruction in subjects relating to 578  
sanitation, scalp care, anatomy, hair styling, communication 579  
skills, and laws and rules governing the practice of 580  
cosmetology. 581

(B) The board shall not deny a license to any applicant 582  
based on prior incarceration or conviction for any crime. If the 583  
board denies an individual a license or license renewal, the 584  
reasons for such denial shall be put in writing. 585

**Sec. 4713.31.** The state cosmetology and barber board shall 586  
issue an instructor license to an applicant who satisfies all of 587  
the following applicable conditions: 588

(A) Is at least eighteen years of age; 589

(B) Has the equivalent of an Ohio public school twelfth 590  
grade education; 591

(C) Pays to the board the applicable fee; 592

(D) In the case of an applicant for an initial cosmetology 593

instructor license, holds a current, valid advanced 594  
cosmetologist license issued in this state and does either of 595  
the following: 596

(1) Has the licensed advanced cosmetologist or owner of 597  
the licensed beauty salon in which the applicant has been 598  
employed certify to the board that the applicant has engaged in 599  
the practice of cosmetology in a licensed beauty salon for at 600  
least one thousand eight hundred hours; 601

(2) Has a school of cosmetology licensed in this state 602  
certify to the board that the applicant has successfully 603  
completed one thousand hours of board-approved cosmetology 604  
instructor training as an apprentice instructor. 605

(E) In the case of an applicant for an initial esthetics 606  
instructor license, holds a current, valid advanced esthetician 607  
or advanced cosmetologist license issued in this state and does 608  
either of the following: 609

(1) Has the licensed advanced esthetician, licensed 610  
advanced cosmetologist, or owner of the licensed esthetics salon 611  
or licensed beauty salon in which the applicant has been 612  
employed certify to the board that the applicant has engaged in 613  
the practice of esthetics in a licensed esthetics salon or 614  
practice of cosmetology in a licensed beauty salon for at least 615  
one thousand eight hundred hours; 616

(2) Has a school of cosmetology licensed in this state 617  
certify to the board that the applicant has successfully 618  
completed at least five hundred hours of board-approved 619  
esthetics instructor training as an apprentice instructor. 620

(F) In the case of an applicant for an initial hair design 621  
instructor license, holds a current, valid advanced hair 622

designer or advanced cosmetologist license and does either of 623  
the following: 624

(1) Has the licensed advanced hair designer, licensed 625  
advanced cosmetologist, or owner of the licensed hair design 626  
salon or licensed beauty salon in which the applicant has been 627  
employed certify to the board that the applicant has engaged in 628  
the practice of hair design in a licensed hair design salon or 629  
practice of cosmetology in a licensed beauty salon for at least 630  
one thousand eight hundred hours; 631

(2) Has a school of cosmetology licensed in this state 632  
certify to the board that the applicant has successfully 633  
completed at least eight hundred hours of board-approved hair 634  
design instructor's training as an apprentice instructor. 635

(G) In the case of an applicant for an initial manicurist 636  
instructor license, holds a current, valid advanced manicurist 637  
or advanced cosmetologist license and does either of the 638  
following: 639

(1) Has the licensed advanced manicurist, licensed 640  
advanced cosmetologist, or owner of the licensed nail salon or 641  
licensed beauty salon in which the applicant has been employed 642  
certify to the board that the applicant has engaged in the 643  
practice of manicuring in a licensed nail salon or practice of 644  
cosmetology in a licensed beauty salon for at least one thousand 645  
eight hundred hours; 646

(2) Has a school of cosmetology licensed in this state 647  
certify to the board that the applicant has successfully 648  
completed at least three hundred hours of board-approved 649  
manicurist instructor training as an apprentice instructor. 650

(H) In the case of an applicant for an initial natural 651

hair style instructor license, holds a current, valid advanced 652  
natural hair stylist or advanced cosmetologist license and does 653  
either of the following: 654

(1) Has the licensed advanced natural hair stylist, 655  
licensed advanced cosmetologist, or owner of the licensed 656  
natural hair style salon or licensed beauty salon in which the 657  
applicant has been employed certify to the board that the 658  
applicant has engaged in the practice of natural hair styling in 659  
a licensed natural hair style salon or practice of cosmetology 660  
in a licensed beauty salon for at least one thousand eight 661  
hundred hours; 662

(2) Has a school of cosmetology licensed in this state 663  
certify to the board that the applicant has successfully 664  
completed at least four hundred hours of board-approved natural 665  
hair style instructor training as an apprentice instructor. 666

