

As Passed by the House

124th General Assembly

Regular Session

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Sub. H. B. No. 415

REPRESENTATIVES Hollister, Schmidt, Fedor, White, Schuring, Carmichael,
Flowers, Setzer, D. Miller, Carano, Coates, Sferra, Beatty

A BILL

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.

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

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

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

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

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

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

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

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

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(e) An amount equal to or exceeding five grams or ten unit 83
doses of a compound, mixture, preparation, or substance that is or 84
contains any amount of phencyclidine; 85

(f) An amount equal to or exceeding one hundred twenty grams 86
or thirty times the maximum daily dose in the usual dose range 87
specified in a standard pharmaceutical reference manual of a 88
compound, mixture, preparation, or substance that is or contains 89
any amount of a schedule II stimulant that is in a final dosage 90
form manufactured by a person authorized by the "Federal Food, 91
Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as 92
amended, and the federal drug abuse control laws, as defined in 93
section 3719.01 of the Revised Code, that is or contains any 94
amount of a schedule II depressant substance or a schedule II 95
hallucinogenic substance; 96

(g) An amount equal to or exceeding three grams of a 97
compound, mixture, preparation, or substance that is or contains 98
any amount of a schedule II stimulant, or any of its salts or 99
isomers, that is not in a final dosage form manufactured by a 100
person authorized by the Federal Food, Drug, and Cosmetic Act and 101
the federal drug abuse control laws. 102

(2) An amount equal to or exceeding one hundred twenty grams 103
or thirty times the maximum daily dose in the usual dose range 104
specified in a standard pharmaceutical reference manual of a 105
compound, mixture, preparation, or substance that is or contains 106
any amount of a schedule III or IV substance other than an 107
anabolic steroid or a schedule III opiate or opium derivative; 108

(3) An amount equal to or exceeding twenty grams or five 109
times the maximum daily dose in the usual dose range specified in 110
a standard pharmaceutical reference manual of a compound, mixture, 111
preparation, or substance that is or contains any amount of a 112
schedule III opiate or opium derivative; 113

(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;	145
(4) A conspiracy to commit, attempt to commit, or complicity in committing or attempting to commit any offense under division (G)(1), (2), or (3) of this section.	146 147 148
(H) "Felony drug abuse offense" means any drug abuse offense that would constitute a felony under the laws of this state, any other state, or the United States.	149 150 151
(I) "Harmful intoxicant" does not include beer or intoxicating liquor but means any compound, mixture, preparation, or substance the gas, fumes, or vapor of which when inhaled can induce intoxication, excitement, giddiness, irrational behavior, depression, stupefaction, paralysis, unconsciousness, asphyxiation, or other harmful physiological effects, and includes, but is not limited to, any of the following:	152 153 154 155 156 157 158
(1) Any volatile organic solvent, plastic cement, model cement, fingernail polish remover, lacquer thinner, cleaning fluid, gasoline, or other preparation containing a volatile organic solvent;	159 160 161 162
(2) Any aerosol propellant;	163
(3) Any fluorocarbon refrigerant;	164
(4) Any anesthetic gas.	165
(J) "Manufacture" means to plant, cultivate, harvest, process, make, prepare, or otherwise engage in any part of the production of a drug, by propagation, extraction, chemical synthesis, or compounding, or any combination of the same, and includes packaging, repackaging, labeling, and other activities incident to production.	166 167 168 169 170 171
(K) "Possess" or "possession" means having control over a thing or substance, but may not be inferred solely from mere access to the thing or substance through ownership or occupation	172 173 174

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.	176 177 178 179 180 181
(M) "Standard pharmaceutical reference manual" means the current edition, with cumulative changes if any, of any of the following reference works:	182 183 184
(1) "The National Formulary";	185
(2) "The United States Pharmacopeia," prepared by authority of the United States Pharmacopeial Convention, Inc.;	186 187
(3) Other standard references that are approved by the state board of pharmacy.	188 189
(N) "Juvenile" means a person under eighteen years of age.	190
(O) "Counterfeit controlled substance" means any of the following:	191 192
(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;	193 194 195 196
(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;	197 198 199 200
(3) Any substance that is represented to be a controlled substance but is not a controlled substance or is a different controlled substance;	201 202 203

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

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

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

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

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

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

(S) "School building" means any building in which any of the instruction, extracurricular activities, or training provided by a

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 237
offense is committed. 238

(T) "Disciplinary counsel" means the disciplinary counsel 239
appointed by the board of commissioners on grievances and 240
discipline of the supreme court under the Rules for the Government 241
of the Bar of Ohio. 242

(U) "Certified grievance committee" means a duly constituted 243
and organized committee of the Ohio state bar association or of 244
one or more local bar associations of the state of Ohio that 245
complies with the criteria set forth in Rule V, section 6 of the 246
Rules for the Government of the Bar of Ohio. 247

(V) "Professional license" means any license, permit, 248
certificate, registration, qualification, admission, temporary 249
license, temporary permit, temporary certificate, or temporary 250
registration that is described in divisions (W)(1) to (35) of this 251
section and that qualifies a person as a professionally licensed 252
person. 253

(W) "Professionally licensed person" means any of the 254
following: 255

(1) A person who has obtained a license as a manufacturer of 256
controlled substances or a wholesaler of controlled substances 257
under Chapter 3719. of the Revised Code; 258

(2) A person who has received a certificate or temporary 259
certificate as a certified public accountant or who has registered 260
as a public accountant under Chapter 4701. of the Revised Code and 261
who holds an Ohio permit issued under that chapter; 262

(3) A person who holds a certificate of qualification to 263
practice architecture issued or renewed and registered under 264
Chapter 4703. of the Revised Code; 265

(4) A person who is registered as a landscape architect under Chapter 4703. of the Revised Code or who holds a permit as a landscape architect issued under that chapter;	266 267 268
(5) A person licensed as an auctioneer or apprentice auctioneer or licensed to operate an auction company under Chapter 4707. of the Revised Code;	269 270 271
(6) A person who has been issued a certificate of registration as a registered barber under Chapter 4709. of the Revised Code;	272 273 274
(7) A person licensed and regulated to engage in the business of a debt pooling company by a legislative authority, under authority of Chapter 4710. of the Revised Code;	275 276 277
(8) A person who has been issued a cosmetologist's license, <u>hair designer's license</u> , manicurist's license, esthetician's license, <u>natural hair stylist's license</u> , managing cosmetologist's license, <u>managing hair designer license</u> , managing manicurist's license, managing esthetician's license, <u>managing natural hair stylist's license</u> , cosmetology instructor's license, <u>hair design instructor's license</u> , manicurist instructor's license, <u>esthetician esthetics instructor's license</u> , <u>natural hair style instructor's license</u> , <u>independent contractor's license</u> , or tanning facility permit under Chapter 4713. of the Revised Code;	278 279 280 281 282 283 284 285 286 287
(9) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious intravenous sedation permit, a limited resident's license, a limited teaching license, a dental hygienist's license, or a dental hygienist's teacher's certificate under Chapter 4715. of the Revised Code;	288 289 290 291 292
(10) A person who has been issued an embalmer's license, a funeral director's license, a funeral home license, or a crematory license, or who has been registered for an embalmer's or funeral director's apprenticeship under Chapter 4717. of the Revised Code;	293 294 295 296

(11) A person who has been licensed as a registered nurse or practical nurse, or who has been issued a certificate for the practice of nurse-midwifery under Chapter 4723. of the Revised Code;	297 298 299 300
(12) A person who has been licensed to practice optometry or to engage in optical dispensing under Chapter 4725. of the Revised Code;	301 302 303
(13) A person licensed to act as a pawnbroker under Chapter 4727. of the Revised Code;	304 305
(14) A person licensed to act as a precious metals dealer under Chapter 4728. of the Revised Code;	306 307
(15) A person licensed as a pharmacist, a pharmacy intern, a wholesale distributor of dangerous drugs, or a terminal distributor of dangerous drugs under Chapter 4729. of the Revised Code;	308 309 310 311
(16) A person who is authorized to practice as a physician assistant under Chapter 4730. of the Revised Code;	312 313
(17) A person who has been issued a certificate to practice medicine and surgery, osteopathic medicine and surgery, a limited branch of medicine, or podiatry under Chapter 4731. of the Revised Code;	314 315 316 317
(18) A person licensed as a psychologist or school psychologist under Chapter 4732. of the Revised Code;	318 319
(19) A person registered to practice the profession of engineering or surveying under Chapter 4733. of the Revised Code;	320 321
(20) A person who has been issued a license to practice chiropractic under Chapter 4734. of the Revised Code;	322 323
(21) A person licensed to act as a real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;	324 325

(22) A person registered as a registered sanitarian under Chapter 4736. of the Revised Code;	326 327
(23) A person licensed to operate or maintain a junkyard under Chapter 4737. of the Revised Code;	328 329
(24) A person who has been issued a motor vehicle salvage dealer's license under Chapter 4738. of the Revised Code;	330 331
(25) A person who has been licensed to act as a steam engineer under Chapter 4739. of the Revised Code;	332 333
(26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Chapter 4741. of the Revised Code;	334 335 336 337
(27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Chapter 4747. of the Revised Code;	338 339 340
(28) A person who has been issued a class A, class B, or class C license or who has been registered as an investigator or security guard employee under Chapter 4749. of the Revised Code;	341 342 343
(29) A person licensed and registered to practice as a nursing home administrator under Chapter 4751. of the Revised Code;	344 345 346
(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised Code;	347 348 349
(31) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;	350 351
(32) A person who is licensed as a professional clinical counselor or professional counselor, licensed as a social worker or independent social worker, or registered as a social work assistant under Chapter 4757. of the Revised Code;	352 353 354 355

(33) A person issued a license to practice dietetics under Chapter 4759. of the Revised Code;	356 357
(34) A person who has been issued a license or limited permit to practice respiratory therapy under Chapter 4761. of the Revised Code;	358 359 360
(35) A person who has been issued a real estate appraiser certificate under Chapter 4763. of the Revised Code.	361 362
(X) "Cocaine" means any of the following:	363
(1) A cocaine salt, isomer, or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine;	364 365
(2) Coca leaves or a salt, compound, derivative, or preparation of coca leaves, including ecgonine, a salt, isomer, or derivative of ecgonine, or a salt of an isomer or derivative of ecgonine;	366 367 368 369
(3) A salt, compound, derivative, or preparation of a substance identified in division (X)(1) or (2) of this section that is chemically equivalent to or identical with any of those substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves if the extractions do not contain cocaine or ecgonine.	370 371 372 373 374 375
(Y) "L.S.D." means lysergic acid diethylamide.	376
(Z) "Hashish" means the resin or a preparation of the resin contained in marihuana, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.	377 378 379
(AA) "Marihuana" has the same meaning as in section 3719.01 of the Revised Code, except that it does not include hashish.	380 381
(BB) An offense is "committed in the vicinity of a juvenile" if the offender commits the offense within one hundred feet of a juvenile or within the view of a juvenile, regardless of whether the offender knows the age of the juvenile, whether the offender	382 383 384 385

knows the offense is being committed within one hundred feet of or
within view of the juvenile, or whether the juvenile actually
views the commission of the offense.

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

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

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

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

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

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

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

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

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

Sec. 4709.03. The following persons are exempt from this 416
chapter while in the proper discharge of their professional 417
duties: 418

(A) Persons licensed by this state to practice medicine and 419
surgery; 420

(B) Commissioned medical or surgical officers of the United 421
States army, navy, or marine hospital service; 422

(C) Nurses registered under Chapter 4723. of the Revised 423
Code; 424

(D) Cosmetologists and hair designers licensed under Chapter 425
4713. of the Revised Code, insofar as their usual and ordinary 426
vocation and profession is concerned as described in section 427
4713.01 of the Revised Code; 428

(E) Funeral directors, embalmers, and apprentices licensed or 429
registered under Chapter 4717. of the Revised Code. 430

Sec. 4709.07. (A) Each person who desires to obtain an 431
initial license to practice barbering shall apply to the barber 432
board, on forms provided by the board. The application form shall 433
include the name of the person applying for the license and 434
evidence that the applicant meets all of the requirements of 435
division (B) of this section. The application shall be accompanied 436
by two signed current photographs of the applicant, in the size 437
determined by the board, that show only the head and shoulders of 438
the applicant, and the examination application fee. 439

(B) In order to take the required barber examination and to 440
qualify for licensure as a barber, an applicant must demonstrate 441
that ~~he~~ the applicant meets all of the following: 442

(1) Is of good moral character; 443

(2) Is at least eighteen years of age; 444

(3) Has an eighth grade education or an equivalent education 445
as determined by the state board of education in the state where 446
the applicant resides; 447

(4) Has graduated with at least eighteen hundred hours of 448
training from a board-approved barber school or has graduated with 449
at least one thousand hours of training from a board-approved 450
barber school in this state and has a current cosmetology or hair 451
designer license issued pursuant to Chapter 4713. of the Revised 452
Code. No hours of instruction earned by an applicant five or more 453
years prior to the examination apply to the hours of study 454
required by this division. 455

(C) Any applicant who meets all of the requirements of 456
divisions (A) and (B) of this section may take the barber 457
examination at the time and place specified by the board. If the 458
applicant fails to attain at least a seventy-five per cent pass 459
rate on each part of the examination, the applicant is ineligible 460
for licensure; however, the applicant may reapply for examination 461
within ninety days after the date of the release of the 462
examination scores by paying the required reexamination fee. An 463
applicant is only required to take that part or parts of the 464
examination on which ~~he~~ the applicant did not receive a score of 465
seventy-five per cent or higher. If the applicant fails to reapply 466
for examination within ninety days or fails the second 467
examination, in order to reapply for examination for licensure ~~he~~ 468
the applicant shall complete an additional course of study of not 469
less than two hundred hours, in a board-approved barber school. 470
The board shall provide to an applicant, upon request, a report 471
which explains the reasons for the applicant's failure to pass the 472
examination. 473

(D) The board shall issue a license to practice barbering to 474
any applicant who, to the satisfaction of the board, meets the 475
requirements of divisions (A) and (B) of this section, who passes 476

the required examination, and pays the initial licensure fee. 477
Every licensed barber shall display ~~his~~ the certificate of 478
licensure in a conspicuous place adjacent to or near ~~his~~ the 479
licensed barber's work chair, along with a signed current 480
photograph, in the size determined by the board, showing head and 481
shoulders only. 482

Sec. 4709.09. (A) Each person who desires to obtain a barber 483
shop license shall apply to the barber board, on forms provided by 484
the board. The board shall issue a barber shop license to a person 485
if the board determines that the person meets all of the 486
requirements of division (B) of this section and pays the required 487
license and inspection fees. 488

(B) In order for a person to qualify for a license to operate 489
a barber shop, the barber shop shall meet all of the following 490
requirements: 491

(1) Be in the charge and under the immediate supervision of a 492
licensed barber; 493

(2) Be equipped to provide running hot and cold water and 494
proper drainage; 495

(3) Sanitize and maintain in a sanitary condition, all 496
instruments and supplies; 497

(4) Keep towels and linens clean and sanitary and in a dry, 498
dust-proof container; 499

(5) Display the shop license and a copy of the board's 500
sanitary rules in a conspicuous place in the working area. 501

(C) Any licensed barber who leases space in a licensed barber 502
shop and engages in the practice of barbering independent and free 503
from supervision of the owner or manager of the barber shop is 504
considered to be engaged in the operation of a separate and 505
distinct barber shop and shall obtain a license to operate a 506

barber shop pursuant to this section.

