

## As Introduced

**124th General Assembly  
Regular Session  
2001-2002**

**H. B. No. 415**

**REPRESENTATIVES Hollister, Schmidt, Fedor, White, Schuring, Carmichael**

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### A B I L L

To amend sections 2925.01, 4709.03, 4709.07, 4709.09,	1
4713.01, 4713.02, 4713.03, 4713.04, 4713.05,	2
4713.06, 4713.08, 4713.09, 4713.10, 4713.11,	3
4713.111, 4713.12, 4713.14, 4713.15, 4713.16,	4
4713.17, 4713.18, 4713.19, 4713.20, 4713.25,	5
4713.26, 4713.27, 4713.99, and 4717.14; to amend,	6
for the purpose of adopting new section numbers as	7
indicated in parentheses, sections 4713.04	8
(4713.28), 4713.05 (4713.20), 4713.06 (4713.24),	9
4713.08 (4713.55), 4713.09 (4713.34), 4713.11	10
(4713.60), 4713.111 (4713.59), 4713.12 (4713.17),	11
4713.14 (4713.41), 4713.15 (4713.44), 4713.16	12
(4713.56), 4713.17 (4713.64), 4713.18 (4713.04),	13
4713.19 (4713.05), 4713.20 (4713.14), 4713.22	14
(4713.11), 4713.25 (4713.48), 4713.26 (4713.13),	15
and 4713.27 (4713.65); to enact new sections	16
4713.06, 4713.07, 4713.08, 4713.09, 4713.15,	17
4713.16, 4713.21, 4713.22, 4713.25, and 4713.26 and	18
sections 4713.081, 4713.082, 4713.141, 4713.29,	19
4713.30, 4713.31, 4713.32, 4713.35, 4713.36,	20
4713.37, 4713.39, 4713.42, 4713.45, 4713.46,	21
4713.49, 4713.57, 4713.58, 4713.61, 4713.62, and	22
4713.63; and to repeal sections 4713.07, 4713.13,	23
4713.131, 4713.132, and 4713.21 of the Revised Code	24
to revise the law governing the State Board of	25

Cosmetology and the professions and facilities that 26  
the Board regulates. 27

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

**Section 1.** That sections 2925.01, 4709.03, 4709.07, 4709.09, 28  
4713.01, 4713.02, 4713.03, 4713.04, 4713.05, 4713.06, 4713.08, 29  
4713.09, 4713.10, 4713.11, 4713.111, 4713.12, 4713.14, 4713.15, 30  
4713.16, 4713.17, 4713.18, 4713.19, 4713.20, 4713.25, 4713.26, 31  
4713.27, 4713.99, and 4717.14 be amended; sections 4713.04 32  
(4713.28), 4713.05 (4713.20), 4713.06 (4713.24), 4713.08 33  
(4713.55), 4713.09 (4713.34), 4713.11 (4713.60), 4713.111 34  
(4713.59), 4713.12 (4713.17), 4713.14 (4713.41), 4713.15 35  
(4713.44), 4713.16 (4713.56), 4713.17 (4713.64), 4713.18 36  
(4713.04), 4713.19 (4713.05), 4713.20 (4713.14), 4713.22 37  
(4713.11), 4713.25 (4713.48), 4713.26 (4713.13), and 4713.27 38  
(4713.65) be amended for the purpose of adopting new section 39  
numbers as indicated in parentheses; and new sections 4713.06, 40  
4713.07, 4713.08, 4713.09, 4713.15, 4713.16, 4713.21, 4713.22, 41  
4713.25, and 4713.26 and sections 4713.081, 4713.082, 4713.141, 42  
4713.29, 4713.30, 4713.31, 4713.32, 4713.35, 4713.36, 4713.37, 43  
4713.39, 4713.42, 4713.45, 4713.46, 4713.49, 4713.57, 4713.58, 44  
4713.61, 4713.62, and 4713.63 of the Revised Code be enacted to 45  
read as follows: 46

**Sec. 2925.01.** As used in this chapter: 47

(A) "Administer," "controlled substance," "dispense," 48  
"distribute," "hypodermic," "manufacturer," "official written 49  
order," "person," "pharmacist," "pharmacy," "sale," "schedule I," 50  
"schedule II," "schedule III," "schedule IV," "schedule V," and 51  
"wholesaler" have the same meanings as in section 3719.01 of the 52  
Revised Code. 53

(B) "Drug dependent person" and "drug of abuse" have the same 54  
meanings as in section 3719.011 of the Revised Code. 55

(C) "Drug," "dangerous drug," "licensed health professional 56  
authorized to prescribe drugs," and "prescription" have the same 57  
meanings as in section 4729.01 of the Revised Code. 58

(D) "Bulk amount" of a controlled substance means any of the 59  
following: 60

(1) For any compound, mixture, preparation, or substance 61  
included in schedule I, schedule II, or schedule III, with the 62  
exception of marihuana, cocaine, L.S.D., heroin, and hashish and 63  
except as provided in division (D)(2) or (5) of this section, 64  
whichever of the following is applicable: 65

(a) An amount equal to or exceeding ten grams or twenty-five 66  
unit doses of a compound, mixture, preparation, or substance that 67  
is or contains any amount of a schedule I opiate or opium 68  
derivative; 69

(b) An amount equal to or exceeding ten grams of a compound, 70  
mixture, preparation, or substance that is or contains any amount 71  
of raw or gum opium; 72

(c) An amount equal to or exceeding thirty grams or ten unit 73  
doses of a compound, mixture, preparation, or substance that is or 74  
contains any amount of a schedule I hallucinogen other than 75  
tetrahydrocannabinol or lysergic acid amide, or a schedule I 76  
stimulant or depressant; 77

(d) An amount equal to or exceeding twenty grams or five 78  
times the maximum daily dose in the usual dose range specified in 79  
a standard pharmaceutical reference manual of a compound, mixture, 80  
preparation, or substance that is or contains any amount of a 81  
schedule II opiate or opium derivative; 82

(e) An amount equal to or exceeding five grams or ten unit 83

doses of a compound, mixture, preparation, or substance that is or  
contains any amount of phencyclidine;

(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 or contains any  
amount of a schedule II depressant substance or a schedule II  
hallucinogenic substance;

(g) An amount equal to or exceeding three grams of a  
compound, mixture, preparation, or substance that is or contains  
any amount of a schedule II stimulant, or any of its salts or  
isomers, that is not in a final dosage form manufactured by a  
person authorized by the Federal Food, Drug, and Cosmetic Act and  
the federal drug abuse control laws.

(2) 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 III or IV substance other than an  
anabolic steroid or a schedule III opiate or opium derivative;

(3) 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 III opiate or opium derivative;

(4) An amount equal to or exceeding two hundred fifty

milliliters or two hundred fifty grams of a compound, mixture,  
preparation, or substance that is or contains any amount of a  
schedule V substance;

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

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

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

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

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

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

(3) An offense under an existing or former law of this or any  
other state, or of the United States, of which planting,  
cultivating, harvesting, processing, making, manufacturing,  
producing, shipping, transporting, delivering, acquiring,  
possessing, storing, distributing, dispensing, selling, inducing  
another to use, administering to another, using, or otherwise  
dealing with a controlled substance is an element;

(4) A conspiracy to commit, attempt to commit, or complicity 146  
in committing or attempting to commit any offense under division 147  
(G)(1), (2), or (3) of this section. 148

(H) "Felony drug abuse offense" means any drug abuse offense 149  
that would constitute a felony under the laws of this state, any 150  
other state, or the United States. 151

(I) "Harmful intoxicant" does not include beer or 152  
intoxicating liquor but means any compound, mixture, preparation, 153  
or substance the gas, fumes, or vapor of which when inhaled can 154  
induce intoxication, excitement, giddiness, irrational behavior, 155  
depression, stupefaction, paralysis, unconsciousness, 156  
asphyxiation, or other harmful physiological effects, and 157  
includes, but is not limited to, any of the following: 158

(1) Any volatile organic solvent, plastic cement, model 159  
cement, fingernail polish remover, lacquer thinner, cleaning 160  
fluid, gasoline, or other preparation containing a volatile 161  
organic solvent; 162

(2) Any aerosol propellant; 163

(3) Any fluorocarbon refrigerant; 164

(4) Any anesthetic gas. 165

(J) "Manufacture" means to plant, cultivate, harvest, 166  
process, make, prepare, or otherwise engage in any part of the 167  
production of a drug, by propagation, extraction, chemical 168  
synthesis, or compounding, or any combination of the same, and 169  
includes packaging, repackaging, labeling, and other activities 170  
incident to production. 171

(K) "Possess" or "possession" means having control over a 172  
thing or substance, but may not be inferred solely from mere 173  
access to the thing or substance through ownership or occupation 174  
of the premises upon which the thing or substance is found. 175

(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 any of the following reference works:

(1) "The National Formulary";

(2) "The United States Pharmacopeia," prepared by authority of the United States Pharmacopeial Convention, Inc.;

(3) Other standard 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 206  
markings, labeling, packaging, distribution, or the price for 207  
which it is sold or offered for sale. 208

(P) An offense is "committed in the vicinity of a school" if 209  
the offender commits the offense on school premises, in a school 210  
building, or within one thousand feet of the boundaries of any 211  
school premises. 212

(Q) "School" means any school operated by a board of 213  
education or any school for which the state board of education 214  
prescribes minimum standards under section 3301.07 of the Revised 215  
Code, whether or not any instruction, extracurricular activities, 216  
or training provided by the school is being conducted at the time 217  
a criminal offense is committed. 218

(R) "School premises" means either of the following: 219

(1) The parcel of real property on which any school is 220  
situated, whether or not any instruction, extracurricular 221  
activities, or training provided by the school is being conducted 222  
on the premises at the time a criminal offense is committed; 223

(2) Any other parcel of real property that is owned or leased 224  
by a board of education of a school or the governing body of a 225  
school for which the state board of education prescribes minimum 226  
standards under section 3301.07 of the Revised Code and on which 227  
some of the instruction, extracurricular activities, or training 228  
of the school is conducted, whether or not any instruction, 229  
extracurricular activities, or training provided by the school is 230  
being conducted on the parcel of real property at the time a 231  
criminal offense is committed. 232

(S) "School building" means any building in which any of the 233  
instruction, extracurricular activities, or training provided by a 234  
school is conducted, whether or not any instruction, 235  
extracurricular activities, or training provided by the school is 236



being conducted in the school building at the time a criminal  
offense is committed.

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

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

(V) "Professional license" means any license, permit,  
certificate, registration, qualification, admission, temporary  
license, temporary permit, temporary certificate, or temporary  
registration that is described in divisions (W)(1) to (35) of this  
section and that qualifies a person as a professionally licensed  
person.

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

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

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

(3) A person who holds a certificate of qualification to  
practice architecture issued or renewed and registered under  
Chapter 4703. of the Revised Code;

(4) A person who is registered as a landscape architect under

Chapter 4703. of the Revised Code or who holds a permit as a	267
landscape architect issued under that chapter;	268
(5) A person licensed as an auctioneer or apprentice	269
auctioneer or licensed to operate an auction company under Chapter	270
4707. of the Revised Code;	271
(6) A person who has been issued a certificate of	272
registration as a registered barber under Chapter 4709. of the	273
Revised Code;	274
(7) A person licensed and regulated to engage in the business	275
of a debt pooling company by a legislative authority, under	276
authority of Chapter 4710. of the Revised Code;	277
(8) A person who has been issued a <del>cosmetologist's license,</del>	278
<del>manicurist's license, esthetician's license, managing</del>	279
<del>cosmetologist's license, managing manicurist's license, managing</del>	280
<del>esthetician's license, cosmetology instructor's license,</del>	281
<del>manicurist instructor's license, esthetician instructor's license,</del>	282
<u>under section 4713.28, 4713.30, 4713.31, 4713.34, or 4713.39 of</u>	283
<u>the Revised Code</u> or tanning facility permit under <del>Chapter 4713.</del>	284
<u>section 4713.48</u> of the Revised Code;	285
(9) A person who has been issued a license to practice	286
dentistry, a general anesthesia permit, a conscious intravenous	287
sedation permit, a limited resident's license, a limited teaching	288
license, a dental hygienist's license, or a dental hygienist's	289
teacher's certificate under Chapter 4715. of the Revised Code;	290
(10) A person who has been issued an embalmer's license, a	291
funeral director's license, a funeral home license, or a crematory	292
license, or who has been registered for an embalmer's or funeral	293
director's apprenticeship under Chapter 4717. of the Revised Code;	294
(11) A person who has been licensed as a registered nurse or	295
practical nurse, or who has been issued a certificate for the	296
practice of nurse-midwifery under Chapter 4723. of the Revised	297

Code;	298
(12) A person who has been licensed to practice optometry or	299
to engage in optical dispensing under Chapter 4725. of the Revised	300
Code;	301
(13) A person licensed to act as a pawnbroker under Chapter	302
4727. of the Revised Code;	303
(14) A person licensed to act as a precious metals dealer	304
under Chapter 4728. of the Revised Code;	305
(15) A person licensed as a pharmacist, a pharmacy intern, a	306
wholesale distributor of dangerous drugs, or a terminal	307
distributor of dangerous drugs under Chapter 4729. of the Revised	308
Code;	309
(16) A person who is authorized to practice as a physician	310
assistant under Chapter 4730. of the Revised Code;	311
(17) A person who has been issued a certificate to practice	312
medicine and surgery, osteopathic medicine and surgery, a limited	313
branch of medicine, or podiatry under Chapter 4731. of the Revised	314
Code;	315
(18) A person licensed as a psychologist or school	316
psychologist under Chapter 4732. of the Revised Code;	317
(19) A person registered to practice the profession of	318
engineering or surveying under Chapter 4733. of the Revised Code;	319
(20) A person who has been issued a license to practice	320
chiropractic under Chapter 4734. of the Revised Code;	321
(21) A person licensed to act as a real estate broker or real	322
estate salesperson under Chapter 4735. of the Revised Code;	323
(22) A person registered as a registered sanitarian under	324
Chapter 4736. of the Revised Code;	325
(23) A person licensed to operate or maintain a junkyard	326

under Chapter 4737. of the Revised Code; 327

(24) A person who has been issued a motor vehicle salvage 328  
dealer's license under Chapter 4738. of the Revised Code; 329

(25) A person who has been licensed to act as a steam 330  
engineer under Chapter 4739. of the Revised Code; 331

(26) A person who has been issued a license or temporary 332  
permit to practice veterinary medicine or any of its branches, or 333  
who is registered as a graduate animal technician under Chapter 334  
4741. of the Revised Code; 335

(27) A person who has been issued a hearing aid dealer's or 336  
fitter's license or trainee permit under Chapter 4747. of the 337  
Revised Code; 338

(28) A person who has been issued a class A, class B, or 339  
class C license or who has been registered as an investigator or 340  
security guard employee under Chapter 4749. of the Revised Code; 341

(29) A person licensed and registered to practice as a 342  
nursing home administrator under Chapter 4751. of the Revised 343  
Code; 344

(30) A person licensed to practice as a speech-language 345  
pathologist or audiologist under Chapter 4753. of the Revised 346  
Code; 347

(31) A person issued a license as an occupational therapist 348  
or physical therapist under Chapter 4755. of the Revised Code; 349

(32) A person who is licensed as a professional clinical 350  
counselor or professional counselor, licensed as a social worker 351  
or independent social worker, or registered as a social work 352  
assistant under Chapter 4757. of the Revised Code; 353

(33) A person issued a license to practice dietetics under 354  
Chapter 4759. of the Revised Code; 355

(34) A person who has been issued a license or limited permit 356  
to practice respiratory therapy under Chapter 4761. of the Revised 357  
Code; 358

(35) A person who has been issued a real estate appraiser 359  
certificate under Chapter 4763. of the Revised Code. 360

(X) "Cocaine" means any of the following: 361

(1) A cocaine salt, isomer, or derivative, a salt of a 362  
cocaine isomer or derivative, or the base form of cocaine; 363

(2) Coca leaves or a salt, compound, derivative, or 364  
preparation of coca leaves, including ecgonine, a salt, isomer, or 365  
derivative of ecgonine, or a salt of an isomer or derivative of 366  
ecgonine; 367

(3) A salt, compound, derivative, or preparation of a 368  
substance identified in division (X)(1) or (2) of this section 369  
that is chemically equivalent to or identical with any of those 370  
substances, except that the substances shall not include 371  
decocainized coca leaves or extraction of coca leaves if the 372  
extractions do not contain cocaine or ecgonine. 373

(Y) "L.S.D." means lysergic acid diethylamide. 374

(Z) "Hashish" means the resin or a preparation of the resin 375  
contained in marihuana, whether in solid form or in a liquid 376  
concentrate, liquid extract, or liquid distillate form. 377

(AA) "Marihuana" has the same meaning as in section 3719.01 378  
of the Revised Code, except that it does not include hashish. 379

(BB) An offense is "committed in the vicinity of a juvenile" 380  
if the offender commits the offense within one hundred feet of a 381  
juvenile or within the view of a juvenile, regardless of whether 382  
the offender knows the age of the juvenile, whether the offender 383  
knows the offense is being committed within one hundred feet of or 384  
within view of the juvenile, or whether the juvenile actually 385

views the commission of the offense. 386

(CC) "Presumption for a prison term" or "presumption that a 387  
prison term shall be imposed" means a presumption, as described in 388  
division (D) of section 2929.13 of the Revised Code, that a prison 389  
term is a necessary sanction for a felony in order to comply with 390  
the purposes and principles of sentencing under section 2929.11 of 391  
the Revised Code. 392

(DD) "Major drug offender" has the same meaning as in section 393  
2929.01 of the Revised Code. 394

(EE) "Minor drug possession offense" means either of the 395  
following: 396

(1) A violation of section 2925.11 of the Revised Code as it 397  
existed prior to July 1, 1996; 398

(2) A violation of section 2925.11 of the Revised Code as it 399  
exists on and after July 1, 1996, that is a misdemeanor or a 400  
felony of the fifth degree. 401

(FF) "Mandatory prison term" has the same meaning as in 402  
section 2929.01 of the Revised Code. 403

(GG) "Crack cocaine" means a compound, mixture, preparation, 404  
or substance that is or contains any amount of cocaine that is 405  
analytically identified as the base form of cocaine or that is in 406  
a form that resembles rocks or pebbles generally intended for 407  
individual use. 408

(HH) "Adulterate" means to cause a drug to be adulterated as 409  
described in section 3715.63 of the Revised Code. 410

(II) "Public premises" means any hotel, restaurant, tavern, 411  
store, arena, hall, or other place of public accommodation, 412  
business, amusement, or resort. 413

**Sec. 4709.03.** The following persons are exempt from this 414

chapter while in the proper discharge of their professional 415  
duties: 416

(A) Persons licensed by this state to practice medicine and 417  
surgery; 418

(B) Commissioned medical or surgical officers of the United 419  
States army, navy, or marine hospital service; 420

(C) Nurses registered under Chapter 4723. of the Revised 421  
Code; 422

(D) Cosmetologists and hair designers licensed under Chapter 423  
4713. of the Revised Code, insofar as their usual and ordinary 424  
vocation and profession is concerned as described in section 425  
4713.01 of the Revised Code; 426

(E) Funeral directors, embalmers, and apprentices licensed or 427  
registered under Chapter 4717. of the Revised Code. 428

**Sec. 4709.07.** (A) Each person who desires to obtain an 429  
initial license to practice barbering shall apply to the barber 430  
board, on forms provided by the board. The application form shall 431  
include the name of the person applying for the license and 432  
evidence that the applicant meets all of the requirements of 433  
division (B) of this section. The application shall be accompanied 434  
by two signed current photographs of the applicant, in the size 435  
determined by the board, that show only the head and shoulders of 436  
the applicant, and the examination application fee. 437

(B) In order to take the required barber examination and to 438  
qualify for licensure as a barber, an applicant must demonstrate 439  
that ~~he~~ the applicant meets all of the following: 440

(1) Is of good moral character; 441

(2) Is at least eighteen years of age; 442

(3) Has an eighth grade education or an equivalent education 443

as determined by the state board of education in the state where  
the applicant resides;

(4) Has graduated with at least eighteen hundred hours of  
training from a board-approved barber school or has graduated with  
at least one thousand hours of training from a board-approved  
barber school in this state and has a current cosmetology or hair  
designer license issued pursuant to Chapter 4713. of the Revised  
Code. No hours of instruction earned by an applicant five or more  
years prior to the examination apply to the hours of study  
required by this division.

