

**As Introduced**

**130th General Assembly  
Regular Session  
2013-2014**

**H. B. No. 410**

**Representative Grossman**

**Cosponsors: Representatives Terhar, Fedor, Thompson, Ruhl, Hackett**

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**A B I L L**

To amend sections 4709.01, 4709.03, 4713.01, 4713.02, 1  
4713.03, 4713.06, 4713.07, 4713.08, 4713.081, 2  
4713.09, 4713.10, 4713.14, 4713.141, 4713.16, 3  
4713.20, 4713.21, 4713.22, 4713.24, 4713.25, 4  
4713.26, 4713.28, 4713.29, 4713.30, 4713.31, 5  
4713.32, 4713.34, 4713.35, 4713.37, 4713.41, 6  
4713.42, 4713.44, 4713.45, 4713.48, 4713.55, 7  
4713.56, 4713.58, 4713.60, 4713.61, 4713.62, 8  
4713.63, and 4713.64; to enact new section 4713.39 9  
and sections 4713.071, 4713.66, and 4713.67; and 10  
to repeal sections 4713.17 and 4713.39 of the 11  
Revised Code to make changes to the Cosmetology 12  
Licensing Law. 13

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

**Section 1.** That sections 4709.01, 4709.03, 4713.01, 4713.02, 14  
4713.03, 4713.06, 4713.07, 4713.08, 4713.081, 4713.09, 4713.10, 15  
4713.14, 4713.141, 4713.16, 4713.20, 4713.21, 4713.22, 4713.24, 16  
4713.25, 4713.26, 4713.28, 4713.29, 4713.30, 4713.31, 4713.32, 17  
4713.34, 4713.35, 4713.37, 4713.41, 4713.42, 4713.44, 4713.45, 18  
4713.48, 4713.55, 4713.56, 4713.58, 4713.60, 4713.61, 4713.62, 19  
4713.63, and 4713.64 be amended and new section 4713.39 and 20

sections 4713.071, 4713.66, and 4713.67 of the Revised Code be 21  
enacted to read as follows: 22

**Sec. 4709.01.** As used in this chapter: 23

(A)(1) Except as provided in division (A)(2) of this section, 24  
"the practice of barbering" means any one or more of the following 25  
when performed upon the head, neck, or face for cosmetic purposes 26  
and when performed upon the public for pay, free, or otherwise: 27

(a) Shaving the face, shaving around the vicinity of the ears 28  
and neckline, or trimming facial hair with a straight razor; 29

(b) Cutting or styling hair; 30

(c) Facials, skin care, or scalp massages; 31

(d) Shampooing, bleaching, coloring, straightening, or 32  
permanent waving hair; 33

(e) Cutting, fitting, or forming head caps for wigs or hair 34  
pieces. 35

(2) "The practice of barbering" does not include the practice 36  
of natural hair styling. 37

(B) "Sanitary" means free of infectious agents, disease, or 38  
infestation by insects or vermin and free of soil, dust, or 39  
foreign material. 40

(C) "Barber" means any person who engages in or attempts to 41  
engage in the practice of barbering. 42

(D) "Barber school" means any establishment that engages in 43  
or attempts to engage in the teaching of the practice of 44  
barbering. 45

(E) "Barber teacher" means any person who engages in or 46  
attempts to engage in the teaching of the practice of barbering. 47

(F) "Assistant barber teacher" means any person who assists a 48

barber teacher in the teaching of the practice of barbering. 49

(G) "Barber pole" means a cylinder or pole with alternating 50  
stripes of any combination including red and white, and red, 51  
white, and blue, which run diagonally along the length of the 52  
cylinder or pole. 53

(H) "The practice of natural hair styling" means work done 54  
for a fee or other form of compensation, by any person, utilizing 55  
techniques performed by hand that result in tension on hair roots 56  
such as twisting, wrapping, weaving, extending, locking, or 57  
braiding of the hair, and which work does not include the 58  
application of dyes, reactive chemicals, or other preparations to 59  
alter the color or to straighten, curl, or alter the structure of 60  
the hair. 61

(I) "Braiding" means intertwining the hair in a systematic 62  
motion to create patterns in a three-dimensional form, inverting 63  
the hair against the scalp along part of a straight or curved row 64  
of intertwined hair, or twisting the hair in a systematic motion, 65  
and includes extending the hair with natural or synthetic hair 66  
fibers. 67

**Sec. 4709.03.** The following persons are exempt from this 68  
chapter while in the proper discharge of their professional 69  
duties: 70

(A) Persons licensed by this state to practice medicine and 71  
surgery; 72

(B) Commissioned medical or surgical officers of the United 73  
States army, navy, or marine hospital service; 74

(C) Nurses registered under Chapter 4723. of the Revised 75  
Code; 76

(D) Cosmetologists and hair designers licensed under Chapter 77  
4713. of the Revised Code, insofar as their usual and ordinary 78

vocation and profession is concerned as described in section 79  
4713.01 of the Revised Code, so long as, if the cosmetologist or 80  
hair designer shaves the face, the cosmetologist or hair designer 81  
does so with a safety razor; 82

(E) Funeral directors, embalmers, and apprentices licensed or 83  
registered under Chapter 4717. of the Revised Code. 84

**Sec. 4713.01.** As used in this chapter: 85

"Apprentice instructor" means ~~a person~~ an individual holding 86  
a practicing license issued by the state board of cosmetology who 87  
is engaged in learning or acquiring knowledge of the occupation of 88  
an instructor of a branch of cosmetology at a school of 89  
cosmetology. 90

"Beauty salon" means ~~any premises, building, or part of a~~ 91  
~~building~~ a salon in which ~~a person~~ an individual is authorized to 92  
engage in all branches of cosmetology. "Beauty salon" ~~does not~~ 93  
~~include a barber shop licensed under Chapter 4709. of the Revised~~ 94  
~~Code in which a person engages in the practice of manicuring.~~ 95

"Biennial licensing period" means the two-year period 96  
beginning on the first day of February of an odd-numbered year and 97  
ending on the last day of January of the next odd-numbered year. 98

"Braider" means an individual who engages in the practice of 99  
braiding but no other branch of cosmetology. 100

"Braiding instructor" means ~~intertwining the hair in a~~ 101  
~~systematic motion to create patterns in a three dimensional form,~~ 102  
~~inverting the hair against the scalp along part of a straight or~~ 103  
~~curved row of intertwined hair, or twisting the hair in a~~ 104  
~~systematic motion, and includes extending the hair with natural or~~ 105  
~~synthetic hair fibers~~ an individual who teaches the theory and 106  
practice of braiding, but no other branch of cosmetology, at a 107  
school of cosmetology. 108

<u>"Braiding salon" means a salon in which an individual engages</u>	109
<u>in the practice of braiding but no other branch of cosmetology.</u>	110
"Branch of cosmetology" means the <u>practice of braiding,</u>	111
practice of cosmetology, practice of esthetics, practice of hair	112
design, practice of manicuring, <del>or</del> practice of natural hair	113
styling, <u>or practice of threading.</u>	114
"Cosmetic therapy" has the same meaning as in section 4731.15	115
of the Revised Code.	116
"Cosmetologist" means <del>a person</del> <u>an individual</u> authorized to	117
engage in all branches of cosmetology.	118
<u>"Cosmetology" means the art or practice of embellishment,</u>	119
<u>cleaning, beautification, and styling of hair, wigs, postiches,</u>	120
<u>face, body, or nails and tanning of the skin.</u>	121
"Cosmetology instructor" means <del>a person</del> <u>an individual</u>	122
authorized to teach the theory and practice of all branches of	123
cosmetology at a school of cosmetology.	124
"Esthetician" means <del>a person</del> <u>an individual</u> who engages in the	125
practice of esthetics but no other branch of cosmetology.	126
"Esthetics instructor" means <del>a person</del> <u>an individual</u> who	127
teaches the theory and practice of esthetics, but no other branch	128
of cosmetology, at a school of cosmetology.	129
"Esthetics salon" means <del>any premises, building, or part of a</del>	130
<del>building</del> <u>a salon</u> in which <del>a person</del> <u>an individual</u> engages in the	131
practice of esthetics but no other branch of cosmetology.	132
"Hair designer" means <del>a person</del> <u>an individual</u> who engages in	133
the practice of hair design but no other branch of cosmetology.	134
"Hair design instructor" means <del>a person</del> <u>an individual</u> who	135
teaches the theory and practice of hair design, but no other	136
branch of cosmetology, at a school of cosmetology.	137
"Hair design salon" means <del>any premises, building, or part of</del>	138

~~a building~~ a salon in which ~~a person~~ an individual 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 braider" means an individual authorized to manage a braiding salon, but no other type of salon, and engage in the practice of braiding, but no other branch of cosmetology.

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

"Managing esthetician" means ~~a person~~ an individual 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~~ an individual 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~~ offering a branch of cosmetology ~~practiced at the salon~~ appropriate to the license.

"Managing manicurist" means ~~a person~~ an individual 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~~ an individual 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. 169

"Managing threader" means an individual authorized to manage 170  
a threading salon, but no other type of salon, and engage in the 171  
practice of threading, but no other branch of cosmetology. 172

"Manicurist" means ~~a person~~ an individual who engages in the 173  
practice of manicuring but no other branch of cosmetology. 174

"Manicurist instructor" means ~~a person~~ an individual who 175  
teaches the theory and practice of manicuring, but no other branch 176  
of cosmetology, at a school of cosmetology. 177

"Nail salon" means ~~any premises, building, or part of a~~ 178  
~~building~~ a salon in which ~~a person~~ an individual engages in the 179  
practice of manicuring but no other branch of cosmetology. "Nail 180  
salon" ~~does not include a barber shop licensed under Chapter 4709-~~ 181  
~~of the Revised Code in which a person engages in the practice of~~ 182  
~~manicuring.~~ 183

"Natural hair stylist" means ~~a person~~ an individual who 184  
engages in the practice of natural hair styling but no other 185  
branch of cosmetology. 186

"Natural hair style instructor" means ~~a person~~ an individual 187  
who teaches the theory and practice of natural hair styling, but 188  
no other branch of cosmetology, at a school of cosmetology. 189

"Natural hair style salon" means ~~any premises, building, or~~ 190  
~~part of a building~~ a salon in which ~~a person~~ an individual engages 191  
in the practice of natural hair styling but no other branch of 192  
cosmetology. 193

"Practice of braiding" means utilizing the technique of 194  
intertwining hair in a systematic motion to create patterns in a 195  
three dimensional form, including patterns that are inverted, 196  
upright, or singled against the scalp that follow along straight 197  
or curved partings. It may include twisting or locking the hair 198

while adding bulk or length with human hair, synthetic hair, or 199  
both and using simple devices such as clips, combs, and hairpins. 200  
"Practice of braiding" does not include any of the following: 201  
application of weaving, bonding, and fusion of individual strands 202  
or wefts; application of dyes, reactive chemicals, or other 203  
preparations to alter the color or straighten, curl, or alter the 204  
structure of hair; embellishing or beautifying hair by cutting or 205  
singeing, except as needed to finish the ends of synthetic fibers 206  
used to add bulk to or lengthen hair. 207

"Practice of cosmetology" means the practice of all branches 208  
of cosmetology. 209

"Practice of esthetics" means the application of cosmetics, 210  
tonics, antiseptics, creams, lotions, or other preparations for 211  
the purpose of skin beautification and includes preparation of the 212  
skin by manual massage techniques or by use of electrical, 213  
mechanical, or other apparatus. It also includes enhancing the 214  
skin by skin care, facials, body treatments, hair removal, and 215  
other treatments; applying permanent cosmetics to the eyes, 216  
eyebrows, and lips; and applying eyelash extensions. 217