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

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

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

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

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

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

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"Beauty salon" means any premises, building, or part of a building in which a person is authorized to engage in all branches of cosmetology. "Beauty 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.

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"Biennial licensing period" means the two-year period 537
beginning on the first day of February of an odd-numbered year and 538
ending on the last day of January of the next odd-numbered year. 539

"Braiding" means intertwining the hair in a systematic motion 540
to create patterns in a three-dimensional form, inverting the hair 541
against the scalp along part of a straight or curved row of 542
intertwined hair, or twisting the hair in a systematic motion, and 543
includes extending the hair with natural or synthetic hair fibers. 544

"Branch of cosmetology" means the practice of cosmetology, 545
practice of esthetics, practice of hair design, practice of 546
manicuring, or practice of natural hair styling. 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

<u>cosmetology, at a school of cosmetology.</u>	567
<u>"Hair design salon" means any premises, building, or part of a building in which a person engages in the practice of hair design but no other branch of cosmetology.</u>	568 569 570
<u>"Independent contractor license" means a license to practice a branch of cosmetology at a salon in which the license holder rents booth space.</u>	571 572 573
<u>"Instructor license" means a license to teach the theory and practice of a branch of cosmetology at a school of cosmetology.</u>	574 575
<u>"Managing cosmetologist" means a person authorized to manage a beauty salon and engage in all branches of cosmetology.</u>	576 577
<u>"Managing esthetician" means a person authorized to manage an esthetics salon, but no other type of salon, and engage in the practice of esthetics, but no other branch of cosmetology.</u>	578 579 580
<u>"Managing hair designer" means a person authorized to manage a hair design salon, but no other type of salon, and engage in the practice of hair design, but no other branch of cosmetology.</u>	581 582 583
<u>"Managing license" means a license to manage a salon and practice the branch of cosmetology practiced at the salon.</u>	584 585
<u>"Managing manicurist" means a person authorized to manage a nail salon, but no other type of salon, and engage in the practice of manicuring, but no other branch of cosmetology.</u>	586 587 588
<u>"Managing natural hair stylist" means a person authorized to manage a natural hair style salon, but no other type of salon, and engage in the practice of natural hair styling, but no other branch of cosmetology.</u>	589 590 591 592
<u>"Manicurist" means a person who engages in the practice of manicuring but no other branch of cosmetology.</u>	593 594
<u>"Manicurist instructor" means a person who teaches the theory</u>	595

and practice of manicuring, but no other branch of cosmetology, at
a school of cosmetology.

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"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.

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

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"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.

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"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.

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

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"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.

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"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,~~

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~~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
~~hairdresser, 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~~ 657

~~occupation of a manicurist when carried on in a barber shop 658
licensed under Chapter 4709. of the Revised Code, or the 659
occupation of a cosmetologist is practiced. 660~~

~~(G) Student means any person who is engaged in learning or 661
acquiring knowledge of the occupation of a cosmetologist, 662
manicurist, or esthetician in a school of cosmetology. 663~~

~~(H) School of cosmetology means any premises, building, or 664
part of a building in which students are instructed in the 665
theories and practices of cosmetology, manicuring, and esthetics. 666~~

~~(I) Managing cosmetologist means any person who has met the 667
requirements of division (E) of section 4713.04 of the Revised 668
Code, and has applied for and received a managing cosmetologist 669
license. 670~~

~~(J) Cosmetology instructor means any person who has met the 671
requirements of division (F) of section 4713.04 of the Revised 672
Code, and has applied for and received an instructor's license. 673~~

~~(K) Apprentice instructor means any licensee of the state 674
board of cosmetology who is engaged in learning or acquiring 675
knowledge of the occupation of an instructor, in any branch of 676
cosmetology in a duly licensed school of cosmetology. 677~~

~~(L) Cosmetic therapy and cosmetic therapist have the same 678
meanings as in section 4731.15 of the Revised Code. 679~~

~~(M) Nail salon means any premises, building, or part of a 680
building in which manicurists engage only in the occupation of 681
manicuring the nails of any person or the application of 682
artificial or sculptured nails, or both. For administrative 683
purposes, a nail salon is deemed the equivalent of a beauty salon 684
and is subject to appropriate rules with respect to sanitation and 685
sterilization. A licensed manicurist may practice the occupation 686
of manicuring nails in a nail salon, in a beauty salon, or in a 687
barber shop. 688~~

~~(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 performed by hand that result in tension on hair roots such as

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. 737

"School of cosmetology" means any premises, building, or part 738
of a building in which students are instructed in the theories and 739
practices of one or more branches of cosmetology. 740

"Student" means a person, other than an apprentice 741
instructor, who is engaged in learning or acquiring knowledge of 742
the practice of a branch of cosmetology at a school of 743
cosmetology. 744

"Tanning facility" means a room or booth that houses 745
equipment or beds used for tanning human skin by the use of 746
fluorescent sun lamps using ultraviolet or other artificial 747
radiation. 748

Sec. 4713.02. (A) There is hereby created the state board of 749
cosmetology, consisting of all of the following ~~seven~~ members 750

appointed by the governor, with the advice and consent of the 751
senate: ~~four graduate licensed cosmetologists, three of whom are~~ 752
~~actively engaged in the management of a beauty salon~~ 753

(1) One person holding a current, valid cosmetologist, 754
managing cosmetologist, or cosmetology instructor license at the 755
time of appointment; 756

(2) Two persons holding current, valid managing cosmetologist 757
licenses and actively engaged in managing beauty salons at the 758
time of appointment; ~~one regularly licensed physician; one~~ 759
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(3) One person who holds a current, valid independent 761
contractor license at the time of appointment or the owner or 762
manager of a licensed salon in which at least one person holding a 763
current, valid independent contractor license practices a branch 764
of cosmetology; 765

(4) One person who represents individuals who teach the 766
theory and practice of a branch of cosmetology at a vocational 767
school; 768

(5) One owner of a licensed school of cosmetology; ~~and one~~ 769

(6) One owner of at least five licensed beauty salons; 770

(7) One person who is either an advanced practice nurse 771
approved under section 4723.55 of the Revised Code, a certified 772
nurse practitioner or clinical nurse specialist holding a 773
certificate of authority under section 4723.41 of the Revised 774
Code, or a physician authorized under Chapter 4731. of the Revised 775
Code to practice medicine and surgery or osteopathic medicine and 776
surgery; 777

(8) One person representing the general public. 778

(B) The superintendent of public instruction shall nominate 779
three persons for the governor to choose from when making an 780

appointment under division (A)(4) of this section.

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

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

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

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The members of the board shall annually elect, from among

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

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

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

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~~(C) The board shall adopt rules for carrying out sections
4713.01 to 4713.25 of the Revised Code. The rules shall cover at
least all of the following:~~

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

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~~(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;~~

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~~(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;~~

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~~(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~~

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salons, or schools of cosmetology, or in the practice of 844
cosmetology. 845

~~The board shall furnish a copy of all sanitary rules adopted 846
to each person issued a license for the conduct of a beauty salon, 847
nail salon, esthetics salon, or school of cosmetology and to each 848
operator, manicurist, and person engaged in the practice of 849
massage. A copy of all such sanitary rules shall be posted in a 850
conspicuous place in all beauty salons, nail salons, esthetics 851
salons, and schools of cosmetology. 852~~

~~The board may adopt rules authorizing beauty or nail salons 853
to offer esthetic services in the salon and may adopt rules 854
regulating the practice of the services. 855~~

~~(D) The board shall do all of the following: 856~~

~~(1) Hold examinations of all applicants for license whose 857
applications have been submitted in proper form; 858~~

~~(2) Issue licenses to applicants who meet the requirements of 859
sections 4713.01 to 4713.25 of the Revised Code; 860~~

~~(3) Register beauty salons, nail salons, esthetics salons, 861
and schools of cosmetology; 862~~

~~(4) Report to the proper prosecuting officer all violations 863
coming within its knowledge; 864~~

~~(5) Make a written report annually to the governor concerning 865
the conditions in this state of cosmetology and the branches 866
thereof, which report shall also contain a brief reference to the 867
proceedings had by or before the board for the year last past and 868
a statement of all money received and expended by the board during 869
such year; 870~~

~~(6) Keep a record containing the name and known place of 871
business, and the date and number of license, of every licensed 872
cosmetologist, esthetician, and every person engaged in the 873~~

~~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;~~

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

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

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

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Sec. ~~4713.18~~ 4713.04. The state board of cosmetology may
authorize any of its members, in writing, to undertake any
proceedings authorized by ~~sections 4713.01 to 4713.21, inclusive,~~
~~of the Revised Code~~ this chapter, and the finding or order of such
members is the finding of the board when confirmed by it.

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

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Sec. 4713.06. The state board of cosmetology shall annually
appoint an executive director. The executive director may not be a

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member of the board. The executive director, before entering upon 902
the discharge of the executive director's duties, shall file with 903
the secretary of state a good and sufficient bond payable to the 904
state, to ensure the faithful performance of duties of the office 905
of executive director. The bond shall be in an amount the board 906
requires. The premium of the bond shall be paid from 907
appropriations made to the board for operating purposes. 908

The board may employ inspectors, examiners, consultants on 909
contents of examinations, and clerks as necessary for the 910
administration of this chapter. All inspectors and examiners shall 911
be licensed cosmetologists. 912

The board may appoint inspectors of tanning facilities as 913
needed to make periodic inspections as the board specifies. 914

Sec. 4713.07. The state board of cosmetology shall do all of 916
the following: 917

(A) Prescribe and make available application forms to be used 918
by persons seeking admission to an examination conducted under 919
section 4713.24 of the Revised Code or a license issued under this 920
chapter; 921

(B) Prescribe and make available application forms to be used 922
by persons seeking renewal of a license issued under this chapter; 923
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(C) Report to the proper prosecuting officer all violations 925
of section 4713.14 of the Revised Code of which the board is 926
aware; 927

(D) Submit a written report annually to the governor that 928
provides all of the following: 929

(1) A discussion of the conditions in this state of the 930
branches of cosmetology; 931