(C) Any applicant who meets all of the requirements of  
divisions (A) and (B) of this section may take the barber  
examination at the time and place specified by the board. If the  
applicant fails to attain at least a seventy-five per cent pass  
rate on each part of the examination, the applicant is ineligible  
for licensure; however, the applicant may reapply for examination  
within ninety days after the date of the release of the  
examination scores by paying the required reexamination fee. An  
applicant is only required to take that part or parts of the  
examination on which ~~he~~ the applicant did not receive a score of  
seventy-five per cent or higher. If the applicant fails to reapply  
for examination within ninety days or fails the second  
examination, in order to reapply for examination for licensure ~~he~~  
the applicant shall complete an additional course of study of not  
less than two hundred hours, in a board-approved barber school.  
The board shall provide to an applicant, upon request, a report  
which explains the reasons for the applicant's failure to pass the  
examination.

(D) The board shall issue a license to practice barbering to  
any applicant who, to the satisfaction of the board, meets the  
requirements of divisions (A) and (B) of this section, who passes  
the required examination, and pays the initial licensure fee.



Every licensed barber shall display ~~his~~ the certificate of  
licensure in a conspicuous place adjacent to or near ~~his~~ the  
licensed barber's work chair, along with a signed current  
photograph, in the size determined by the board, showing head and  
shoulders only.

**Sec. 4709.09.** (A) Each person who desires to obtain a barber  
shop license shall apply to the barber board, on forms provided by  
the board. The board shall issue a barber shop license to a person  
if the board determines that the person meets all of the  
requirements of division (B) of this section and pays the required  
license and inspection fees.

(B) In order for a person to qualify for a license to operate  
a barber shop, the barber shop shall meet all of the following  
requirements:

(1) Be in the charge and under the immediate supervision of a  
licensed barber;

(2) Be equipped to provide running hot and cold water and  
proper drainage;

(3) Sanitize and maintain in a sanitary condition, all  
instruments and supplies;

(4) Keep towels and linens clean and sanitary and in a dry,  
dust-proof container;

(5) Display the shop license and a copy of the board's  
sanitary rules in a conspicuous place in the working area.

(C) Any licensed barber who leases space in a licensed barber  
shop and engages in the practice of barbering independent and free  
from supervision of the owner or manager of the barber shop is  
considered to be engaged in the operation of a separate and  
distinct barber shop and shall obtain a license to operate a  
barber shop pursuant to this section.

(D) A shop license is not transferable from one owner to 506  
another and if an owner or operator of a barber shop permanently 507  
ceases offering barber services at the shop, the owner or operator 508  
shall return the barber shop license to the board within ten days 509  
of the cessation of services. 510

(E)(1) Manicurists licensed under Chapter 4713. of the 511  
Revised Code may practice manicuring in a barber shop. 512

(2) Tanning facilities ~~licensed pursuant to~~ issued a permit 513  
under section ~~4713.25~~ 4713.48 of the Revised Code may be operated 514  
in a barber shop. 515

(F) Clothing and related accessories may be sold at retail in 516  
a barber shop so long as these sales maintain the integrity of the 517  
facility as a barber shop. 518

**Sec. 4713.01.** As used in ~~sections 4713.01 to 4713.21 of the~~ 519  
~~Revised Code~~ this chapter: 520

~~(A) The practice of cosmetology includes work done for pay,~~ 521  
~~free, or otherwise, by any person, which work is usually performed~~ 522  
~~by hairdressers, cosmetologists, cosmeticians, natural hair~~ 523  
~~stylists, or beauty culturists, however denominated, in beauty~~ 524  
~~salons; which work is for the embellishment, cleanliness, and~~ 525  
~~beautification of~~ "Apprentice instructor" means a person holding a 526  
practicing license issued by the state board of cosmetology who is 527  
engaged in learning or acquiring knowledge of the occupation of an 528  
instructor of a branch of cosmetology at a school of cosmetology. 529

"Beauty salon" means any premises, building, or part of a 530  
building in which a person is authorized to engage in all branches 531  
of cosmetology. "Beauty salon" does not include a barber shop 532  
licensed under Chapter 4709. of the Revised Code in which a person 533  
engages in the practice of manicuring. 534

"Biennial licensing period" means the two-year period 535

beginning on the first day of February of an odd-numbered year and 536  
ending on the last day of January of the next odd-numbered year. 537

"Braiding" means intertwining the hair in a systematic motion 538  
to create patterns in a three-dimensional form, inverting the hair 539  
against the scalp along part of a straight or curved row of 540  
intertwined hair, or twisting the hair in a systematic motion, and 541  
includes extending the hair with natural or synthetic hair fibers. 542

"Branch of cosmetology" means the practice of cosmetology, 543  
practice of esthetics, practice of hair design, practice of 544  
manicuring, practice of natural hair styling, or other practice 545  
identified in rules adopted under section 4713.09 of the Revised 546  
Code. 547

"Cosmetic therapy" has the same meaning as in section 4731.15 548  
of the Revised Code. 549

"Cosmetologist" means a person authorized to engage in all 550  
branches of cosmetology. 551

"Cosmetology instructor" means a person authorized to teach 552  
the theory and practice of all branches of cosmetology at a school 553  
of cosmetology. 554

"Esthetician" means a person who engages in the practice of 555  
esthetics but no other branch of cosmetology. 556

"Esthetics instructor" means a person who teaches the theory 557  
and practice of esthetics, but no other branch of cosmetology, at 558  
a school of cosmetology. 559

"Esthetics salon" means any premises, building, or part of a 560  
building in which a person engages in the practice of esthetics 561  
but no other branch of cosmetology. 562

"Hair designer" means a person who engages in the practice of 563  
hair design but no other branch of cosmetology. 564

"Hair design instructor" means a person who teaches the 565

theory and practice of hair design, but no other branch of 566  
cosmetology, at a school of cosmetology. 567

"Hair design salon" means any premises, building, or part of 568  
a building in which a person engages in the practice of hair 569  
design but no other branch of cosmetology. 570

"Independent contractor license" means a license to practice 571  
a branch of cosmetology at a salon in which the license holder 572  
rents booth space. 573

"Instructor license" means a license to teach the theory and 574  
practice of a branch of cosmetology at a school of cosmetology. 575

"Managing cosmetologist" means a person authorized to manage 576  
a beauty salon and engage in all branches of cosmetology. 577

"Managing esthetician" means a person authorized to manage an 578  
esthetics salon, but no other type of salon, and engage in the 579  
practice of esthetics, but no other branch of cosmetology. 580

"Managing hair designer" means a person authorized to manage 581  
a hair design salon, but no other type of salon, and engage in the 582  
practice of hair design, but no other branch of cosmetology. 583

"Managing license" means a license to manage a salon and 584  
practice the branch of cosmetology practiced at the salon. 585

"Managing manicurist" means a person authorized to manage a 586  
nail salon, but no other type of salon, and engage in the practice 587  
of manicuring, but no other branch of cosmetology. 588

"Managing natural hair stylist" means a person authorized to 589  
manage a natural hair style salon, but no other type of salon, and 590  
engage in the practice of natural hair styling, but no other 591  
branch of cosmetology. 592

"Manicurist" means a person who engages in the practice of 593  
manicuring but no other branch of cosmetology. 594

"Manicurist instructor" means a person who teaches the theory and practice of manicuring, but no other branch of cosmetology, at a school of cosmetology.

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

"Natural hair stylist" means a person who engages in the practice of natural hair styling but no other branch of cosmetology.

"Natural hair style instructor" means a person who teaches the theory and practice of natural hair styling, but no other branch of cosmetology, at a school of cosmetology.

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

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

"Practice of esthetics" means the application of cosmetics, tonics, antiseptics, creams, lotions, or other preparations for the purpose of skin beautification and includes preparation of the skin by manual massage techniques or by use of electrical, mechanical, or other apparatus.

"Practice of hair design" means embellishing or beautifying hair, wigs, ~~and postiches, such as~~ or hairpieces by arranging, dressing, pressing, curling, waving, permanent waving, cleansing, cutting, singeing, bleaching, coloring, braiding, weaving, or similar work, ~~and the massaging, cleansing, stimulating, manipulating, exercising, or similar work by the use of manual massage techniques or mechanical or electrically operated~~

~~apparatus or appliances, or cosmetics, preparations, tonics, 626~~  
~~antiseptics, creams, or lotions, and of manicuring the nails or 627~~  
~~application of artificial nails, which enumerated practices shall 628~~  
~~be inclusive of the practice of cosmetology, but not in limitation 629~~  
~~thereof. Sections 4713.01 to 4713.21 of the Revised Code do not 630~~  
~~permit any of the services or arts described in this division to 631~~  
~~be used for the treatment or cure of any physical or mental 632~~  
~~diseases or ailments. "Practice of hair design" includes utilizing 633~~  
~~techniques performed by hand that result in tension on hair roots 634~~  
~~such as twisting, wrapping, weaving, extending, locking, or 635~~  
~~braiding of the hair. 636~~

~~The retail sale or the trial demonstration by application to 637~~  
~~the skin for purposes of retail sale of cosmetics, preparations, 638~~  
~~tonics, antiseptics, creams, lotions, wigs, and postiches shall 639~~  
~~not be considered the practice of cosmetology. 640~~

~~(B) Cosmetologist, cosmetician, beauty culturist, or 641~~  
~~hairstylist, means any person who, for pay, free, or otherwise, 642~~  
~~engages in the practice of cosmetology. 643~~

~~(C) Manicurist means any person who, for pay, free, or 644~~  
~~otherwise, engages only in the occupation of manicuring the nails 645~~  
~~of any person or the application of artificial or sculptured 646~~  
~~nails, or both. 647~~

~~(D) The practice of esthetics includes work done for pay, 648~~  
~~free, or otherwise, by any person, which work is the application 649~~  
~~of cosmetics, tonics, antiseptics, creams, lotions, or other 650~~  
~~preparations for the purpose of skin beautification and includes 651~~  
~~preparation of the skin by manual massage techniques or by use of 652~~  
~~electrical, mechanical, or other apparatus. 653~~

~~(E) Esthetician means any person who, for pay, free, or 654~~  
~~otherwise, engages only in the practice of esthetics. 655~~

~~(F) Beauty salon means any premises, building, or part of a 656~~

~~building, in which any branch of cosmetology, except the  
occupation of a manicurist when carried on in a barber shop  
licensed under Chapter 4709. of the Revised Code, or the  
occupation of a cosmetologist is practiced.~~

~~(G) Student means any person who is engaged in learning or  
acquiring knowledge of the occupation of a cosmetologist,  
manicurist, or esthetician in a school of cosmetology.~~

~~(H) School of cosmetology means any premises, building, or  
part of a building in which students are instructed in the  
theories and practices of cosmetology, manicuring, and esthetics.~~

~~(I) Managing cosmetologist means any person who has met the  
requirements of division (E) of section 4713.04 of the Revised  
Code, and has applied for and received a managing cosmetologist  
license.~~

~~(J) Cosmetology instructor means any person who has met the  
requirements of division (F) of section 4713.04 of the Revised  
Code, and has applied for and received an instructor's license.~~

~~(K) Apprentice instructor means any licensee of the state  
board of cosmetology who is engaged in learning or acquiring  
knowledge of the occupation of an instructor, in any branch of  
cosmetology in a duly licensed school of cosmetology.~~

~~(L) Cosmetic therapy and cosmetic therapist have the same  
meanings as in section 4731.15 of the Revised Code.~~

~~(M) Nail salon means any premises, building, or part of a  
building in which manicurists engage only in the occupation of  
manicuring the nails of any person or the application of  
artificial or sculptured nails, or both. For administrative  
purposes, a nail salon is deemed the equivalent of a beauty salon  
and is subject to appropriate rules with respect to sanitation and  
sterilization. A licensed manicurist may practice the occupation  
of manicuring nails in a nail salon, in a beauty salon, or in a~~

~~barber shop.~~

~~(N) Esthetics salon means any premises, building, or part of  
a building in which esthetics is performed by a person licensed as  
a cosmetologist or esthetician. For administrative purposes, an  
esthetics salon is deemed the equivalent of a beauty salon and is  
subject to the appropriate rules with respect to sanitation and  
sterilization.~~

~~(O) Managing manicurist means any person who has met the  
requirements of division (H) of section 4713.04 of the Revised  
Code, and has applied for and received a managing manicurist  
license.~~

~~(P) Manicurist instructor means any person who meets the  
requirements of division (L) of section 4713.04 of the Revised  
Code and who has applied for and received a manicurist instructor  
license.~~

~~(Q) Managing esthetician means any person who has met the  
requirements of division (J) of section 4713.04 of the Revised  
Code, and has applied for and received a managing esthetician's  
license.~~

~~(R) Esthetics instructor means any person who meets the  
requirements of division (K) of section 4713.04 of the Revised  
Code and who has applied for and received an esthetics instructor  
license.~~

~~(S) Glamour photography means the combination of a  
photographic service or product with the delivery of a cosmetology  
service advertised or sold to the public.~~

~~(T) The practice "Practice of manicuring" means manicuring  
the nails of any person, applying artificial or sculptured nails  
to any person, or both.~~

"Practice of natural hair styling" means ~~work done for a fee~~



~~or other form of compensation, by any person, utilizing techniques~~ 718  
~~performed by hand that result in tension on hair roots such as~~ 719  
~~twisting, wrapping, weaving, extending, locking, or braiding of~~ 720  
~~the hair, and which work.~~ "Practice of natural hair styling" does 721  
not include the application of dyes, reactive chemicals, or other 722  
preparations to alter the color or to straighten, curl, or alter 723  
the structure of the hair. "Practice of natural hair styling" also 724  
does not include embellishing or beautifying hair by cutting or 725  
singeing, except as needed to finish off the end of a braid, or by 726  
dressing, pressing, curling, waving, permanent waving, or similar 727  
work. 728

~~(U) Braiding means intertwining the hair in a systematic~~ 729  
~~motion to create patterns in a three-dimensional form, inverting~~ 730  
~~the hair against the scalp along part of a straight or curved row~~ 731  
~~of intertwined hair, or twisting the hair in a systematic motion,~~ 732  
~~and includes extending the hair with natural or synthetic hair~~ 733  
~~fibers~~ "Practicing license" means a license to practice a branch 734  
of cosmetology. 735

"Salon" means a beauty salon, esthetics salon, hair design 736  
salon, nail salon, or natural hair style salon or the premises, 737  
building, or part of a building in which a person engages in the 738  
practice of a branch of cosmetology identified in rules adopted 739  
under section 4713.09 of the Revised Code but no other branch of 740  
cosmetology. 741

"School of cosmetology" means any premises, building, or part 742  
of a building in which students are instructed in the theories and 743  
practices of one or more branches of cosmetology. 744

"Student" means a person, other than an apprentice 745  
instructor, who is engaged in learning or acquiring knowledge of 746  
the practice of a branch of cosmetology at a school of 747  
cosmetology. 748

"Tanning facility" means a room or booth that houses 749

equipment or beds used for tanning human skin by the use of  
fluorescent sun lamps using ultraviolet or other artificial  
radiation.