(I) In the case of all applicants, passes an examination 667  
conducted under division ~~(B)~~ (C) of section 4713.24 of the 668  
Revised Code for the branch of cosmetology the applicant seeks 669  
to instruct. 670

**Sec. 4713.34.** The state cosmetology and barber board shall 671  
issue a license by endorsement to practice a branch of 672  
cosmetology or instructor license to an applicant who is 673  
licensed or registered in another state or country to practice 674  
that branch of cosmetology or teach the theory and practice of 675  
that branch of cosmetology, as appropriate, if ~~all of the~~ 676  
~~following conditions are satisfied:~~ 677

~~(A)~~ The applicant satisfies all of the following 678  
applicable conditions: 679

~~(1)~~ (A) Is not less than eighteen years of age; 680



~~(2) In the case of an applicant for a practicing license, passes an examination conducted under section 4713.24 of the Revised Code for the license the applicant seeks, unless the applicant satisfies conditions specified in rules adopted under section 4713.08 of the Revised Code for the board to issue the applicant a license without taking the examination;~~

~~(3) (B) Pays the applicable fee;~~

(C) If the person is licensed or registered in another state, submits to the board satisfactory evidence of that fact;

(D) If the person is licensed or registered or was trained in another country, submits to the board satisfactory evidence of that fact and that the standards for licensure, registration, or training in that country were substantially similar to those of this state at the time the person was licensed, registered, or trained.

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

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

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

(1) In accordance with rules adopted under section 4713.08 of the Revised Code, a school of cosmetology operated by a public entity or a private person may offer clock hours, credit hours, or competency-based credits by classroom instruction or

<u>distance education</u> for the purpose of satisfying minimum hours	710
of training and instruction;	711
(2) Allow an apprentice cosmetology instructor the regular	712
quota of students prescribed by the state cosmetology and barber	713
board if a cosmetology instructor is present;	714
(3) Compensate an apprentice cosmetology instructor;	715
(4) Subject to division (B) of this section, employ an	716
individual who does not hold a current, valid instructor license	717
to teach subjects related to a branch of cosmetology.	718
(B) A school of cosmetology shall have a licensed	719
cosmetology instructor present when an individual employed	720
pursuant to division (A) (4) of this section teaches at the	721
school, unless the individual is one of the following:	722
(1) An individual with a current, valid teacher's	723
certificate or educator license issued by the state board of	724
education;	725
(2) An individual with a bachelor's degree in the subject	726
the person teaches at the school;	727
(3) An individual also employed by a university or college	728
to teach the subject the person teaches at the school.	729
(C) A school of cosmetology shall annually review the	730
subjects and coursework required to receive an initial	731
cosmetology license and advanced license and, in doing so, shall	732
incorporate standards adopted by the state cosmetology and	733
barber board pursuant to division (A) (13) of section 4713.08 of	734
the Revised Code.	735
<b>Sec. 4713.59.</b> If the state cosmetology and barber board	736
adopts rules under section 4713.09 of the Revised Code to	737

establish a continuing education requirement as a condition of 738  
renewal for a practicing license, advanced license, or 739  
instructor license, the board shall inform each affected 740  
licensee of the continuing education requirement that applies to 741  
the next biennial licensing period by including that information 742  
in the renewal notification it sends the licensee. The 743  
notification shall state that the licensee must complete the 744  
continuing education requirement, via classroom instruction or 745  
distance education, by the fifteenth day of January of the next 746  
odd-numbered year. 747

Hours completed in excess of the continuing education 748  
requirement may not be applied to the next biennial licensing 749  
period. 750

**Section 2.** That existing sections 4709.05, 4709.07, 751  
4709.08, 4709.10, 4713.08, 4713.09, 4713.24, 4713.28, 4713.31, 752  
4713.34, 4713.45, and 4713.59 of the Revised Code are hereby 753  
repealed. 754

**Section 3.** Not later than two years after the effective 755  
date of this section and in accordance with division (A) (20) of 756  
section 4713.08 of the Revised Code, the State Cosmetology and 757  
Barber Board shall adopt rules under Chapter 119. of the Revised 758  
Code to specify the circumstances under which an applicant for a 759  
practicing license may take the examination required by section 760  
4713.24 of the Revised Code before having successfully completed 761  
the minimum number of hours required for the license under 762  
section 4713.28 of the Revised Code. 763

**Section 4.** Sections 4709.07, 4709.08, 4709.10, 4713.28, 764  
4713.31, and 4713.34 of the Revised Code as presented in this 765  
act take effect on the later of October 9, 2021, or the 766  
effective date of this section. (October 9, 2021, is the 767

effective date of an earlier amendment to those sections by H.B.	768
263 of the 133rd General Assembly.)	769