<u>(2) A brief summary of the board's proceedings during the year the report covers;</u>	932
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<u>(3) A statement of all money that the board received and expended during the year the report covers.</u>	934
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<u>(E) Keep a record of all of the following:</u>	936
<u>(1) The board's proceedings;</u>	937
<u>(2) The name and last known address of each person issued a license under section 4713.28, 4713.30, 4713.31, 4713.34, or 4713.39 of the Revised Code;</u>	938
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<u>(3) The name and address of each salon issued a license under section 4713.41 of the Revised Code and each school of cosmetology issued a license under section 4713.44 of the Revised Code;</u>	941
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<u>(4) The name and address of each tanning facility issued a permit under section 4713.48 of the Revised Code;</u>	945
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<u>(5) The date and number of each license and permit that the board issues;</u>	947
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<u>(F) All other duties that this chapter imposes on the board.</u>	949
Sec. 4713.08. <u>(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:</u>	951
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<u>(1) Govern the practice of the branches of cosmetology and management of salons;</u>	955
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<u>(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;</u>	957
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- (3) Provide for the conduct of examinations under section 4713.24 of the Revised Code; 961
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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; 963
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- (5) Provide for the granting of waivers under section 4713.29 of the Revised Code; 968
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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; 970
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- (7) Specify locations in which glamour photography services in which a branch of cosmetology is practiced may be provided; 974
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- (8) Establish conditions and the fee for a temporary special occasion work permit under section 4713.37 of the Revised Code and specify the amount of time such a permit is valid; 976
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- (9) Specify conditions an applicant must satisfy for the board to issue the applicant an independent contractor license under section 4713.39 of the Revised Code and the fee for issuance and renewal of the license; 979
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- (10) Establish conditions under which food may be sold at a salon; 983
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- (11) Specify which professions regulated by a professional regulatory board of this state may be practiced in a salon under section 4713.42 of the Revised Code; 985
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- (12) Establish standards for the provision of cosmetic therapy, massage therapy, or other professional service in a salon 988
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<u>pursuant to section 4713.42 of the Revised Code;</u>	990
<u>(13) Establish standards for board approval of, and the</u>	991
<u>granting of credits for, training in branches of cosmetology at</u>	992
<u>schools of cosmetology licensed in this state;</u>	993
<u>(14) Establish sanitary standards for the practice of the</u>	994
<u>branches of cosmetology, salons, and schools of cosmetology;</u>	995
<u>(15) Establish the application process for obtaining a</u>	996
<u>tanning facility permit under section 4713.48 of the Revised Code,</u>	997
<u>including the amount of the fee for an initial or renewed permit;</u>	998
<u>(16) Establish standards for installing and operating a</u>	999
<u>tanning facility in a manner that ensures the health and safety of</u>	1000
<u>consumers, including standards that do all of the following:</u>	1001
<u>(a) Establish a maximum safe time of exposure to radiation</u>	1002
<u>and a maximum safe temperature at which sun lamps may be operated;</u>	1003
<u>(b) Require consumers to wear protective eyeglasses and be</u>	1004
<u>supervised as to the length of time consumers use the facility;</u>	1005
<u>(c) Require the operator to prohibit consumers from standing</u>	1006
<u>too close to sun lamps and to post signs warning consumers of the</u>	1007
<u>potential effects of radiation on persons taking certain</u>	1008
<u>medications and of the possible relationship of the radiation to</u>	1009
<u>skin cancer;</u>	1010
<u>(d) Require the installation of protective shielding for sun</u>	1011
<u>lamps and handrails for consumers;</u>	1012
<u>(e) Require floors to be dry during operation of lamps;</u>	1013
<u>(f) Require a consumer who is under the age of eighteen to</u>	1014
<u>obtain written consent from the consumer's parent or legal</u>	1015
<u>guardian prior to receiving tanning services.</u>	1016
<u>(17)(a) If the board, under section 4713.61 of the Revised</u>	1017
<u>Code, develops a procedure for classifying licenses inactive, do</u>	1018

both of the following: 1019

(i) Establish a fee for having a license classified inactive that reflects the cost to the board of providing the inactive license service; 1020
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(ii) Specify the continuing education that a person whose license has been classified inactive must complete to have the license restored. The continuing education shall be sufficient to ensure the minimum competency in the use or administration of a new procedure or product required by a licensee necessary to protect public health and safety. The requirement shall not exceed the cumulative number of hours of continuing education that the person would have been required to complete had the person retained an active license. 1023
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(b) In addition, the board may specify the conditions and method for granting a temporary work permit to practice a branch of cosmetology to a person whose license has been classified inactive. 1032
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(18) Establish a fee for approval of a continuing education program under section 4713.62 of the Revised Code that is adequate to cover any expense the board incurs in the approval process; 1036
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(19) Anything else necessary to implement this chapter. 1039

(B)(1) The rules adopted under division (A)(2) of this section may establish additional conditions for a temporary pre-examination work permit under section 4713.22 of the Revised Code that are applicable to persons who practice a branch of cosmetology in another state or country. 1040
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(2) The rules adopted under division (A)(17)(b) of this section may establish additional conditions for a temporary work permit that are applicable to persons who practice a branch of cosmetology in another state. 1045
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(C) The conditions specified in rules adopted under division (A)(6) of this section may include that an applicant is applying for a license to practice a branch of cosmetology for which the board determines an examination is unnecessary. 1049
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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. 1053
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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. 1057
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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. 1063
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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. 1068
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Sec. 4713.082. The state board of cosmetology shall furnish a 1080
copy of the standards established by rules adopted under section 1081
4713.08 of the Revised Code for installing and operating a tanning 1082
facility to each person to whom the board issues a permit to 1083
operate a tanning facility. A person provided a copy of the 1084
standards shall post the standards in a public and conspicuous 1085
place in the tanning facility. 1086

Sec. 4713.09. If the state board of cosmetology determines 1087
that a new procedure or product in any branch of cosmetology 1088
adversely impacts public health and safety if improperly used or 1089
applied, the board may adopt rules in accordance with Chapter 119. 1090
of the Revised Code to establish a continuing education 1091
requirement, not to exceed eight hours in a biennial licensing 1092
period, as a condition of renewal for a practicing license, 1093
managing license, or instructor license. The courses and training 1094
offered as part of an approved continuing education program shall 1095
address the proper use and administration of the new procedure or 1096
product. 1097

If the board adopts rules under this section, the rules may 1098
establish a continuing education requirement for all persons 1099
holding a practicing license, managing license, or instructor 1100
license or for any class or combination of classes of those 1101
persons. 1102

Sec. 4713.10. The state board of cosmetology shall charge and 1104
collect the following fees: 1105

(A) For a temporary pre-examination work permit under section 1106
4713.22 of the Revised Code, five dollars; 1107

(B) For initial application to take the an examination for a 1108
license to practice cosmetology, or any branch thereof under 1109
section 4713.24 of the Revised Code, twenty-one dollars; 1110

~~(B)(C)~~ For application to take an examination under section 4713.24 of the Revised Code by an applicant who has previously applied to take, but failed to appear for, the examination, forty dollars; 1111
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~~(D)~~ For the re-examination of any application to re-take an examination under section 4713.24 of the Revised Code by an applicant who has previously appeared for, but failed to pass, the examination, twenty-one dollars; 1115
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~~(C)(E)~~ For the issuance or renewal of a cosmetology, manicurist, or esthetics instructor's of a license under section 4713.28, 4713.30, or 4713.31 of the Revised Code, thirty dollars; 1119
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~~(D)(F)~~ For the issuance or renewal of a managing cosmetologist's, managing manicurist's, or managing esthetician's of a license under section 4713.34 of the Revised Code, thirty sixty dollars; 1122
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~~(E)(G)~~ For renewal of a license issued under section 4713.28, 4713.30, 4713.31, or 4713.34 of the Revised Code, thirty dollars; 1126
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~~(H)~~ For the issuance or renewal of a cosmetology school license, two hundred fifty dollars; 1128
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~~(F)(I)~~ For the inspection and issuance of a new beauty salon, nail salon, or esthetics salon license or the change of name or ownership of a beauty salon, nail salon, or esthetics salon license, sixty dollars; 1130
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~~(G)(J)~~ For the renewal of a beauty salon, nail salon, or esthetics salon license, fifty dollars; 1134
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~~(H)~~ For the issuance or renewal of a cosmetologist's, manicurist's, or esthetician's license, thirty dollars; 1136
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~~(I)(K)~~ For the restoration of any lapsed an expired license which that may be restored pursuant to section 4713.11 4713.63 of the Revised Code, and in addition to the payments required by that 1138
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~~section for all lapsed renewal fees, thirty dollars;~~ 1141

~~(J) For the issuance of a license under section 4713.09 of
the Revised Code, sixty dollars;~~ 1142
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~~(K)(L)~~ For the issuance of a duplicate of any license,
fifteen dollars; 1144
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~~(I)(M)~~ For the preparation and mailing of a licensee's
records to another state for a reciprocity license, fifty dollars; 1146
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~~(M)(N)~~ For the processing of any fees related to a check from
a licensee returned to the board for insufficient funds, an 1148
additional twenty dollars. 1149
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~~Each applicant shall, in addition to the fees specified,
furnish the applicant's own models.~~ 1151
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Sec. 4713.22 4713.11. The state board of cosmetology, subject 1153
to the approval of the controlling board, may establish fees in 1154
excess of the amounts provided by section 4713.10 of the Revised 1155
Code, provided that any fee increase does not exceed the amount 1156
permitted by more than fifty per cent. 1157

Sec. 4713.26 4713.13. Whenever in the judgment of the state 1158
board of cosmetology any person has engaged in or is about to 1159
engage in any acts or practices that constitute a violation of 1160
this chapter, or any rule adopted under this chapter, the board 1161
may apply to the appropriate court for an order enjoining the acts 1162
or practices, and upon a showing by the board that the person has 1163
engaged in the acts or practices, the court shall grant an 1164
injunction, restraining order, or other order as may be 1165
appropriate. 1166

Sec. 4713.20 4713.14. (A) No person shall do any of the 1167
following: 1168

(1) Conduct or operate a nail salon, beauty salon, esthetics salon, or school of cosmetology without a license;	1169
(1) Conduct or operate a nail salon, beauty salon, esthetics salon, or school of cosmetology without a license;	1170
(2) Practice cosmetology for pay, free, or otherwise, either as a cosmetologist, managing cosmetologist, cosmetology instructor, manicurist, managing manicurist, manicurist instructor, esthetician, managing esthetician, or esthetics instructor, without a license;	1171
(2) Practice cosmetology for pay, free, or otherwise, either as a cosmetologist, managing cosmetologist, cosmetology instructor, manicurist, managing manicurist, manicurist instructor, esthetician, managing esthetician, or esthetics instructor, without a license;	1172
(2) Practice cosmetology for pay, free, or otherwise, either as a cosmetologist, managing cosmetologist, cosmetology instructor, manicurist, managing manicurist, manicurist instructor, esthetician, managing esthetician, or esthetics instructor, without a license;	1173
(2) Practice cosmetology for pay, free, or otherwise, either as a cosmetologist, managing cosmetologist, cosmetology instructor, manicurist, managing manicurist, manicurist instructor, esthetician, managing esthetician, or esthetics instructor, without a license;	1174
(2) Practice cosmetology for pay, free, or otherwise, either as a cosmetologist, managing cosmetologist, cosmetology instructor, manicurist, managing manicurist, manicurist instructor, esthetician, managing esthetician, or esthetics instructor, without a license;	1175
(3) Practice natural hair styling for pay, free, or otherwise, without a license;	1176
(3) Practice natural hair styling for pay, free, or otherwise, without a license;	1177
(4) Employ as a cosmetologist, managing cosmetologist, cosmetologist instructor, except as provided in division (C) of section 4713.15 of the Revised Code, manicurist, managing manicurist, manicurist instructor, esthetician, managing esthetician, or esthetics instructor, any person without a license;	1178
(4) Employ as a cosmetologist, managing cosmetologist, cosmetologist instructor, except as provided in division (C) of section 4713.15 of the Revised Code, manicurist, managing manicurist, manicurist instructor, esthetician, managing esthetician, or esthetics instructor, any person without a license;	1179
(4) Employ as a cosmetologist, managing cosmetologist, cosmetologist instructor, except as provided in division (C) of section 4713.15 of the Revised Code, manicurist, managing manicurist, manicurist instructor, esthetician, managing esthetician, or esthetics instructor, any person without a license;	1180
(4) Employ as a cosmetologist, managing cosmetologist, cosmetologist instructor, except as provided in division (C) of section 4713.15 of the Revised Code, manicurist, managing manicurist, manicurist instructor, esthetician, managing esthetician, or esthetics instructor, any person without a license;	1181
(4) Employ as a cosmetologist, managing cosmetologist, cosmetologist instructor, except as provided in division (C) of section 4713.15 of the Revised Code, manicurist, managing manicurist, manicurist instructor, esthetician, managing esthetician, or esthetics instructor, any person without a license;	1182
(4) Employ as a cosmetologist, managing cosmetologist, cosmetologist instructor, except as provided in division (C) of section 4713.15 of the Revised Code, manicurist, managing manicurist, manicurist instructor, esthetician, managing esthetician, or esthetics instructor, any person without a license;	1183
(5)(A) Use fraud or deceit in making application for a license or permit;	1184
(5)(A) Use fraud or deceit in making application for a license or permit;	1185
(B) Aid or abet any person:	1186
(a)(1) Violating sections 4713.01 to 4713.21 of the Revised Code this chapter or a rule adopted under it;	1187
(a)(1) Violating sections 4713.01 to 4713.21 of the Revised Code this chapter or a rule adopted under it;	1188
(b)(2) Obtaining a license or permit fraudulently;	1189
(c)(3) Falsely pretending to be licensed;	1190
(d) Violating any of the sanitary rules for the regulation of the practice of cosmetology hold a current, valid license or permit.	1191
(d) Violating any of the sanitary rules for the regulation of the practice of cosmetology hold a current, valid license or permit.	1192
(d) Violating any of the sanitary rules for the regulation of the practice of cosmetology hold a current, valid license or permit.	1193
(6) Engage in the practice of (C) Practice a branch of cosmetology, for pay, free, or otherwise, without one of the following authorizing the practice of that branch of cosmetology:	1194
(6) Engage in the practice of (C) Practice a branch of cosmetology, for pay, free, or otherwise, without one of the following authorizing the practice of that branch of cosmetology:	1195
(6) Engage in the practice of (C) Practice a branch of cosmetology, for pay, free, or otherwise, without one of the following authorizing the practice of that branch of cosmetology:	1196
(1) A current, valid license under section 4713.28, 4713.30,	1197

<u>or 4713.34 of the Revised Code;</u>	1198
<u>(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code;</u>	1199 1200
<u>(3) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code;</u>	1201 1202
<u>(4) A current, valid temporary work permit issued under rules adopted by the board pursuant to section 4713.08 of the Revised Code.</u>	1203 1204 1205
<u>(D) Employ a person to practice a branch of cosmetology if the person does not hold one of the following authorizing the practice of that branch of cosmetology:</u>	1206 1207 1208
<u>(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;</u>	1209 1210
<u>(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code;</u>	1211 1212
<u>(3) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code;</u>	1213 1214
<u>(4) A current, valid temporary work permit issued under rules adopted by the board pursuant to section 4713.08 of the Revised Code.</u>	1215 1216 1217
<u>(E) Manage a salon without a current, valid license under section 4713.30 or 4713.34 of the Revised Code to manage that type of salon;</u>	1218 1219 1220
<u>(F) Except for apprentice instructors and as provided in section 4713.45 of the Revised Code, teach the theory or practice of a branch of cosmetology at a school of cosmetology without either of the following authorizing the teaching of that branch of cosmetology:</u>	1221 1222 1223 1224 1225
<u>(1) A current, valid license under section 4713.31 or 4713.34</u>	1226