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**Sec. 4713.02.** (A) There is hereby created the state board of  
cosmetology, consisting of all of the following ~~seven~~ members  
appointed by the governor, with the advice and consent of the  
senate: ~~four graduate licensed cosmetologists, three of whom are~~  
~~actively engaged in the management of a beauty salon~~

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

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(2) Three persons holding current, valid managing  
cosmetologist licenses and actively engaged in managing beauty  
salons at the time of appointment; ~~one regularly licensed~~  
physician; ~~one~~

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(3) One person holding a current, valid managing esthetician  
license at the time of appointment;

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(4) One person holding a current, valid managing manicurist  
license at the time of appointment;

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(5) One person who holds a current, valid independent  
contractor license at the time of appointment or the owner or  
manager of a licensed salon in which at least one person holding a  
current, valid independent contractor license practices a branch  
of cosmetology;

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(6) One person who represents individuals who teach the  
theory and practice of a branch of cosmetology at a vocational  
school;

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(7) ~~One~~ owner of a licensed school of cosmetology; ~~and one~~

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(8) ~~One~~ owner of at least five licensed ~~beauty~~ salons;

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(9) One person who is either an advanced practice nurse 779  
approved under section 4723.55 of the Revised Code, a certified 780  
nurse practitioner or clinical nurse specialist holding a 781  
certificate of authority under section 4723.41 of the Revised 782  
Code, or a physician authorized under Chapter 4731. of the Revised 783  
Code to practice medicine and surgery or osteopathic medicine and 784  
surgery; 785

(10) One person representing the general public. 786

(B) The superintendent of public instruction shall nominate 787  
three persons for the governor to choose from when making an 788  
appointment under division (A)(6) of this section. 789

(C) All members shall be at least twenty-five years of age, 790  
residents of the state, and citizens of the United States. No more 791  
than two members, at any time, shall be graduates of the same 792  
school of cosmetology. 793

~~Terms~~ Except for the initial members appointed under 794  
divisions (A)(3), (4), (5), and (6) of this section, terms of 795  
office are for five years, commencing. The term of the initial 796  
member appointed under division (A)(3) of this section shall be 797  
one year. The term of the initial member appointed under division 798  
(A)(4) of this section shall be two years. The term of the initial 799  
member appointed under division (A)(5) of this section shall be 800  
three years. The term of the initial member appointed under 801  
division (A)(6) of this section shall be four years. Terms shall 802  
commence on the first day of November and ~~ending~~ end on the 803  
thirty-first day of October. Each member shall hold office from 804  
the date of appointment until the end of the term for which 805  
appointed. In case of a vacancy occurring on the board, the 806  
governor shall, in the same manner prescribed for the regular 807  
appointment to the board, fill the vacancy by appointing a member. 808  
Any member appointed to fill a vacancy occurring prior to the 809  
expiration of the term for which the member's predecessor was 810

appointed shall hold office for the remainder of such term. Any 811  
member shall continue in office subsequent to the expiration date 812  
of the member's term until the member's successor takes office, or 813  
until a period of sixty days has elapsed, whichever occurs first. 814  
Before entering upon the discharge of the duties of the office of 815  
member, each member shall take, and file with the secretary of 816  
state, the oath of office required by Section 7 of Article XV, 817  
Ohio Constitution. 818

The members of the board shall receive an amount fixed 819  
pursuant to Chapter 124. of the Revised Code per diem for every 820  
meeting of the board which they attend, together with their 821  
necessary expenses, and mileage for each mile necessarily 822  
traveled. 823

The members of the board shall annually elect, from among 824  
their number, a chairperson, ~~and annually appoint an executive~~ 825  
~~director who is not a member of the board. The executive director,~~ 826  
~~before entering upon the discharge of the executive director's~~ 827  
~~duties, shall file with the secretary of state a good and~~ 828  
~~sufficient bond payable to the state, to ensure the faithful~~ 829  
~~performance of duties of the office of executive director, in such~~ 830  
~~sum as the board requires. The premium of the bond shall be paid~~ 831  
~~from appropriations made to the board for operating purposes.~~ 832

The board shall prescribe the duties of its officers and 833  
establish an office at Columbus, Ohio. The board shall keep all 834  
records and files at the office and have the records and files at 835  
all reasonable hours open to public inspection. The board also 836  
shall adopt a seal. 837

~~(B) The board may employ necessary inspectors, examiners,~~ 838  
~~consultants on contents of examinations, and clerks. All~~ 839  
~~inspectors, and examiners of cosmetologists, shall be licensed~~ 840  
~~cosmetologists.~~ 841

~~(C) The board shall adopt rules for carrying out sections~~ 842

~~4713.01 to 4713.25 of the Revised Code. The rules shall cover at least all of the following:~~

~~(1) Conducting examinations of applicants for a license;~~

~~(2) The recognition of, and the credits to be given to, the study of cosmetology, or any branch thereof, in a school of cosmetology licensed under the laws of this or another state;~~

~~(3) Establishing reasonable fees for application to take the examination for licensure as a natural hair stylist and for issuance of a license to practice natural hair styling;~~

~~(4) Sanitary standards, including those authorized by the department of health, with particular reference to the precautions to be employed to prevent the creating or spreading of infectious or contagious diseases in beauty salons, nail salons, esthetics salons, or schools of cosmetology, or in the practice of cosmetology.~~

~~The board shall furnish a copy of all sanitary rules adopted to each person issued a license for the conduct of a beauty salon, nail salon, esthetics salon, or school of cosmetology and to each operator, manicurist, and person engaged in the practice of massage. A copy of all such sanitary rules shall be posted in a conspicuous place in all beauty salons, nail salons, esthetics salons, and schools of cosmetology.~~

~~The board may adopt rules authorizing beauty or nail salons to offer esthetic services in the salon and may adopt rules regulating the practice of the services.~~

~~(D) The board shall do all of the following:~~

~~(1) Hold examinations of all applicants for license whose applications have been submitted in proper form;~~

~~(2) Issue licenses to applicants who meet the requirements of sections 4713.01 to 4713.25 of the Revised Code;~~

~~(3) Register beauty salons, nail salons, esthetics salons,  
and schools of cosmetology;~~ 873 874

~~(4) Report to the proper prosecuting officer all violations  
coming within its knowledge;~~ 875 876

~~(5) Make a written report annually to the governor concerning  
the conditions in this state of cosmetology and the branches  
thereof, which report shall also contain a brief reference to the  
proceedings had by or before the board for the year last past and  
a statement of all money received and expended by the board during  
such year;~~ 877 878 879 880 881 882

~~(6) Keep a record containing the name and known place of  
business, and the date and number of license, of every licensed  
cosmetologist, esthetician, and every person engaged in the  
practice of any branch of cosmetology, together with the name and  
address of all tanning facilities, licensed beauty salons,  
licensed nail salons, licensed esthetics salons, and schools of  
cosmetology;~~ 883 884 885 886 887 888 889

~~(7) Keep a record of its proceedings;~~ 890

~~(8) All things necessary to carry out sections 4713.01 to  
4713.25 of the Revised Code.~~ 891 892

**Sec. 4713.03.** The state board of cosmetology shall hold a 893  
~~meeting for the examination of applicants for license and the~~ 894  
~~transaction of such other~~ to transact its business as shall 895  
~~pertain to its duties at least four times a year and the.~~ The 896  
board may hold other additional meetings for the examination of 897  
applicants or for the transaction of necessary business as, in its 898  
judgment, ~~may be required,~~ are necessary. The board shall meet at 899  
such the times and places as it may determine selects. 900

**Sec. 4713.18** **4713.04.** The state board of cosmetology may 901

authorize any of its members, in writing, to undertake any 902  
proceedings authorized by ~~sections 4713.01 to 4713.21, inclusive,~~ 903  
~~of the Revised Code~~ this chapter, and the finding or order of such 904  
members is the finding of the board when confirmed by it. 905

**Sec. ~~4713.19~~ 4713.05.** All receipts of the state board of 906  
cosmetology shall be deposited into the state treasury to the 907  
credit of the occupational licensing and regulatory fund. All 908  
vouchers of the board shall be approved by the board ~~president~~ 909  
chairperson or executive director, or both, as authorized by the 910  
board. 911

**Sec. 4713.06.** The state board of cosmetology shall annually 912  
appoint an executive director. The executive director may not be a 913  
member of the board. The executive director, before entering upon 914  
the discharge of the executive director's duties, shall file with 915  
the secretary of state a good and sufficient bond payable to the 916  
state, to ensure the faithful performance of duties of the office 917  
of executive director. The bond shall be in an amount the board 918  
requires. The premium of the bond shall be paid from 919  
appropriations made to the board for operating purposes. 920

The board may employ inspectors, examiners, consultants on 921  
contents of examinations, and clerks as necessary for the 922  
administration of this chapter. All inspectors and examiners shall 923  
be licensed cosmetologists. 924

The board may appoint inspectors of tanning facilities as 925  
needed to make periodic inspections as the board specifies. 926

**Sec. 4713.07.** The state board of cosmetology shall do all of 928  
the following: 929

(A) Prescribe and make available application forms to be used 930  
by persons seeking admission to an examination conducted under 931

<u>section 4713.24 of the Revised Code or a license issued under this</u>	932
<u>chapter;</u>	933
<u>(B) Prescribe and make available application forms to be used</u>	934
<u>by persons seeking renewal of a license issued under this chapter;</u>	935
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<u>(C) Report to the proper prosecuting officer all violations</u>	937
<u>of section 4713.14 of the Revised Code of which the board is</u>	938
<u>aware;</u>	939
<u>(D) Submit a written report annually to the governor that</u>	940
<u>provides all of the following:</u>	941
<u>(1) A discussion of the conditions in this state of the</u>	942
<u>branches of cosmetology;</u>	943
<u>(2) A brief summary of the board's proceedings during the</u>	944
<u>year the report covers;</u>	945
<u>(3) A statement of all money that the board received and</u>	946
<u>expended during the year the report covers.</u>	947
<u>(E) Keep a record of all of the following:</u>	948
<u>(1) The board's proceedings;</u>	949
<u>(2) The name and last known address of each person issued a</u>	950
<u>license under section 4713.28, 4713.30, 4713.31, 4713.34, or</u>	951
<u>4713.39 of the Revised Code;</u>	952
<u>(3) The name and address of each salon issued a license under</u>	953
<u>section 4713.41 of the Revised Code and each school of cosmetology</u>	954
<u>issued a license under section 4713.44 of the Revised Code;</u>	955
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<u>(4) The name and address of each tanning facility issued a</u>	957
<u>permit under section 4713.48 of the Revised Code;</u>	958
<u>(5) The date and number of each license and permit that the</u>	959



board issues;

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(F) All other duties that this chapter imposes on the board.

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**Sec. 4713.08.** (A) The state board of cosmetology 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:

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

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(2) Specify conditions a person 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;

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

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

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

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

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

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(8) Establish conditions and the fee for a temporary special

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<u>occasion work permit under section 4713.37 of the Revised Code and</u>	989
<u>specify the amount of time such a permit is valid;</u>	990
<u>(9) Specify conditions an applicant must satisfy for the</u>	991
<u>board to issue the applicant an independent contractor license</u>	992
<u>under section 4713.39 of the Revised Code and the fee for issuance</u>	993
<u>and renewal of the license;</u>	994
<u>(10) Establish conditions under which food may be sold at a</u>	995
<u>salon;</u>	996
<u>(11) Specify which professions regulated by a professional</u>	997
<u>regulatory board of this state may be practiced in a salon under</u>	998
<u>section 4713.42 of the Revised Code;</u>	999
<u>(12) Establish standards for the provision of cosmetic</u>	1000
<u>therapy, massage therapy, or other professional service in a salon</u>	1001
<u>pursuant to section 4713.42 of the Revised Code;</u>	1002
<u>(13) Establish standards for board approval of, and the</u>	1003
<u>granting of credits for, the training of the branches of</u>	1004
<u>cosmetology at schools of cosmetology licensed in this state;</u>	1005
<u>(14) Establish sanitary standards for the practice of the</u>	1006
<u>branches of cosmetology, salons, and schools of cosmetology;</u>	1007
<u>(15) Establish the application process for obtaining a</u>	1008
<u>tanning facility permit under section 4713.48 of the Revised Code,</u>	1009
<u>including the amount of the fee for an initial or renewed permit;</u>	1010
<u>(16) Establish standards for installing and operating a</u>	1011
<u>tanning facility in a manner that ensures the health and safety of</u>	1012
<u>consumers, including standards that do all of the following:</u>	1013
<u>(a) Establish a maximum safe time of exposure to radiation</u>	1014
<u>and a maximum safe temperature at which sun lamps may be operated;</u>	1015
<u>(b) Require consumers to wear protective eyeglasses and be</u>	1016
<u>supervised as to the length of time consumers use the facility;</u>	1017

<u>(c) Require the operator to prohibit consumers from standing</u>	1018
<u>too close to sun lamps and to post signs warning consumers of the</u>	1019
<u>potential effects of radiation on persons taking certain</u>	1020
<u>medications and of the possible relationship of the radiation to</u>	1021
<u>skin cancer;</u>	1022
<u>(d) Require the installation of protective shielding for sun</u>	1023
<u>lamps and handrails for consumers;</u>	1024
<u>(e) Require floors to be dry during operation of lamps.</u>	1025
<u>(17) If the board, under section 4713.61 of the Revised Code,</u>	1026
<u>develops a procedure for classifying licenses inactive, do both of</u>	1027
<u>the following:</u>	1028
<u>(a) Establish a fee for having a license classified inactive</u>	1029
<u>that reflects the cost to the board of providing the inactive</u>	1030
<u>license service;</u>	1031
<u>(b) Specify the minimum continuing education that a person</u>	1032
<u>whose license has been classified inactive must complete to have</u>	1033
<u>the license restored. The continuing education shall be sufficient</u>	1034
<u>to ensure the minimum competency required by a licensee necessary</u>	1035
<u>to protect the public.</u>	1036
<u>(18) Establish a fee for approval of a continuing education</u>	1037
<u>program under section 4713.62 of the Revised Code that is adequate</u>	1038
<u>to cover any expense the board incurs in the approval process;</u>	1039
<u>(19) Anything else necessary to implement this chapter.</u>	1040
<u>(B) The rules adopted under division (A)(2) of this section</u>	1041
<u>may establish additional conditions for a temporary</u>	1042
<u>pre-examination work permit under section 4713.22 of the Revised</u>	1043
<u>Code that are applicable to persons who practice a branch of</u>	1044
<u>cosmetology in another state or country.</u>	1045
<u>(C) The conditions specified in rules adopted under division</u>	1046

(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.

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(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.

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(E) The sanitary standards established under division (A)(14)  
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.

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(F) The fee established by rules adopted under division  
(A)(15) 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.

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**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 to whom the  
board issues a practicing license, managing license, or license to  
operate a salon or school of cosmetology. The board also shall  
furnish a copy of the sanitary standards to each person providing  
cosmetic therapy, massage therapy, or other professional service  
in a salon under section 4713.42 of the Revised Code. A salon or  
school of cosmetology provided a copy of the sanitary standards  
shall post the standards in a public and conspicuous place in the  
salon or school.

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**Sec. 4713.082.** The state board of cosmetology shall furnish a

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copy of the standards established by rules adopted under section 1078  
4713.08 of the Revised Code for installing and operating a tanning 1079  
facility to each person to whom the board issues a permit to 1080  
operate a tanning facility. A person provided a copy of the 1081  
standards shall post the standards in a public and conspicuous 1082  
place in the tanning facility. 1083

**Sec. 4713.09.** (A) The state board of cosmetology may adopt 1084  
rules in accordance with Chapter 119. of the Revised Code to do 1085  
the following: 1086

(1) Identify additional branches of cosmetology within the 1087  
practice of cosmetology, practice of esthetics, practice of hair 1088  
design, practice of manicure, or practice of natural hair styling 1089  
for the purpose of licensure under this chapter; 1090

(2) Establish a continuing education requirement, not to 1091  
exceed eight hours in a biennial licensing period, as a condition 1092  
of renewal for a practicing license, managing license, or 1093  
instructor license. 1094

(B) If the board adopts rules under division (A)(1) of this 1095  
section, the board shall provide for both of the following: 1096

(1) That any additional branch of cosmetology identified by 1097  
the rules be one or more components of the practice of 1098  
cosmetology, practice of esthetics, practice of hair design, 1099  
practice of manicure, practice of natural hair styling, or two or 1100  
more of those practices; 1101

(2) That the rules establish conditions, in addition to those 1102  
specified in section 4713.28, 4713.30, or 4713.31 of the Revised 1103  
Code, as appropriate, for obtaining a license to practice a branch 1104  
of cosmetology identified in the rules, manage a salon in which 1105  
that branch of cosmetology is practiced, or teach the theory and 1106  
practice of that branch of cosmetology. 1107

(C) If the board adopts rules under division (A)(2) of this 1108  
section, the rules may establish a continuing education 1109  
requirement for all persons holding a practicing license, managing 1110  
license, or instructor license or for any class or combination of 1111  
classes of those persons. 1112

**Sec. 4713.10.** The state board of cosmetology shall charge and 1114  
collect the following fees: 1115

(A) For a temporary pre-examination work permit under section 1116  
4713.22 of the Revised Code, five dollars; 1117

(B) For initial application to take the an examination for a 1118  
license to practice cosmetology, or any branch thereof under 1119  
section 4713.24 of the Revised Code, twenty-one dollars; 1120

~~(B)~~(C) For application to take an examination under section 1121  
4713.24 of the Revised Code by an applicant who has previously 1122  
applied to take, but failed to appear for, the examination, forty 1123  
dollars; 1124

(D) For the re-examination of any application to re-take an 1125  
examination under section 4713.24 of the Revised Code by an 1126  
applicant who has previously appeared for, but failed to pass, the 1127  
examination, twenty-one dollars; 1128

~~(C)~~(E) For the issuance or renewal of a cosmetology, 1129  
manicurist, or esthetics instructor's of a license under section 1130  
4713.28, 4713.30, or 4713.31 of the Revised Code, thirty dollars; 1131

~~(D)~~(F) For the issuance or renewal of a managing 1132  
cosmetologist's, managing manicurist's, or managing esthetician's 1133  
of a license under section 4713.34 of the Revised Code, thirty 1134  
sixty dollars; 1135

~~(E)~~(G) For renewal of a license issued under section 4713.28, 1136  
4713.30, 4713.31, or 4713.34 of the Revised Code, thirty dollars; 1137

(H) For the issuance or renewal of a cosmetology school license, two hundred fifty dollars; 1138  
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~~(F)~~(I) For the inspection and issuance of a new ~~beauty salon,~~ 1140  
~~nail salon, or esthetics~~ salon license or the change of name or 1141  
ownership of a ~~beauty salon, nail salon, or esthetics~~ salon 1142  
license, sixty dollars; 1143

~~(G)~~(J) For the renewal of a ~~beauty salon, nail salon, or~~ 1144  
~~esthetics~~ salon license, fifty dollars; 1145