"Practice of hair design" means embellishing or beautifying 218  
hair, wigs, or hairpieces by arranging, dressing, pressing, 219  
curling, waving, permanent waving, cleansing, cutting, singeing, 220  
bleaching, coloring, braiding, weaving, or similar work. "Practice 221  
of hair design" includes utilizing techniques performed by hand 222  
that result in tension on hair roots such as twisting, wrapping, 223  
weaving, extending, locking, or braiding of the hair. 224

"Practice of manicuring" means manicuring cleaning, trimming, 225  
shaping the free edge of, or applying polish to the nails of any 226  
person, individual; applying artificial or sculptured nails to any 227  
person; massaging the hands and lower arms up to the elbow of any 228  
person; massaging the feet and lower legs up to the knee of any 229  
person; using lotions or softeners on the hands and feet; or any 230



combination of these <del>four</del> types of services.	231
"Practice of natural hair styling" means utilizing techniques performed by hand that result in tension on hair roots such as twisting, wrapping, weaving, extending, locking, or braiding of the hair. "Practice of natural hair styling" does not include the application of dyes, reactive chemicals, or other preparations to alter the color or to straighten, curl, or alter the structure of the hair. "Practice of natural hair styling" also does not include embellishing or beautifying hair by cutting or singeing, except as needed to finish off the end of a braid, or by dressing, pressing, curling, waving, permanent waving, or similar work.	232 233 234 235 236 237 238 239 240 241
<u>"Practice of threading" means removing unwanted hair utilizing techniques performed by hand. "Practice of threading" does not include the use of chemical applications such as waxes and depilatories.</u>	242 243 244 245
"Practicing license" means a license to practice a branch of cosmetology.	246 247
"Salon" means <del>a beauty salon, esthetics salon, hair design salon, nail salon, or natural hair style salon</del> <u>any premises, building, or part of a building in which an individual engages in the practice of one or more branches of cosmetology. "Salon" does not include a barber shop licensed under Chapter 4709. of the Revised Code. "Salon" does not mean a tanning facility, although a tanning facility may be located in a salon.</u>	248 249 250 251 252 253 254
"School of cosmetology" means any premises, building, or part of a building in which students are instructed in the theories and practices of one or more branches of cosmetology.	255 256 257
"Student" means <del>a person</del> <u>an individual</u> , other than an apprentice instructor, who is engaged in learning or acquiring knowledge of the practice of a branch of cosmetology at a school of cosmetology.	258 259 260 261

"Tanning facility" means ~~a room or booth that houses~~ any premises, building, or part of a building that contains one or more rooms or booths with equipment or beds used for tanning human skin by the use of fluorescent sun lamps using ultraviolet or other artificial radiation.

"Threading salon" means a salon in which an individual engages in the practice of threading but no other branch of cosmetology.

"Threader" means an individual who engages in the practice of threading but no other branch of cosmetology.

"Threading instructor" means an individual who teaches the theory and practice of threading, but no other branch of cosmetology, at a school of cosmetology.

**Sec. 4713.02.** (A) ~~There is hereby created the~~ The state board of cosmetology, ~~consisting of all of~~ is hereby created to regulate the practice of cosmetology and all of its branches to protect the public and individuals practicing in accordance with this chapter.

(B) The board shall consist of the following members appointed by the governor, with the advice and consent of the senate:

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

(2) Two ~~persons~~ individuals holding current, valid managing cosmetologist licenses and actively engaged in managing beauty salons at the time of appointment;

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

<u>individual</u> holding a current, valid independent contractor license	292
practices a branch of cosmetology;	293
(4) One <del>person</del> <u>individual</u> who represents individuals who	294
teach the theory and practice of a branch of cosmetology at a	295
vocational school;	296
(5) One owner of a licensed school of cosmetology;	297
(6) One owner of at least five licensed salons;	298
(7) One <del>person</del> <u>individual</u> who is either a certified nurse	299
practitioner or clinical nurse specialist holding a certificate of	300
authority issued under Chapter 4723. of the Revised Code, or a	301
physician authorized under Chapter 4731. of the Revised Code to	302
practice medicine and surgery or osteopathic medicine and surgery;	303
(8) One <del>person</del> <u>individual</u> representing the general public.	304
<del>(B)</del> <u>(C)</u> The superintendent of public instruction shall	305
nominate three <del>persons</del> <u>individuals</u> for the governor to choose from	306
when making an appointment under division <del>(A)</del> <u>(B)</u> (4) of this	307
section.	308
<del>(C)</del> <u>(D)</u> All members shall be at least twenty-five years of	309
age, residents of the state, and citizens of the United States. No	310
more than two members, at any time, shall be graduates of the same	311
school of cosmetology.	312
<del>Except for the initial members appointed under divisions</del>	313
<del>(A)(3) and (4) of this section, terms</del> <u>Terms</u> of office are for five	314
years. <del>The term of the initial member appointed under division</del>	315
<del>(A)(3) of this section shall be three years. The term of the</del>	316
<del>initial member appointed under division (A)(4) of this section</del>	317
<del>shall be four years.</del> Terms shall commence on the first day of	318
November and end on the thirty-first day of October. Each member	319
shall hold office from the date of appointment until the end of	320
the term for which appointed. In case of a vacancy occurring on	321

the board, the governor shall, in the same manner prescribed for 322  
the regular appointment to the board, fill the vacancy by 323  
appointing a member. Any member appointed to fill a vacancy 324  
occurring prior to the expiration of the term for which the 325  
member's predecessor was appointed shall hold office for the 326  
remainder of such term. Any member shall continue in office 327  
subsequent to the expiration date of the member's term until the 328  
member's successor takes office, or until a period of sixty days 329  
has elapsed, whichever occurs first. Before entering upon the 330  
discharge of the duties of the office of member, each member shall 331  
take, and file with the secretary of state, the oath of office 332  
required by Section 7 of Article XV, Ohio Constitution. 333

The members of the board shall receive an amount fixed 334  
pursuant to Chapter 124. of the Revised Code per diem for every 335  
meeting of the board which they attend, together with their 336  
necessary expenses, and mileage for each mile necessarily 337  
traveled. 338

The members of the board shall annually elect, from among 339  
their number, a chairperson and a vice-chairperson. The executive 340  
director appointed under section 4713.06 of the Revised Code shall 341  
serve as the board's secretary. 342

The board shall prescribe the duties of its officers and 343  
establish an office within Franklin ~~County~~ county. The board shall 344  
keep all records and files at the office and have the records and 345  
files at all reasonable hours open to public inspection in 346  
accordance with section 143.49 of the Revised Code and any rules 347  
adopted by the board in compliance with the state's record 348  
retention policy. The board also shall adopt a seal. 349

**Sec. 4713.03.** The state board of cosmetology shall hold a 350  
~~meeting~~ meetings to transact its business at least four times a 351  
year. The board may hold additional meetings as, in its judgment, 352

are necessary. The board shall meet at the times and places it 353  
selects. 354

**Sec. 4713.06.** The state board of cosmetology shall annually 355  
appoint an executive director. The executive director may not be a 356  
member of the board. The executive director, before entering upon 357  
the discharge of the executive director's duties, shall file with 358  
the secretary of state a good and sufficient bond payable to the 359  
state, to ensure the faithful performance of duties of the office 360  
of executive director. The bond shall be in an amount the board 361  
requires. The premium of the bond shall be paid from 362  
appropriations made to the board for operating purposes. 363

The ~~board~~ executive director shall carry out the 364  
administrative functions of the board and implement the policies 365  
developed by the board to regulate the practice of cosmetology. 366

The executive director shall employ those staff members and 367  
consultants necessary to implement the board's regulatory purpose 368  
and the policies it develops. The executive director may employ 369  
inspectors, examiners, consultants on contents of examinations, 370  
~~and~~ clerks, or other individuals as necessary for the 371  
administration of this chapter. All inspectors and examiners shall 372  
be licensed cosmetologists. 373

The ~~board may appoint~~ executive director shall delegate to 374  
inspectors ~~of~~ authority to inspect and investigate all facilities 375  
regulated by this chapter, including tanning facilities ~~as needed~~ 376  
~~to make periodic inspections as the board specifies, to ensure~~ 377  
compliance with this chapter, the rules adopted under it, and the 378  
board's policies. 379

**Sec. 4713.07. (A)** The state board of cosmetology shall do all 380  
of the following: 381

(A)(1) Regulate the practice of cosmetology and all of its 382

<u>branches in this state;</u>	383
<u>(2) Investigate or inspect in accordance with section 4713.67</u>	384
<u>of the Revised Code the activities or premises of a license holder</u>	385
<u>or unlicensed person who is alleged to have violated any section</u>	386
<u>of this chapter or any rule adopted under it;</u>	387
<u>(3) Adopt rules in accordance with section 4713.08 of the</u>	388
<u>Revised Code;</u>	389
<u>(4) Prescribe and make available application forms to be used</u>	390
<u>by persons individuals seeking admission to an examination</u>	391
<u>conducted under section 4713.24 of the Revised Code or persons</u>	392
<u>seeking a license issued under this chapter;</u>	393
<del>(B)</del> <u>(5) Prescribe and make available application forms to be</u>	394
<u>used by persons seeking renewal of a license issued under this</u>	395
<u>chapter;</u>	396
<del>(C)</del> <u>(6) Report to the proper prosecuting officer all</u>	397
<u>violations of section 4713.14 of the Revised Code of which the</u>	398
<u>board is aware;</u>	399
<del>(D)</del> <u>(7) Submit a written report annually to the governor that</u>	400
<u>provides all of the following:</u>	401
<del>(1)</del> <u>(a) A discussion of the conditions in this state of the</u>	402
<u>branches of cosmetology;</u>	403
<del>(2)</del> <u>(b) A brief summary of the board's proceedings during the</u>	404
<u>year the report covers;</u>	405
<del>(3)</del> <u>(c) A statement of all money that the board received and</u>	406
<u>expended during the year the report covers.</u>	407
<del>(E)</del> <u>(8) Keep a record of all of the following:</u>	408
<del>(1)</del> <u>(a) The board's proceedings;</u>	409
<del>(2)</del> <u>(b) The name and last known physical address, electronic</u>	410
<u>mail address, and telephone number of each person issued a license</u>	411

~~under section 4713.28, 4713.30, 4713.31, 4713.34, or 4713.39 of  
the Revised Code this chapter;~~ 412  
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~~(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;~~ 414  
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~~(4) The name and address of each tanning facility issued a  
permit under section 4713.48 of the Revised Code;~~ 417  
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~~(5)(c) The date and number of each license and permit that  
the board issues;~~ 419  
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~~(F)(9) Assist ex-offenders and military veterans who hold  
licenses issued by the board to find employment within salons or  
other facilities within this state;~~ 421  
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~~(G)(10) All other duties that this chapter imposes on the  
board.~~ 424  
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(B) The board may delegate any of the duties listed in  
division (A) of this section to the executive director or to an  
individual designated by the executive director. 426  
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**Sec. 4713.071. (A) Beginning one year after the effective  
date of this section and continuing for the next two years, the  
state board of cosmetology shall annually submit a written report  
to the governor, president of the senate, and speaker of the house  
of representatives. The report shall list all of the following for  
the preceding twelve-month period:** 429  
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(1) The number of students enrolled in courses at licensed  
schools of cosmetology that are required for each of the following  
licenses: braider, threader, managing braider, managing threader,  
braiding instructor, and threading instructor; 435  
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(2) The number of applicants for each of the following  
licenses: braider, threader, managing braider, managing threader,  
braiding instructor, and threading instructor; 439  
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441