<u>of the Revised Code;</u>	1227
<u>(2) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code.</u>	1228 1229
<u>(G) Advertise or operate a glamour photography service in which a branch of cosmetology is practiced unless the person practicing the branch of cosmetology holds either of the following authorizing the practice of that branch of cosmetology:</u>	1230 1231 1232 1233
<u>(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;</u>	1234 1235
<u>(2) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code.</u>	1236 1237
<u>(H) Advertise or operate a glamour photography service in which a branch of cosmetology is practiced at a location not specified by rules adopted under section 4713.08 of the Revised Code;</u>	1238 1239 1240 1241
<u>(I) Practice a branch of cosmetology at a salon in which the person rents booth space without a current, valid independent contractor license under section 4713.39 of the Revised Code;</u>	1242 1243 1244
<u>(J) Operate a salon without a current, valid license under section 4713.41 of the Revised Code;</u>	1245 1246
<u>(K) Provide cosmetic therapy or massage in therapy at a beauty salon or nail salon for pay, free, or otherwise unless the person holds without a current, valid certificate issued by the state medical board pursuant to under section 4731.15 of the Revised Code or provide any other professional service at a salon for pay, free, or otherwise without a current, valid license or certificate issued by the professional regulatory board of this state that regulates the profession;</u>	1247 1248 1249 1250 1251 1252 1253 1254
(7) Engage in the advertisement or operation of a glamour photography service unless properly licensed under this chapter by	1255 1256

the state board of cosmetology.	1257
(B) Sections 4713.01 to 4713.21 of the Revised Code do not	1258
prohibit any student in a licensed school of cosmetology in this	1259
state from engaging in that school, as a student, in work	1260
connected with any branch of cosmetology taught in the school	1261
<u>(L) Teach a branch of cosmetology at a salon, unless the</u>	1262
<u>person receiving the instruction holds either of the following</u>	1263
<u>authorizing the practice of that branch of cosmetology:</u>	1264
<u>(1) A current, valid license under section 4713.28, 4713.30,</u>	1265
<u>or 4713.34 of the Revised Code;</u>	1266
<u>(2) A current, valid temporary pre-examination work permit</u>	1267
<u>issued under section 4713.22 of the Revised Code.</u>	1268
<u>(M) Operate a school of cosmetology without a current, valid</u>	1269
<u>license under section 4713.44 of the Revised Code;</u>	1270
<u>(N) At a salon or school of cosmetology, do either of the</u>	1271
<u>following:</u>	1272
<u>(1) Use or possess a cosmetic product containing an</u>	1273
<u>ingredient that the United States food and drug administration has</u>	1274
<u>prohibited by regulation;</u>	1275
<u>(2) Use a cosmetic product in a manner inconsistent with a</u>	1276
<u>restriction established by the United States food and drug</u>	1277
<u>administration by regulation;</u>	1278
<u>(3) Use or possess a liquid nail monomer containing any trace</u>	1279
<u>of methyl methacrylate (MMA).</u>	1280
<u>(O) While in charge of a salon or school of cosmetology,</u>	1281
<u>permit any person to sleep in, or use for residential purposes,</u>	1282
<u>any room used wholly or in part as the salon or school of</u>	1283
<u>cosmetology;</u>	1284
<u>(P) Maintain, as an established place of business for the</u>	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

(O) 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 (N) 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

<u>(D) The provision of glamour photography services at a</u>	1316
<u>licensed salon if either of the following is the case:</u>	1317
<u>(1) A branch of cosmetology is not practiced as part of the</u>	1318
<u>services.</u>	1319
<u>(2) If a branch of cosmetology is practiced as part of the</u>	1320
<u>services, the part of the services that is a branch of cosmetology</u>	1321
<u>is performed by a person who holds either of the following</u>	1322
<u>authorizing the person to practice that branch of cosmetology:</u>	1323
<u>(a) A current, valid license under section 4713.28, 4713.30,</u>	1324
<u>or 4713.34 of the Revised Code;</u>	1325
<u>(b) A current, valid temporary special occasion work permit</u>	1326
<u>issued under section 4713.37 of the Revised Code.</u>	1327
<u>(E) A student engaging, as a student, in work connected with</u>	1328
<u>a branch of cosmetology taught at the school of cosmetology at</u>	1329
<u>which the student is enrolled.</u>	1330
Sec. 4713.12 <u>4713.17</u>. 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 <u>are</u> exempt from the provisions of such sections	1335
<u>this chapter, except, as applicable, section 4713.42 of the</u>	1336
<u>Revised Code:</u>	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, <u>air force</u> , 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 registered under Chapter 4717. of the Revised Code; 1346
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(E) Persons who are engaged in the retail sale, cleaning, or beautification of wigs and ~~postiches~~ hairpieces but who do not engage in any other act constituting the practice of a branch of cosmetology; 1348
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(F) Volunteers of hospitals, and homes as defined in section 3721.01 of the Revised Code, who render service to registered patients and inpatients who reside in such hospitals or homes. Such volunteers shall not use or work with any chemical products such as permanent wave, hair dye, or chemical hair relaxer, which without proper training would pose a health or safety problem to the patient. 1352
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(G) ~~Nurses~~ Nurse aides and other employees of hospitals and homes as defined in section 3721.01 of the Revised Code, who ~~render~~ practice a branch of cosmetology ~~services to~~ on registered patients only as part of general patient care services and who do not charge patients directly on a fee for service basis; 1359
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(H) Cosmetic therapists and massage therapists who hold current, valid certificates to practice cosmetic or massage therapy issued by the state medical board under section 4731.15 of the Revised Code; 1364
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~~(I) Photographers engaged in delivering a glamour photography service in a licensed salon, so long as the person advertising and operating the glamour photography service is properly licensed under this chapter by the state board of cosmetology, to the extent their actions are authorized by their certificates to practice.~~ 1368
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Sec. 4713.05 4713.20. ~~Every application for~~ (A) Each person who seeks admission to an examination, conducted under section 1374
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~~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

<u>examination conducted under section 4713.24 of the Revised Code:</u>	1406
<u>(A) A person who failed to appear for an examination that the person was previously scheduled to take;</u>	1407
<u>(B) A person who appeared for a previously scheduled examination but failed to pass it.</u>	1408
<u>(B) A person who appeared for a previously scheduled examination but failed to pass it.</u>	1409
<u>(B) A person who appeared for a previously scheduled examination but failed to pass it.</u>	1410
<u>Sec. 4713.22. (A) The state board of cosmetology shall issue a temporary pre-examination work permit to a person who applies under section 4713.20 of the Revised Code for admission to an examination conducted under section 4713.24 of the Revised Code, if the person satisfies all of the following conditions:</u>	1411
<u>(1) Is seeking a practicing license;</u>	1412
<u>(2) Has not previously failed an examination conducted under section 4713.24 of the Revised Code to determine the applicant's fitness to practice the branch of cosmetology for which the person seeks a license;</u>	1413
<u>(3) Pays to the board the applicable fee;</u>	1414
<u>(4) Satisfies all other conditions established by rules adopted under section 4713.08 of the Revised Code.</u>	1415
<u>(1) Is seeking a practicing license;</u>	1416
<u>(2) Has not previously failed an examination conducted under section 4713.24 of the Revised Code to determine the applicant's fitness to practice the branch of cosmetology for which the person seeks a license;</u>	1417
<u>(3) Pays to the board the applicable fee;</u>	1418
<u>(4) Satisfies all other conditions established by rules adopted under section 4713.08 of the Revised Code.</u>	1419
<u>(3) Pays to the board the applicable fee;</u>	1420
<u>(4) Satisfies all other conditions established by rules adopted under section 4713.08 of the Revised Code.</u>	1421
<u>(4) Satisfies all other conditions established by rules adopted under section 4713.08 of the Revised Code.</u>	1422
<u>(4) Satisfies all other conditions established by rules adopted under section 4713.08 of the Revised Code.</u>	1423
<u>(B) A person issued a temporary pre-examination work permit may practice the branch of cosmetology for which the person seeks a license until the date the person is scheduled to take an examination under section 4713.24 of the Revised Code. The person shall practice under the supervision of a person holding a current, valid managing license appropriate for the type of salon in which the permit holder practices. A temporary pre-examination work permit is renewable in accordance with rules adopted under section 4713.08 of the Revised Code.</u>	1424
<u>(B) A person issued a temporary pre-examination work permit may practice the branch of cosmetology for which the person seeks a license until the date the person is scheduled to take an examination under section 4713.24 of the Revised Code. The person shall practice under the supervision of a person holding a current, valid managing license appropriate for the type of salon in which the permit holder practices. A temporary pre-examination work permit is renewable in accordance with rules adopted under section 4713.08 of the Revised Code.</u>	1425
<u>(B) A person issued a temporary pre-examination work permit may practice the branch of cosmetology for which the person seeks a license until the date the person is scheduled to take an examination under section 4713.24 of the Revised Code. The person shall practice under the supervision of a person holding a current, valid managing license appropriate for the type of salon in which the permit holder practices. A temporary pre-examination work permit is renewable in accordance with rules adopted under section 4713.08 of the Revised Code.</u>	1426
<u>(B) A person issued a temporary pre-examination work permit may practice the branch of cosmetology for which the person seeks a license until the date the person is scheduled to take an examination under section 4713.24 of the Revised Code. The person shall practice under the supervision of a person holding a current, valid managing license appropriate for the type of salon in which the permit holder practices. A temporary pre-examination work permit is renewable in accordance with rules adopted under section 4713.08 of the Revised Code.</u>	1427
<u>(B) A person issued a temporary pre-examination work permit may practice the branch of cosmetology for which the person seeks a license until the date the person is scheduled to take an examination under section 4713.24 of the Revised Code. The person shall practice under the supervision of a person holding a current, valid managing license appropriate for the type of salon in which the permit holder practices. A temporary pre-examination work permit is renewable in accordance with rules adopted under section 4713.08 of the Revised Code.</u>	1428
<u>(B) A person issued a temporary pre-examination work permit may practice the branch of cosmetology for which the person seeks a license until the date the person is scheduled to take an examination under section 4713.24 of the Revised Code. The person shall practice under the supervision of a person holding a current, valid managing license appropriate for the type of salon in which the permit holder practices. A temporary pre-examination work permit is renewable in accordance with rules adopted under section 4713.08 of the Revised Code.</u>	1429
<u>(B) A person issued a temporary pre-examination work permit may practice the branch of cosmetology for which the person seeks a license until the date the person is scheduled to take an examination under section 4713.24 of the Revised Code. The person shall practice under the supervision of a person holding a current, valid managing license appropriate for the type of salon in which the permit holder practices. A temporary pre-examination work permit is renewable in accordance with rules adopted under section 4713.08 of the Revised Code.</u>	1430
<u>(B) A person issued a temporary pre-examination work permit may practice the branch of cosmetology for which the person seeks a license until the date the person is scheduled to take an examination under section 4713.24 of the Revised Code. The person shall practice under the supervision of a person holding a current, valid managing license appropriate for the type of salon in which the permit holder practices. A temporary pre-examination work permit is renewable in accordance with rules adopted under section 4713.08 of the Revised Code.</u>	1431
<u>(B) A person issued a temporary pre-examination work permit may practice the branch of cosmetology for which the person seeks a license until the date the person is scheduled to take an examination under section 4713.24 of the Revised Code. The person shall practice under the supervision of a person holding a current, valid managing license appropriate for the type of salon in which the permit holder practices. A temporary pre-examination work permit is renewable in accordance with rules adopted under section 4713.08 of the Revised Code.</u>	1432
<u>Sec. 4713.06 4713.24. (A) All examinations of applicants</u>	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.~~

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

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

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

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

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

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hundred fifty-hour esthetician and managing esthetician training course. 1496
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The board may administer a separate managing hair designer examination for persons who complete a managing hair designer training course separate from a hair designer training course. The board may combine the managing hair designer examination with the hair designer examination for persons who complete a combined one thousand four hundred forty-hour hair designer and managing hair designer training course. 1498
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The board may administer a separate managing manicurist examination for persons who complete a managing manicurist training course separate from a manicurist training course. The board may combine the managing manicurist examination with the manicurist examination for persons who complete a combined four hundred thirty-hour manicurist and managing manicurist training course. 1505
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The board may administer a separate managing natural hair stylist examination for persons who complete a managing natural hair stylist training course separate from a natural hair stylist training course. The board may combine the managing natural hair stylist examination with the natural hair stylist examination for persons who complete a combined six hundred-hour natural hair stylist and managing natural hair stylist training course. 1512
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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. 1519
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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 1522
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<u>following applicable conditions:</u>	1526
(A) <u>Is at least sixteen years of age;</u>	1527
(B) <u>Is of good moral character,</u> have;	1528
(C) <u>Has the equivalent of an Ohio public school</u> eight <u>tenth</u> grade education, and have received a total of not less than;	1529 1530
(D) <u>Passes an examination conducted under section 4713.24 of</u> <u>the Revised Code for the branch of cosmetology the applicant seeks</u> <u>to practice;</u>	1531 1532 1533
(E) <u>Pays to the board the applicable fee;</u>	1534
(F) <u>In the case of an applicant for an initial cosmetologist</u> <u>license, has successfully completed at least fifteen hundred hours</u> of instruction in the several branches of <u>board-approved</u> cosmetology, including subjects relating to sanitation, <u>training</u> in a licensed school of cosmetology <u>licensed</u> in Ohio or otherwise pursuant to credits given by the state board of cosmetology as provided in section 4713.02 of the Revised Code <u>this state,</u> <u>provided except</u> that only one thousand hours of instruction in the several branches of <u>board-approved</u> cosmetology <u>training</u> in a licensed school of cosmetology <u>licensed</u> in this state is required of a person licensed as a barber under Chapter 4709. of the Revised Code. Except as provided in section 4713.09 of the Revised Code, an applicant shall pass an examination in order to qualify for a cosmetologist's license.	1535 1536 1537 1538 1539 1540 1541 1542 1543 1544 1545 1546 1547 1548
(B) Applicants;	1549
(G) <u>In the case of an applicant for an initial esthetician</u> <u>license, has successfully completed at least six hundred hours of</u> <u>board-approved esthetics training in a school of cosmetology</u> <u>licensed in this state;</u>	1550 1551 1552 1553
(H) <u>In the case of an applicant for an initial hair designer</u> <u>license, has successfully completed at least one thousand two</u>	1554 1555

hundred hours of board-approved hair designer training in a school 1556
of cosmetology licensed in this state, provided that only one 1557
thousand hours of board-approved hair designer training in a 1558
school of cosmetology licensed in this state is required of a 1559
person licensed as a barber under Chapter 4709. of the Revised 1560
Code; 1561