~~(H)~~ For the ~~issuance or renewal of a cosmetologist's,~~ 1146  
~~manicurist's, or esthetician's license, thirty dollars;~~ 1147

~~(I)~~(K) For the restoration of ~~any lapsed~~ an expired license 1148  
~~which~~ that may be restored pursuant to section ~~4713.11~~ 4713.63 of 1149  
the Revised Code, and in addition to the payments ~~required by that~~ 1150  
section for all lapsed renewal fees, thirty dollars; 1151

~~(J)~~ For the ~~issuance of a license under section 4713.09 of~~ 1152  
~~the Revised Code, sixty dollars;~~ 1153

~~(K)~~(L) For the issuance of a duplicate of any license, 1154  
fifteen dollars; 1155

~~(L)~~(M) For the preparation and mailing of a licensee's 1156  
records to another state for a reciprocity license, fifty dollars; 1157

~~(M)~~(N) For the processing of any fees related to a check from 1158  
a licensee returned to the board for insufficient funds, an 1159  
additional twenty dollars. 1160

~~Each applicant shall, in addition to the fees specified,~~ 1161  
~~furnish the applicant's own models.~~ 1162

**Sec. ~~4713.22~~ 4713.11.** The state board of cosmetology, subject 1163  
to the approval of the controlling board, may establish fees in 1164  
excess of the amounts provided by section 4713.10 of the Revised 1165  
Code, provided that any fee increase does not exceed the amount 1166

permitted by more than fifty per cent. 1167

**Sec. ~~4713.26~~ 4713.13.** Whenever in the judgment of the state 1168  
board of cosmetology any person has engaged in or is about to 1169  
engage in any acts or practices that constitute a violation of 1170  
this chapter, or any rule adopted under this chapter, the board 1171  
may apply to the appropriate court for an order enjoining the acts 1172  
or practices, and upon a showing by the board that the person has 1173  
engaged in the acts or practices, the court shall grant an 1174  
injunction, restraining order, or other order as may be 1175  
appropriate. 1176

**Sec. ~~4713.20~~ 4713.14.** ~~(A)~~ No person shall do any of the 1177  
following: 1178

~~(1) Conduct or operate a nail salon, beauty salon, esthetics~~ 1179  
~~salon, or school of cosmetology without a license;~~ 1180

~~(2) Practice cosmetology for pay, free, or otherwise, either~~ 1181  
~~as a cosmetologist, managing cosmetologist, cosmetology~~ 1182  
~~instructor, manicurist, managing manicurist, manicurist~~ 1183  
~~instructor, esthetician, managing esthetician, or esthetics~~ 1184  
~~instructor, without a license;~~ 1185

~~(3) Practice natural hair styling for pay, free, or~~ 1186  
~~otherwise, without a license;~~ 1187

~~(4) Employ as a cosmetologist, managing cosmetologist,~~ 1188  
~~cosmetologist instructor, except as provided in division (C) of~~ 1189  
~~section 4713.15 of the Revised Code, manicurist, managing~~ 1190  
~~manicurist, manicurist instructor, esthetician, managing~~ 1191  
~~esthetician, or esthetics instructor, any person without a~~ 1192  
~~license;~~ 1193

~~(5)~~(A) Aid or abet any person: 1194

~~(a)~~(1) Violating ~~sections 4713.01 to 4713.21 of the Revised~~ 1195



<del>Code</del> <u>this chapter or a rule adopted under it;</u>	1196
<del>(b)(2)</del> <u>Obtaining a license <del>or permit</del> fraudulently;</u>	1197
<del>(c)(3)</del> <u>Falsely pretending to <del>be licensed</del>;</u>	1198
<del>(d) Violating any of the sanitary rules for the regulation of</del>	1199
<del>the practice of cosmetology</del> <u>hold a current, valid license or</u>	1200
<u>permit.</u>	1201
<del>(6) Engage in the practice of</del> <u>(B) Practice a branch of</u>	1202
<u>cosmetology, for pay, free, or otherwise, without one of the</u>	1203
<u>following authorizing the practice of that branch of cosmetology:</u>	1204
<u>(1) A current, valid license under section 4713.28, 4713.30,</u>	1205
<u>or 4713.34 of the Revised Code;</u>	1206
<u>(2) A current, valid temporary pre-examination work permit</u>	1207
<u>issued under section 4713.22 of the Revised Code;</u>	1208
<u>(3) A current, valid temporary special occasion work permit</u>	1209
<u>issued under section 4713.37 of the Revised Code.</u>	1210
<u>(C) Employ a person to practice a branch of cosmetology if</u>	1211
<u>the person does not hold one of the following authorizing the</u>	1212
<u>practice of that branch of cosmetology:</u>	1213
<u>(1) A current, valid license under section 4713.28, 4713.30,</u>	1214
<u>or 4713.34 of the Revised Code;</u>	1215
<u>(2) A current, valid temporary pre-examination work permit</u>	1216
<u>issued under section 4713.22 of the Revised Code;</u>	1217
<u>(3) A current, valid temporary special occasion work permit</u>	1218
<u>issued under section 4713.37 of the Revised Code.</u>	1219
<u>(D) Manage a salon without a current, valid license under</u>	1220
<u>section 4713.30 or 4713.34 of the Revised Code to manage that type</u>	1221
<u>of salon;</u>	1222
<u>(E) Except for apprentice instructors and as provided in</u>	1223
<u>section 4713.45 of the Revised Code, teach the theory or practice</u>	1224

of a branch of cosmetology at a school of cosmetology without 1225  
either of the following authorizing the teaching of that branch of 1226  
cosmetology: 1227

(1) A current, valid license under section 4713.31 or 4713.34 1228  
of the Revised Code; 1229

(2) A current, valid temporary special occasion work permit 1230  
issued under section 4713.37 of the Revised Code. 1231

(F) Advertise or operate a glamour photography service in 1232  
which a branch of cosmetology is practiced unless the person 1233  
practicing the branch of cosmetology holds either of the following 1234  
authorizing the practice of that branch of cosmetology: 1235

(1) A current, valid license under section 4713.28, 4713.30, 1236  
or 4713.34 of the Revised Code; 1237

(2) A current, valid temporary special occasion work permit 1238  
issued under section 4713.37 of the Revised Code. 1239

(G) Advertise or operate a glamour photography service in 1240  
which a branch of cosmetology is practiced at a location not 1241  
specified by rules adopted under section 4713.08 of the Revised 1242  
Code; 1243

(H) Practice a branch of cosmetology at a salon in which the 1244  
person rents booth space without a current, valid independent 1245  
contractor license under section 4713.39 of the Revised Code; 1246

(I) Operate a salon without a current, valid license under 1247  
section 4713.41 of the Revised Code; 1248

(J) Provide cosmetic therapy or massage in therapy at a 1249  
beauty salon or nail salon for pay, free, or otherwise unless the 1250  
person holds without a current, valid certificate issued by the 1251  
state medical board pursuant to under section 4731.15 of the 1252  
Revised Code or provide any other professional service at a salon 1253  
for pay, free, or otherwise without a current, valid license or 1254

certificate issued by the professional regulatory board of this 1255  
state that regulates the profession; 1256

~~(7) Engage in the advertisement or operation of a glamour~~ 1257  
~~photography service unless properly licensed under this chapter by~~ 1258  
~~the state board of cosmetology.~~ 1259

~~(B) Sections 4713.01 to 4713.21 of the Revised Code do not~~ 1260  
~~prohibit any student in a licensed school of cosmetology in this~~ 1261  
~~state from engaging in that school, as a student, in work~~ 1262  
~~connected with any branch of cosmetology taught in the school~~ 1263

(K) Teach a branch of cosmetology at a salon, unless the 1264  
person receiving the instruction holds either of the following 1265  
authorizing the practice of that branch of cosmetology: 1266

(1) A current, valid license under section 4713.28, 4713.30, 1267  
or 4713.34 of the Revised Code; 1268

(2) A current, valid temporary pre-examination work permit 1269  
issued under section 4713.22 of the Revised Code. 1270

(L) Operate a school of cosmetology without a current, valid 1271  
license under section 4713.44 of the Revised Code; 1272

(M) At a salon or school of cosmetology, do either of the 1273  
following: 1274

(1) Use or possess a cosmetic product containing an 1275  
ingredient that the United States food and drug administration has 1276  
prohibited by regulation; 1277

(2) Use a cosmetic product in a manner inconsistent with a 1278  
restriction established by the United States food and drug 1279  
administration by regulation. 1280

(N) While in charge of a salon or school of cosmetology, 1281  
permit any person to sleep in, or use for residential purposes, 1282  
any room used wholly or in part as the salon or school of 1283  
cosmetology; 1284

(O) Maintain, as an established place of business for the 1285  
practice of one or more of the branches of cosmetology, a room 1286  
used wholly or in part for sleeping or residential purposes; 1287

(P) Operate a tanning facility that is offered to the public 1288  
for a fee or other compensation without a current, valid permit 1289  
under section 4713.48 of the Revised Code. 1290

**Sec. 4713.141.** An inspector employed by the state board of 1291  
cosmetology may take a sample of a product used or sold in a salon 1292  
or school of cosmetology for the purpose of examining the sample, 1293  
or causing an examination of the sample to be made, to determine 1294  
whether division (M) of section 4713.14 of the Revised Code has 1295  
been violated. 1296

**Sec. 4713.15.** This chapter does not permit any of the 1298  
services or arts that are part of the practice of a branch of 1299  
cosmetology to be used for the treatment or cure of a physical or 1300  
mental disease or ailment. 1301

**Sec. 4713.16.** This chapter does not prohibit any of the 1303  
following: 1304

(A) Practicing a branch of cosmetology without a license if 1305  
the person does so for free at the person's home for a family 1306  
member who resides in the same household as the person; 1307

(B) The retail sale, or trial demonstration by application to 1308  
the skin for purposes of retail sale, of cosmetics, preparations, 1309  
tonics, antiseptics, creams, lotions, wigs, or hairpieces without 1310  
a practicing license; 1311

(C) The retailing, at a salon, of cosmetics, preparations, 1312  
tonics, antiseptics, creams, lotions, wigs, hairpieces, clothing, 1313  
or any other items that pose no risk of creating unsanitary 1314  
conditions at the salon; 1315

(D) The provision of glamour photography services at a 1316  
licensed salon if either of the following is the case: 1317

(1) A branch of cosmetology is not practiced as part of the 1318  
services. 1319

(2) If a branch of cosmetology is practiced as part of the 1320  
services, the part of the services that is a branch of cosmetology 1321  
is performed by a person who holds either of the following 1322  
authorizing the person to practice that branch of cosmetology: 1323

(a) A current, valid license under section 4713.28, 4713.30, 1324  
or 4713.34 of the Revised Code; 1325

(b) A current, valid temporary special occasion work permit 1326  
issued under section 4713.37 of the Revised Code. 1327

(E) A student engaging, as a student, in work connected with 1328  
a branch of cosmetology taught at the school of cosmetology at 1329  
which the student is enrolled. 1330

**Sec. ~~4713.12~~ 4713.17.** ~~Sections 4713.01 to 4713.21 of the~~ 1332  
~~Revised Code do not prohibit service in cases of emergency or~~ 1333  
~~domestic administration, without compensation.~~ The following 1334  
persons ~~shall be~~ are exempt from the provisions of ~~such sections~~ 1335  
this chapter, except, as applicable, section 4713.42 of the 1336  
Revised Code: 1337

(A) All persons authorized to practice medicine, surgery, 1338  
dentistry, and nursing or any of its branches in this state; 1339

(B) Commissioned surgical and medical officers of the United 1340  
States army, navy, air force, or marine hospital service when 1341  
engaged in the actual performance of their official duties, and 1342  
attendants attached to same; 1343

(C) Barbers, insofar as their usual and ordinary vocation and 1344  
profession is concerned; 1345

(D) Funeral directors, embalmers, and apprentices licensed or 1346  
registered under Chapter 4717. of the Revised Code; 1347

(E) Persons who are engaged in the retail sale, cleaning, or 1348  
beautification of wigs and ~~postiches~~ hairpieces but who do not 1349  
engage in any other act constituting the practice of a branch of 1350  
cosmetology; 1351

(F) Volunteers of hospitals, and homes as defined in section 1352  
3721.01 of the Revised Code, who render service to registered 1353  
patients and inpatients who reside in such hospitals or homes. 1354  
Such volunteers shall not use or work with any chemical products 1355  
such as permanent wave, hair dye, or chemical hair relaxer, which 1356  
without proper training would pose a health or safety problem to 1357  
the patient. 1358

(G) ~~Nurses~~ Nurse aides and other employees of hospitals and 1359  
homes as defined in section 3721.01 of the Revised Code, who 1360  
~~render~~ practice a branch of cosmetology ~~services to on~~ registered 1361  
patients only as part of general patient care services and who do 1362  
not charge patients directly on a fee for service basis; 1363

(H) Cosmetic therapists and massage therapists who hold 1364  
current, valid certificates to practice cosmetic or massage 1365  
therapy issued by the state medical board under section 4731.15 of 1366  
the Revised Code; 1367

~~(I) Photographers engaged in delivering a glamour photography~~ 1368  
~~service in a licensed salon, so long as the person advertising and~~ 1369  
~~operating the glamour photography service is properly licensed~~ 1370  
~~under this chapter by the state board of cosmetology, to the~~ 1371  
~~extent their actions are authorized by their certificates to~~ 1372  
~~practice.~~ 1373

**Sec. 4713.05 4713.20.** ~~Every application for~~ (A) Each person 1374  
who seeks admission to an examination, conducted under section 1375

4713.24 of the Revised Code and every application for each person 1376  
who seeks a license as a cosmetologist, a natural hair stylist, or 1377  
in any branch of cosmetology, under this chapter shall be in 1378  
writing, on forms prepared and furnished by the state board of 1379  
cosmetology. Such application shall be accompanied by the fee 1380  
specified, and shall contain do all of the following: 1381

(1) Submit to the state board of cosmetology a written 1382  
application containing proof of the qualifications of the 1383  
applicant for following: 1384

(a) If the person seeks admission to an examination, that the 1385  
person satisfies all conditions to obtain the license for which 1386  
the examination is conducted, other than the requirement to have 1387  
passed the examination, or for; 1388

(b) If the person seeks a license, that the person satisfies 1389  
all conditions for obtaining the license, and shall be verified, 1390  
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(2) Pay to the board the applicable fee; 1392

(3) Verify by the oath that of the applicant application is 1393  
true. 1394

If, after application, the applicant fails to appear for the 1395  
applicant's examination, in order to be examined at a later date, 1396  
the applicant may apply again as specified above and shall pay the 1397  
re-examination fee. 1398

Applicants failing to pass the examination may apply again as 1399  
specified above and shall pay the re-examination fee (B) An 1400  
application to operate a salon or school of cosmetology may be 1401  
submitted by the owner, manager, or person in charge of the salon 1402  
or school. 1403

Sec. 4713.21. Both of the following may apply again under 1404  
section 4713.20 of the Revised Code for admission to an 1405

examination conducted under section 4713.24 of the Revised Code: 1406

(A) A person who failed to appear for an examination that the 1407  
person was previously scheduled to take; 1408

(B) A person who appeared for a previously scheduled 1409  
examination but failed to pass it. 1410

**Sec. 4713.22.** (A) The state board of cosmetology shall issue 1411  
a temporary pre-examination work permit to a person who applies 1412  
under section 4713.20 of the Revised Code for admission to an 1413  
examination conducted under section 4713.24 of the Revised Code, 1414  
if the person satisfies all of the following conditions: 1415

(1) Is seeking a practicing license; 1416

(2) Has not previously failed an examination conducted under 1417  
section 4713.24 of the Revised Code to determine the applicant's 1418  
fitness to practice the branch of cosmetology for which the person 1419  
seeks a license; 1420

(3) Pays to the board the applicable fee; 1421

(4) Satisfies all other conditions established by rules 1422  
adopted under section 4713.08 of the Revised Code. 1423

(B) A person issued a temporary pre-examination work permit 1424  
may practice the branch of cosmetology for which the person seeks 1425  
a license until the date the person is scheduled to take an 1426  
examination under section 4713.24 of the Revised Code. The person 1427  
shall practice under the supervision of a person holding a 1428  
current, valid managing license appropriate for the type of salon 1429  
in which the permit holder practices. A temporary pre-examination 1430  
work permit is renewable in accordance with rules adopted under 1431  
section 4713.08 of the Revised Code. 1432

**Sec. 4713.06 4713.24.** (A) All examinations of applicants 1433



~~under sections 4713.01 to 4713.21 of the Revised Code shall meet~~ 1434  
The state board of cosmetology shall conduct an examination for 1435  
each person who satisfies the requirements established by section 1436  
4713.20 of the Revised Code for admission to the examination. The 1437  
examination shall be specific to the type of license the person 1438  
seeks and satisfy all of the following conditions: 1439

~~(1)~~(A) Include both practical demonstrations and written or 1440  
oral tests related to the type of license the person seeks; 1441

~~(2)~~(B) Relate only to a branch of cosmetology, managing 1442  
license, or both, but not be confined to any special system or 1443  
method; 1444

~~(3)~~(C) Be consistent in both practical and technical 1445  
requirements, and for the type of license the person seeks; 1446

(D) Be of sufficient thoroughness to satisfy the ~~state~~ board 1447  
~~of cosmetology~~ as to the ~~applicant's~~ person's skill in and 1448  
knowledge ~~if~~ of the ~~practice of the occupation for which a license~~ 1449  
~~is sought.~~ 1450

~~(B)(1)~~ Examinations for licenses as cosmetologists shall, in 1451  
~~addition to the requirements of division (A) of this section,~~ 1452  
~~include practical demonstrations and written or oral tests in~~ 1453  
~~sanitation and the use of mechanically and electrically operated~~ 1454  
~~apparatus as applicable to the practice~~ branch of cosmetology, 1455  
managing license, or both, for which the examination is conducted. 1456