<u>(3) The number of licenses issued for each of the following:</u>	442
<u>braiders, threaders, managing braiders, managing threaders,</u>	443
<u>braiding instructors, and threading instructors;</u>	444
<u>(4) The number of complaints received by the board related to</u>	445
<u>the unlicensed practice of braiding or threading;</u>	446
<u>(5) The number of investigations conducted by the board</u>	447
<u>related to the unlicensed practice of braiding or threading;</u>	448
<u>(6) The number of adjudications or other disciplinary action</u>	449
<u>taken by the board related to the unlicensed practice of braiding</u>	450
<u>or threading.</u>	451
<u>(B) The board shall include in the final report under</u>	452
<u>division (A) of this section any recommendations it has for</u>	453
<u>changes to this chapter that address both of the following:</u>	454
<u>(1) Compliance with this chapter by individuals involved in</u>	455
<u>the practice of braiding or threading;</u>	456
<u>(2) The health and safety of those served by individuals</u>	457
<u>involved in the practice of braiding or threading.</u>	458
<b>Sec. 4713.08.</b> (A) The state board of cosmetology shall adopt	459
rules in accordance with Chapter 119. of the Revised Code as	460
necessary to implement this chapter. The rules shall do all of the	461
following:	462
(1) Govern the practice of the branches of cosmetology and	463
management of salons;	464
(2) Specify conditions a person must satisfy to qualify for a	465
temporary pre-examination work permit under section 4713.22 of the	466
Revised Code and the conditions and method of renewing a temporary	467
pre-examination work permit under that section;	468
(3) Provide for the conduct of examinations under section	469
4713.24 of the Revised Code;	470



(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;

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

(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;

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

(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;

(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;

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

(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;

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

(13) Establish standards for board approval of, and the granting of credits for, training in branches of cosmetology at

schools of cosmetology licensed in this state;	501
(14) Establish the manner in which a school of cosmetology licensed under section 4713.44 of the Revised Code may offer post-secondary and advanced practice programs;	502 503 504
(15) Establish sanitary standards for the practice of the branches of cosmetology, salons, and schools of cosmetology;	505 506
(16) Establish the application process for obtaining a tanning facility permit under section 4713.48 of the Revised Code, including the amount of the fee for an initial or renewed permit;	507 508 509
(17) Establish standards for installing and operating a tanning facility in a manner that ensures the health and safety of consumers, including standards that do all of the following:	510 511 512
(a) Establish a maximum safe time of exposure to radiation and a maximum safe temperature at which sun lamps may be operated;	513 514
(b) Require consumers to wear protective eyeglasses and be supervised as to the length of time consumers use the facility;	515 516
(c) Require the operator to prohibit consumers from standing too close to sun lamps and to post signs warning consumers of the potential effects of radiation on persons taking certain medications and of the possible relationship of the radiation to skin cancer;	517 518 519 520 521
(d) Require the installation of protective shielding for sun lamps and handrails for consumers;	522 523
(e) Require floors to be dry during operation of lamps;	524
(f) Require a consumer who is under the age of eighteen to obtain written consent from the consumer's parent or legal guardian prior to receiving tanning services.	525 526 527
(18)(a) If the board, under section 4713.61 of the Revised Code, develops a procedure for classifying licenses <del>inactive in</del> <u>escrow</u> , do both of the following:	528 529 530

(i) Establish a fee for having a license classified ~~inactive~~  
in escrow that reflects the cost to the board of providing the  
~~inactive~~ escrow license service;

(ii) Specify the continuing education that a person whose  
license has been classified ~~inactive~~ in escrow 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.

(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~~ in escrow.

(19) 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;

(20) Anything else necessary to implement this chapter.

(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.

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

(C) The conditions specified in rules adopted under division  
(A)(6) of this section may include that an applicant is applying

for a license to practice a branch of cosmetology for which the 562  
board determines an examination is unnecessary. 563

(D) The rules adopted under division (A)(11) of this section 564  
shall not include a profession if practice of the profession in a 565  
salon is a violation of a statute or rule governing the 566  
profession. 567

(E) The sanitary standards established under division (A)(15) 568  
of this section shall focus in particular on precautions to be 569  
employed to prevent infectious or contagious diseases being 570  
created or spread. The board shall consult with the Ohio 571  
department of health when establishing the sanitary standards. 572

(F) The fee established by rules adopted under division 573  
(A)(16) of this section shall cover the cost the board incurs in 574  
inspecting tanning facilities and enforcing the board's rules but 575  
may not exceed one hundred dollars per location of such 576  
facilities. 577

**Sec. 4713.081.** The state board of cosmetology shall furnish a 578  
copy of the sanitary standards established by rules adopted under 579  
section 4713.08 of the Revised Code to each person to whom the 580  
board issues a practicing license, managing license, or license to 581  
operate a salon or school of cosmetology. The board also shall 582  
furnish a copy of the sanitary standards to each ~~person~~ individual 583  
providing cosmetic therapy, massage therapy, or other professional 584  
service in a salon under section 4713.42 of the Revised Code. A 585  
salon or school of cosmetology provided a copy of the sanitary 586  
standards shall post the standards in a public and conspicuous 587  
place in the salon or school. 588

**Sec. 4713.09.** The state board of cosmetology may adopt rules 589  
in accordance with ~~Chapter 119.~~ section 4713.08 of the Revised 590  
Code to establish a continuing education requirement, not to 591

exceed ~~eight~~ twelve hours in a biennial licensing period, as a 592  
condition of renewal for a practicing license, managing license, 593  
or instructor license. In addition, the board shall require an 594  
independent contractor to complete instruction in business and tax 595  
as a condition of license renewal in an amount established by the 596  
board in rules, not to exceed four hours. 597

An individual's completion of any corrective action course 598  
required under division (B) of section 4713.64 of the Revised Code 599  
shall not be accepted by the board as meeting any part of a 600  
continuing education requirement established under this section or 601  
the instruction required by this section. 602

**Sec. 4713.10.** (A) The state board of cosmetology shall charge 603  
and collect the following fees: 604

~~(A)~~(1) For a temporary pre-examination work permit under 605  
section 4713.22 of the Revised Code, five dollars; 606

~~(B)~~(2) For initial application to take an examination under 607  
section 4713.24 of the Revised Code, twenty-one dollars; 608

~~(C)~~(3) For application to take an examination under section 609  
4713.24 of the Revised Code by an applicant who has previously 610  
applied to take, but failed to appear for, the examination, forty 611  
dollars; 612

~~(D)~~(4) For application to re-take an examination under 613  
section 4713.24 of the Revised Code by an applicant who has 614  
previously appeared for, but failed to pass, the examination, 615  
twenty-one dollars; 616

~~(E)~~(5) For the issuance of a license under section 4713.28, 617  
4713.30, or 4713.31 of the Revised Code, thirty dollars; 618

~~(F)~~(6) For the issuance of a license under section 4713.34 of 619  
the Revised Code, sixty dollars; 620

~~(G)~~(7) For renewal of a license issued under section 4713.28, 4713.30, 4713.31, or 4713.34 of the Revised Code, thirty dollars;

~~(H)~~(8) For the issuance or renewal of a cosmetology school license, two hundred fifty dollars;

~~(I)~~(9) For the inspection and issuance of a new salon license or the change of name or ownership of a salon license under section 4713.41 of the Revised Code, sixty dollars;

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

~~(K)~~(11) For the restoration of ~~an expired a~~ license ~~that may be restored pursuant to~~ under section 4713.63 of the Revised Code, and ~~in addition to the payments for all~~ an amount equal to the sum of the following: the current renewal fee; any applicable late fees; and, if one or more renewal periods have elapsed since the license was valid, the lapsed renewal fees, thirty dollars for not more than three of those renewal periods;

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

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

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

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

(C) At the request of a person who is temporarily unable to pay a fee imposed under division (A) of this section, or on its own motion, the board may extend the date payment is due by up to ninety days. If the fee remains unpaid after the date payment is

due, the amount of the fee shall be certified to the attorney 651  
general for collection in the form and manner prescribed by the 652  
attorney general. The attorney general may assess the collection 653  
cost to the amount certified in such a manner and amount as 654  
prescribed by the attorney general. 655

**Sec. 4713.14.** No person shall do any of the following: 656

(A) Use fraud or deceit in making application for a license 657  
or permit; 658

(B) Aid or abet any person: 659

(1) Violating this chapter or a rule adopted under it; 660

(2) Obtaining a license or permit fraudulently; 661

(3) Falsely pretending to hold a current, valid license or 662  
permit. 663

(C) Practice a branch of cosmetology, for pay, free, or 664  
otherwise, without one of the following authorizing the practice 665  
of that branch of cosmetology: 666

(1) A current, valid license under section 4713.28, 4713.30, 667  
or 4713.34 of the Revised Code; 668

(2) A current, valid temporary pre-examination work permit 669  
issued under section 4713.22 of the Revised Code; 670

(3) A current, valid temporary special occasion work permit 671  
issued under section 4713.37 of the Revised Code; 672

(4) A current, valid temporary work permit issued under rules 673  
adopted by the board pursuant to section 4713.08 of the Revised 674  
Code. 675

(D) Employ ~~a person~~ an individual to practice a branch of 676  
cosmetology if the ~~person~~ individual does not hold one of the 677  
following authorizing the practice of that branch of cosmetology: 678

(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;	679 680
(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code;	681 682
(3) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code;	683 684
(4) A current, valid temporary work permit issued under rules adopted by the board pursuant to section 4713.08 of the Revised Code.	685 686 687
(E) Manage a salon without a current, valid license <u>issued</u> under section 4713.30 or 4713.34 of the Revised Code to manage that type of salon;	688 689 690
(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:	691 692 693 694 695
(1) A current, valid license under section 4713.31 or 4713.34 of the Revised Code;	696 697
(2) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code.	698 699
(G) Advertise or operate a glamour photography service in which a branch of cosmetology is practiced unless the <del>person</del> <u>individual</u> practicing the branch of cosmetology holds either of the following authorizing the practice of that branch of cosmetology:	700 701 702 703 704
(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;	705 706
(2) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code.	707 708



(H) Advertise or operate a glamour photography service in 709  
which a branch of cosmetology is practiced at a location not 710  
specified by rules adopted under section 4713.08 of the Revised 711  
Code; 712

(I) Practice a branch of cosmetology at a salon ~~in which the~~ 713  
~~person rents booth space~~ as an independent contractor without a 714  
current, valid independent contractor license issued under section 715  
4713.39 of the Revised Code; 716

(J) Operate a salon without a current, valid license under 717  
section 4713.41 of the Revised Code; 718

(K) Provide cosmetic therapy or massage therapy at a salon 719  
for pay, free, or otherwise without a current, valid certificate 720  
issued by the state medical board under section 4731.15 of the 721  
Revised Code or provide any other professional service at a salon 722  
for pay, free, or otherwise without a current, valid license or 723  
certificate issued by the professional regulatory board of this 724  
state that regulates the profession; 725

(L) Teach a branch of cosmetology at a salon, unless the 726  
~~person~~ individual receiving the instruction holds either of the 727  
following authorizing the practice of that branch of cosmetology: 728

(1) A current, valid license under section 4713.28, 4713.30, 729  
or 4713.34 of the Revised Code; 730

(2) A current, valid temporary pre-examination work permit 731  
issued under section 4713.22 of the Revised Code. 732

(M) Operate a school of cosmetology without a current, valid 733  
license under section 4713.44 of the Revised Code; 734

(N) ~~At a salon or school of cosmetology, do either of the~~ 735  
~~following:~~ 736