(I) In the case of an applicant for a manicurist's an initial 1562
manicurist license shall be at least sixteen years of age, of good 1563
moral character, have the equivalent of an Ohio public school 1564
eighth grade education, and have received, has successfully 1565
completed at least two three hundred hours of instruction in 1566
subjects relating to sanitation, manicuring, and application of 1567
artificial or sculptured nails board-approved manicurist training 1568
in a licensed school of cosmetology licensed in Ohio. Except as 1569
provided in section 4713.09 of the Revised Code, an applicant 1570
shall pass an examination in order to qualify for a manicurist's 1571
license. 1572

(C) Applicants for an esthetician's license shall be at least 1573
sixteen years of age, of good moral character, have the equivalent 1574
of an Ohio public school eighth grade education, and have 1575
successfully completed at least six hundred hours of instruction 1576
in esthetics in a licensed school of cosmetology in this state. 1577
Except as provided in section 4713.09 of the Revised Code, an 1578
applicant shall pass an examination to qualify for an 1579
esthetician's license. The board shall design the examination so 1580
as to demonstrate an applicant's minimum competency in all fields 1581
of esthetics. 1582

(D) Applicants this state; 1583

(J) In the case of an applicant for a an initial natural hair 1584
stylist license shall be at least sixteen years of age, of good 1585
moral character, have the equivalent of an Ohio public school 1586
eighth grade education, and have received, has successfully 1587

~~completed at least four hundred fifty hours of instruction in 1588
subjects relating to sanitation, scalp care, anatomy, hair 1589
styling, communication skills, and laws and rules governing the 1590
practice of cosmetology. Except as provided in section 4713.09 of 1591
the Revised Code, an applicant shall pass an examination to 1592
qualify for a natural hair stylist's license. 1593~~

~~(E) Applicants for a managing cosmetologist's license shall 1594
be of good moral character, have the equivalent of an Ohio public 1595
school eighth grade education, and have practiced as a 1596
cosmetologist in a licensed beauty salon in this or another state 1597
of the United States or the District of Columbia for at least one 1598
year, or have completed three hundred hours of board-approved 1599
curriculum additional in a licensed school of cosmetology in this 1600
state in subjects relative to advanced cosmetology, business 1601
management, and supervision. Certification of an applicant's 1602
completion of one year's experience shall be made to the board by 1603
the licensed managing cosmetologist or the owner of the licensed 1604
beauty salon in which the applicant has been employed, or 1605
certification of completion of the prescribed course of three 1606
hundred additional hours shall be made to the board by the school 1607
of cosmetology in this state. Upon either of the foregoing 1608
certifications and, except as provided in section 4713.09 of the 1609
Revised Code, upon passage of an examination, the board shall 1610
issue a managing cosmetologist's license to the applicant. 1611~~

~~(F) Applicants for an initial cosmetology instructor's 1612
license shall be of good moral character, have the equivalent of 1613
an Ohio public school twelfth grade education, hold a current 1614
managing cosmetologist license issued pursuant to this chapter, 1615
and have practiced as a licensed cosmetologist in a beauty salon 1616
for at least twelve months, or have completed one thousand hours 1617
of cosmetology instructor training in a licensed school of 1618
cosmetology in this state as an apprentice instructor. On the date 1619~~

that an apprentice cosmetology instructor begins cosmetology 1620
instructor training in a licensed school of cosmetology, the 1621
school shall certify the name of the apprentice cosmetology 1622
instructor to the board along with the date on which the 1623
apprentice's instructor training began. No school shall have more 1624
than six apprentice cosmetology instructors at any one time. The 1625
apprentice cosmetology instructor shall be allowed the regular 1626
quota of students as prescribed by the board, with the provision 1627
that a cosmetology instructor is present. An apprentice 1628
cosmetology instructor may be compensated by the school. 1629
Certification that the applicant has completed one year or more of 1630
experience in a licensed beauty salon shall be made to the board 1631
by the licensed managing cosmetologist or the owner of the 1632
licensed beauty salon in which the applicant has been employed, 1633
or, certification shall be made to the board by the school of 1634
cosmetology, that the apprentice cosmetology instructor has 1635
completed one thousand hours of teacher training in a licensed 1636
school of cosmetology in this state. Upon any of the foregoing 1637
certifications and provided that the applicant holds a current 1638
managing cosmetologist's license issued pursuant to this chapter, 1639
the board shall issue a cosmetology instructor's license to the 1640
applicant. 1641

(G) Every person who completes a course in cosmetology given 1642
in a vocational program conducted by a city, exempted village, 1643
local, or joint vocational school district, is eligible to apply 1644
for a cosmetologist's or manicurist's license, provided the person 1645
has completed the educational requirements of division (A) or (B) 1646
of this section. The board may adopt rules for the recognition of 1647
any credit to be given to the study of cosmetology in such 1648
vocational schools of this state. 1649

(H) The board shall issue to an applicant who has completed 1650
the requirements of this section and has not previously failed to 1651

~~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.~~

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~~(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.~~

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~~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.~~

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~~(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.~~

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

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

(A) Is at least sixteen years of age;

(B) Is of good moral character;

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

(D) Pays to the board the applicable fee;

(E) Passes the appropriate managing license examination;

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

(1) Has a licensed managing cosmetologist or owner of a
licensed beauty salon located in this or another state certify to

the board that the applicant has practiced as a cosmetologist for 1745
at least two thousand hours in a licensed beauty salon; 1746

(2) Has a school of cosmetology licensed in this state 1747
certify to the board that the applicant has successfully 1748
completed, in addition to the hours required for licensure as a 1749
cosmetologist, at least three hundred hours of board-approved 1750
managing cosmetologist training. 1751

(G) In the case of an applicant for an initial managing 1752
esthetician license, does either of the following: 1753

(1) Has the licensed managing esthetician, licensed managing 1754
cosmetologist, or owner of a licensed esthetics salon or licensed 1755
beauty salon located in this or another state certify to the board 1756
that the applicant has practiced esthetics for at least two 1757
thousand hours as an esthetician in a licensed esthetics salon or 1758
as a cosmetologist in a licensed beauty salon; 1759

(2) Has a school of cosmetology licensed in this state 1760
certify to the board that the applicant has successfully 1761
completed, in addition to the hours required for a licensure as an 1762
esthetician or cosmetologist, at least one hundred fifty hours of 1763
board-approved managing esthetician training. 1764

(H) In the case of an applicant for an initial managing hair 1765
designer license, does either of the following: 1766

(1) Has the licensed managing hair designer, licensed 1767
managing cosmetologist, or owner of a licensed hair design salon 1768
or licensed beauty salon located in this or another state certify 1769
to the board that the applicant has practiced hair design for at 1770
least two thousand hours as a hair designer in a licensed hair 1771
design salon or as a cosmetologist in a licensed beauty salon; 1772

(2) Has a school of cosmetology licensed in this state 1773
certify to the board that the applicant has successfully 1774
completed, in addition to the hours required for licensure as a 1775

hair designer or cosmetologist, at least two hundred forty hours 1776
of board-approved managing hair designer training. 1777

(I) In the case of an applicant for an initial managing 1778
manicurist license, does either of the following: 1779

(1) Has the licensed managing manicurist, licensed managing 1780
cosmetologist, or owner of a licensed nail salon, licensed beauty 1781
salon, or licensed barber shop located in this or another state 1782
certify to the board that the applicant has practiced manicuring 1783
for at least two thousand hours as a manicurist in a licensed nail 1784
salon or licensed barber shop or as a cosmetologist in a licensed 1785
beauty salon or licensed barber shop; 1786

(2) Has a school of cosmetology licensed in this state 1787
certify to the board that the applicant has successfully 1788
completed, in addition to the hours required for licensure as a 1789
manicurist or cosmetologist, at least one hundred thirty hours of 1790
board-approved managing manicurist training. 1791

(J) In the case of an applicant for an initial managing 1792
natural hair stylist license, does either of the following: 1793

(1) Has the licensed managing natural hair stylist, licensed 1794
managing cosmetologist, or owner of a licensed natural hair style 1795
salon or licensed beauty salon located in this or another state 1796
certify to the board that the applicant has practiced natural hair 1797
styling for at least two thousand hours as a natural hair stylist 1798
in a licensed natural hair style salon or as a cosmetologist in a 1799
licensed beauty salon; 1800

(2) Has a school of cosmetology licensed in this state 1801
certify to the board that the applicant has successfully 1802
completed, in addition to the hours required for licensure as 1803
natural hair stylist or cosmetologist, at least one hundred fifty 1804
hours of board-approved managing natural hair stylist training. 1805

Sec. 4713.31. The state board of cosmetology shall issue an instructor license to an applicant who satisfies all of the following applicable conditions: 1806
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(A) Is at least eighteen years of age; 1809

(B) Is of good moral character; 1810

(C) Has the equivalent of an Ohio public school twelfth grade education; 1811
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(D) Pays to the board the applicable fee; 1813

(E) In the case of an applicant for an initial cosmetology instructor license, holds a current, valid managing cosmetologist license issued in this state and does either of the following: 1814
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(1) Has the licensed managing cosmetologist or owner of the licensed beauty salon in which the applicant has been employed certify to the board that the applicant has engaged in the practice of cosmetology in a licensed beauty salon for at least two thousand hours; 1817
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(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed one thousand hours of board-approved cosmetology instructor training as an apprentice instructor. 1822
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(F) In the case of an applicant for an initial esthetics instructor license, holds a current, valid managing esthetician or managing cosmetologist license issued in this state and does either of the following: 1826
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(1) Has the licensed managing esthetician, licensed managing cosmetologist, or owner of the licensed esthetics salon or licensed beauty salon in which the applicant has been employed certify to the board that the applicant has engaged in the practice of esthetics in a licensed esthetics salon or practice of 1830
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cosmetology in a licensed beauty salon for at least two thousand 1835
hours; 1836

(2) Has a school of cosmetology licensed in this state 1837
certify to the board that the applicant has successfully completed 1838
at least five hundred hours of board-approved esthetics instructor 1839
training as an apprentice instructor. 1840

(G) In the case of an applicant for an initial hair design 1841
instructor license, holds a current, valid managing hair designer 1842
or managing cosmetologist license and does either of the 1843
following: 1844

(1) Has the licensed managing hair designer, licensed 1845
managing cosmetologist, or owner of the licensed hair design salon 1846
or licensed beauty salon in which the applicant has been employed 1847
certify to the board that the applicant has engaged in the 1848
practice of hair design in a licensed hair design salon or 1849
practice of cosmetology in a licensed beauty salon for at least 1850
two thousand hours; 1851

(2) Has a school of cosmetology licensed in this state 1852
certify to the board that the applicant has successfully completed 1853
at least eight hundred hours of board-approved hair design 1854
instructor's training as an apprentice instructor. 1855

(H) In the case of an applicant for an initial manicurist 1856
instructor license, holds a current, valid managing manicurist or 1857
managing cosmetologist license and does either of the following: 1858

(1) Has the licensed managing manicurist, licensed managing 1859
cosmetologist, or owner of the licensed nail salon or licensed 1860
beauty salon in which the applicant has been employed certify to 1861
the board that the applicant has engaged in the practice of 1862
manicuring in a licensed nail salon or practice of cosmetology in 1863
a licensed beauty salon for at least two thousand hours; 1864

(2) Has a school of cosmetology licensed in this state 1865

certify to the board that the applicant has successfully completed 1866
at least three hundred hours of board-approved manicurist 1867
instructor training as an apprentice instructor. 1868

(I) In the case of an applicant for an initial natural hair 1869
style instructor license, holds a current, valid managing natural 1870
hair stylist or managing cosmetologist license and does either of 1871
the following: 1872

(1) Has the licensed managing natural hair stylist, licensed 1873
managing cosmetologist, or owner of the licensed natural hair 1874
style salon or licensed beauty salon in which the applicant has 1875
been employed certify to the board that the applicant has engaged 1876
in the practice of natural hair styling in a licensed natural hair 1877
style salon or practice of cosmetology in a licensed beauty salon 1878
for at least two thousand hours; 1879

(2) Has a school of cosmetology licensed in this state 1880
certify to the board that the applicant has successfully completed 1881
at least four hundred hours of board-approved natural hair style 1882
instructor training as an apprentice instructor. 1883