~~(2)~~ Examinations for a managing cosmetologist's license may 1457  
~~be administered separately at the completion of the managing~~ 1458  
~~cosmetologist's training course, or may be combined with the~~ 1459  
~~examination for a cosmetologist's license where the applicant has~~ 1460  
~~completed a single eighteen hundred-hour combined cosmetologist~~ 1461  
~~and managing cosmetologist course. Applicants may apply for an~~ 1462  
~~examination for a managing cosmetologist's license following~~ 1463  
~~completion of one year of certified employment experience in a~~ 1464

licensed beauty salon. 1465

~~(3) Examinations for a managing manicurist's license may be 1466  
administered separately at the completion of the managing 1467  
manicurist's training course, or may be combined with the 1468  
examination for a manicurist license when the applicant has 1469  
completed a single three hundred-hour course combining the 1470  
manicurist and managing manicurist training certified to the board 1471  
by a licensed school of cosmetology in this state. 1472~~

~~(4) In addition to the requirements of division (A) of this 1473  
section, examinations for licenses as an esthetician shall include 1474  
a practical demonstration and a written or oral test in sanitation 1475  
and the principles of esthetics. 1476~~

~~(5) Examinations for a license as a managing esthetician may 1477  
be administered separately at the completion of the applicant's 1478  
training as a managing esthetician or may be combined with the 1479  
examination for the license as an esthetician when the applicant 1480  
has completed a single course of study of at least seven hundred 1481  
fifty hours combining esthetics and managing esthetics training in 1482  
a licensed school of cosmetology in this state. 1483~~

Sec. 4713.25. The state board of cosmetology may administer a 1484  
separate managing cosmetologist examination for persons who 1485  
complete a managing cosmetologist training course separate from a 1486  
cosmetologist training course. The board may combine the managing 1487  
cosmetologist examination with the cosmetologist examination for 1488  
persons who complete a combined eighteen hundred-hour 1489  
cosmetologist and managing cosmetologist training course. 1490

The board may administer a separate managing esthetician 1491  
examination for persons who complete a managing esthetician 1492  
training course separate from an esthetician training course. The 1493  
board may combine the managing esthetician examination with the 1494  
esthetician examination for persons who complete a combined seven 1495

hundred fifty-hour esthetician and managing esthetician training 1496  
course. 1497

The board may administer a separate managing hair designer 1498  
examination for persons who complete a managing hair designer 1499  
training course separate from a hair designer training course. The 1500  
board may combine the managing hair designer examination with the 1501  
hair designer examination for persons who complete a combined one 1502  
thousand four hundred forty-hour hair designer and managing hair 1503  
designer training course. 1504

The board may administer a separate managing manicurist 1505  
examination for persons who complete a managing manicurist 1506  
training course separate from a manicurist training course. The 1507  
board may combine the managing manicurist examination with the 1508  
manicurist examination for persons who complete a combined four 1509  
hundred thirty-hour manicurist and managing manicurist training 1510  
course. 1511

The board may administer a separate managing natural hair 1512  
stylist examination for persons who complete a managing natural 1513  
hair stylist training course separate from a natural hair stylist 1514  
training course. The board may combine the managing natural hair 1515  
stylist examination with the natural hair stylist examination for 1516  
persons who complete a combined six hundred-hour natural hair 1517  
stylist and managing natural hair stylist training course. 1518

The board may administer a separate examination for a license 1519  
to manage a salon in which a branch of cosmetology identified in 1520  
rules adopted under section 4713.09 of the Revised Code is 1521  
practiced for persons who complete a managing training course for 1522  
that branch of cosmetology separate from a training course for the 1523  
practice of that branch of cosmetology. The board may combine the 1524  
examination for a license to manage a salon in which that branch 1525  
of cosmetology is practiced with the examination for a license to 1526  
practice that branch of cosmetology for persons who complete a 1527

combined managing and practice training course for that branch of  
cosmetology. The hours of the combined training course must be at  
least the sum of the number of hours a managing training course  
for that branch of cosmetology must be for a person to obtain a  
managing license for that branch of cosmetology and the number of  
hours a training course for the practice of that branch of  
cosmetology must be to obtain a license to practice that branch of  
cosmetology.

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

**Sec. ~~4713.04~~ 4713.28.** ~~(A) Applicants for a cosmetologist's~~  
~~license shall be~~ 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) Is at least sixteen years of age;*i*

(B) Is of good moral character, ~~have~~*i*

(C) Has the equivalent of an Ohio public school ~~eight~~ tenth  
grade education, ~~and have received a total of not less than~~*i*

(D) Passes an examination conducted under section 4713.24 of  
the Revised Code for the branch of cosmetology the applicant seeks  
to practice;

(E) Pays to the board the applicable fee;

(F) In the case of an applicant for an initial cosmetologist  
license, has successfully completed at least fifteen hundred hours  
of instruction in the ~~several branches of~~ board-approved  
cosmetology, ~~including subjects relating to sanitation,~~ training  
in a ~~licensed~~ school of cosmetology licensed in Ohio ~~or otherwise~~

~~pursuant to credits given by the state board of cosmetology as~~ 1557  
~~provided in section 4713.02 of the Revised Code this state,~~ 1558  
~~provided except that only one thousand hours of instruction in the~~ 1559  
~~several branches of board-approved cosmetology training in a~~ 1560  
~~licensed school of cosmetology licensed in this state is required~~ 1561  
~~of a person licensed as a barber under Chapter 4709. of the~~ 1562  
~~Revised Code. Except as provided in section 4713.09 of the Revised~~ 1563  
~~Code, an applicant shall pass an examination in order to qualify~~ 1564  
~~for a cosmetologist's license.~~ 1565

~~(B) Applicants;~~ 1566

(G) In the case of an applicant for an initial esthetician 1567  
license, has successfully completed at least six hundred hours of 1568  
board-approved esthetics training in a school of cosmetology 1569  
licensed in this state; 1570

(H) In the case of an applicant for an initial hair designer 1571  
license, has successfully completed at least one thousand two 1572  
hundred hours of board-approved hair designer training in a school 1573  
of cosmetology licensed in this state, provided that only one 1574  
thousand hours of board-approved hair designer training in a 1575  
school of cosmetology licensed in this state is required of a 1576  
person licensed as a barber under Chapter 4709. of the Revised 1577  
Code; 1578

(I) In the case of an applicant for a manicurist's an initial 1579  
manicurist license shall be at least sixteen years of age, of good 1580  
moral character, have the equivalent of an Ohio public school 1581  
eighth grade education, and have received, has successfully 1582  
completed at least two three hundred hours of instruction in 1583  
subjects relating to sanitation, manicuring, and application of 1584  
artificial or sculptured nails board-approved manicurist training 1585  
in a licensed school of cosmetology licensed in Ohio. Except as 1586  
provided in section 4713.09 of the Revised Code, an applicant 1587  
shall pass an examination in order to qualify for a manicurist's 1588

license. 1589

~~(C) Applicants for an esthetician's license shall be at least sixteen years of age, of good moral character, have the equivalent of an Ohio public school eighth grade education, and have successfully completed at least six hundred hours of instruction in esthetics in a licensed school of cosmetology in this state. Except as provided in section 4713.09 of the Revised Code, an applicant shall pass an examination to qualify for an esthetician's license. The board shall design the examination so as to demonstrate an applicant's minimum competency in all fields of esthetics.~~ 1590  
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~~(D) Applicants this state;~~ 1600

~~(J) In the case of an applicant for a an initial natural hair stylist license shall be at least sixteen years of age, of good moral character, have the equivalent of an Ohio public school eighth grade education, and have received, 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. Except as provided in section 4713.09 of the Revised Code, an applicant shall pass an examination to qualify for a natural hair stylist's license.~~ 1601  
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~~(E) Applicants for a managing cosmetologist's license shall be of good moral character, have the equivalent of an Ohio public school eighth grade education, and have practiced as a cosmetologist in a licensed beauty salon in this or another state of the United States or the District of Columbia for at least one year, or have completed three hundred hours of board-approved curriculum additional in a licensed school of cosmetology in this state in subjects relative to advanced cosmetology, business management, and supervision. Certification of an applicant's completion of one year's experience shall be made to the board by~~ 1611  
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~~the licensed managing cosmetologist or the owner of the licensed  
beauty salon in which the applicant has been employed, or  
certification of completion of the prescribed course of three  
hundred additional hours shall be made to the board by the school  
of cosmetology in this state. Upon either of the foregoing  
certifications and, except as provided in section 4713.09 of the  
Revised Code, upon passage of an examination, the board shall  
issue a managing cosmetologist's license to the applicant.~~

~~(F) Applicants for an initial cosmetology instructor's  
license shall be of good moral character, have the equivalent of  
an Ohio public school twelfth grade education, hold a current  
managing cosmetologist license issued pursuant to this chapter,  
and have practiced as a licensed cosmetologist in a beauty salon  
for at least twelve months, or have completed one thousand hours  
of cosmetology instructor training in a licensed school of  
cosmetology in this state as an apprentice instructor. On the date  
that an apprentice cosmetology instructor begins cosmetology  
instructor training in a licensed school of cosmetology, the  
school shall certify the name of the apprentice cosmetology  
instructor to the board along with the date on which the  
apprentice's instructor training began. No school shall have more  
than six apprentice cosmetology instructors at any one time. The  
apprentice cosmetology instructor shall be allowed the regular  
quota of students as prescribed by the board, with the provision  
that a cosmetology instructor is present. An apprentice  
cosmetology instructor may be compensated by the school.  
Certification that the applicant has completed one year or more of  
experience in a licensed beauty salon shall be made to the board  
by the licensed managing cosmetologist or the owner of the  
licensed beauty salon in which the applicant has been employed;  
or, certification shall be made to the board by the school of  
cosmetology, that the apprentice cosmetology instructor has~~

~~completed one thousand hours of teacher training in a licensed  
school of cosmetology in this state. Upon any of the foregoing  
certifications and provided that the applicant holds a current  
managing cosmetologist's license issued pursuant to this chapter,  
the board shall issue a cosmetology instructor's license to the  
applicant.~~

~~(G) Every person who completes a course in cosmetology given  
in a vocational program conducted by a city, exempted village,  
local, or joint vocational school district, is eligible to apply  
for a cosmetologist's or manicurist's license, provided the person  
has completed the educational requirements of division (A) or (B)  
of this section. The board may adopt rules for the recognition of  
any credit to be given to the study of cosmetology in such  
vocational schools of this state.~~

~~(H) The board shall issue to an applicant who has completed  
the requirements of this section and has not previously failed to  
pass an examination conducted by the board to determine the  
applicant's fitness in the practice of cosmetology a temporary  
work permit upon the receipt of the application for examination as  
provided in section 4713.05 of the Revised Code. The temporary  
work permit authorizes the holder to engage in the practice of  
cosmetology under the supervision of a licensed managing  
cosmetologist up to the date of the holding of the next meeting of  
the board for the examination of applicants for license. A  
temporary work permit is not renewable and no person is entitled  
to more than one such permit. The fee for the temporary work  
permit is five dollars.~~

~~(I) Applicants for a managing manicurist's license shall be  
of good moral character, have the equivalent of an Ohio public  
school eighth grade education, and have practiced as a manicurist  
in a licensed nail salon, beauty salon, or barber shop in this or  
another state of the United States or the District of Columbia for~~



~~at least one year, or have completed an additional one hundred  
hours of board-approved curriculum in a licensed school of  
cosmetology in this state in advanced subjects relative to  
manicuring the nails, application of artificial nails, business  
management, and supervision.~~

~~Certification of an applicant's completion of one year's  
experience shall be made to the state board of cosmetology by the  
licensed managing manicurist or the licensed managing  
cosmetologist, or the owner of the licensed nail salon, beauty  
salon, or barber shop in which the applicant has been employed, or  
certification of completion of the prescribed course of one  
hundred additional hours shall be made to the board by the school  
of cosmetology in this state. Upon either of the foregoing  
certifications, and except as provided in section 4713.09 of the  
Revised Code, upon passage of an examination, the board shall  
issue a managing manicurist's license to the applicant.~~

~~(J) When determining the total hours of instruction received  
by any applicant for licensure under this section, the board shall  
not take into account more than eight hours of instruction per day  
nor instruction received more than five years prior to issuance of  
the initial license.~~

~~(K) Applicants for a managing esthetician's license shall be  
of good moral character, have the equivalent of an Ohio public  
school eighth grade education, and have practiced esthetics as a  
cosmetologist or as an esthetician in this or another state of the  
United States or the District of Columbia for at least one year or  
have completed, in addition to the hours required for licensure as  
a cosmetologist or esthetician, at least one hundred fifty hours  
of management training in a licensed school of cosmetology in this  
state.~~

~~Certification to the board of either the completion of the  
one year of experience or the additional one hundred fifty hours~~

~~of management training qualifies the applicant to take the  
examination for licensure as a managing esthetician. Upon  
satisfactory passage of the board's examination and payment of all  
applicable fees, the board shall issue the applicant a managing  
esthetician's license.~~

~~(L) Applicants for an initial license as an esthetics  
instructor shall be at least eighteen years of age, have the  
equivalent of an Ohio public school twelfth grade education, hold  
a current managing cosmetologist's or managing esthetician's  
license, and have at least one year of experience in the practice  
of cosmetology or esthetics as a managing cosmetologist or  
managing esthetician in a licensed salon or have five hundred  
hours of training as an assistant esthetics instructor.~~

~~(M) Applicants for an initial license as a manicurist  
instructor shall be at least eighteen years of age, have the  
equivalent of an Ohio public school twelfth grade education, hold  
a current managing manicurist or managing cosmetologist license  
issued in this state, and have practiced as a licensed managing  
manicurist or managing cosmetologist in a salon for at least  
twelve months. In place of the salon experience, an applicant may  
substitute the completion, in addition to the hours required for  
licensure as a cosmetologist or manicurist, of three hundred hours  
of training in the practice of manicuring instruction in a  
licensed school of cosmetology in this state board-approved  
natural hair stylist training in a school of cosmetology licensed  
in this state;~~

~~(K) In the case of an applicant for an initial license to  
practice a branch of cosmetology identified in rules adopted under  
section 4713.09 of the Revised Code, has successfully completed at  
least the number of hours specified in rules adopted under that  
section of board-approved training for that branch of cosmetology  
in a school of cosmetology licensed in this state.~~

Sec. 4713.29. In accordance with rules adopted under section 1749  
4713.08 of the Revised Code, the state board of cosmetology may 1750  
waive a condition established by section 4713.28 of the Revised 1751  
Code for a license to practice a branch of cosmetology for an 1752  
applicant who practices that branch of cosmetology in a state or 1753  
country that does not license or register branches of cosmetology. 1754

Sec. 4713.30. The state board of cosmetology shall issue a 1755  
managing license to an applicant who satisfies all of the 1756  
following applicable conditions: 1757

(A) Is at least sixteen years of age; 1758

(B) Is of good moral character; 1759

(C) Has the equivalent of an Ohio public school tenth grade 1760  
education; 1761

(D) Pays to the board the applicable fee; 1762

(E) In the case of an applicant for an initial managing 1763  
cosmetologist license, does either of the following: 1764

(1) Has a licensed managing cosmetologist or owner of a 1765  
licensed beauty salon located in this or another state certify to 1766  
the board that the applicant has practiced as a cosmetologist for 1767  
at least two thousand hours in a licensed beauty salon; 1768

(2) Has a school of cosmetology licensed in this state 1769  
certify to the board that the applicant has successfully 1770  
completed, in addition to the hours required for licensure as a 1771  
cosmetologist, at least three hundred hours of board-approved 1772  
managing cosmetologist training and passes an examination for a 1773  
managing cosmetologist license conducted under section 4713.24 of 1774  
the Revised Code. 1775

(F) In the case of an applicant for an initial managing 1776  
esthetician license, does either of the following: 1777

(1) Has the licensed managing esthetician, licensed managing 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 thousand hours as an esthetician in a licensed esthetics salon or as a cosmetologist in a licensed beauty salon; 1778 1779 1780 1781 1782 1783

(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 a licensure as an esthetician or cosmetologist, at least one hundred fifty hours of board-approved managing esthetician training and passes an examination for a managing esthetician license conducted under section 4713.24 of the Revised Code. 1784 1785 1786 1787 1788 1789 1790

(G) In the case of an applicant for an initial managing hair designer license, does either of the following: 1791 1792

(1) Has the licensed managing hair designer, licensed managing cosmetologist, or owner of a licensed hair design salon or licensed beauty salon located in this or another state certify to the board that the applicant has practiced hair design for at least two thousand hours as a hair designer in a licensed hair design salon or as a cosmetologist in a licensed beauty salon; 1793 1794 1795 1796 1797 1798

(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 hair designer or cosmetologist, at least two hundred forty hours of board-approved managing hair designer training and passes an examination for a managing hair designer's license conducted under section 4713.24 of the Revised Code. 1799 1800 1801 1802 1803 1804 1805

(H) In the case of an applicant for an initial managing manicurist license, does either of the following: 1806 1807

(1) Has the licensed managing manicurist, licensed managing 1808

cosmetologist, or owner of a licensed nail salon, licensed beauty 1809  
salon, or licensed barber shop located in this or another state 1810  
certify to the board that the applicant has practiced manicuring 1811  
for at least two thousand hours as a manicurist in a licensed nail 1812  
salon or licensed barber shop or as a cosmetologist in a licensed 1813  
beauty salon or licensed barber shop; 1814

(2) Has a school of cosmetology licensed in this state 1815  
certify to the board that the applicant has successfully 1816  
completed, in addition to the hours required for licensure as a 1817  
manicurist or cosmetologist, at least one hundred thirty hours of 1818  
board-approved managing manicurist training and passes an 1819  
examination for a managing manicurist license conducted under 1820  
section 4713.24 of the Revised Code. 1821

(I) In the case of an applicant for an initial managing 1822  
natural hair stylist license, does either of the following: 1823

(1) Has the licensed managing natural hair stylist, licensed 1824  
managing cosmetologist, or owner of a licensed natural hair style 1825  
salon or licensed beauty salon located in this or another state 1826  
certify to the board that the applicant has practiced natural hair 1827  
styling for at least two thousand hours as a natural hair stylist 1828  
in a licensed natural hair style salon or as a cosmetologist in a 1829  
licensed beauty salon; 1830

(2) Has a school of cosmetology licensed in this state 1831  
certify to the board that the applicant has successfully 1832  
completed, in addition to the hours required for licensure as 1833  
natural hair stylist or cosmetologist, at least one hundred fifty 1834  
hours of board-approved managing natural hair stylist training and 1835  
passes an examination for a managing natural hair stylist license 1836  
conducted under section 4713.24 of the Revised Code. 1837