~~(1)~~ Use or possess a cosmetic product containing an 737  
ingredient that the United States food and drug administration has 738

prohibited by regulation; 739

~~(2)~~(O) Use a cosmetic product in a manner inconsistent with a 740  
restriction established by the United States food and drug 741  
administration by regulation; 742

~~(3)~~(P) Use or possess a liquid nail monomer containing any 743  
trace of methyl methacrylate (MMA). 744

~~(4)~~(O) While in charge of a salon or school of cosmetology, 745  
permit any ~~person~~ individual to sleep in, or use for residential 746  
purposes, any room used wholly or in part as the salon or school 747  
of cosmetology; 748

~~(5)~~(R) Maintain, as an established place of business for the 749  
practice of one or more of the branches of cosmetology, a room 750  
used wholly or in part for sleeping or residential purposes; 751

~~(6)~~(S) Treat as an independent contractor for purposes of 752  
federal or state taxes or workers' compensation an individual the 753  
person hired, sets the schedule of, or compensates by commission 754  
or otherwise; 755

(T) Operate a tanning facility that is offered to the public 756  
for a fee or ~~other compensation~~ otherwise without a current, valid 757  
permit under section 4713.48 of the Revised Code; 758

(U) Use any of the services or arts that are part of the 759  
practice of a branch of cosmetology to treat or attempt to cure a 760  
physical or mental disease or ailment. 761

**Sec. 4713.141.** An inspector employed by the state board of 762  
cosmetology may take a sample of a product used or sold in a salon 763  
or school of cosmetology for the purpose of examining the sample, 764  
or causing an examination of the sample to be made, to determine 765  
whether division (N), (O), or (P) of section 4713.14 of the 766  
Revised Code has been violated. 767

Should the results of the test prove that division (N), (O), 768

or (P) of section 4713.14 of the Revised Code has been violated, 769  
the board shall take action in accordance with section 4713.64 of 770  
the Revised Code. A fine imposed under that section shall include 771  
the cost of the test. The person's license may be suspended or 772  
revoked. 773

**Sec. 4713.16. (A)** This chapter does not prohibit any of the 774  
following: 775

~~(A)~~(1) Practicing a branch of cosmetology without a license 776  
if the ~~person~~ individual does so for free at the ~~person's~~ 777  
individual's home for a family member who resides in the same 778  
household as the ~~person~~ individual; 779

~~(B)~~(2) The retail sale, or trial demonstration by application 780  
to the skin for purposes of retail sale, of cosmetics, 781  
preparations, tonics, antiseptics, creams, lotions, wigs, or 782  
hairpieces without a practicing license; 783

~~(C)~~(3) The retailing, at a salon, of cosmetics, preparations, 784  
tonics, antiseptics, creams, lotions, wigs, hairpieces, clothing, 785  
or any other items that pose no risk of creating unsanitary 786  
conditions at the salon; 787

~~(D)~~(4) The provision of glamour photography services at a 788  
licensed salon if either of the following is the case: 789

~~(1)~~(a) A branch of cosmetology is not practiced as part of 790  
the services. 791

~~(2)~~(b) If a branch of cosmetology is practiced as part of the 792  
services, the part of the services that is a branch of cosmetology 793  
is performed by a ~~person~~ an individual who holds either of the 794  
following authorizing the ~~person~~ individual to practice that 795  
branch of cosmetology: 796

~~(a)~~(i) A current, valid license under section 4713.28, 797  
4713.30, or 4713.34 of the Revised Code; 798

~~(b)~~(ii) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code. 799  
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~~(E)~~(5) A student engaging, as a student, in work connected with a branch of cosmetology taught at the school of cosmetology at which the student is enrolled. 801  
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803

(B) The following are exempt from the provisions of this chapter, except, as applicable, section 4713.42 of the Revised Code: 804  
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(1) All individuals authorized to practice medicine, surgery, dentistry, and nursing or any of its branches in this state, insofar as their usual and ordinary vocations and professions are concerned; 807  
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(2) Commissioned surgical and medical officers of the United States army, navy, air force, or marine hospital service when engaged in the actual performance of their official duties, and attendants attached to same; 811  
812  
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(3) Barbers, insofar as their usual and ordinary vocation and profession is concerned; 815  
816

(4) Funeral directors, embalmers, and apprentices licensed or registered under Chapter 4717. of the Revised Code; 817  
818

(5) Persons who are engaged in the retail sale, cleaning, or beautification of wigs and hairpieces but who do not engage in any other act constituting the practice of a branch of cosmetology; 819  
820  
821

(6) 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. 822  
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(7) Nurse aides and other employees of hospitals and homes as defined in section 3721.01 of the Revised Code, who practice a branch of cosmetology on registered patients only as part of general patient care services and who do not charge patients directly on a fee for service basis; 829  
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(8) Cosmetic therapists and massage therapists who hold current, valid certificates to practice cosmetic or massage therapy issued by the state medical board under section 4731.15 of the Revised Code, to the extent their actions are authorized by their certificates to practice; 834  
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(9) Inmates who provide services related to a branch of cosmetology to other inmates, except when those services are provided in a licensed school of cosmetology within a state correctional institution for females. 839  
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(C) The director of rehabilitation and correction shall oversee the services described in division (B)(9) of this section with respect to sanitation and adopt rules governing those types of services provided by inmates. 843  
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845  
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**Sec. 4713.20.** ~~(A) Each person individual~~ who seeks admission 847  
to an examination conducted under section 4713.24 of the Revised 848  
Code ~~and each person who seeks a license under this chapter shall~~ 849  
~~do all~~ submit both of the following: 850

~~(1) Submit~~ to the state board of cosmetology ~~a written~~ 851  
~~application containing:~~ 852

(A) As part of a license application, proof of the following: 853

~~(a) If the person seeks admission to an examination,~~ that the 854  
~~person individual~~ satisfies all conditions to obtain the license 855  
for which the examination is conducted, other than the requirement 856  
to have passed the examination; 857

~~(b) If the person seeks a license, that the person satisfies~~ 858

~~all conditions for obtaining the license.~~ 859

~~(2) Pay to the board the applicable fee;~~ 860

~~(3) Verify by oath that the application is true.~~ 861

~~(B) An application to operate a salon or school of~~ 862

~~cosmetology may be submitted by the owner, manager, or person in~~ 863

~~charge of the salon or school. A set of the individual's~~ 864

~~fingerprint impressions.~~ 865

**Sec. 4713.21.** Both of the following may apply again under 866

section 4713.20 of the Revised Code for admission to an 867

examination conducted under section 4713.24 of the Revised Code: 868

(A) ~~A person~~ An individual who failed to appear for an 869

examination that the ~~person~~ individual was previously scheduled to 870

take; 871

(B) ~~A person~~ An individual who appeared for a previously 872

scheduled examination but failed to pass it. 873

**Sec. 4713.22.** (A) The state board of cosmetology shall issue 874

a temporary pre-examination work permit to ~~a person~~ an individual 875

who applies under section 4713.20 of the Revised Code for 876

admission to an examination conducted under section 4713.24 of the 877

Revised Code, if the ~~person~~ individual satisfies all of the 878

following conditions: 879

(1) Is seeking a practicing license; 880

(2) Has not previously failed an examination conducted under 881

section 4713.24 of the Revised Code to determine the applicant's 882

fitness to practice the branch of cosmetology for which the ~~person~~ 883

individual seeks a license; 884

(3) Pays to the board the applicable fee; 885

(4) Satisfies all other conditions established by rules 886

adopted under section 4713.08 of the Revised Code. 887

(B) ~~A person~~ An individual issued a temporary pre-examination 888  
work permit may practice the branch of cosmetology for which the 889  
~~person~~ individual seeks a license until the date the ~~person~~ 890  
individual is scheduled to take an examination under section 891  
4713.24 of the Revised Code. The ~~person~~ individual shall practice 892  
under the supervision of ~~a person~~ an individual holding a current, 893  
valid managing license ~~appropriate for the type of salon in which~~ 894  
~~the permit holder practices~~. A temporary pre-examination work 895  
permit is renewable in accordance with rules adopted under section 896  
4713.08 of the Revised Code. 897

**Sec. 4713.24.** (A) The state board of cosmetology shall 898  
conduct an examination for each ~~person~~ individual who satisfies 899  
the requirements established by section 4713.20 of the Revised 900  
Code for admission to the examination. The board may develop and 901  
administer the appropriate examination or enter into an agreement 902  
with a national testing service to develop the examination, 903  
administer it, or both. ~~The~~ 904

(B) The examination shall be specific to the type of license 905  
the ~~person~~ individual seeks and satisfy all of the following 906  
conditions: 907

~~(A)~~ (1) Include both practical demonstrations and written or 908  
oral tests related to the type of license the ~~person~~ individual 909  
seeks; 910

~~(B)~~ (2) Relate only to a branch of cosmetology, managing 911  
license, or both, but not be confined to any special system or 912  
method; 913

~~(C)~~ (3) Be consistent in both practical and technical 914  
requirements for the type of license the ~~person~~ individual seeks; 915

~~(D)~~ (4) Be of sufficient thoroughness to satisfy the board as 916

to the ~~person's~~ individual's skill in and knowledge of the branch 917  
of cosmetology, managing license, or both, for which the 918  
examination is conducted. 919

(C) The board shall adopt rules regarding the equipment or 920  
supplies an individual is required to bring to the examination. 921

(D) The questions developed for the examination and the 922  
practical demonstrations used in the testing process shall not be 923  
released by the board, except for the following purposes: 924

(1) Review or rewriting of any part of the examination on a 925  
periodic basis as prescribed in rules adopted under section 926  
4713.08 of the Revised Code; 927

(2) Testing of individuals in another state for admission to 928  
the profession of cosmetology or any of its branches as required 929  
under a contract or by means of a license with that state. 930

(E) The examination papers and the scored results of the 931  
practical demonstrations of each individual examined by the board 932  
shall be open for inspection by the individual or the individual's 933  
attorney for at least ninety days following the announcement of 934  
the individual's grade, except for papers that under the terms of 935  
a contract with a testing service are not available for 936  
inspection. On written request of an individual or the 937  
individual's attorney made to the board not later than ninety days 938  
after announcement of the individual's grade, the board shall have 939  
the individual's examination papers re-graded manually. 940

**Sec. 4713.25.** The state board of cosmetology may administer a 941  
separate managing braider examination for individuals who complete 942  
a managing braider training course separate from a braider 943  
training course. The board may combine the managing braider 944  
examination with the braider examination for individuals who 945  
complete a combined three hundred-hour braider and managing 946



braider training course. 947

The board may administer a separate managing cosmetologist 948  
examination for ~~persons~~ individuals who complete a managing 949  
cosmetologist training course separate from a cosmetologist 950  
training course. The board may combine the managing cosmetologist 951  
examination with the cosmetologist examination for ~~persons~~ 952  
individuals who complete a combined eighteen hundred-hour 953  
cosmetologist and managing cosmetologist training course. 954

The board may administer a separate managing esthetician 955  
examination for ~~persons~~ individuals who complete a managing 956  
esthetician training course separate from an esthetician training 957  
course. The board may combine the managing esthetician examination 958  
with the esthetician examination for ~~persons~~ individuals who 959  
complete a combined seven hundred fifty-hour esthetician and 960  
managing esthetician training course. 961

The board may administer a separate managing hair designer 962  
examination for ~~persons~~ individuals who complete a managing hair 963  
designer training course separate from a hair designer training 964  
course. The board may combine the managing hair designer 965  
examination with the hair designer examination for ~~persons~~ 966  
individuals who complete a combined one thousand four hundred 967  
forty-hour hair designer and managing hair designer training 968  
course. 969