Sec. 4713.32. When determining the total hours of instruction 1884
received by an applicant for a license under section 4713.28, 1885
4713.30, or 4713.31 of the Revised Code, the state board of 1886
cosmetology shall not take into account more than eight hours of 1887
instruction per day. The board shall take into account instruction 1888
received more than five years prior to the date of application for 1889
the license in accordance with rules adopted under section 4713.08 1890
of the Revised Code. 1891

Sec. 4713.09 4713.34. Upon application to the ~~The~~ state board 1892
of cosmetology, as provided in section 4713.05 of the Revised 1893
Code, accompanied by the required license fee, a person shall 1894
issue a license to practice a branch of cosmetology, managing 1895

license, or instructor license to an applicant who is licensed or 1896
registered as a cosmetologist or in any in another state or 1897
country to practice that branch of cosmetology under the laws of 1898
any other state or country, or territory of the United States, or 1899
the District of Columbia, where similar reciprocity is extended to 1900
the state of Ohio, shall without examination, unless the board, in 1901
its discretion, sees fit to require examination, be granted a 1902
license to practice the occupation in which the person is licensed 1903
or registered upon, manage that type of salon, or teach the theory 1904
and practice of that branch of cosmetology, as appropriate, if all 1905
of the following conditions are satisfied: 1906

(A) The applicant satisfies all of the following conditions: 1907
that the applicant is 1908

(1) Is not less than eighteen years of age; 1909

(2) Is of good moral character, and excepting the states 1910
which do not license the practice of cosmetology, esthetics, or 1911
manicuring, in which case the board shall exercise its discretion 1912
in the granting of reciprocity, and that the requirements for 1913
registration or license of a cosmetologist and those engaged in 1914
the practice of any branch of cosmetology, in the particular 1915
state, territory, or District of Columbia, or any other state or 1916
country, were at the date of the previous registration or 1917
licensing; 1918

(3) In the case of an applicant for a practicing license or 1919
managing license, passes an examination conducted under section 1920
4713.24 of the Revised Code for the license the applicant seeks, 1921
unless the applicant satisfies conditions specified in rules 1922
adopted under section 4713.08 of the Revised Code for the board to 1923
issue the applicant a license without taking the examination; 1924

(4) Pays the applicable fee. 1925

(B) At the time the applicant obtained the license or 1926

registration in the other state or country, the requirements in 1927
this state for obtaining the license the applicant seeks were 1928
substantially equal to the other state or country's requirements 1929
then enforced in this state. 1930

(C) The jurisdiction that issued the applicant's license or 1931
registration extends similar reciprocity to persons holding a 1932
license issued by the board. 1933

Sec. 4713.35. A person who holds a current, valid 1934
cosmetologist license issued by the state board of cosmetology may 1935
engage in the practice of one or more branches of cosmetology as 1936
the person chooses. 1937

A person who holds a current, valid esthetician license 1938
issued by the board may engage in the practice of esthetics but no 1939
other branch of cosmetology. 1940

A person who holds a current, valid hair designer license 1941
issued by the board may engage in the practice of hair design but 1942
no other branch of cosmetology. 1943

A person who holds a current, valid manicurist license issued 1944
by the board may engage in the practice of manicuring but no other 1945
branch of cosmetology. 1946

A person who holds a current, valid natural hair stylist 1947
license issued by the board may engage in the practice of natural 1948
hair styling but no other branch of cosmetology. 1949

A person who holds a current, valid managing cosmetologist 1950
license issued by the board may manage all types of salons and 1951
engage in the practice of one or more branches of cosmetology as 1952
the person chooses. 1953

A person who holds a current, valid managing esthetician 1954
license issued by the board may manage an esthetics salon, but no 1955
other type of salon, and engage in the practice of esthetics, but 1956

<u>no other branch of cosmetology.</u>	1957
<u>A person who holds a current, valid managing hair designer license issued by the board may manage a hair design salon, but no other type of salon, and engage in the practice of hair design, but no other branch of cosmetology.</u>	1958 1959 1960 1961
<u>A person who holds a current, valid managing manicurist license issued by the board may manage a nail salon, but no other type of salon, and engage in the practice of manicuring, but no other branch of cosmetology.</u>	1962 1963 1964 1965
<u>A person who holds a current, valid managing natural hair stylist license issued by the board may manage a natural hair style salon, but no other type of salon, and engage in the practice of natural hair styling, but no other branch of cosmetology.</u>	1966 1967 1968 1969 1970
<u>A person who holds a current, valid cosmetology instructor license issued by the board may teach the theory and practice of one or more branches of cosmetology at a school of cosmetology as the person chooses.</u>	1971 1972 1973 1974
<u>A person who holds a current, valid esthetics instructor license issued by the board may teach the theory and practice of esthetics, but no other branch of cosmetology, at a school of cosmetology.</u>	1975 1976 1977 1978
<u>A person who holds a current, valid hair design instructor license issued by the board may teach the theory and practice of hair design, but no other branch of cosmetology, at a school of cosmetology.</u>	1979 1980 1981 1982
<u>A person who holds a current, valid manicurist instructor license issued by the board may teach the theory and practice of manicuring, but no other branch of cosmetology, at a school of cosmetology.</u>	1983 1984 1985 1986

A person who holds a current, valid natural hair style 1987
instructor license issued by the board may teach the theory and 1988
practice of natural hair styling, but no other branch of 1989
cosmetology, at a school of cosmetology. 1990

Sec. 4713.36. A licensed manicurist or licensed managing 1991
manicurist may engage in the practice of manicuring at a nail 1992
salon or beauty salon licensed under section 4713.41 of the 1993
Revised Code or a barber shop licensed under Chapter 4709. of the 1994
Revised Code. 1995

Sec. 4713.37. (A) The state board of cosmetology may issue a 1996
temporary special occasion work permit to a person who satisfies 1997
all of the following conditions: 1998

(1) Has been licensed or registered in another state or 1999
country to practice a branch of cosmetology or teach the theory 2000
and practice of a branch of cosmetology for at least five years; 2001

(2) Is a recognized expert in the practice or teaching of the 2002
branch of cosmetology the person practices or teaches; 2003

(3) Is to practice that branch of cosmetology or teach the 2004
theory and practice of that branch of cosmetology in this state as 2005
part of a promotional or instructional program for no more than 2006
the amount of time a temporary special occasion work permit is 2007
effective; 2008

(4) Satisfies all other conditions for a temporary special 2009
occasion work permit established by rules adopted under section 2010
4713.08 of the Revised Code; 2011

(5) Pays the fee established by rules adopted under section 2012
4713.08 of the Revised Code. 2013

(B) A person issued a temporary special occasion work permit 2014
may practice the branch of cosmetology the person practices in 2015

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.

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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:

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(A)(1) 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 at all times when the
salon is open for business except as permitted under division
(A)(2) of this section.

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(2) A business establishment that is engaged primarily in
retail sales but is also licensed as a salon shall have a person
holding a current, valid managing license for that type of salon
in charge of and in immediate supervision of the salon during

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posted or advertised service hours, if the practice of cosmetology 2046
is restricted to those posted or advertised service hours. 2047

(B) The salon is equipped to provide do all of the following: 2048
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(1) Provide potable running hot and cold water and proper 2050
drainage, to sanitize; 2051

(2) Sanitize all instruments and supplies used ~~therein~~ in the 2052
practice branch of cosmetology and any of its branches, and to 2053
sterilize provided at the salon; 2054

(3) If cosmetic therapy, massage therapy, or other 2055
professional service is provided at the salon under section 2056
4713.42 of the Revised Code, sanitize all instruments and supplies 2057
used therein by in the cosmetic therapists ~~authorized to practice~~ 2058
under section 4731.15 of the Revised Code therapy, massage 2059
therapy, or other professional service. 2060

(C) Except as provided in division (C) of this section, rooms 2061
licensed as beauty salons or esthetics salons shall be used only 2062
for the practice of services regulated and licensed under this 2063
chapter and section 4731.15 sections 4713.42 and 4713.49 of the 2064
Revised Code, be only the branch of cosmetology that the salon is 2065
licensed to provide is practiced at the salon. 2066

(D) The salon is kept in a clean and sanitary condition, and 2067
be properly ventilated. Nothing in this section shall be construed 2068
to forbid the retailing of cosmetics, preparations, tonics, 2069
antiseptics, creams, lotions, wigs, postiches, and other items 2070
related to the practice of cosmetology, including clothing, or 2071
forbid the provision of glamour photography, in a beauty salon or 2072
esthetics salon. 2073

(E) No food shall be is sold in rooms used as beauty salons 2074
or esthetics salons at the salon in a manner inconsistent with 2075
rules adopted under section 4713.08 of the Revised Code. 2076

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

~~(C) Where the owner or operator of a beauty salon, nail salon, or a school of cosmetology has a permit issued under 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 2108
or massage therapy, as appropriate, in a salon. A person holding a 2109
current, valid license or certificate issued by a professional 2110
regulatory board of this state may practice the person's 2111
profession in a salon if the person's profession is authorized by 2112
rules adopted under section 4713.08 of the Revised Code to 2113
practice in a salon. 2114

A person providing cosmetic therapy, massage therapy, or 2115
other professional service in a salon pursuant to this section 2116
shall satisfy the standards established by rules adopted under 2117
section 4713.08 of the Revised Code. 2118

Sec. ~~4713.15~~ 4713.44. ~~Schools~~ The state board of cosmetology 2119
shall issue a license to operate a school of cosmetology shall 2120
meet ~~to an applicant who pays the applicable fee and satisfies~~ all 2121
of the following requirements: 2122

(A) ~~Maintain a school term of not less than fifteen hundred~~ 2123
~~hours for the majority of the practices of cosmetology and not~~ 2124
~~less than six hundred hours' instruction and practical training in~~ 2125
~~the field of esthetics, and maintain~~ Maintains a course of 2126
practical training and technical instruction for the branch or 2127
branches of cosmetology to be taught at the school equal to the 2128
requirements for admission to an examination for license as a 2129
cosmetologist and an esthetician set forth in ~~under~~ section 2130
4713.06 4713.24 of the Revised Code that a person must pass to 2131
obtain a license to practice that branch or those branches of 2132
cosmetology; 2133

(B) ~~Possess~~ Possesses or ~~make~~ makes available apparatus and 2134
equipment sufficient for the ready and full teaching of all 2135
subjects of the curriculum; 2136

(C) ~~Maintain~~ Maintains persons licensed as ~~cosmetology,~~ 2137
~~manicurist, and esthetics instructors,~~ under section 4713.04 2138

~~4713.31 or 4713.34 of the Revised Code, as instructors of to teach~~ 2139
the theory and ~~practices~~ practice of the branches of cosmetology- 2140
They may employ persons not licensed as instructors as teachers of 2141
subjects related to cosmetology, provided a licensed cosmetology 2142
instructor is present.; 2143

(D) ~~Notify~~ Notifies the state board of ~~cosmetology~~ of the 2144
enrollment of each new student, ~~keep a daily record of the~~ 2145
~~attendance of each student and~~ keeps a record devoted to the 2146
different practices, ~~establish~~ establishes grades, and ~~hold~~ holds 2147
examinations in order to certify the students' completion of the 2148
prescribed course of study before the issuance of certificates of 2149
completion-; 2150

(E) ~~File~~ In the case of a school of cosmetology that offers 2151
clock hours for the purpose of satisfying minimum hours of 2152
training and instruction, keeps a daily record of the attendance 2153
of each student; 2154

(F) On the date that an apprentice cosmetology instructor 2155
begins cosmetology instructor training at the school, certifies 2156
the name of the apprentice cosmetology instructor to the board 2157
along with the date on which the apprentice's instructor training 2158
began; 2159

(G) Instructs no more than six apprentice cosmetology 2160
instructors at any one time; 2161

(H) Files with the board a good and sufficient surety bond 2162
executed by the person, firm, or corporation operating the school 2163
of cosmetology as principal and by a surety company as surety in 2164
the amount of ten thousand dollars; provided, that this 2165
requirement does not apply to a vocational program conducted by a 2166
city, exempted village, local, or joint vocational school 2167
district. The bond shall be in the form prescribed by the board 2168
and be conditioned upon the school's continued instruction in the 2169
theory and practice of the branches of cosmetology. Every bond 2170

shall continue in effect until notice of its termination is given 2171
to the board by registered mail and every bond shall so provide. 2172

~~Any student who is injured or damaged by reason of a school's 2173
failure to continue instruction in the theory and practice of 2174
cosmetology may maintain an action on the bond against the school, 2175
or surety named therein, or both of them, for the recovery of any 2176
money or tuition paid in advance, for instruction in the theory 2177
and practice of cosmetology which was not received. The aggregate 2178
liability of the surety to all students shall not exceed the sum 2179
of the bond. 2180~~

~~No branch of cosmetology shall be taught in a beauty salon to 2181
persons not licensed as cosmetologists. 2182~~

Sec. 4713.45. (A) A school of cosmetology may do the 2183
following: 2184

(1) In accordance with rules adopted under section 4713.08 of 2185
the Revised Code, a school of cosmetology operated by a public 2186
entity may offer clock hours, credit hours, or competency-based 2187
credits, and a school of cosmetology that is operated by a private 2188
person may offer clock or credit hours, for the purpose of 2189
satisfying minimum hours of training and instruction; 2190

(2) Allow an apprentice cosmetology instructor the regular 2191
quota of students prescribed by the state board of cosmetology if 2192
a cosmetology instructor is present; 2193

(3) Compensate an apprentice cosmetology instructor; 2194

(4) Subject to division (B) of this section, employ a person 2195
who does not hold a current, valid instructor license to teach 2196
subjects related to a branch of cosmetology. 2197