(J) In the case of an applicant for an initial license to 1838  
manage a salon in which a branch of cosmetology identified in 1839

rules adopted under section 4713.09 of the Revised Code is 1840  
practiced, satisfies the additional conditions for licensure 1841  
established by those rules. 1842

Sec. 4713.31. The state board of cosmetology shall issue an 1843  
instructor license to an applicant who satisfies all of the 1844  
following applicable conditions: 1845

(A) Is at least eighteen years of age; 1846

(B) Is of good moral character; 1847

(C) Has the equivalent of an Ohio public school twelfth grade 1848  
education; 1849

(D) Pays to the board the applicable fee; 1850

(E) In the case of an applicant for an initial cosmetology 1851  
instructor license, holds a current, valid managing cosmetologist 1852  
license issued in this state and does either of the following: 1853

(1) Has the licensed managing cosmetologist or owner of the 1854  
licensed beauty salon in which the applicant has been employed 1855  
certify to the board that the applicant has engaged in the 1856  
practice of cosmetology in a licensed beauty salon for at least 1857  
two thousand hours; 1858

(2) Has a school of cosmetology licensed in this state 1859  
certify to the board that the applicant has successfully completed 1860  
one thousand hours of board-approved cosmetology instructor 1861  
training as an apprentice instructor. 1862

(F) In the case of an applicant for an initial esthetics 1863  
instructor license, holds a current, valid managing esthetician or 1864  
managing cosmetologist license issued in this state and does 1865  
either of the following: 1866

(1) Has the licensed managing esthetician, licensed managing 1867  
cosmetologist, or owner of the licensed esthetics salon or 1868

licensed beauty salon in which the applicant has been employed 1869  
certify to the board that the applicant has engaged in the 1870  
practice of esthetics in a licensed esthetics salon or practice of 1871  
cosmetology in a licensed beauty salon for at least two thousand 1872  
hours; 1873

(2) Has a school of cosmetology licensed in this state 1874  
certify to the board that the applicant has successfully completed 1875  
at least five hundred hours of board-approved esthetics instructor 1876  
training as an apprentice instructor. 1877

(G) In the case of an applicant for an initial hair design 1878  
instructor license, holds a current, valid managing hair designer 1879  
or managing cosmetologist license and does either of the 1880  
following: 1881

(1) Has the licensed managing hair designer, licensed 1882  
managing cosmetologist, or owner of the licensed hair design salon 1883  
or licensed beauty salon in which the applicant has been employed 1884  
certify to the board that the applicant has engaged in the 1885  
practice of hair design in a licensed hair design salon or 1886  
practice of cosmetology in a licensed beauty salon for at least 1887  
two thousand hours; 1888

(2) Has a school of cosmetology licensed in this state 1889  
certify to the board that the applicant has successfully completed 1890  
at least eight hundred hours of board-approved hair design 1891  
instructor's training as an apprentice instructor. 1892

(H) In the case of an applicant for an initial manicurist 1893  
instructor license, holds a current, valid managing manicurist or 1894  
managing cosmetologist license and does either of the following: 1895

(1) Has the licensed managing manicurist, licensed managing 1896  
cosmetologist, or owner of the licensed nail salon or licensed 1897  
beauty salon in which the applicant has been employed certify to 1898  
the board that the applicant has engaged in the practice of 1899

manicuring in a licensed nail salon or practice of cosmetology in 1900  
a licensed beauty salon for at least two thousand hours; 1901

(2) Has a school of cosmetology licensed in this state 1902  
certify to the board that the applicant has successfully completed 1903  
at least three hundred hours of board-approved manicurist 1904  
instructor training as an apprentice instructor. 1905

(I) In the case of an applicant for an initial natural hair 1906  
style instructor license, holds a current, valid managing natural 1907  
hair stylist or managing cosmetologist license and does either of 1908  
the following: 1909

(1) Has the licensed managing natural hair stylist, licensed 1910  
managing cosmetologist, or owner of the licensed natural hair 1911  
style salon or licensed beauty salon in which the applicant has 1912  
been employed certify to the board that the applicant has engaged 1913  
in the practice of natural hair styling in a licensed natural hair 1914  
style salon or practice of cosmetology in a licensed beauty salon 1915  
for at least two thousand hours; 1916

(2) Has a school of cosmetology licensed in this state 1917  
certify to the board that the applicant has successfully completed 1918  
at least four hundred hours of board-approved natural hair style 1919  
instructor training as an apprentice instructor. 1920

(J) In the case of an applicant for an initial license to 1921  
teach the theory and practice of a branch of cosmetology 1922  
identified in rules adopted under section 4713.09 of the Revised 1923  
Code, satisfies the additional conditions for licensure 1924  
established by those rules. 1925

**Sec. 4713.32.** When determining the total hours of instruction 1926  
received by an applicant for a license under section 4713.28, 1927  
4713.30, or 4713.31 of the Revised Code, the state board of 1928  
cosmetology shall not take into account more than eight hours of 1929



instruction per day. The board shall take into account instruction  
received more than five years prior to the date of application for  
the license in accordance with rules adopted under section 4713.08  
of the Revised Code.

**Sec. ~~4713.09~~ 4713.34.** ~~Upon application to the~~ The state board  
of cosmetology, ~~as provided in section 4713.05 of the Revised~~  
~~Code, accompanied by the required license fee, a person shall~~  
issue a license to practice a branch of cosmetology, managing  
license, or instructor license to an applicant who is licensed or  
~~registered as a cosmetologist or in any~~ in another state or  
country to practice that branch of cosmetology under the laws of  
~~any other state or country, or territory of the United States, or~~  
~~the District of Columbia, where similar reciprocity is extended to~~  
~~the state of Ohio, shall without examination, unless the board, in~~  
~~its discretion, sees fit to require examination, be granted a~~  
~~license to practice the occupation in which the person is licensed~~  
~~or registered upon, manage that type of salon, or teach the theory~~  
and practice of that branch of cosmetology, as appropriate, if all  
of the following conditions are satisfied:

(A) The applicant satisfies all of the following conditions:  
~~that the applicant is~~

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

(2) Is of good moral character, and ~~excepting the states~~  
~~which do not license the practice of cosmetology, esthetics, or~~  
~~manicuring, in which case the board shall exercise its discretion~~  
~~in the granting of reciprocity, and that the requirements for~~  
~~registration or license of a cosmetologist and those engaged in~~  
~~the practice of any branch of cosmetology, in the particular~~  
~~state, territory, or District of Columbia, or any other state or~~  
~~country, were at the date of the previous registration or~~

licensing; i 1960

(3) In the case of an applicant for a practicing license or 1961  
managing license, passes an examination conducted under section 1962  
4713.24 of the Revised Code for the license the applicant seeks, 1963  
unless the applicant satisfies conditions specified in rules 1964  
adopted under section 4713.08 of the Revised Code for the board to 1965  
issue the applicant a license without taking the examination; 1966

(4) Pays the applicable fee. 1967

(B) At the time the applicant obtained the license or 1968  
registration in the other state or country, the requirements in 1969  
this state for obtaining the license the applicant seeks were 1970  
substantially equal to the other state or country's requirements 1971  
then enforced in this state. 1972

(C) The jurisdiction that issued the applicant's license or 1973  
registration extends similar reciprocity to persons holding a 1974  
license issued by the board. 1975

**Sec. 4713.35.** A person who holds a current, valid 1976  
cosmetologist license issued by the state board of cosmetology may 1977  
engage in the practice of one or more branches of cosmetology as 1978  
the person chooses. 1979

A person who holds a current, valid esthetician license 1980  
issued by the board may engage in the practice of esthetics but no 1981  
other branch of cosmetology. 1982

A person who holds a current, valid hair designer license 1983  
issued by the board may engage in the practice of hair design but 1984  
no other branch of cosmetology. 1985

A person who holds a current, valid manicurist license issued 1986  
by the board may engage in the practice of manicuring but no other 1987  
branch of cosmetology. 1988

A person who holds a current, valid natural hair stylist 1989

license issued by the board may engage in the practice of natural 1990  
hair styling but no other branch of cosmetology. 1991

A person who holds a current, valid license issued by the 1992  
board to practice a branch of cosmetology identified in rules 1993  
adopted under section 4713.09 of the Revised Code may engage in 1994  
the practice of that branch of cosmetology but no other branch of 1995  
cosmetology. 1996

A person who holds a current, valid managing cosmetologist 1997  
license issued by the board may manage all types of salons and 1998  
engage in the practice of one or more branches of cosmetology as 1999  
the person chooses. 2000

A person who holds a current, valid managing esthetician 2001  
license issued by the board may manage an esthetics salon, but no 2002  
other type of salon, and engage in the practice of esthetics, but 2003  
no other branch of cosmetology. 2004

A person who holds a current, valid managing hair designer 2005  
license issued by the board may manage a hair design salon, but no 2006  
other type of salon, and engage in the practice of hair design, 2007  
but no other branch of cosmetology. 2008

A person who holds a current, valid managing manicurist 2009  
license issued by the board may manage a nail salon, but no other 2010  
type of salon, and engage in the practice of manicuring, but no 2011  
other branch of cosmetology. 2012

A person who holds a current, valid managing natural hair 2013  
stylist license issued by the board may manage a natural hair 2014  
style salon, but no other type of salon, and engage in the 2015  
practice of natural hair styling, but no other branch of 2016  
cosmetology. 2017

A person who holds a current, valid license issued by the 2018  
board to manage a type of salon in which a branch of cosmetology 2019  
identified in rules adopted under section 4713.09 of the Revised 2020

Code is practiced may manage that type of salon, but no other type 2021  
of salon, and engage in the practice of that branch of 2022  
cosmetology, but no other branch of cosmetology. 2023

A person who holds a current, valid cosmetology instructor 2024  
license issued by the board may teach the theory and practice of 2025  
one or more branches of cosmetology at a school of cosmetology as 2026  
the person chooses. 2027

A person who holds a current, valid esthetics instructor 2028  
license issued by the board may teach the theory and practice of 2029  
esthetics, but no other branch of cosmetology, at a school of 2030  
cosmetology. 2031

A person who holds a current, valid hair design instructor 2032  
license issued by the board may teach the theory and practice of 2033  
hair design, but no other branch of cosmetology, at a school of 2034  
cosmetology. 2035

A person who holds a current, valid manicurist instructor 2036  
license issued by the board may teach the theory and practice of 2037  
manicuring, but no other branch of cosmetology, at a school of 2038  
cosmetology. 2039

A person who holds a current, valid natural hair style 2040  
instructor license issued by the board may teach the theory and 2041  
practice of natural hair styling, but no other branch of 2042  
cosmetology, at a school of cosmetology. 2043

A person who holds a current, valid license to teach the 2044  
theory and practice of a branch of cosmetology identified in rules 2045  
adopted under section 4713.09 of the Revised Code may teach the 2046  
theory and practice of that branch of cosmetology, but no other 2047  
branch of cosmetology, at a school of cosmetology. 2048

**Sec. 4713.36.** A licensed manicurist or licensed managing 2049  
manicurist may engage in the practice of manicuring at a nail 2050

salon or beauty salon licensed under section 4713.41 of the  
Revised Code or a barber shop licensed under Chapter 4709. of the  
Revised Code.

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

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

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(2) Is a recognized expert in the practice or teaching of the  
branch of cosmetology the person practices or teaches;

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(3) Is to practice that branch of cosmetology or teach the  
theory and practice of that branch of cosmetology in this state as  
part of a promotional or instructional program for no more than  
the amount of time a temporary special occasion work permit is  
effective;

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

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

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

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

Sec. ~~4713.14~~ 4713.41. ~~(A) Beauty salons shall be in~~ The state  
board of cosmetology shall issue a license to operate a salon to  
an applicant who pays the applicable fee and affirms that all of  
the following conditions will be met:

(A) A person holding a current, valid managing cosmetologist  
license or license to manage that type of salon has charge of and  
~~under the immediate supervision of a licensed managing~~  
~~cosmetologist and esthetics salons shall be in charge of and under~~  
~~the immediate supervision of a licensed managing cosmetologist or~~  
~~a licensed managing esthetician. Beauty salons and esthetics~~  
~~salons shall be~~ over the salon.

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

(1) Provide potable running hot and cold water and proper  
~~drainage, to sanitize;~~

(2) Sanitize all instruments and supplies used ~~therein~~ in the  
~~practice branch~~ of cosmetology ~~and any of its branches, and to~~  
sterilize provided at the salon;

(3) If cosmetic therapy, massage therapy, or other  
professional service is provided at the salon under section  
4713.42 of the Revised Code, sanitize all instruments and supplies  
~~used therein by in the~~ cosmetic therapists ~~authorized to practice~~  
~~under section 4731.15 of the Revised Code~~ therapy, massage

therapy, or other professional service. 2110

~~(C) Except as provided in division (C) of this section, rooms~~ 2111  
~~licensed as beauty salons or esthetics salons shall be used only~~ 2112  
~~for the practice of services regulated and licensed under this~~ 2113  
~~chapter and section 4731.15 sections 4713.42 and 4713.49 of the~~ 2114  
~~Revised Code, be only the branch of cosmetology that the salon is~~ 2115  
~~licensed to provide is practiced at the salon.~~ 2116

~~(D) The salon is kept in a clean and sanitary condition, and~~ 2117  
~~be properly ventilated. Nothing in this section shall be construed~~ 2118  
~~to forbid the retailing of cosmetics, preparations, tonics,~~ 2119  
~~antiseptics, creams, lotions, wigs, postiches, and other items~~ 2120  
~~related to the practice of cosmetology, including clothing, or~~ 2121  
~~forbid the provision of glamour photography, in a beauty salon or~~ 2122  
~~esthetics salon.~~ 2123

~~(E) No food shall be is sold in rooms used as beauty salons~~ 2124  
~~or esthetics salons at the salon in a manner inconsistent with~~ 2125  
~~rules adopted under section 4713.08 of the Revised Code.~~ 2126

~~(B) Nail salons shall be in charge of and under the immediate~~ 2127  
~~supervision of a licensed managing manicurist or a licensed~~ 2128  
~~managing cosmetologist. Nail salons shall be equipped to provide~~ 2129  
~~potable running hot and cold water and proper drainage, and to~~ 2130  
~~sanitize all instruments and supplies used therein in the~~ 2131  
~~manicuring of nails or in the practice of massage. Rooms licensed~~ 2132  
~~as nail salons shall be used only for the practice of services~~ 2133  
~~regulated and licensed under this chapter, and must be kept in a~~ 2134  
~~clean and sanitary condition and be properly ventilated. Nothing~~ 2135  
~~in this section shall be construed to forbid the retailing of~~ 2136  
~~cosmetics, creams, lotions, and other items related to the~~ 2137  
~~manicuring of nails, including clothing, in a nail salon. No food~~ 2138  
~~shall be sold in rooms used as nail salons.~~ 2139

~~(C) Where the owner or operator of a beauty salon, nail~~ 2140  
~~salon, or a school of cosmetology has a permit issued under~~ 2141

~~section 4713.25 of the Revised Code, tanning facilities may be  
operated in beauty salons, nail salons, and schools of cosmetology  
in accordance with rules that the state board of cosmetology may  
adopt pertaining to the operation of tanning facilities in beauty  
salons, nail salons, and schools.~~

~~(D) The owner or operator of a beauty salon or nail salon may  
provide massage services at the salon if the services are provided  
in accordance with any rules adopted under section 4713.02 of the  
Revised Code and the person giving the service holds a current,  
valid certificate issued under section 4731.15 of the Revised  
Code. Any room used to provide massage services in a salon shall  
be used for only that purpose and is subject to the requirements  
relating to cleanliness and ventilation established in division  
(A) of this section.~~

Sec. 4713.42. A person holding a current, valid certificate  
issued under section 4731.15 of the Revised Code to provide  
cosmetic therapy or massage therapy may provide cosmetic therapy  
or massage therapy, as appropriate, in a salon. A person holding a  
current, valid license or certificate issued by a professional  
regulatory board of this state may practice the person's  
profession in a salon if the person's profession is authorized by  
rules adopted under section 4713.08 of the Revised Code to  
practice in a salon.