The board may administer a separate managing manicurist 970  
examination for ~~persons~~ individuals who complete a managing 971  
manicurist training course separate from a manicurist training 972  
course. The board may combine the managing manicurist examination 973  
with the manicurist examination for ~~persons~~ individuals who 974  
complete a combined three hundred-hour manicurist and managing 975  
manicurist training course. 976

The board may administer a separate managing natural hair 977

stylist examination for ~~persons~~ individuals who complete a 978  
managing natural hair stylist training course separate from a 979  
natural hair stylist training course. The board may combine the 980  
managing natural hair stylist examination with the natural hair 981  
stylist examination for ~~persons~~ individuals who complete a 982  
combined six hundred-hour natural hair stylist and managing 983  
natural hair stylist training course. 984

The board may administer a separate managing threader 985  
examination for individuals who complete a managing threader 986  
training course separate from a threader training course. The 987  
board may combine the managing threader examination with the 988  
threader examination for individuals who complete a combined three 989  
hundred-hour threader and managing threader training course. 990

**Sec. 4713.26.** Each ~~person~~ individual admitted to an 991  
examination conducted under section 4713.24 of the Revised Code 992  
shall furnish the ~~person's~~ individual's own model. 993

**Sec. 4713.28.** (A) An individual who seeks a practicing 994  
license from the state board of cosmetology shall submit a written 995  
application on a form furnished by the board. The application 996  
shall contain all of the following: 997

(1) The name of the individual and any other identifying 998  
information required by the board; 999

(2) A recent photograph of the individual that meets 1000  
specifications established by the board; 1001

(3) A photocopy of the individual's current driver's license 1002  
or other proof of legal residence in this state or a contiguous 1003  
state; 1004

(4) Proof that the individual is qualified to take the 1005  
applicable examination as required by section 4713.20 of the 1006  
Revised Code; 1007

(5) An oath verifying the application is true; 1008

(6) The applicable fee. 1009

(B) The ~~state board of cosmetology~~ shall issue a practicing 1010  
license to an applicant who, except as provided in section 4713.30 1011  
of the Revised Code, satisfies all of the following applicable 1012  
conditions: 1013

~~(A)~~(1) Is at least sixteen years of age; 1014

~~(B)~~(2) Is of good moral character; 1015

~~(C)~~(3) Has graduated from an Ohio high school, has the 1016  
equivalent of an Ohio ~~public~~ high school tenth-grade education 1017  
diploma, or has taken an ability-to-benefit test that is approved 1018  
by the United States department of education and administered 1019  
under the department's guidelines and has attained a score that 1020  
the board considers to be satisfactory evidence of possessing at 1021  
least a tenth-grade level education; 1022

~~(D)~~(4) Passes an examination conducted under section 4713.24 1023  
of the Revised Code for the branch of cosmetology the applicant 1024  
seeks to practice; 1025

~~(E)~~(5) Pays to the board the applicable fee; 1026

~~(F)~~(6) Shows proof of legal residency in the United States; 1027

(7) In the case of an applicant for an initial braider 1028  
license, has successfully completed at least one hundred fifty 1029  
hours of instruction in a school of cosmetology licensed in this 1030  
state in subjects related to sanitation, scalp care, anatomy, hair 1031  
braiding, communication skills, and laws and rules governing the 1032  
practice of cosmetology; 1033

(8) In the case of an applicant for an initial cosmetologist 1034  
license, has successfully completed at least ~~fifteen~~ one thousand 1035  
five hundred hours of board-approved cosmetology training in a 1036  
school of cosmetology licensed in this state, except that only one 1037

thousand hours of board-approved cosmetology training in a school 1038  
of cosmetology licensed in this state is required of a person 1039  
licensed as a barber under Chapter 4709. of the Revised Code; 1040

~~(G)~~(9) In the case of an applicant for an initial esthetician 1041  
license, has successfully completed at least six hundred hours of 1042  
board-approved esthetics training in a school of cosmetology 1043  
licensed in this state; 1044

~~(H)~~(10) In the case of an applicant for an initial hair 1045  
designer license, has successfully completed at least one thousand 1046  
two hundred hours of board-approved hair designer training in a 1047  
school of cosmetology licensed in this state, except that only one 1048  
thousand hours of board-approved hair designer training in a 1049  
school of cosmetology licensed in this state is required of a 1050  
person licensed as a barber under Chapter 4709. of the Revised 1051  
Code; 1052

~~(I)~~(11) In the case of an applicant for an initial manicurist 1053  
license, has successfully completed at least two hundred hours of 1054  
board-approved manicurist training in a school of cosmetology 1055  
licensed in this state; 1056

~~(J)~~(12) In the case of an applicant for an initial natural 1057  
hair stylist license, has successfully completed at least four 1058  
hundred fifty hours of instruction in subjects relating to 1059  
sanitation, scalp care, anatomy, hair styling, communication 1060  
skills, and laws and rules governing the practice of cosmetology; 1061

(13) In the case of an applicant for an initial threader 1062  
license, has successfully completed at least one hundred fifty 1063  
hours of instruction in a school of cosmetology licensed in this 1064  
state in subjects related to sanitation, anatomy, threading, 1065  
communication skills, and laws and rules governing the practice of 1066  
cosmetology. 1067

~~(K)~~(C) The board shall not deny a license to any applicant 1068

based on prior incarceration or conviction for any crime. If the 1069  
board denies an individual a license or license renewal, the 1070  
reasons for such denial shall be put in writing. 1071

**Sec. 4713.29.** In accordance with rules adopted under section 1072  
4713.08 of the Revised Code, the state board of cosmetology, upon 1073  
a vote of the majority of the board, may waive a condition 1074  
established by section 4713.28 of the Revised Code for a license 1075  
to practice a branch of cosmetology for an applicant who practices 1076  
that branch of cosmetology in a state or country that does not 1077  
license or register branches of cosmetology. 1078

**Sec. 4713.30.** (A) An individual who seeks a managing license 1079  
from the state board of cosmetology shall submit a written 1080  
application on a form furnished by the board. The application 1081  
shall contain all of the following: 1082

(1) The name of the individual and any other identifying 1083  
information required by the board; 1084

(2) A recent photograph of the individual that meets 1085  
specifications established by the board; 1086

(3) A photocopy of the individual's current driver's license 1087  
or other proof of legal residence in this state or a contiguous 1088  
state; 1089

(4) Proof that the individual is qualified to take the 1090  
applicable examination as required by section 4713.20 of the 1091  
Revised Code; 1092

(5) An oath verifying the application is true; 1093

(6) The applicable fee. 1094

(B) The ~~state board of cosmetology~~ shall issue a managing 1095  
license to an applicant who satisfies all of the following 1096  
applicable conditions: 1097

<del>(A)</del> (1) Is at least sixteen years of age;	1098
<del>(B)</del> (2) Is of good moral character;	1099
<del>(C)</del> (3) Has <u>graduated from an Ohio high school, has the</u>	1100
<u>equivalent of an Ohio <del>public high school tenth grade</del> education</u>	1101
<u>diploma, or has taken an ability-to-benefit test that is approved</u>	1102
<u>by the United States department of education and administered</u>	1103
<u>under the department's guidelines and has attained a score that</u>	1104
<u>the board considers to be satisfactory evidence of possessing at</u>	1105
<u>least a tenth-grade level education;</u>	1106
<del>(D)</del> (4) Pays to the board the applicable fee;	1107
<del>(E)</del> (5) Passes the appropriate managing license examination;	1108
<del>(F)</del> (6) <u>Has a current, active practicing license or is</u>	1109
<u>qualified to sit for an examination for both a practicing license</u>	1110
<u>and a managing license at the same time;</u>	1111
<u>(7) In the case of an applicant for an initial managing</u>	1112
<u>braider license, does either of the following:</u>	1113
<u>(a) Has the licensed managing braider, licensed managing</u>	1114
<u>cosmetologist, or owner of a licensed braiding salon or licensed</u>	1115
<u>beauty salon located in this or another state for whom the</u>	1116
<u>applicant performed services in a licensed salon certify to the</u>	1117
<u>board that the applicant has practiced braiding for at least two</u>	1118
<u>thousand hours as a braider in a licensed braiding salon or as a</u>	1119
<u>cosmetologist in a licensed beauty salon;</u>	1120
<u>(b) Has a school of cosmetology licensed in this state</u>	1121
<u>certify to the board that the applicant has successfully</u>	1122
<u>completed, in addition to the hours required for licensure as a</u>	1123
<u>braider or a cosmetologist, at least one hundred fifty hours of</u>	1124
<u>board-approved managing braider training.</u>	1125
<u>(8) In the case of an applicant for an initial managing</u>	1126
<u>cosmetologist license, does either of the following:</u>	1127

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

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

~~(G)~~(9) In the case of an applicant for an initial managing esthetician license, does either of the following:

~~(1)~~(a) Has the licensed managing esthetician, licensed managing cosmetologist, or owner of a licensed esthetics salon or licensed beauty salon located in this or another state for whom the applicant performed services in a licensed salon certify to the board that the applicant has practiced esthetics for at least two thousand hours as an esthetician in a licensed esthetics salon or as a cosmetologist in a licensed beauty salon;

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

~~(H)~~(10) In the case of an applicant for an initial managing hair designer license, does either of the following:

~~(1)~~(a) Has the licensed managing hair designer, licensed managing cosmetologist, or owner of a licensed hair design salon or licensed beauty salon located in this or another state for whom the applicant performed services in a licensed salon certify to the board that the applicant has practiced hair design for at

least two thousand hours as a hair designer in a licensed hair 1159  
design salon or as a cosmetologist in a licensed beauty salon; 1160

~~(2)~~(b) Has a school of cosmetology licensed in this state 1161  
certify to the board that the applicant has successfully 1162  
completed, in addition to the hours required for licensure as a 1163  
hair designer or cosmetologist, at least two hundred forty hours 1164  
of board-approved managing hair designer training. 1165

~~(1)~~(11) In the case of an applicant for an initial managing 1166  
manicurist license, does either of the following: 1167

~~(1)~~(a) Has the licensed managing manicurist, licensed 1168  
managing cosmetologist, or owner of a licensed nail salon, 1169  
licensed beauty salon, or licensed barber shop located in this or 1170  
another state for whom the applicant performed services in a 1171  
licensed salon or barber shop certify to the board that the 1172  
applicant has practiced manicuring for at least two thousand hours 1173  
as a manicurist in a licensed nail salon or licensed barber shop 1174  
or as a cosmetologist in a licensed beauty salon or licensed 1175  
barber shop; 1176

~~(2)~~(b) Has a school of cosmetology licensed in this state 1177  
certify to the board that the applicant has successfully 1178  
completed, in addition to the hours required for licensure as a 1179  
manicurist or cosmetologist, at least one hundred hours of 1180  
board-approved managing manicurist training. 1181

~~(1)~~(12) In the case of an applicant for an initial managing 1182  
natural hair stylist license, does either of the following: 1183

~~(1)~~(a) Has the licensed managing natural hair stylist, 1184  
licensed managing cosmetologist, or owner of a licensed natural 1185  
hair style salon or licensed beauty salon located in this or 1186  
another state for whom the applicant performed services in a 1187  
licensed salon certify to the board that the applicant has 1188  
practiced natural hair styling for at least two thousand hours as 1189



a natural hair stylist in a licensed natural hair style salon or 1190  
as a cosmetologist in a licensed beauty salon; 1191

~~(2)~~(b) Has a school of cosmetology licensed in this state 1192  
certify to the board that the applicant has successfully 1193  
completed, in addition to the hours required for licensure as 1194  
natural hair stylist or cosmetologist, at least one hundred fifty 1195  
hours of board-approved managing natural hair stylist training. 1196