(B) A school of cosmetology shall have a licensed cosmetology 2198
instructor present when a person employed pursuant to division 2199
(A)(4) of this section teaches at the school, unless the person is 2200

one of the following: 2201

(1) A person with a current, valid teacher's certificate or educator license issued by the state board of education; 2202
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(2) A person with a bachelor's degree in the subject the person teaches at the school; 2204
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(3) A person also employed by a university or college to teach the subject the person teaches at the school. 2206
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Sec. 4713.46. A student who is injured or damaged by reason of the failure of a school of cosmetology to continue instruction in the theory and practice of a branch of cosmetology may maintain an action on the bond against the school, or surety named therein, or both of them, for the recovery of any money or tuition paid in advance for instruction in the theory and practice of a branch of cosmetology that was not received. The aggregate liability of the surety to all students shall not exceed the sum of the bond. 2208
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~~Sec. 4713.25 4713.48. (A) As used in this section, "tanning facility" means a room or booth which houses equipment or beds used for tanning the human skin by the use of fluorescent sun lamps using ultraviolet or other artificial radiation.~~ 2216
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~~(B) The state board of cosmetology, pursuant to Chapter 119 of the Revised Code, shall adopt rules:~~ 2220
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~~(1) Requiring that tanning facilities be installed and operated in a manner that ensures the health and safety of consumers using them;~~ 2222
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~~(2) Establishing the procedures governing applications for permits required by this section;~~ 2225
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~~(3) Setting fees for permits and renewal which cover the costs incurred by the board in inspecting tanning facilities and enforcing the rules of the board, but which in any case shall not~~ 2227
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exceed one hundred dollars for a permit or renewal for each	2230
location of such facilities.	2231
(C) The rules adopted under division (B)(1) of this section	2232
shall include but not be limited to the following:	2233
(1) A rule establishing a maximum safe time of exposure to	2234
radiation and a maximum safe temperature at which sun lamps may be	2235
operated;	2236
(2) A rule requiring that the consumer wear protective	2237
eyeglasses and that the consumer be supervised as to the length of	2238
time he uses a tanning facility;	2239
(3) A rule requiring the operator to prohibit consumers from	2240
standing too close to sun lamps and to post signs warning	2241
consumers of the potential effects of radiation on persons taking	2242
certain medications and of the possible relationship of the	2243
radiation to skin cancer;	2244
(4) A rule requiring the installation of protective shielding	2245
for sun lamps and handrails for consumers;	2246
(5) A rule requiring that floors be dry during operation of	2247
lamps.	2248
(D) No person shall own or operate any tanning facilities	2249
that are offered to the public for a fee or other compensation	2250
unless the person holds a valid permit issued by the board. The	2251
permit holder shall post the permit in a conspicuous place on any	2252
premises where the tanning facilities are located. A person shall	2253
obtain a separate permit for each of the premises owned or	2254
operated by that person.	2255
(E) The <u>state board of cosmetology</u> shall issue a permit to	2256
any person who files <u>operate a tanning facility</u> to an <u>applicant if</u>	2257
<u>all of the following conditions are satisfied:</u>	2258
(1) <u>The applicant applies in accordance with the application</u>	2259

~~on a form prescribed process adopted by the board and rules~~ 2260
~~adopted under section 4713.08 of the Revised Code.~~ 2261

~~(2) The applicant pays to the treasurer of state the fee~~ 2262
~~established by the board, if an those rules.~~ 2263

~~(3) An initial inspection of the premises indicates that the~~ 2264
~~premises and the tanning facilities are facility has been~~ 2265
~~installed and will be operated in accordance with any those rules~~ 2266
~~established under division (B)(1) of this section.~~ 2267

~~(B) A permit holder shall post the permit in a public and~~ 2268
~~conspicuous place on any premises where the tanning facility is~~ 2269
~~located. A person shall obtain a separate permit for each of the~~ 2270
~~premises owned or operated by that person at which the person~~ 2271
~~seeks to operate a tanning facility.~~ 2272

~~(C) A permit holder may biennially renew a permit by the~~ 2273
~~thirtieth last day of January of each odd-numbered year upon~~ 2274
~~payment to the treasurer of state of the biennial renewal fee,~~ 2275
~~except that the board may, after a hearing in accordance with~~ 2276
~~Chapter 119. of the Revised Code, refuse to renew the permit of~~ 2277
~~any owner or operator who has violated the rules of the board for~~ 2278
~~the safe operation of tanning facilities.~~ 2279

~~(F) The board may appoint inspectors as needed who shall make~~ 2280
~~periodic inspections of tanning facilities as specified by the~~ 2281
~~board. The board, after a hearing in accordance with Chapter 119.~~ 2282
~~of the Revised Code, may suspend any permit where the owner or~~ 2283
~~operator fails to correct any unsafe conditions that exist in~~ 2284
~~violation of the rules of the board or fails to cooperate in any~~ 2285
~~inspection of tanning facilities by the inspector.~~ 2286

~~If any violation has resulted in a condition deemed by an~~ 2287
~~inspector to create an immediate danger to the health and safety~~ 2288
~~of any person using the tanning facilities, the inspector may~~ 2289
~~suspend the permit without a prior hearing until the unsafe~~ 2290

~~condition is corrected or until a hearing in accordance with~~ 2291
~~Chapter 119. of the Revised Code is held and the board either~~ 2292
~~upholds the suspension by the inspector or reinstates the permit.~~ 2293

Sec. 4713.49. The owner or manager of a salon that has a 2294
permit issued under section 4713.48 of the Revised Code may 2295
operate a tanning facility at the salon or school. 2296

~~Sec. 4713.08~~ 4713.55. Every license issued by the state board 2297
of cosmetology shall be signed by the ~~chairman~~ chairperson and 2298
attested by the executive director thereof, with the seal of the 2299
board attached; ~~and every such license shall be.~~ 2300

The board shall specify on each practicing license that the 2301
board issues the branch of cosmetology that the license entitles 2302
the holder to practice. The board shall specify on each managing 2303
license that the board issues the type of salon that the license 2304
entitles the holder to manage and the branch of cosmetology that 2305
the license entitles the holder to practice. The board shall 2306
specify on each instructor license that the board issues the 2307
branch of cosmetology that the license entitles the holder to 2308
teach. Such licenses are prima-facie evidence of the right of the 2309
holder to practice or teach the branch of cosmetology, or the 2310
~~branch thereof which~~ manage the type of salon, that the license 2311
~~designates~~ specifies. 2312

~~Sec. 4713.16~~ 4713.56. Every holder of a practicing license, 2313
managing license, instructor license, or independent contractor 2314
license issued by the state board of cosmetology ~~to operate a~~ 2315
~~school of cosmetology, nail salon, beauty salon, or esthetics~~ 2316
~~salon, or to practice cosmetology or any branch of cosmetology,~~ 2317
shall display the license in a public and conspicuous place in the 2318
~~principal office, place of business, or place of employment of the~~ 2319
holder. 2320

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. 2321
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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. 2324
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~~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. 2327
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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. 2335
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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: 2344
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(1) A cosmetology instructor who has previously been licensed as a cosmetologist or a managing cosmetologist, is entitled to the 2349
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<u>reissuance of a cosmetologist or managing cosmetologist license;</u>	2351
	2352
<u>(2) An esthetics instructor who has previously been licensed</u>	2353
<u>as an esthetician or a managing esthetician, is entitled to the</u>	2354
<u>reissuance of an esthetician or managing esthetician license;</u>	2355
	2356
<u>(3) A hair design instructor who has previously been licensed</u>	2357
<u>as a hair designer or a managing hair designer, is entitled to the</u>	2358
<u>reissuance of a hair designer or managing hair designer license;</u>	2359
	2360
<u>(4) A manicurist instructor who has previously been licensed</u>	2361
<u>as a manicurist or a managing manicurist, is entitled to the</u>	2362
<u>reissuance of a manicurist or managing manicurist license;</u>	2363
<u>(5) A natural hair style instructor who has previously been</u>	2364
<u>licensed as a natural hair stylist or a managing natural hair</u>	2365
<u>stylist, is entitled to the reissuance of a natural hair stylist</u>	2366
<u>or managing natural hair stylist license.</u>	2367
<u>(B) No person is entitled to the reissuance of a license</u>	2368
<u>under division (A) of this section if the license was revoked or</u>	2369
<u>suspended or the person has an outstanding unpaid fine levied</u>	2370
<u>under section 4713.64 of the Revised Code.</u>	2371
Sec. 4713.111 4713.59. (A) As used in this section, "biennial	2372
licensing period" means the two-year period beginning on the	2373
thirty-first day of January of an odd-numbered year and ending on	2374
the thirtieth day of January of the next odd-numbered year.	2375
(B) The If the state board of cosmetology may adopt adopts	2376
rules in accordance with Chapter 119. under section 4713.09 of the	2377
Revised Code to establish a continuing education requirement as a	2378
condition of renewal for any a practicing license issued under	2379
this chapter. The board may implement a continuing education	2380

~~requirement for all persons licensed under this chapter or for any
class or combination of classes of such persons.~~ 2381
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~~The, managing license, or instructor license, the board shall 2383
inform each affected licensee of the continuing education 2384
requirement that applies to the next biennial licensing period by 2385
including a notification in the license renewal application form 2386
it sends the licensee. The notification shall state that the 2387
licensee must complete the continuing education requirement by the 2388
thirtieth last day of January of the next odd-numbered year. 2389~~

~~(C) A continuing education requirement established under this 2390
section shall not exceed eight hours in any biennial licensing 2391
period. Hours completed in excess of the requirement may not be 2392
applied to the next biennial licensing period. 2393~~

~~(D) If a continuing education requirement is established, the 2394
board's rules shall establish a schedule of reasonable prices that 2395
may be charged for attending continuing education programs 2396
approved under this section. The board shall ensure that a 2397
sufficient number of programs are available at such reasonable 2398
prices so that a licensee who so desires may meet the continuing 2399
education requirement at a cost of not more than fifty dollars. 2400
The board's rules may establish a maximum cost for meeting the 2401
continuing education requirement in excess of fifty dollars, 2402
provided that the cost does not exceed seventy-five dollars. 2403~~

~~(E) Any person desiring to offer a program for continuing 2404
education credit shall, before offering the program, apply to the 2405
board for approval of the program and the price that will be 2406
charged for attending the program. The board shall encourage 2407
applicants for approval to charge the applicable reasonable price 2408
established in rules adopted under this section. The board may 2409
approve a program even if the price for attending the program 2410
exceeds the applicable reasonable price. 2411~~

~~If the board approves a program, the applicant may offer the 2412~~

~~program for continuing education credit. The board shall charge
the applicant an approval fee adequate to cover any expense
incurred by the board through the approval process.~~

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

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

~~(2) Protect the public;~~

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

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

~~(G) If the board adopts a continuing education requirement
under this section, upon a review of reported violations of this
chapter and the board's rules, the board may determine that a
continuing education program focusing on certain sections of this
chapter and the board's rules would be beneficial to the
profession of cosmetology and the public. Once this determination
has been made, the board may develop a continuing education
program that is designed to correct the violations, and may make
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.~~

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(B) If the board adopts a continuing education requirement
that applies to the same biennial licensing period in which the
requirement is adopted, the board shall send a notice to all
affected licensees stating the types of courses and the number of
hours that are required. Each affected licensee shall complete the
requirement within one year from the date on which the notice is
sent by the board. Upon completion of the requirement, the
licensee shall provide proof of such completion to the board. If a
licensee has not completed a continuing education requirement
described in this division at the time of license renewal, the
licensee shall provide, as part of the renewal application, proof
of registration for courses that satisfy the requirement.

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Sec. ~~4713.11~~ 4713.60. (A) ~~Every licensee, as provided in
sections 4713.01 to 4713.25 of the Revised Code, shall renew his
license by the thirtieth day of January of each odd-numbered year
by applying to the state board of cosmetology pursuant to the
standard renewal procedure of Chapter 4745. of the Revised Code.
Application shall be made on forms provided by the board and shall
include the renewal fee established under section 4713.10 of the
Revised Code. Except as provided in division (C) of this section,
the applicant a person seeking a renewal of a license to practice
a branch of cosmetology, managing license, or instructor license
shall include in the renewal application proof satisfactory to the
board of completion of any applicable continuing education
requirements established by rules adopted by the board under
section ~~4713.111~~ 4713.09 of the Revised Code.~~

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(B) If an applicant fails to provide satisfactory proof of

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completion of any applicable continuing education requirements, 2475
the board shall notify the applicant that the application is 2476
incomplete. The board shall not renew the license until the 2477
applicant provides satisfactory proof of completion of any 2478
applicable continuing education requirements. The board may 2479
provide the applicant with an extension of up to ninety days in 2480
which to complete the continuing education requirement. In 2481
providing for the extension, the board may charge the licensee a 2482
fine of up to one hundred dollars. 2483

(C) The board may waive, or extend the period for completing, 2484
any continuing education requirement ~~adopted under section~~ 2485
~~4713.111 of the Revised Code~~ if a licensee applies to the board 2486
and provides proof satisfactory to the board of being unable to 2487
complete the requirement within the time allowed because of any of 2488
the following: 2489

(1) An emergency; 2490

(2) An unusual or prolonged illness; 2491

(3) Active duty service in any branch of the armed forces of 2492
the United States. 2493

The board shall determine the period of time during which 2494
each extension is effective and shall inform the applicant. The 2495
board shall also inform the applicant of the continuing education 2496
requirements that must be met to have the license renewed. If an 2497
extension is granted for less than one year, the continuing 2498
education requirement for that year, in addition to the required 2499
continuing education for the succeeding year, must be completed in 2500
the succeeding year. In all other cases the board may waive all or 2501
part of the continuing education requirement on a case-by-case 2502
basis. Any required continuing education shall be completed and 2503
satisfactory proof of its completion submitted to the board by a 2504
date specified by the board. Every license which has not been 2505

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.