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

Sec. 4713.15 4713.44. Schools The state board of cosmetology  
shall issue a license to operate a school of cosmetology shall  
meet to an applicant who pays the applicable fee and satisfies all



of the following requirements: 2172

(A) ~~Maintain a school term of not less than fifteen hundred~~ 2173  
~~hours for the majority of the practices of cosmetology and not~~ 2174  
~~less than six hundred hours' instruction and practical training in~~ 2175  
~~the field of esthetics, and maintain~~ Maintains a course of 2176  
practical training and technical instruction for the branch or 2177  
branches of cosmetology to be taught at the school equal to the 2178  
requirements for admission to an examination ~~for license as a~~ 2179  
~~cosmetologist and an esthetician set forth in~~ under section 2180  
4713.06 4713.24 of the Revised Code that a person must pass to 2181  
obtain a license to practice that branch or those branches of 2182  
cosmetology; 2183

(B) ~~Possess~~ Possesses or ~~make~~ makes available apparatus and 2184  
equipment sufficient for the ready and full teaching of all 2185  
subjects of the curriculum; 2186

(C) ~~Maintain~~ Maintains persons licensed ~~as cosmetology,~~ 2187  
~~manicurist, and esthetics instructors,~~ under section ~~4713.04~~ 2188  
4713.31 or 4713.34 of the Revised Code, ~~as instructors of to teach~~ 2189  
the theory and ~~practices~~ practice of the branches of cosmetology. 2190  
~~They may employ persons not licensed as instructors as teachers of~~ 2191  
~~subjects related to cosmetology, provided a licensed cosmetology~~ 2192  
~~instructor is present.~~i 2193

(D) ~~Notify~~ Notifies the ~~state~~ board of ~~cosmetology~~ of the 2194  
enrollment of each new student, ~~keep a daily record of the~~ 2195  
~~attendance of each student and~~ keeps a record devoted to the 2196  
different practices, ~~establish~~ establishes grades, and ~~hold~~ holds 2197  
examinations in order to certify the students' completion of the 2198  
prescribed course of study before the issuance of certificates of 2199  
completion. ~~i~~ 2200

(E) ~~File~~ In the case of a school of cosmetology that offers 2201  
clock hours for the purpose of satisfying minimum hours of 2202  
training and instruction, keeps a daily record of the attendance 2203

of each student; 2204

(F) On the date that an apprentice cosmetology instructor 2205  
begins cosmetology instructor training at the school, certifies 2206  
the name of the apprentice cosmetology instructor to the board 2207  
along with the date on which the apprentice's instructor training 2208  
began; 2209

(G) Instructs no more than six apprentice cosmetology 2210  
instructors at any one time; 2211

(H) Files with the board a good and sufficient surety bond 2212  
executed by the person, firm, or corporation operating the school 2213  
of cosmetology as principal and by a surety company as surety in 2214  
the amount of ten thousand dollars; provided, that this 2215  
requirement does not apply to a vocational program conducted by a 2216  
city, exempted village, local, or joint vocational school 2217  
district. The bond shall be in the form prescribed by the board 2218  
and be conditioned upon the school's continued instruction in the 2219  
theory and practice of the branches of cosmetology. Every bond 2220  
shall continue in effect until notice of its termination is given 2221  
to the board by registered mail and every bond shall so provide. 2222

~~Any student who is injured or damaged by reason of a school's~~ 2223  
~~failure to continue instruction in the theory and practice of~~ 2224  
~~cosmetology may maintain an action on the bond against the school,~~ 2225  
~~or surety named therein, or both of them, for the recovery of any~~ 2226  
~~money or tuition paid in advance, for instruction in the theory~~ 2227  
~~and practice of cosmetology which was not received. The aggregate~~ 2228  
~~liability of the surety to all students shall not exceed the sum~~ 2229  
~~of the bond.~~ 2230

~~No branch of cosmetology shall be taught in a beauty salon to~~ 2231  
~~persons not licensed as cosmetologists.~~ 2232

Sec. 4713.45. (A) A school of cosmetology may do the 2233  
following: 2234

(1) In accordance with rules adopted under section 4713.08 of 2235  
the Revised Code, offer clock or credit hours for the purpose of 2236  
satisfying minimum hours of training and instruction; 2237

(2) Allow an apprentice cosmetology instructor the regular 2238  
quota of students prescribed by the state board of cosmetology if 2239  
a cosmetology instructor is present; 2240

(3) Compensate an apprentice cosmetology instructor; 2241

(4) Subject to division (B) of this section, employ a person 2242  
who does not hold a current, valid instructor license to teach 2243  
subjects related to a branch of cosmetology. 2244

(B) A school of cosmetology shall have a licensed cosmetology 2245  
instructor present when a person employed pursuant to division 2246  
(A)(4) of this section teaches at the school, unless the person is 2247  
one of the following: 2248

(1) A person with a current, valid teacher's certificate or 2249  
educator license issued by the state board of education; 2250

(2) A person with a bachelor's degree in the subject the 2251  
person teaches at the school; 2252

(3) A person also employed by a university or college to 2253  
teach the subject the person teaches at the school. 2254

**Sec. 4713.46.** A student who is injured or damaged by reason 2255  
of the failure of a school of cosmetology to continue instruction 2256  
in the theory and practice of a branch of cosmetology may maintain 2257  
an action on the bond against the school, or surety named therein, 2258  
or both of them, for the recovery of any money or tuition paid in 2259  
advance for instruction in the theory and practice of a branch of 2260  
cosmetology that was not received. The aggregate liability of the 2261  
surety to all students shall not exceed the sum of the bond. 2262

**Sec. 4713.25 4713.48.** (A) As used in this section, "tanning 2263

~~facility" means a room or booth which houses equipment or beds~~ 2264  
~~used for tanning the human skin by the use of fluorescent sun~~ 2265  
~~lamps using ultraviolet or other artificial radiation.~~ 2266

~~(B) The state board of cosmetology, pursuant to Chapter 119.~~ 2267  
~~of the Revised Code, shall adopt rules:~~ 2268

~~(1) Requiring that tanning facilities be installed and~~ 2269  
~~operated in a manner that ensures the health and safety of~~ 2270  
~~consumers using them;~~ 2271

~~(2) Establishing the procedures governing applications for~~ 2272  
~~permits required by this section;~~ 2273

~~(3) Setting fees for permits and renewal which cover the~~ 2274  
~~costs incurred by the board in inspecting tanning facilities and~~ 2275  
~~enforcing the rules of the board, but which in any case shall not~~ 2276  
~~exceed one hundred dollars for a permit or renewal for each~~ 2277  
~~location of such facilities.~~ 2278

~~(C) The rules adopted under division (B)(1) of this section~~ 2279  
~~shall include but not be limited to the following:~~ 2280

~~(1) A rule establishing a maximum safe time of exposure to~~ 2281  
~~radiation and a maximum safe temperature at which sun lamps may be~~ 2282  
~~operated;~~ 2283

~~(2) A rule requiring that the consumer wear protective~~ 2284  
~~eyeglasses and that the consumer be supervised as to the length of~~ 2285  
~~time he uses a tanning facility;~~ 2286

~~(3) A rule requiring the operator to prohibit consumers from~~ 2287  
~~standing too close to sun lamps and to post signs warning~~ 2288  
~~consumers of the potential effects of radiation on persons taking~~ 2289  
~~certain medications and of the possible relationship of the~~ 2290  
~~radiation to skin cancer;~~ 2291

~~(4) A rule requiring the installation of protective shielding~~ 2292  
~~for sun lamps and handrails for consumers;~~ 2293

~~(5) A rule requiring that floors be dry during operation of~~ 2294  
~~lamps.~~ 2295

~~(D) No person shall own or operate any tanning facilities~~ 2296  
~~that are offered to the public for a fee or other compensation~~ 2297  
~~unless the person holds a valid permit issued by the board. The~~ 2298  
~~permit holder shall post the permit in a conspicuous place on any~~ 2299  
~~premises where the tanning facilities are located. A person shall~~ 2300  
~~obtain a separate permit for each of the premises owned or~~ 2301  
~~operated by that person.~~ 2302

~~(E) The state board of cosmetology shall issue a permit to~~ 2303  
~~any person who files operate a tanning facility to an applicant if~~ 2304  
~~all of the following conditions are satisfied:~~ 2305

~~(1) The applicant applies in accordance with the application~~ 2306  
~~on a form prescribed process adopted by the board and rules~~ 2307  
~~adopted under section 4713.08 of the Revised Code.~~ 2308

~~(2) The applicant pays to the treasurer of state the fee~~ 2309  
~~established by the board, if an those rules.~~ 2310

~~(3) An initial inspection of the premises indicates that the~~ 2311  
~~premises and the tanning facilities are facility has been~~ 2312  
~~installed and will be operated in accordance with any those rules~~ 2313  
~~established under division (B)(1) of this section.~~ 2314

~~(B) A permit holder shall post the permit in a public and~~ 2315  
~~conspicuous place on any premises where the tanning facility is~~ 2316  
~~located. A person shall obtain a separate permit for each of the~~ 2317  
~~premises owned or operated by that person at which the person~~ 2318  
~~seeks to operate a tanning facility.~~ 2319

~~(C) A permit holder may biennially renew a permit by the~~ 2320  
~~thirtieth last day of January of each odd-numbered year upon~~ 2321  
~~payment to the treasurer of state of the biennial renewal fee,~~ 2322  
~~except that the board may, after a hearing in accordance with~~ 2323  
~~Chapter 119. of the Revised Code, refuse to renew the permit of~~ 2324

~~any owner or operator who has violated the rules of the board for~~ 2325  
~~the safe operation of tanning facilities.~~ 2326

~~(F) The board may appoint inspectors as needed who shall make~~ 2327  
~~periodic inspections of tanning facilities as specified by the~~ 2328  
~~board. The board, after a hearing in accordance with Chapter 119.~~ 2329  
~~of the Revised Code, may suspend any permit where the owner or~~ 2330  
~~operator fails to correct any unsafe conditions that exist in~~ 2331  
~~violation of the rules of the board or fails to cooperate in any~~ 2332  
~~inspection of tanning facilities by the inspector.~~ 2333

~~If any violation has resulted in a condition deemed by an~~ 2334  
~~inspector to create an immediate danger to the health and safety~~ 2335  
~~of any person using the tanning facilities, the inspector may~~ 2336  
~~suspend the permit without a prior hearing until the unsafe~~ 2337  
~~condition is corrected or until a hearing in accordance with~~ 2338  
~~Chapter 119. of the Revised Code is held and the board either~~ 2339  
~~upholds the suspension by the inspector or reinstates the permit.~~ 2340

Sec. 4713.49. ~~The owner or manager of a salon that has a~~ 2341  
permit issued under section 4713.48 of the Revised Code may 2342  
operate a tanning facility at the salon or school. 2343

Sec. 4713.08 4713.55. Every license issued by the state board 2344  
of cosmetology shall be signed by the ~~chairman~~ chairperson and 2345  
attested by the executive director thereof, with the seal of the 2346  
board attached; ~~and every such license shall be.~~ 2347

The board shall specify on each practicing license that the 2348  
board issues the branch of cosmetology that the license entitles 2349  
the holder to practice. The board shall specify on each managing 2350  
license that the board issues the type of salon that the license 2351  
entitles the holder to manage and the branch of cosmetology that 2352  
the license entitles the holder to practice. The board shall 2353  
specify on each instructor license that the board issues the 2354

branch of cosmetology that the license entitles the holder to  
teach. Such licenses are prima-facie evidence of the right of the  
holder to practice or teach the branch of cosmetology, or the  
branch thereof which manage the type of salon, that the license  
designates specifies.

**Sec. 4713.16 4713.56.** Every holder of a practicing license,  
managing license, instructor license, or independent contractor  
license issued by the state board of cosmetology to operate a  
school of cosmetology, nail salon, beauty salon, or esthetics  
salon, or to practice cosmetology or any branch of cosmetology,  
shall display the license in a public and conspicuous place in the  
principal office, place of business, or place of employment of the  
holder.

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

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

Every holder of a current, valid certificate of registration  
issued under section 4731.15 of the Revised Code to practice  
massage, person who practices provides cosmetic therapy, massage  
therapy, or other professional service in a salon under section  
4713.14 4713.42 of the Revised Code, shall display the person's  
professional license or certificate in a public and conspicuous  
place in the room used for massage services the therapy or other  
service.

**Sec. 4713.57.** A license issued by the state board of  
cosmetology is valid until the last day of January of the  
odd-numbered year following its original issuance or renewal,

unless the license is revoked or suspended prior to that date.  
Renewal shall be done in accordance with the standard renewal  
procedure of Chapter 4745. of the Revised Code. The board may  
refuse to renew a license if the person holding the license has an  
outstanding unpaid fine levied under section 4713.64 of the  
Revised Code.

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

(1) A cosmetology instructor who has previously been licensed  
as a cosmetologist or a managing cosmetologist, is entitled to the  
reissuance of a cosmetologist or managing cosmetologist license;

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

(3) A hair design instructor who has previously been licensed  
as a hair designer or a managing hair designer, is entitled to the  
reissuance of a hair designer or managing hair designer license;

(4) A manicurist instructor who has previously been licensed  
as a manicurist or a managing manicurist, is entitled to the  
reissuance of a manicurist or managing manicurist license;

(5) A natural hair style instructor who has previously been  
licensed as a natural hair stylist or a managing natural hair  
stylist, is entitled to the reissuance of a natural hair stylist  
or managing natural hair stylist license;



(6) An instructor of a branch of cosmetology identified in 2415  
rules adopted under section 4713.09 of the Revised Code who has 2416  
previously been licensed to practice that branch of cosmetology or 2417  
manage a salon in which that branch of cosmetology is practiced, 2418  
is entitled to the reissuance of a license to practice that branch 2419  
of cosmetology or manage that type of salon. 2420

(B) No person is entitled to the reissuance of a license 2421  
under division (A) of this section if the license was revoked or 2422  
suspended or the person has an outstanding unpaid fine levied 2423  
under section 4713.64 of the Revised Code. 2424

**Sec. 4713.111 4713.59.** ~~(A) As used in this section, "biennial~~ 2425  
~~licensing period" means the two-year period beginning on the~~ 2426  
~~thirty-first day of January of an odd-numbered year and ending on~~ 2427  
~~the thirtieth day of January of the next odd-numbered year.~~ 2428

~~(B) The~~ If the state board of cosmetology ~~may adopt~~ adopts 2429  
~~rules in accordance with Chapter 119.~~ under section 4713.09 of the 2430  
Revised Code to establish a continuing education requirement as a 2431  
condition of renewal for ~~any a practicing~~ license issued under 2432  
~~this chapter. The board may implement a continuing education~~ 2433  
~~requirement for all persons licensed under this chapter or for any~~ 2434  
~~class or combination of classes of such persons.~~ 2435

~~The,~~ managing license, or instructor license, the board shall 2436  
inform each affected licensee of the continuing education 2437  
requirement that applies to the next biennial licensing period by 2438  
including a notification in the license renewal application form 2439  
it sends the licensee. The notification shall state that the 2440  
licensee must complete the continuing education requirement by the 2441  
~~thirtieth~~ last day of January of the next odd-numbered year. 2442

~~(C) A continuing education requirement established under this~~ 2443  
~~section shall not exceed eight hours in any biennial licensing~~ 2444  
~~period.~~ Hours completed in excess of the continuing education 2445

requirement may not be applied to the next biennial licensing 2446  
period. 2447

~~(D) If a continuing education requirement is established, the 2448  
board's rules shall establish a schedule of reasonable prices that 2449  
may be charged for attending continuing education programs 2450  
approved under this section. The board shall ensure that a 2451  
sufficient number of programs are available at such reasonable 2452  
prices so that a licensee who so desires may meet the continuing 2453  
education requirement at a cost of not more than fifty dollars. 2454  
The board's rules may establish a maximum cost for meeting the 2455  
continuing education requirement in excess of fifty dollars, 2456  
provided that the cost does not exceed seventy-five dollars. 2457~~

~~(E) Any person desiring to offer a program for continuing 2458  
education credit shall, before offering the program, apply to the 2459  
board for approval of the program and the price that will be 2460  
charged for attending the program. The board shall encourage 2461  
applicants for approval to charge the applicable reasonable price 2462  
established in rules adopted under this section. The board may 2463  
approve a program even if the price for attending the program 2464  
exceeds the applicable reasonable price. 2465~~

~~If the board approves a program, the applicant may offer the 2466  
program for continuing education credit. The board shall charge 2467  
the applicant an approval fee adequate to cover any expense 2468  
incurred by the board through the approval process. 2469~~

~~The board may approve a program for continuing education 2470  
credit only if the applicant is an employee, officer, or director 2471  
of a nonprofit professional association, college or university, 2472  
vocational school, postsecondary proprietary school of cosmetology 2473  
licensed by the board, or manufacturer of supplies or equipment 2474  
used in the practice of cosmetology. The board shall not approve a 2475  
program unless the program will do at least one of the following: 2476~~

2477

~~(1) Enhance the professional competency of the affected~~ 2478  
~~licensees;~~ 2479

~~(2) Protect the public;~~ 2480

~~(3) Educate the affected licensees in the application of the~~ 2481  
~~laws and rules regulating the practice of cosmetology.~~ 2482

~~(F) A person offering programs approved for continuing~~ 2483  
~~education credit shall provide the board with a tentative schedule~~ 2484  
~~of programs. The board shall ensure that a sufficient number of~~ 2485  
~~programs are scheduled at times frequent enough to make the~~ 2486  
~~programs readily available to all licensees throughout the state.~~ 2487

~~(G) If the board adopts a continuing education requirement~~ 2488  
~~under this section, upon a review of reported violations of this~~ 2489  
~~chapter and the board's rules, the board may determine that a~~ 2490  
~~continuing education program focusing on certain sections of this~~ 2491  
~~chapter and the board's rules would be beneficial to the~~ 2492  
~~profession of cosmetology and the public. Once this determination~~ 2493  
~~has been made, the board may develop a continuing education~~ 2494  
~~program that is designed to correct the violations, and may make~~ 2495  
~~necessary arrangements to conduct the continuing education~~ 2496  
~~program. The program shall be available to all licensees. The~~ 2497  
~~board shall charge a fee for attending the program sufficient to~~ 2498  
~~cover any costs incurred by the board. Satisfactory completion of~~ 2499  
~~the program may be applied toward completion of the continuing~~ 2500  
~~education requirement.~~ 2501

**Sec. 4713.11 4713.60.** ~~(A) Every licensee, as provided in~~ 2502  
~~sections 4713.01 to 4713.25 of the Revised Code, shall renew his~~ 2503  
~~license by the thirtieth day of January of each odd-numbered year~~ 2504  
~~by applying to the state board of cosmetology pursuant to the~~ 2505  
~~standard renewal procedure of Chapter 4745. of the Revised Code.~~ 2506  
~~Application shall be made on forms provided by the board and shall~~ 2507  
~~include the renewal fee established under section 4713.10 of the~~ 2508

~~Revised Code.~~ Except as provided in division (C) of this section, 2509  
~~the applicant~~ a person seeking a renewal of a license to practice 2510  
a branch of cosmetology, managing license, or instructor license 2511  
shall include in the renewal application proof satisfactory to the 2512  
board of completion of any applicable continuing education 2513  
requirements established by rules adopted ~~by the board~~ under 2514  
section ~~4713.111~~ 4713.09 of the Revised Code. 2515

(B) If an applicant fails to provide satisfactory proof of 2516  
completion of any applicable continuing education requirements, 2517  
the board shall notify the applicant that the application is 2518  
incomplete. The board shall not renew the license until the 2519  
applicant provides satisfactory proof of completion of any 2520  
applicable continuing education requirements. The board may 2521  
provide the applicant with an extension of up to ninety days in 2522  
which to complete the continuing education requirement. In 2523  
providing for the extension, the board may charge the licensee a 2524  
fine of up to one hundred dollars. 2525

(C) The board may waive, or extend the period for completing, 2526  
any continuing education requirement ~~adopted under section~~ 2527  
~~4713.111 of the Revised Code~~ if a licensee applies to the board 2528  
and provides proof satisfactory to the board of being unable to 2529  
complete the requirement within the time allowed because of any of 2530  
the following: 2531

(1) An emergency; 2532

(2) An unusual or prolonged illness; 2533

(3) Active duty service in any branch of the armed forces of 2534  
the United States. 2535

The board shall determine the period of time during which 2536  
each extension is effective and shall inform the applicant. The 2537  
board shall also inform the applicant of the continuing education 2538  
requirements that must be met to have the license renewed. If an 2539

extension is granted for less than one year, the continuing  
education requirement for that year, in addition to the required  
continuing education for the succeeding year, must be completed in  
the succeeding year. In all other cases the board may waive all or  
part of the continuing education requirement on a case-by-case  
basis. Any required continuing education shall be completed and  
satisfactory proof of its completion submitted to the board by a  
date specified by the board. Every license which has not been  
renewed in any odd-numbered year by the ~~thirtieth~~ last day of  
January and for which the continuing education requirement has not  
been waived or extended shall be considered expired.