(13) In the case of an applicant for an initial managing 1197  
threader license, does either of the following: 1198

(a) Has the licensed managing threader, licensed managing 1199  
cosmetologist, or owner of a licensed threading salon or licensed 1200  
beauty salon in which the applicant has been employed in this or 1201  
another state for whom the applicant performed services in a 1202  
licensed salon certify to the board that the applicant has 1203  
practiced threading for at least two thousand hours as a threader 1204  
in a licensed threading salon or as a cosmetologist in a licensed 1205  
beauty salon; 1206

(b) Has a school of cosmetology licensed in this state 1207  
certify to the board that the applicant has successfully 1208  
completed, in addition to the hours required for licensure as a 1209  
threader or a cosmetologist, at least one hundred fifty hours of 1210  
board-approved managing threader training. 1211

**Sec. 4713.31. (A) An individual who seeks an instructor 1212  
license from the state board of cosmetology shall submit a written 1213  
application on a form furnished by the board. The application 1214  
shall contain all of the following: 1215**

(1) The name of the individual and any other identifying 1216  
information required by the board; 1217

(2) A recent photograph of the individual that meets 1218  
specifications established by the board; 1219

<u>(3) A photocopy of the individual's current driver's license</u>	1220
<u>or other proof of legal residence in this state or a contiguous</u>	1221
<u>state;</u>	1222
<u>(4) Proof that the individual satisfies all conditions to</u>	1223
<u>obtain the license;</u>	1224
<u>(5) An oath verifying the application is true;</u>	1225
<u>(6) The applicable fee.</u>	1226
<u>(B) The <del>state board of cosmetology</del> shall issue an instructor</u>	1227
<u>license to an applicant who satisfies all of the following</u>	1228
<u>applicable conditions:</u>	1229
<u><del>(A)</del>(1) Is at least eighteen years of age;</u>	1230
<u><del>(B)</del>(2) Is of good moral character;</u>	1231
<u><del>(C)</del>(3) Has <u>graduated from an Ohio high school, has the</u></u>	1232
<u>equivalent of an Ohio <del>public</del> <u>high</u> school <del>twelfth-grade</del> <u>education</u></u>	1233
<u><del>diploma, or has taken an ability-to-benefit test that is approved</del></u>	1234
<u><del>by the United States department of education and administered</del></u>	1235
<u><del>under the department's guidelines and has attained a score that</del></u>	1236
<u><del>the board considers to be satisfactory evidence of possessing at</del></u>	1237
<u><del>least a tenth-grade level education;</del></u>	1238
<u><del>(D)</del>(4) Pays to the board the applicable fee;</u>	1239
<u><del>(E)</del>(5) <u>In the case of an applicant for an initial braiding</u></u>	1240
<u><del>instructor license, holds a current, valid managing braider</del></u>	1241
<u><del>license or managing cosmetologist license and does either of the</del></u>	1242
<u><del>following:</del></u>	1243
<u>(a) <u>Has the licensed managing braider, licensed managing</u></u>	1244
<u><del>cosmetologist, or owner of a licensed braiding salon or licensed</del></u>	1245
<u><del>beauty salon in which the applicant has been employed in this or</del></u>	1246
<u><del>another state for whom the applicant performed services in a</del></u>	1247
<u><del>licensed salon certify to the board that the applicant has engaged</del></u>	1248
<u><del>in the practice of braiding in a licensed braiding salon or the</del></u>	1249

practice of cosmetology in a licensed beauty salon for at least 1250  
two thousand hours; 1251

(b) Has a school of cosmetology licensed in this state 1252  
certify to the board that the applicant has successfully completed 1253  
at least one hundred fifty hours of board-approved braiding 1254  
instructor training as an apprentice instructor. 1255

(6) In the case of an applicant for an initial cosmetology 1256  
instructor license, holds a current, valid managing cosmetologist 1257  
license issued in this state and does either of the following: 1258

~~(1)~~(a) Has the licensed managing cosmetologist or owner of 1259  
the licensed beauty salon in which the applicant has been employed 1260  
in this or another state for whom the applicant performed services 1261  
in a licensed salon certify to the board that the applicant has 1262  
engaged in the practice of cosmetology in a licensed beauty salon 1263  
for at least two thousand hours; 1264

~~(2)~~(b) Has a school of cosmetology licensed in this state 1265  
certify to the board that the applicant has successfully completed 1266  
one thousand hours of board-approved cosmetology instructor 1267  
training as an apprentice instructor. 1268

~~(F)~~(7) In the case of an applicant for an initial esthetics 1269  
instructor license, holds a current, valid managing esthetician or 1270  
managing cosmetologist license issued in this state and does 1271  
either of the following: 1272

~~(1)~~(a) Has the licensed managing esthetician, licensed 1273  
managing cosmetologist, or owner of the licensed esthetics salon 1274  
or licensed beauty salon in which the applicant has been employed 1275  
in this or another state for whom the applicant performed services 1276  
in a licensed salon certify to the board that the applicant has 1277  
engaged in the practice of esthetics in a licensed esthetics salon 1278  
or practice of cosmetology in a licensed beauty salon for at least 1279  
two thousand hours; 1280

~~(2)~~(b) Has a school of cosmetology licensed in this state 1281  
certify to the board that the applicant has successfully completed 1282  
at least five hundred hours of board-approved esthetics instructor 1283  
training as an apprentice instructor. 1284

~~(G)~~(8) In the case of an applicant for an initial hair design 1285  
instructor license, holds a current, valid managing hair designer 1286  
or managing cosmetologist license and does either of the 1287  
following: 1288

~~(1)~~(a) Has the licensed managing hair designer, licensed 1289  
managing cosmetologist, or owner of the licensed hair design salon 1290  
or licensed beauty salon in which the applicant has been employed 1291  
in this or another state for whom the applicant performed services 1292  
in a licensed salon certify to the board that the applicant has 1293  
engaged in the practice of hair design in a licensed hair design 1294  
salon or practice of cosmetology in a licensed beauty salon for at 1295  
least two thousand hours; 1296

~~(2)~~(b) Has a school of cosmetology licensed in this state 1297  
certify to the board that the applicant has successfully completed 1298  
at least eight hundred hours of board-approved hair design 1299  
instructor's training as an apprentice instructor. 1300

~~(H)~~(9) In the case of an applicant for an initial manicurist 1301  
instructor license, holds a current, valid managing manicurist or 1302  
managing cosmetologist license and does either of the following: 1303

~~(1)~~(a) Has the licensed managing manicurist, licensed 1304  
managing cosmetologist, or owner of the licensed nail salon or 1305  
licensed beauty salon in which the applicant has been employed in 1306  
this or another state for whom the applicant performed services in 1307  
a licensed salon certify to the board that the applicant has 1308  
engaged in the practice of manicuring in a licensed nail salon or 1309  
practice of cosmetology in a licensed beauty salon for at least 1310  
two thousand hours; 1311

~~(2)~~(b) Has a school of cosmetology licensed in this state 1312  
certify to the board that the applicant has successfully completed 1313  
at least three hundred hours of board-approved manicurist 1314  
instructor training as an apprentice instructor. 1315

~~(1)~~(10) In the case of an applicant for an initial natural 1316  
hair style instructor license, holds a current, valid managing 1317  
natural hair stylist or managing cosmetologist license and does 1318  
either of the following: 1319

~~(1)~~(a) Has the licensed managing natural hair stylist, 1320  
licensed managing cosmetologist, or owner of the licensed natural 1321  
hair style salon or licensed beauty salon in which the applicant 1322  
has been employed in this or another state for whom the applicant 1323  
performed services in a licensed salon certify to the board that 1324  
the applicant has engaged in the practice of natural hair styling 1325  
in a licensed natural hair style salon or practice of cosmetology 1326  
in a licensed beauty salon for at least two thousand hours; 1327

~~(2)~~(b) Has a school of cosmetology licensed in this state 1328  
certify to the board that the applicant has successfully completed 1329  
at least four hundred hours of board-approved natural hair style 1330  
instructor training as an apprentice instructor. 1331

(11) In the case of an applicant for an initial threading 1332  
instructor license, holds a current, valid managing threader 1333  
license or managing cosmetologist license and does either of the 1334  
following: 1335

(a) Has the licensed managing threader, licensed managing 1336  
cosmetologist, or owner of the licensed threading salon or 1337  
licensed beauty salon in which the applicant has been employed in 1338  
this or another state for whom the applicant performed services in 1339  
a licensed salon certify to the board that the applicant has 1340  
engaged in the practice of threading in a licensed threading salon 1341  
or the practice of cosmetology in a licensed beauty salon for at 1342

least two thousand hours; 1343

(b) Has a school of cosmetology licensed in this state 1344

certify to the board that the applicant has successfully completed 1345

at least one hundred fifty hours of board-approved threading 1346

instructor training as an apprentice instructor. 1347

**Sec. 4713.32.** When determining the total hours of instruction 1348

received by an applicant for a license under ~~section 4713.28,~~ 1349

~~4713.30, or 4713.31 of the Revised Code~~ this chapter, the state 1350

board of cosmetology shall not take into account more than ten 1351

hours of instruction per day. The board shall take into account 1352

instruction received more than five years prior to the date of 1353

application for the license in accordance with rules adopted under 1354

section 4713.08 of the Revised Code. 1355

**Sec. 4713.34.** The state board of cosmetology shall issue a 1356

license to practice a branch of cosmetology, managing license, or 1357

instructor license to an applicant who is licensed or registered 1358

in another state or country to practice that branch of 1359

cosmetology, manage that type of salon, or teach the theory and 1360

practice of that branch of cosmetology, as appropriate, if all of 1361

the following conditions are satisfied: 1362

(A) The applicant satisfies all of the following conditions: 1363

(1) Is not less than eighteen years of age; 1364

(2) Is of good moral character; 1365

(3) Shows proof of legal residence in the United States; 1366

(4) Provides a recent photograph of the applicant that meets 1367

specifications established by the board; 1368

(5) In the case of an applicant for a practicing license or 1369

managing license, passes an a practical and theory examination 1370

conducted under section 4713.24 of the Revised Code for the 1371

license the applicant seeks, unless the applicant satisfies 1372  
conditions specified in rules adopted under section 4713.08 of the 1373  
Revised Code for the board to issue the applicant a license 1374  
without taking the examination; 1375

~~(4)~~(6) Pays the applicable fee. 1376

(B) At the time the applicant obtained the license or 1377  
registration in the other state or country, the requirements in 1378  
this state for obtaining the license the applicant seeks were 1379  
substantially equal to the other state or country's requirements. 1380

(C) The jurisdiction that issued the applicant's license or 1381  
registration extends similar reciprocity to ~~persons~~ individuals 1382  
holding a license issued by the board. 1383

**Sec. 4713.35.** ~~A person~~ An individual who holds a current, 1384  
valid braider license issued by the state board of cosmetology may 1385  
engage in the practice of braiding but no other branch of 1386  
cosmetology. 1387

An individual who holds a current, valid cosmetologist 1388  
license issued by the ~~state board of cosmetology~~ may engage in the 1389  
practice of one or more branches of cosmetology as the ~~person~~ 1390  
individual chooses. 1391

~~A person~~ An individual who holds a current, valid esthetician 1392  
license issued by the board may engage in the practice of 1393  
esthetics ~~but no.~~ The individual may not engage in any other 1394  
branch of cosmetology, except to the extent that the activities 1395  
included in the practice of threading are also part of the 1396  
practice of esthetics. 1397