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~~(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.~~

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~~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.~~

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~~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.~~

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~~(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~~

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~~continuing education requirements have been completed; provided~~ 2538
~~that no cosmetologist, managing cosmetologist, esthetician,~~ 2539
~~managing esthetician, cosmetology instructor, manicurist~~ 2540
~~instructor, esthetics instructor, manicurist, or managing~~ 2541
~~manicurist who has not been engaged in the practice of cosmetology~~ 2542
~~for more than two years and who does not hold an inactive license~~ 2543
~~may have his license restored without passing an examination as~~ 2544
~~provided in section 4713.06 of the Revised Code.~~ 2545

~~(F) Upon payment of the renewal fee provided in division (D)~~ 2546
~~of section 4713.10 of the Revised Code and submitting proof~~ 2547
~~satisfactory to the board that any applicable continuing education~~ 2548
~~requirements have been completed, a person currently licensed as:~~ 2549

~~(1) A cosmetology instructor who has previously been licensed~~ 2550
~~as a cosmetologist or a managing cosmetologist, is entitled to the~~ 2551
~~reissuance of a cosmetologist or managing cosmetologist license;~~ 2552

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~~(2) A manicurist instructor who has previously been licensed~~ 2554
~~as a manicurist or a managing manicurist, is entitled to the~~ 2555
~~reissuance of a manicurist or managing manicurist license;~~ 2556

~~(3) An esthetics instructor who has previously been licensed~~ 2557
~~as an esthetician or a managing esthetician, is entitled to the~~ 2558
~~reissuance of an esthetician or managing esthetician license.~~ 2559

~~(G) The board may refuse to renew the license of any salon,~~ 2560
~~school, or other license holder that has outstanding an unpaid~~ 2561
~~fine that was levied under section 4713.17 of the Revised Code.~~ 2562

Sec. 4713.61. (A) If the state board of cosmetology adopts a 2563
continuing education requirement under section 4713.09 of the 2564
Revised Code, it may develop a procedure by which a person who 2565
holds a license to practice a branch of cosmetology, managing 2566
license, or instructor license and who is not currently engaged in 2567

the practice of the branch of cosmetology, managing a salon, or 2568
teaching the theory and practice of the branch of cosmetology, but 2569
who desires to be so engaged in the future, may apply to the board 2570
to have the person's license classified inactive. If the board 2571
develops such a procedure, a person seeking to have the person's 2572
license classified inactive shall apply to the board on a form 2573
provided by the board and pay the fee established by rule adopted 2574
under section 4713.08 of the Revised Code. 2575

(B) The board shall not restore an inactive license until the 2576
later of the following: 2577

(1) The date that the person holding the license submits 2578
proof satisfactory to the board that the person has completed the 2579
continuing education that a rule adopted under section 4713.08 of 2580
the Revised Code requires; 2581

(2) The last day of January of the next odd-numbered year 2582
following the year the license is classified inactive. 2583

(C) A person who holds an inactive license may engage in the 2584
practice of a branch of cosmetology if the person holds a 2585
temporary work permit as specified in rules adopted by the board 2586
under section 4713.08 of the Revised Code. 2587

Sec. 4713.62. (A) A person holding a practicing license, 2588
managing license, or instructor license may satisfy a continuing 2589
education requirement established by rules adopted under section 2590
4713.09 of the Revised Code only by completing continuing 2591
education programs approved under division (B) of this section or 2592
developed under division (C) of this section. 2593

(B) The state board of cosmetology shall approve a continuing 2594
education program if all of the following conditions are 2595
satisfied: 2596

(1) The person operating the program submits to the board a written application for approval. 2597
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(2) The person operating the program pays to the board a fee established by rule adopted under section 4713.08 of the Revised Code. 2599
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(3) The program is operated by an employee, officer, or director of a nonprofit professional association, college or university, vocational school, postsecondary proprietary school of cosmetology licensed by the board, salon licensed by the board, or manufacturer of supplies or equipment used in the practice of a branch of cosmetology. 2602
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(4) The program will protect public health and safety. 2608

(5) The person operating the program provides the board a tentative schedule of when the program will be available so that the board can make the schedule readily available to all licensees throughout the state. 2609
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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: 2613
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(A) Pays the restoration fee; 2620

(B) Pays all lapsed renewal fees; 2621

(C) Submits proof satisfactory to the state board of cosmetology that the person has completed all applicable continuing education requirements; 2622
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(D) In the case of a practicing license or managing license 2625

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.

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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:

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(1) ~~Failure of a person operating a nail salon, beauty salon,
esthetics salon, tanning facility, or school of cosmetology to
comply with the requirements of sections 4713.01 to 4713.25 of the
Revised Code this chapter or rules adopted under it;~~

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

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

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

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

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

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

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+8)(6) Failure to pay a fine or abide by a suspension order 2656
issued by the board. 2657

(B) The board may impose a separate fine for each offense 2658
listed in division (A) of this section. The amount of a fine shall 2659
be no more than one hundred dollars if the violator has not 2660
previously been fined for that offense. The fine shall be no more 2661
than five hundred dollars if the violator has been fined for the 2662
same offense once before. The fine shall be no more than one 2663
thousand dollars if the violator has been fined for the same 2664
offense two or more times before. 2665

(C) If a person fails to request a hearing within thirty days 2666
of the date the board, in accordance with section 119.07 of the 2667
Revised Code, notifies the person of the board's intent to act 2668
against the person under division (A) of this section, the board 2669
by a majority vote of a quorum of the board members may take the 2670
action against the person without holding an adjudication hearing. 2671

(D) The board, after a hearing in accordance with Chapter 2672
119. of the Revised Code, may suspend a tanning facility permit if 2673
the owner or operator fails to correct an unsafe condition that 2674
exists in violation of the board's rules or fails to cooperate in 2675
an inspection of the tanning facility. If a violation has resulted 2676
in a condition reasonably believed by an inspector to create an 2677
immediate danger to the health and safety of any person using the 2678
tanning facility, the inspector may suspend the permit without a 2679
prior hearing until the condition is corrected or until a hearing 2680
in accordance with Chapter 119. of the Revised Code is held and 2681
the board either upholds the suspension or reinstates the permit. 2682

Sec. ~~4713.27~~ 4713.65. On receipt of a notice pursuant to 2684
section 3123.43 of the Revised Code, the state board of 2685
cosmetology shall comply with sections 3123.41 to 3123.50 of the 2686

Revised Code and any applicable rules adopted under section 2687
3123.63 of the Revised Code with respect to a license issued 2688
pursuant to this chapter. 2689

Sec. 4713.99. Whoever violates section ~~4713.20, 4713.21, or~~ 2690
~~division (D) of section 4713.25~~ 4713.14 of the Revised Code is 2691
guilty of a misdemeanor of the fourth degree on a first offense; 2692
on each subsequent offense, such person is guilty of a misdemeanor 2693
of the third degree. 2694

Sec. 4717.14. (A) The board of embalmers and funeral 2695
directors may refuse to grant or renew, or may suspend or revoke, 2696
any license issued under this chapter for any of the following 2697
reasons: 2698

(1) The license was obtained by fraud or misrepresentation 2699
either in the application or in passing the examination. 2700

(2) The applicant or licensee has been convicted of or has 2701
pleaded guilty to a felony or of any crime involving moral 2702
turpitude. 2703

(3) The applicant or licensee has purposely violated any 2704
provision of sections 4717.01 to 4717.15 or a rule adopted under 2705
any of those sections; division (A) or (B) of section 4717.23; 2706
division (B)(1) or (2), (C)(1) or (2), (D), (E), or (F)(1) or (2), 2707
or divisions (H) to (K) of section 4717.26; division (D)(1) of 2708
section 4717.27; or divisions (A) to (C) of section 4717.28 of the 2709
Revised Code; any rule or order of the department of health or a 2710
board of health of a health district governing the disposition of 2711
dead human bodies; or any other rule or order applicable to the 2712
applicant or licensee. 2713

(4) The applicant or licensee has committed immoral or 2714
unprofessional conduct. 2715

(5) The applicant or licensee knowingly permitted an 2716

unlicensed person, other than a person serving an apprenticeship, 2717
to engage in the profession or business of embalming or funeral 2718
directing under the applicant's or licensee's supervision. 2719

(6) The applicant or licensee has been habitually 2720
intoxicated, or is addicted to the use of morphine, cocaine, or 2721
other habit-forming or illegal drugs. 2722

(7) The applicant or licensee has refused to promptly submit 2723
the custody of a dead human body upon the express order of the 2724
person legally entitled to the body. 2725

(8) The licensee loaned the licensee's own license, or the 2726
applicant or licensee borrowed or used the license of another 2727
person, or knowingly aided or abetted the granting of an improper 2728
license. 2729

(9) The applicant or licensee transferred a license to 2730
operate a funeral home, embalming facility, or crematory from one 2731
owner or operator to another, or from one location to another, 2732
without notifying the board. 2733

(10) The applicant or licensee mislead the public by using 2734
false or deceptive advertising. 2735

(B)(1) The board of embalmers and funeral directors shall 2736
refuse to grant or renew, or shall suspend or revoke, an 2737
embalmer's, funeral director's, funeral home, or embalming 2738
facility license only in accordance with Chapter 119. of the 2739
Revised Code. 2740

(2) The board shall send to the crematory review board 2741
written notice that it proposes to refuse to issue or renew, or 2742
proposes to suspend or revoke, a license to operate a crematory 2743
facility. If, after the conclusion of the adjudicatory hearing on 2744
the matter conducted under division (E) of section 4717.03 of the 2745
Revised Code, the board of embalmers and funeral directors finds 2746
that any of the circumstances described in divisions (A)(1) to 2747

(10) of this section apply to the person named in its proposed
action, the board may issue a final order under division (E) of
section 4717.03 of the Revised Code refusing to issue or renew, or
suspending or revoking, the person's license to operate a
crematory facility.

(C) If the board of embalmers and funeral directors
determines that there is clear and convincing evidence that any of
the circumstances described in divisions (A)(1) to (10) of this
section apply to the holder of a license issued under this chapter
and that the licensee's continued practice presents a danger of
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 2780
fifteen days, but not earlier than seven days, after the issuance 2781
of the order, unless the crematory review board and the licensee 2782
agree to a different time for holding the adjudicatory hearing. 2783

Any summary suspension imposed under this division shall 2784
remain in effect, unless reversed on appeal, until a final 2785
adjudicatory order issued by the board of embalmers and funeral 2786
directors pursuant to this division and Chapter 119. of the 2787
Revised Code, or division (E) of section 4717.03 of the Revised 2788
Code, as applicable, becomes effective. The board of embalmers and 2789
funeral directors shall issue its final adjudicatory order within 2790
sixty days after the completion of its hearing or, in the case of 2791
the summary suspension of a license to operate a crematory 2792
facility, within sixty days after completion of the adjudicatory 2793
hearing by the crematory review board. A failure to issue the 2794
order within that time results in the dissolution of the summary 2795
suspension order, but does not invalidate any subsequent final 2796
adjudicatory order. 2797

(D) Any holder of a license issued under this chapter who has 2798
pleaded guilty to, has been found by a judge or jury to be guilty 2799
of, or has had a judicial finding of eligibility for treatment in 2800
lieu of conviction entered against the individual in this state 2801
for aggravated murder, murder, voluntary manslaughter, felonious 2802
assault, kidnapping, rape, sexual battery, gross sexual 2803
imposition, aggravated arson, aggravated robbery, or aggravated 2804
burglary, or who has pleaded guilty to, has been found by a judge 2805
or jury to be guilty of, or has had a judicial finding of 2806
eligibility for treatment in lieu of conviction entered against 2807
the individual in another jurisdiction for any substantially 2808
equivalent criminal offense, is hereby suspended from practice 2809
under this chapter by operation of law, and any license issued to 2810
the individual under this chapter is hereby suspended by operation 2811

of law as of the date of the guilty plea, verdict or finding of 2812
guilt, or judicial finding of eligibility for treatment in lieu of 2813
conviction, regardless of whether the proceedings are brought in 2814
this state or another jurisdiction. The board shall notify the 2815
suspended individual of the suspension of the individual's license 2816
by the operation of this division by certified mail or in person 2817
in accordance with section 119.07 of the Revised Code. If an 2818
individual whose license is suspended under this division fails to 2819
make a timely request for an adjudicatory hearing, the board shall 2820
enter a final order revoking the license. 2821

(E) No person whose license has been suspended or revoked 2822
under or by the operation of this section shall practice embalming 2823
or funeral directing or operate a funeral home, embalming 2824
facility, or crematory facility until the board has reinstated the 2825
person's license. 2826

Section 2. That existing sections 2925.01, 4709.03, 4709.07, 2827
4709.09, 4713.01, 4713.02, 4713.03, 4713.04, 4713.05, 4713.06, 2828
4713.08, 4713.09, 4713.10, 4713.11, 4713.111, 4713.12, 4713.14, 2829
4713.15, 4713.16, 4713.17, 4713.18, 4713.19, 4713.20, 4713.22, 2830
4713.25, 4713.26, 4713.27, 4713.99, and 4717.14 and sections 2831
4713.07, 4713.13, 4713.131, 4713.132, and 4713.21 of the Revised 2832
Code are hereby repealed. 2833

Section 3. The Governor shall determine, within thirty days 2834
after the effective date of this act, which of the three members 2835
of the State Board of Cosmetology who are licensed cosmetologists 2836
actively engaged in managing beauty salons shall be removed from 2837
office due to the expiration of the member's office pursuant to 2838
the operation of division (A)(2) of section 4713.02 of the Revised 2839
Code as enacted by this act. 2840

Section 4. The Governor shall appoint members of the State 2841

Board of Cosmetology to fill the positions on the Board created by	2842
this act within sixty days after the effective date of this act.	2843