

**As Introduced**

**127th General Assembly  
Regular Session  
2007-2008**

**H. B. No. 449**

**Representative Goodwin**

**Cosponsors: Representatives Yuko, McGregor, J., Fessler, Evans, Huffman,  
Brown, Stebelton**

**—**

**A BILL**

To amend section 4713.01 and to enact section 4713.18 1  
of the Revised Code to specifically allow 2  
estheticians, hair designers, manicurists, natural 3  
hair stylists, and cosmetologists to operate out 4  
of a salon that is a mobile unit if that unit is 5  
at least one thousand feet from the nearest salon 6  
that is housed in a permanent structure. 7  
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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4713.01 be amended and section 9  
4713.18 of the Revised Code be enacted to read as follows: 10

**Sec. 4713.01.** As used in this chapter: 11

"Apprentice instructor" means a person holding a practicing 12  
license issued by the state board of cosmetology who is engaged in 13  
learning or acquiring knowledge of the occupation of an instructor 14  
of a branch of cosmetology at a school of cosmetology. 15

"Beauty salon" means any premises, building, ~~or~~ part of a 16  
building, or mobile unit in which a person is authorized to engage 17  
in all branches of cosmetology. "Beauty salon" does not include a 18

barber shop licensed under Chapter 4709. of the Revised Code in 19  
which a person engages in the practice of manicuring. 20

"Biennial licensing period" means the two-year period 21  
beginning on the first day of February of an odd-numbered year and 22  
ending on the last day of January of the next odd-numbered year. 23

"Braiding" means intertwining the hair in a systematic motion 24  
to create patterns in a three-dimensional form, inverting the hair 25  
against the scalp along part of a straight or curved row of 26  
intertwined hair, or twisting the hair in a systematic motion, and 27  
includes extending the hair with natural or synthetic hair fibers. 28

"Branch of cosmetology" means the practice of cosmetology, 29  
practice of esthetics, practice of hair design, practice of 30  
manicuring, or practice of natural hair styling. 31

"Cosmetic therapy" has the same meaning as in section 4731.15 32  
of the Revised Code. 33

"Cosmetologist" means a person authorized to engage in all 34  
branches of cosmetology. 35

"Cosmetology instructor" means a person authorized to teach 36  
the theory and practice of all branches of cosmetology at a school 37  
of cosmetology. 38

"Esthetician" means a person who engages in the practice of 39  
esthetics but no other branch of cosmetology. 40

"Esthetics instructor" means a person who teaches the theory 41  
and practice of esthetics, but no other branch of cosmetology, at 42  
a school of cosmetology. 43

"Esthetics salon" means any premises, building, ~~or~~ part of a 44  
building, or mobile unit in which a person engages in the practice 45  
of esthetics but no other branch of cosmetology. 46

"Hair designer" means a person who engages in the practice of 47  
hair design but no other branch of cosmetology. 48

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

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

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

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

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

"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.

"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.

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

"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.

"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.

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

"Manicurist instructor" means a person who teaches the theory and practice of manicuring, but no other branch of cosmetology, at a school of cosmetology. 79  
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"Mobile unit" means a movable unit that the board determines is appropriate for use as a salon, including, but not limited to, motor homes and trailers. 82  
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"Nail salon" means any premises, building, ~~or~~ part of a building, or mobile unit 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. 85  
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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. 91  
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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. 94  
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"Natural hair style salon" means any premises, building, ~~or~~ part of a building, or mobile unit in which a person engages in the practice of natural hair styling but no other branch of cosmetology. 97  
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"Practice of cosmetology" means the practice of all branches of cosmetology. 101  
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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. 103  
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"Practice of hair design" means embellishing or beautifying 108

hair, wigs, or hairpieces by arranging, dressing, pressing, 109  
curling, waving, permanent waving, cleansing, cutting, singeing, 110  
bleaching, coloring, braiding, weaving, or similar work. "Practice 111  
of hair design" includes utilizing techniques performed by hand 112  
that result in tension on hair roots such as twisting, wrapping, 113  
weaving, extending, locking, or braiding of the hair. 114

"Practice of manicuring" means manicuring the nails of any 115  
person, applying artificial or sculptured nails to any person, 116  
massaging the hands and lower arms up to the elbow of any person, 117  
massaging the feet and lower legs up to the knee of any person, or 118  
any combination of these four types of services. 119

"Practice of natural hair styling" means utilizing techniques 120  
performed by hand that result in tension on hair roots such as 121  
twisting, wrapping, weaving, extending, locking, or braiding of 122  
the hair. "Practice of natural hair styling" does not include the 123  
application of dyes, reactive chemicals, or other preparations to 124  
alter the color or to straighten, curl, or alter the structure of 125  
the hair. "Practice of natural hair styling" also does not include 126  
embellishing or beautifying hair by cutting or singeing, except as 127  
needed to finish off the end of a braid, or by dressing, pressing, 128  
curling, waving, permanent waving, or similar work. 129

"Practicing license" means a license to practice a branch of 130  
cosmetology. 131

"Salon" means a beauty salon, esthetics salon, hair design 132  
salon, nail salon, or natural hair style salon. 133

"School of cosmetology" means any premises, building, or part 134  
of a building in which students are instructed in the theories and 135  
practices of one or more branches of cosmetology. 136

"Student" means a person, other than an apprentice 137  
instructor, who is engaged in learning or acquiring knowledge of 138  
the practice of a branch of cosmetology at a school of 139

cosmetology. 140

"Tanning facility" means a room or booth that houses 141  
equipment or beds used for tanning human skin by the use of 142  
fluorescent sun lamps using ultraviolet or other artificial 143  
radiation. 144

Sec. 4713.18. (A) Mobile units are subject to all the 145  
provisions of this chapter. 146

(B) No mobile unit shall operate within one thousand feet of 147  
the nearest existing salon that is housed in a permanent 148  
structure. 149

(C) Each mobile unit shall have an adequate dispensary, as 150  
determined by the state board of cosmetology, to store chemicals 151  
and other cosmetology substances away from the purview of the 152  
general public. 153

(D) Each mobile unit shall install and maintain a global 154  
positioning system as determined by the board. 155

**Section 2.** That existing section 4713.01 of the Revised Code 156  
is hereby repealed. 157