~~A person~~ An individual who holds a current, valid hair 1398  
designer license issued by the board may engage in the practice of 1399  
hair design ~~but no.~~ The individual may not engage in any other 1400  
branch of cosmetology, except to the extent that the activities 1401

included in the practice of braiding are also part of the practice 1402  
of hair design. 1403

~~A person~~ An individual who holds a current, valid manicurist 1404  
license issued by the board may engage in the practice of 1405  
manicuring but no other branch of cosmetology. 1406

~~A person~~ An individual who holds a current, valid natural 1407  
hair stylist license issued by the board may engage in the 1408  
practice of natural hair styling ~~but no~~. The individual may not 1409  
engage in any other branch of cosmetology, except to the extent 1410  
that the activities included in the practice of braiding are also 1411  
part of the practice of natural hair styling. 1412

An individual who holds a current, valid threading license 1413  
issued by the board may engage in the practice of threading but no 1414  
other branch of cosmetology. 1415

An individual who holds a current, valid managing braider 1416  
license issued by the board may manage a braiding salon, but no 1417  
other type of salon, and engage in the practice of braiding but no 1418  
other branch of cosmetology. 1419

~~A person~~ An individual who holds a current, valid managing 1420  
cosmetologist license issued by the board may manage all types of 1421  
salons and engage in the practice of one or more branches of 1422  
cosmetology as the ~~person~~ individual chooses. 1423

~~A person~~ An individual who holds a current, valid managing 1424  
esthetician license issued by the board may manage an esthetics 1425  
salon, but no other type of salon, ~~and~~. The individual may engage 1426  
in the practice of esthetics, ~~but no~~ may not engage in any other 1427  
branch of cosmetology, except to the extent that the activities 1428  
included in the practice of threading are also part of the 1429  
practice of esthetics. 1430

~~A person~~ An individual who holds a current, valid managing 1431  
hair designer license issued by the board may manage a hair design 1432



salon, but no other type of salon, ~~and~~. The individual may engage 1433  
in the practice of hair design, but ~~ne~~ may not engage in any other 1434  
branch of cosmetology, except to the extent that the activities 1435  
included in the practice of braiding are also part of the practice 1436  
of hair design. 1437

~~A person~~ An individual who holds a current, valid managing 1438  
manicurist license issued by the board may manage a nail salon, 1439  
but no other type of salon, and engage in the practice of 1440  
manicuring, but no other branch of cosmetology. 1441

~~A person~~ An individual who holds a current, valid managing 1442  
natural hair stylist license issued by the board may manage a 1443  
natural hair style salon, but no other type of salon, ~~and~~. The 1444  
individual may engage in the practice of natural hair styling, but 1445  
~~ne~~ may not engage in any other branch of cosmetology, except to 1446  
the extent that the activities included in the practice of 1447  
braiding are also part of the practice of natural hair styling. 1448

An individual who holds a current, valid managing threading 1449  
license issued by the board may manage a threading salon, but no 1450  
other type of salon, and engage in the practice of threading, but 1451  
no other branch of cosmetology. 1452

An individual who holds a current, valid braiding instructor 1453  
license issued by the board may teach at a school of cosmetology 1454  
the theory and practice of braiding, but no other branch of 1455  
cosmetology. 1456

~~A person~~ An individual who holds a current, valid cosmetology 1457  
instructor license issued by the board may teach the theory and 1458  
practice of one or more branches of cosmetology at a school of 1459  
cosmetology as the ~~person~~ individual chooses. 1460

~~A person~~ An individual who holds a current, valid esthetics 1461  
instructor license issued by the board may teach at a school of 1462  
cosmetology the theory and practice of esthetics, but ~~ne~~ may not 1463

teach the theory and practice of any other branch of cosmetology, 1464  
at a school of cosmetology except to the extent that the theory 1465  
and practice of threading are also part of the theory and practice 1466  
of esthetics. 1467

~~A person~~ An individual who holds a current, valid hair design 1468  
instructor license issued by the board may teach at a school of 1469  
cosmetology the theory and practice of hair design, but ~~no~~ may not 1470  
teach the theory and practice of any other branch of cosmetology, 1471  
at a school of cosmetology except to the extent that the theory 1472  
and practice of braiding are also part of the theory and practice 1473  
of hair design. 1474

~~A person~~ An individual who holds a current, valid manicurist 1475  
instructor license issued by the board may teach the theory and 1476  
practice of manicuring, but no other branch of cosmetology, at a 1477  
school of cosmetology. 1478

~~A person~~ An individual who holds a current, valid natural 1479  
hair style instructor license issued by the board may teach at a 1480  
school of cosmetology the theory and practice of natural hair 1481  
styling, but ~~no~~ may not teach the theory and practice of any other 1482  
branch of cosmetology, at a school of cosmetology except to the 1483  
extent that the theory and practice of braiding are also part of 1484  
the theory and practice of natural hair styling. 1485

An individual who holds a current threading instructor 1486  
license issued by the board may teach the theory and practice of 1487  
threading, but no other branch of cosmetology, at a school of 1488  
cosmetology. 1489

**Sec. 4713.37.** (A) The state board of cosmetology may issue a 1490  
temporary special occasion work permit to ~~a person~~ an individual 1491  
who satisfies all of the following conditions: 1492

(1) Has been licensed or registered in another state or 1493

country to practice a branch of cosmetology or teach the theory 1494  
and practice of a branch of cosmetology for at least five years; 1495

(2) Is a recognized expert in the practice or teaching of the 1496  
branch of cosmetology the ~~person~~ individual practices or teaches; 1497

(3) Is to practice that branch of cosmetology or teach the 1498  
theory and practice of that branch of cosmetology in this state as 1499  
part of a promotional or instructional program for not more than 1500  
the amount of time a temporary special occasion work permit is 1501  
effective; 1502

(4) Satisfies all other conditions for a temporary special 1503  
occasion work permit established by rules adopted under section 1504  
4713.08 of the Revised Code; 1505

(5) Pays the fee established by rules adopted under section 1506  
4713.08 of the Revised Code. 1507

(B) ~~A person~~ An individual issued a temporary special 1508  
occasion work permit may practice the branch of cosmetology the 1509  
~~person~~ individual practices in another state or country, or teach 1510  
the theory and practice of the branch of cosmetology the ~~person~~ 1511  
individual teaches in another state or country, until the 1512  
expiration date of the permit. A temporary special occasion work 1513  
permit is valid for the period of time specified in rules adopted 1514  
under section 4713.08 of the Revised Code. 1515

**Sec. 4713.39.** (A) An individual who holds a current valid 1516  
manager's license shall be granted a license to practice as an 1517  
independent contractor in the branch of cosmetology for which the 1518  
manager's license was issued if the individual does all of the 1519  
following: 1520

(1) Completes an application on a form furnished by the state 1521  
board of cosmetology that includes the individual's name, physical 1522  
and electronic mail address, telephone number, and any other 1523

<u>information required by rules adopted by the board under section</u>	1524
<u>4713.08 of the Revised Code;</u>	1525
<u>(2) Submits to the board a signed statement attesting that</u>	1526
<u>the individual will comply with division (B) of this section.</u>	1527
<u>(B) The holder of an independent contractor license shall do</u>	1528
<u>all of the following:</u>	1529
<u>(1) Practice in a space the individual rents in a licensed</u>	1530
<u>salon and post the independent contractor license in that space;</u>	1531
<u>(2) Supply all of the supplies the individual will use in the</u>	1532
<u>practice;</u>	1533
<u>(3) Set the individual's own schedule;</u>	1534
<u>(4) Pay all applicable taxes and comply with any applicable</u>	1535
<u>state or federal law or local ordinance;</u>	1536
<u>(5) Pay for any insurance coverage.</u>	1537
<u>(C) An independent contractor who rents space in a salon</u>	1538
<u>shall enter into a contract with the salon or the salon's owner.</u>	1539
<u>The contract shall specify the business relationship between the</u>	1540
<u>parties and the responsibilities of each party. The salon or salon</u>	1541
<u>owner shall comply with all applicable state and federal laws and</u>	1542
<u>local ordinances.</u>	1543
<b>Sec. 4713.41. (A) A person who seeks a license to operate a</b>	1544
<b>salon from the state board of cosmetology shall submit a written</b>	1545
<b>application on a form furnished by the board. The application</b>	1546
<b>shall contain all of the following:</b>	1547
<u>(1) The name of the person, the location of the salon, and</u>	1548
<u>any other identifying information required by the board;</u>	1549
<u>(2) A recent photograph of the individual signing the</u>	1550
<u>application that meets specifications established by the board;</u>	1551
<u>(3) A photocopy of the current driver's license of the</u>	1552

individual signing the application or other proof of the 1553  
individual's legal residence in this state or a contiguous state; 1554

(4) Proof that the person satisfies all conditions to obtain 1555  
the license; 1556

(5) An oath verifying the application is true; 1557

(6) The applicable fee. 1558

An application for a license to operate a salon may be 1559  
submitted by the owner, manager, or individual in charge of the 1560  
salon. 1561

(B) The ~~state board of cosmetology~~ shall issue a license to 1562  
operate a salon to an applicant who pays the applicable fee and 1563  
affirms that all of the following conditions will be met: 1564

~~(A)~~(1) A ~~person~~ (a) An individual holding a current, valid 1565  
managing cosmetologist license or license to manage that type of 1566  
salon has charge of and immediate supervision over the salon at 1567  
all times when the salon is open for business except as permitted 1568  
under division ~~(A)(2)(B)(1)(b)~~ of this section. 1569

~~(2)(b)~~ A business establishment that is engaged primarily in 1570  
retail sales but is also licensed as a salon shall have ~~a person~~ 1571  
an individual holding a current, valid managing license for that 1572  
type of salon in charge of and in immediate supervision of the 1573  
salon during posted or advertised service hours, if the practice 1574  
of cosmetology is restricted to those posted or advertised service 1575  
hours. 1576

~~(B)(2)~~ The salon is equipped to do all of the following: 1577

~~(1)(a)~~ Provide potable running hot and cold water and proper 1578  
drainage; 1579

~~(2)(b)~~ Sanitize all instruments and supplies used in the 1580  
branch of cosmetology provided at the salon; 1581

~~(3)(c)~~ If cosmetic therapy, massage therapy, or other 1582

professional service is provided at the salon under section 1583  
4713.42 of the Revised Code, sanitize all instruments and supplies 1584  
used in the cosmetic therapy, massage therapy, or other 1585  
professional service. 1586

~~(C)~~(3) Except as provided in sections 4713.42 and 4713.49 of 1587  
the Revised Code, only the branch of cosmetology that the salon is 1588  
licensed to provide is practiced at the salon. 1589

~~(D)~~(4) The salon is kept in a clean and sanitary condition 1590  
and properly ventilated. 1591

~~(E)~~(5) No food is sold at the salon in a manner inconsistent 1592  
with rules adopted under section 4713.08 of the Revised Code. 1593

**Sec. 4713.42.** ~~A person~~ An individual holding a current, valid 1594  
certificate issued under section 4731.15 of the Revised Code to 1595  
provide cosmetic therapy or massage therapy may provide cosmetic 1596  
therapy or massage therapy, as appropriate, in a salon. ~~A person~~ 1597  
An individual holding a current, valid license or certificate 1598  
issued by a professional regulatory board of this state may 1599  
practice the ~~person's~~ individual's profession in a salon if the 1600  
~~person's~~ individual's profession is authorized by rules adopted 1601  
under section 4713.08 of the Revised Code to practice in a salon. 1602

~~A person~~ An individual providing cosmetic therapy, massage 1603  
therapy, or other professional service in a salon pursuant to this 1604  
section shall satisfy the standards established by rules adopted 1605  
under section 4713.08 of the Revised Code. 1606