~~(D) If the board adopts a continuing education requirement  
under section 4713.111 of the Revised Code, it may develop a  
procedure by which a licensee who is not currently engaged in the  
practice of cosmetology, but desires to be so engaged in the  
future, may apply to the board to have his license classified as  
inactive.~~

~~Licensees desiring to have their licenses classified as  
inactive shall apply to the board on forms provided by the board  
and shall pay the fee established under this division. A license  
classified as inactive license shall remain inactive at least  
until the thirtieth day of January of the next odd-numbered year.~~

~~If the board develops a procedure for classifying licenses as  
inactive, the board shall adopt a rule establishing a fee for  
having licenses classified as inactive. The fee shall reflect the  
costs to the board of providing the inactive license service. The  
board shall also adopt rules establishing a continuing education  
requirement to be completed to have an inactive license restored.  
The continuing education requirement shall be sufficient to ensure  
the minimum competency required by a licensee necessary to protect  
the public. The board shall not restore an inactive license until  
the licensee submits proof satisfactory to the board that the~~

~~continuing education requirement has been completed.~~ 2572

~~(E) Any licensed cosmetologist, managing cosmetologist,  
esthetician, managing esthetician, cosmetology instructor,  
manicurist instructor, esthetics instructor, manicurist, or  
managing manicurist who is not currently engaged in the practice  
of cosmetology and who does not hold an inactive license may have  
his license restored only upon payment of all lapsed renewal fees  
and submitting proof satisfactory to the board that any applicable  
continuing education requirements have been completed; provided  
that no cosmetologist, managing cosmetologist, esthetician,  
managing esthetician, cosmetology instructor, manicurist  
instructor, esthetics instructor, manicurist, or managing  
manicurist who has not been engaged in the practice of cosmetology  
for more than two years and who does not hold an inactive license  
may have his license restored without passing an examination as  
provided in section 4713.06 of the Revised Code.~~ 2573  
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~~(F) Upon payment of the renewal fee provided in division (D)  
of section 4713.10 of the Revised Code and submitting proof  
satisfactory to the board that any applicable continuing education  
requirements have been completed, a person currently licensed as:~~ 2588  
2589  
2590  
2591

~~(1) A cosmetology instructor who has previously been licensed  
as a cosmetologist or a managing cosmetologist, is entitled to the  
reissuance of a cosmetologist or managing cosmetologist license;~~ 2592  
2593  
2594  
2595

~~(2) A manicurist instructor who has previously been licensed  
as a manicurist or a managing manicurist, is entitled to the  
reissuance of a manicurist or managing manicurist license;~~ 2596  
2597  
2598

~~(3) An esthetics instructor who has previously been licensed  
as an esthetician or a managing esthetician, is entitled to the  
reissuance of an esthetician or managing esthetician license.~~ 2599  
2600  
2601

~~(G) The board may refuse to renew the license of any salon,~~ 2602

~~school, or other license holder that has outstanding an unpaid  
fine that was levied under section 4713.17 of the Revised Code.~~

Sec. 4713.61. If the state board of cosmetology adopts a  
continuing education requirement under section 4713.09 of the  
Revised Code, it may develop a procedure by which a person who  
holds a license to practice a branch of cosmetology, managing  
license, or instructor license and who is not currently engaged in  
the practice of the branch of cosmetology, managing a salon, or  
teaching the theory and practice of the branch of cosmetology, but  
who desires to be so engaged in the future, may apply to the board  
to have the person's license classified inactive. If the board  
develops such a procedure, a person seeking to have the person's  
license classified inactive shall apply to the board on a form  
provided by the board and pay the fee established by rule adopted  
under section 4713.08 of the Revised Code.

The board shall not restore an inactive license until the  
later of the following:

(A) The date that the person holding the license submits  
proof satisfactory to the board that the person has completed the  
continuing education that a rule adopted under section 4713.08 of  
the Revised Code requires;

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

Sec. 4713.62. (A) A person holding a practicing license,  
managing license, or instructor license may satisfy a continuing  
education requirement established by rules adopted under section  
4713.09 of the Revised Code only by completing continuing  
education programs approved under division (B) of this section or  
developed under division (C) of this section.

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

education program if all of the following conditions are 2633  
satisfied: 2634

(1) The person operating the program submits to the board a 2635  
written application for approval. 2636

(2) The person operating the program pays to the board a fee 2637  
established by rule adopted under section 4713.08 of the Revised 2638  
Code. 2639

(3) The program is operated by an employee, officer, or 2640  
director of a nonprofit professional association, college or 2641  
university, vocational school, postsecondary proprietary school of 2642  
cosmetology licensed by the board, salon licensed by the board, or 2643  
manufacturer of supplies or equipment used in the practice of a 2644  
branch of cosmetology. 2645

(4) The program will do at least one of the following: 2646

(a) Enhance the professional competency of the affected 2647  
licensees; 2648

(b) Protect the public; 2649

(c) Educate the affected licensees in the application of the 2650  
laws and rules regulating the practice of a branch of cosmetology. 2651

(5) The person operating the program provides the board a 2652  
tentative schedule of when the program will be available so that 2653  
the board can make the schedule readily available to all licensees 2654  
throughout the state. 2655

(C) The board, after reviewing reported violations of this 2656  
chapter and the board's rules, may determine that a continuing 2657  
education program focusing on certain sections of this chapter and 2658  
the board's rules would be beneficial to the practice of a branch 2659  
of cosmetology and the public. Once this determination is made, 2660  
the board may develop a continuing education program to provide 2661  
information aimed at avoiding further violations and make 2662



necessary arrangements to conduct the continuing education  
program. The program shall be available to all licensees. The  
board shall charge a fee for attending the program sufficient to  
cover any costs incurred by the board. Satisfactory completion of  
the program may be applied toward completion of the continuing  
education requirement.

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

(A) Pays the restoration fee;

(B) Pays all lapsed renewal fees;

(C) Submits proof satisfactory to the state board of  
cosmetology that the person has completed all applicable  
continuing education requirements;

(D) In the case of a practicing license or managing license  
that has been expired for more than two years, retakes and passes  
an examination conducted under section 4713.24 of the Revised Code  
for the branch of cosmetology that the person seeks to practice or  
type of salon the person seeks to manage.

**Sec. 4713.17 4713.64.** (A) In accordance with Chapter 119. of  
the Revised Code, the state board of cosmetology may deny, revoke,  
or suspend a license or permit issued by the board or impose a  
fine of not more than one hundred dollars per violation for any of  
the following:

(1) Failure of a person operating a nail salon, beauty salon,

~~esthetics salon, tanning facility, or school of cosmetology to~~ 2692  
~~comply with the requirements of sections 4713.01 to 4713.25 of the~~ 2693  
~~Revised Code this chapter or rules adopted under it;~~ 2694

~~(2) Failure to comply with the sanitary rules adopted by the~~ 2695  
~~board or by the department of health for the regulation of nail~~ 2696  
~~salons, beauty salons, esthetics salons, schools of cosmetology,~~ 2697  
~~or the practice of cosmetology;~~ 2698

~~(3) Failure of a person operating a beauty salon or nail~~ 2699  
~~salon where massage services are provided under section 4713.14 of~~ 2700  
~~the Revised Code to ensure that the person providing the massage~~ 2701  
~~services complies with the sanitary rules adopted by the board or~~ 2702  
~~by the department of health for the regulation of salons;~~ 2703

~~(4) Continued practice by a person knowingly having an~~ 2704  
~~infectious or contagious disease;~~ 2705

~~(5)(3) Habitual drunkenness or addiction to any habit-forming~~ 2706  
~~drug;~~ 2707

~~(6)(4) Willful false and fraudulent or deceptive advertising;~~ 2708  
2709

~~(7)(5) Falsification of any record or application required to~~ 2710  
~~be filed with the board;~~ 2711

~~(8)(6) Failure to pay a fine or abide by a suspension order~~ 2712  
~~issued by the board.~~ 2713

~~(B) The board may impose a separate fine for each offense~~ 2714  
~~listed in division (A) of this section. The amount of a fine shall~~ 2715  
~~be no more than one hundred dollars if the violator has not~~ 2716  
~~previously been fined for that offense. The fine shall be no more~~ 2717  
~~than five hundred dollars if the violator has been fined for the~~ 2718  
~~same offense once before. The fine shall be no more than one~~ 2719  
~~thousand dollars if the violator has been fined for the same~~ 2720  
~~offense two or more times before.~~ 2721

(C) If a person fails to request a hearing within thirty days of the date the board, in accordance with section 119.07 of the Revised Code, notifies the person of the board's intent to act against the person under division (A) of this section, the board by a majority vote of a quorum of the board members may take the action against the person without holding an adjudication hearing.

(D) The board, after a hearing in accordance with Chapter 119. of the Revised Code, may suspend a tanning facility permit if the owner or operator fails to correct an unsafe condition that exists in violation of the board's rules or fails to cooperate in an inspection of the tanning facility. If a violation has resulted in a condition reasonably believed by an inspector to create an immediate danger to the health and safety of any person using the tanning facility, the inspector may suspend the permit without a prior hearing until the condition is corrected or until a hearing in accordance with Chapter 119. of the Revised Code is held and the board either upholds the suspension or reinstates the permit.

**Sec. ~~4713.27~~ 4713.65.** On receipt of a notice pursuant to section 3123.43 of the Revised Code, the state board of cosmetology shall comply with sections 3123.41 to 3123.50 of the Revised Code and any applicable rules adopted under section 3123.63 of the Revised Code with respect to a license issued pursuant to this chapter.

**Sec. 4713.99.** Whoever violates section ~~4713.20, 4713.21, or division (D) of section 4713.25~~ 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 is guilty of a misdemeanor of the third degree.

**Sec. 4717.14.** (A) The board of embalmers and funeral

directors may refuse to grant or renew, or may suspend or revoke, 2752  
any license issued under this chapter for any of the following 2753  
reasons: 2754

(1) The license was obtained by fraud or misrepresentation 2755  
either in the application or in passing the examination. 2756

(2) The applicant or licensee has been convicted of or has 2757  
pleaded guilty to a felony or of any crime involving moral 2758  
turpitude. 2759

(3) The applicant or licensee has purposely violated any 2760  
provision of sections 4717.01 to 4717.15 or a rule adopted under 2761  
any of those sections; division (A) or (B) of section 4717.23; 2762  
division (B)(1) or (2), (C)(1) or (2), (D), (E), or (F)(1) or (2), 2763  
or divisions (H) to (K) of section 4717.26; division (D)(1) of 2764  
section 4717.27; or divisions (A) to (C) of section 4717.28 of the 2765  
Revised Code; any rule or order of the department of health or a 2766  
board of health of a health district governing the disposition of 2767  
dead human bodies; or any other rule or order applicable to the 2768  
applicant or licensee. 2769

(4) The applicant or licensee has committed immoral or 2770  
unprofessional conduct. 2771

(5) The applicant or licensee knowingly permitted an 2772  
unlicensed person, other than a person serving an apprenticeship, 2773  
to engage in the profession or business of embalming or funeral 2774  
directing under the applicant's or licensee's supervision. 2775

(6) The applicant or licensee has been habitually 2776  
intoxicated, or is addicted to the use of morphine, cocaine, or 2777  
other habit-forming or illegal drugs. 2778

(7) The applicant or licensee has refused to promptly submit 2779  
the custody of a dead human body upon the express order of the 2780  
person legally entitled to the body. 2781

(8) The licensee loaned the licensee's own license, or the 2782

applicant or licensee borrowed or used the license of another 2783  
person, or knowingly aided or abetted the granting of an improper 2784  
license. 2785

(9) The applicant or licensee transferred a license to 2786  
operate a funeral home, embalming facility, or crematory from one 2787  
owner or operator to another, or from one location to another, 2788  
without notifying the board. 2789

(10) The applicant or licensee mislead the public by using 2790  
false or deceptive advertising. 2791

(B)(1) The board of embalmers and funeral directors shall 2792  
refuse to grant or renew, or shall suspend or revoke, an 2793  
embalmer's, funeral director's, funeral home, or embalming 2794  
facility license only in accordance with Chapter 119. of the 2795  
Revised Code. 2796

(2) The board shall send to the crematory review board 2797  
written notice that it proposes to refuse to issue or renew, or 2798  
proposes to suspend or revoke, a license to operate a crematory 2799  
facility. If, after the conclusion of the adjudicatory hearing on 2800  
the matter conducted under division (E) of section 4717.03 of the 2801  
Revised Code, the board of embalmers and funeral directors finds 2802  
that any of the circumstances described in divisions (A)(1) to 2803  
(10) of this section apply to the person named in its proposed 2804  
action, the board may issue a final order under division (E) of 2805  
section 4717.03 of the Revised Code refusing to issue or renew, or 2806  
suspending or revoking, the person's license to operate a 2807  
crematory facility. 2808

(C) If the board of embalmers and funeral directors 2809  
determines that there is clear and convincing evidence that any of 2810  
the circumstances described in divisions (A)(1) to (10) of this 2811  
section apply to the holder of a license issued under this chapter 2812  
and that the licensee's continued practice presents a danger of 2813

immediate and serious harm to the public, the board may suspend  
the licensee's license without a prior adjudicatory hearing. The  
executive director of the board shall prepare written allegations  
for consideration by the board.

The board, after reviewing the written allegations, may  
suspend a license without a prior hearing.

The board shall issue a written order of suspension by  
certified mail or in person in accordance with section 119.07 of  
the Revised Code. Such an order is not subject to suspension by  
the court during the pendency of any appeal filed under section  
119.12 of the Revised Code. If the holder of an embalmer's,  
funeral director's, funeral home, or embalming facility license  
requests an adjudicatory hearing by the board, the date set for  
the hearing shall be within fifteen days, but not earlier than  
seven days, after the licensee has requested a hearing, unless the  
board and the licensee agree to a different time for holding the  
hearing.

Upon issuing a written order of suspension to the holder of a  
license to operate a crematory facility, the board of embalmers  
and funeral directors shall send written notice of the issuance of  
the order to the crematory review board. The crematory review  
board shall hold an adjudicatory hearing on the order under  
division (E) of section ~~4713.03~~ 4717.03 of the Revised Code within  
fifteen days, but not earlier than seven days, after the issuance  
of the order, unless the crematory review board and the licensee  
agree to a different time for holding the adjudicatory hearing.

Any summary suspension imposed under this division shall  
remain in effect, unless reversed on appeal, until a final  
adjudicatory order issued by the board of embalmers and funeral  
directors pursuant to this division and Chapter 119. of the  
Revised Code, or division (E) of section 4717.03 of the Revised  
Code, as applicable, becomes effective. The board of embalmers and

funeral directors shall issue its final adjudicatory order within 2846  
sixty days after the completion of its hearing or, in the case of 2847  
the summary suspension of a license to operate a crematory 2848  
facility, within sixty days after completion of the adjudicatory 2849  
hearing by the crematory review board. A failure to issue the 2850  
order within that time results in the dissolution of the summary 2851  
suspension order, but does not invalidate any subsequent final 2852  
adjudicatory order. 2853

(D) Any holder of a license issued under this chapter who has 2854  
pleaded guilty to, has been found by a judge or jury to be guilty 2855  
of, or has had a judicial finding of eligibility for treatment in 2856  
lieu of conviction entered against the individual in this state 2857  
for aggravated murder, murder, voluntary manslaughter, felonious 2858  
assault, kidnapping, rape, sexual battery, gross sexual 2859  
imposition, aggravated arson, aggravated robbery, or aggravated 2860  
burglary, or who has pleaded guilty to, has been found by a judge 2861  
or jury to be guilty of, or has had a judicial finding of 2862  
eligibility for treatment in lieu of conviction entered against 2863  
the individual in another jurisdiction for any substantially 2864  
equivalent criminal offense, is hereby suspended from practice 2865  
under this chapter by operation of law, and any license issued to 2866  
the individual under this chapter is hereby suspended by operation 2867  
of law as of the date of the guilty plea, verdict or finding of 2868  
guilt, or judicial finding of eligibility for treatment in lieu of 2869  
conviction, regardless of whether the proceedings are brought in 2870  
this state or another jurisdiction. The board shall notify the 2871  
suspended individual of the suspension of the individual's license 2872  
by the operation of this division by certified mail or in person 2873  
in accordance with section 119.07 of the Revised Code. If an 2874  
individual whose license is suspended under this division fails to 2875  
make a timely request for an adjudicatory hearing, the board shall 2876  
enter a final order revoking the license. 2877

(E) No person whose license has been suspended or revoked 2878  
under or by the operation of this section shall practice embalming 2879  
or funeral directing or operate a funeral home, embalming 2880  
facility, or crematory facility until the board has reinstated the 2881  
person's license. 2882

**Section 2.** That existing sections 2925.01, 4709.03, 4709.07, 2883  
4709.09, 4713.01, 4713.02, 4713.03, 4713.04, 4713.05, 4713.06, 2884  
4713.08, 4713.09, 4713.10, 4713.11, 4713.111, 4713.12, 4713.14, 2885  
4713.15, 4713.16, 4713.17, 4713.18, 4713.19, 4713.20, 4713.22, 2886  
4713.25, 4713.26, 4713.27, 4713.99, and 4717.14 and sections 2887  
4713.07, 4713.13, 4713.131, 4713.132, and 4713.21 of the Revised 2888  
Code are hereby repealed. 2889