**Sec. 4713.44.** (A) A person who seeks a license to operate a 1607  
school of cosmetology from the state board of cosmetology shall 1608  
submit a written application on a form furnished by the board. The 1609  
form shall contain all of the following: 1610

(1) The name of the person, the location of the school, and 1611  
any other identifying information required by the board; 1612

- (2) A recent photograph of the individual signing the application that meets specifications established by the board; 1613  
1614
- (3) Proof that the person satisfies all conditions to obtain the license; 1615  
1616
- (4) An oath verifying the application is true; 1617
- (5) The applicable fee. 1618
- An application for a license to operate a school of cosmetology may be submitted by the owner, manager, or individual in charge of the school. 1619  
1620  
1621
- (B) ~~The state board of cosmetology~~ shall issue a license to operate a school of cosmetology to an applicant who pays the applicable fee and satisfies all of the following requirements: 1622  
1623  
1624
- (1) Maintains a course of practical training and technical instruction for the branch or branches of cosmetology to be taught at the school equal to the requirements for admission to an examination under section 4713.24 of the Revised Code that a ~~person~~ individual must pass to obtain a license to practice that branch or those branches of cosmetology; 1625  
1626  
1627  
1628  
1629  
1630
- (2) Possesses or makes available apparatus and equipment sufficient for the ready and full teaching of all subjects of the curriculum; 1631  
1632  
1633
- (3) Maintains ~~persons~~ individuals licensed under section 4713.31 or 4713.34 of the Revised Code to teach the theory and practice of the branches of cosmetology; 1634  
1635  
1636
- (4) Notifies the board of the enrollment of each new student, keeps a record devoted to the different practices, establishes grades, and holds examinations in order to certify the students' completion of the prescribed course of study before the issuance of certificates of completion; 1637  
1638  
1639  
1640  
1641
- (5) In the case of a school of cosmetology that offers clock 1642

hours for the purpose of satisfying minimum hours of training and 1643  
instruction, keeps a daily record of the attendance of each 1644  
student; 1645

(6) On the date that an apprentice cosmetology instructor 1646  
begins cosmetology instructor training at the school, certifies 1647  
the name of the apprentice cosmetology instructor to the board 1648  
along with the date on which the apprentice's instructor training 1649  
began; 1650

(7) Instructs not more than six apprentice cosmetology 1651  
instructors at any one time; 1652

(8) Files with the board a good and sufficient surety bond 1653  
executed by the person, firm, or corporation operating the school 1654  
of cosmetology as principal and by a surety company as surety in 1655  
the amount of ten thousand dollars; ~~provided,~~ except that this 1656  
requirement does not apply to a vocational program conducted by a 1657  
city, exempted village, local, or joint vocational school 1658  
district. The bond shall be in the form prescribed by the board 1659  
and be conditioned upon the school's continued instruction in the 1660  
theory and practice of the branches of cosmetology. Every bond 1661  
shall continue in effect until notice of its termination is given 1662  
to the board by registered mail and every bond shall so provide. 1663

(9) Establishes and maintains an internal procedure for 1664  
processing complaints filed against the school and for providing 1665  
students with instructions on how to file a complaint directly 1666  
with the board pursuant to section 4713.641 of the Revised Code. 1667

(B) A school of cosmetology holding a license issued under 1668  
division (A) of this section is an educational institution and is 1669  
authorized to offer educational programs beyond secondary 1670  
education, advanced practice programs, or both in accordance with 1671  
rules adopted by the board pursuant to section 4713.08 of the 1672  
Revised Code. 1673



(C) A school of cosmetology holding a license to operate a school of cosmetology on ~~the effective date of this amendment~~ September 29, 2013, shall establish and maintain an internal procedure for processing complaints filed against the school and shall provide each of the school's students with instructions on how to file a complaint directly with the board pursuant to section 4713.641 of the Revised Code.

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

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

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

(3) Compensate an apprentice cosmetology instructor;

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

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

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

(2) ~~A person~~ An individual with a bachelor's degree in the

subject the ~~person~~ individual teaches at the school; 1704

(3) ~~A person~~ An individual also employed by a university or 1705  
college to teach the subject the ~~person~~ individual teaches at the 1706  
school. 1707

**Sec. 4713.48.** (A) The state board of cosmetology shall issue 1708  
a permit to operate a tanning facility to an applicant if all of 1709  
the following conditions are satisfied: 1710

(1) The applicant applies in accordance with the application 1711  
process adopted by rules adopted under section 4713.08 of the 1712  
Revised Code. 1713

(2) The applicant pays to the treasurer of state the fee 1714  
established by those rules. 1715

(3) An initial inspection of the premises indicates that the 1716  
tanning facility has been installed and will be operated in 1717  
accordance with those rules. 1718

(B) A permit holder shall post the permit in a public and 1719  
conspicuous place on any premises where the tanning facility is 1720  
located. A person shall obtain a separate permit for each of the 1721  
premises owned or operated by that person at which the person 1722  
seeks to operate a tanning facility. 1723

(C) ~~A To continue operating, a~~ permit holder ~~may~~ shall 1724  
biennially renew ~~a~~ the permit by the last day of January of each 1725  
odd-numbered year ~~upon~~. The board shall renew the permit upon the 1726  
holder's payment to the treasurer of state of the biennial renewal 1727  
fee. 1728

**Sec. 4713.55.** Every license issued by the state board of 1729  
cosmetology shall be signed by the chairperson and attested by the 1730  
executive director thereof, with the seal of the board attached. 1731

The board shall specify on each practicing license that the 1732

board issues the branch of cosmetology that the license entitles 1733  
the holder to practice. The board shall specify on each managing 1734  
license that the board issues the type of salon that the license 1735  
entitles the holder to manage and the branch of cosmetology that 1736  
the license entitles the holder to practice. The board shall 1737  
specify on each instructor license that the board issues the 1738  
branch of cosmetology that the license entitles the holder to 1739  
teach. The board shall specify on each salon license that the 1740  
board issues the branch of cosmetology that the license entitles 1741  
the holder to offer. The board shall specify on each independent 1742  
contractor license that the board issues the branch of cosmetology 1743  
that the license entitles the holder to offer within a licensed 1744  
salon. Such licenses are prima-facie evidence of the right of the 1745  
holder to practice or teach the branch of cosmetology, or manage 1746  
the type of salon, that the license specifies. 1747

**Sec. 4713.56.** Every holder of a practicing license, managing 1748  
license, instructor license, or independent contractor license 1749  
issued by the state board of cosmetology shall display the license 1750  
in a public and conspicuous place in the place of employment of 1751  
the holder. 1752

Every holder of a license to operate a salon issued by the 1753  
board shall display the license in a public and conspicuous place 1754  
in the salon. 1755

Every holder of a license to operate a school of cosmetology 1756  
issued by the board shall display the license in a public and 1757  
conspicuous place in the school. 1758

Every ~~person~~ individual who provides cosmetic therapy, 1759  
massage therapy, or other professional service in a salon under 1760  
section 4713.42 of the Revised Code shall display the ~~person's~~ 1761  
individual's professional license or certificate in a public and 1762  
conspicuous place in the room used for the therapy or other 1763

service. 1764

**Sec. 4713.58.** (A) Except as provided in division (B) of this 1765  
section, on payment of the renewal fee and submission of proof 1766  
satisfactory to the state board of cosmetology that any applicable 1767  
continuing education requirements have been completed, ~~a person~~ an 1768  
individual currently licensed as: 1769

(1) A braiding instructor who has previously been licensed as 1770  
a braider or a managing braider, is entitled to the reissuance of 1771  
a braider or managing braider license; 1772

(2) A cosmetology instructor who has previously been licensed 1773  
as a cosmetologist or a managing cosmetologist, is entitled to the 1774  
reissuance of a cosmetologist or managing cosmetologist license; 1775

~~(2)~~(3) An esthetics instructor who has previously been 1776  
licensed as an esthetician or a managing esthetician, is entitled 1777  
to the reissuance of an esthetician or managing esthetician 1778  
license; 1779

~~(3)~~(4) A hair design instructor who has previously been 1780  
licensed as a hair designer or a managing hair designer, is 1781  
entitled to the reissuance of a hair designer or managing hair 1782  
designer license; 1783

~~(4)~~(5) A manicurist instructor who has previously been 1784  
licensed as a manicurist or a managing manicurist, is entitled to 1785  
the reissuance of a manicurist or managing manicurist license; 1786

~~(5)~~(6) A natural hair style instructor who has previously 1787  
been licensed as a natural hair stylist or a managing natural hair 1788  
stylist, is entitled to the reissuance of a natural hair stylist 1789  
or managing natural hair stylist license; 1790

(7) A threading instructor who has previously been licensed 1791  
as a threader or a managing threader, is entitled to the 1792  
reissuance of a threader or managing threader license. 1793

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

**Sec. 4713.60.** (A) Except as provided in division (C) of this section, a ~~person~~ an individual 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 under section 4713.09 of the Revised Code.

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

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

(1) An emergency;

(2) An unusual or prolonged illness;

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

The board shall determine the period of time during which 1824  
each extension is effective and shall inform the applicant. The 1825  
board shall also inform the applicant of the continuing education 1826  
requirements that must be met to have the license renewed. If an 1827  
extension is granted for less than one year, the continuing 1828  
education requirement for that year, in addition to the required 1829  
continuing education for the succeeding year, must be completed in 1830  
the succeeding year. In all other cases the board may waive all or 1831  
part of the continuing education requirement on a case-by-case 1832  
basis. Any required continuing education shall be completed and 1833  
satisfactory proof of its completion submitted to the board by a 1834  
date specified by the board. Every license which has not been 1835  
renewed in any odd-numbered year by the last day of January and 1836  
for which the continuing education requirement has not been waived 1837  
or extended shall be considered ~~expired~~ no longer valid. 1838

**Sec. 4713.61.** (A) If the state board of cosmetology adopts a 1839  
continuing education requirement under section 4713.09 of the 1840  
Revised Code, it may develop a procedure by which ~~a person~~ an 1841  
individual who holds a license to practice a branch of 1842  
cosmetology, managing license, or instructor license and who is 1843  
not currently engaged in the practice of the branch of 1844  
cosmetology, managing a salon, or teaching the theory and practice 1845  
of the branch of cosmetology, but who desires to be so engaged in 1846  
the future, may apply to the board to have the ~~person's~~ 1847  
individual's license classified ~~inactive~~ in escrow. If the board 1848  
develops such a procedure, ~~a person~~ an individual seeking to have 1849  
the ~~person's~~ individual's license classified ~~inactive~~ in escrow 1850  
shall apply to the board on a form provided by the board and pay 1851  
the fee established by rules adopted under section 4713.08 of the 1852  
Revised Code. 1853

(B) The board shall not restore ~~an inactive~~ a license in 1854  
escrow until the later of the following: 1855

(1) The date that the ~~person~~ individual holding the license 1856  
submits proof satisfactory to the board that the ~~person~~ individual 1857  
has completed the continuing education that a rule adopted under 1858  
section 4713.08 of the Revised Code requires; 1859

(2) The last day of January of the next odd-numbered year 1860  
following the year the license is classified ~~inactive~~ in escrow. 1861

(C) ~~A person~~ An individual who holds ~~an inactive~~ a license in 1862  
escrow may engage in the practice of a branch of cosmetology if 1863  
the ~~person~~ individual holds a temporary work permit as specified 1864  
in rules adopted by the board under section 4713.08 of the Revised 1865  
Code. 1866

**Sec. 4713.62.** (A) ~~A person~~ An individual holding a practicing 1867  
license, managing license, or instructor license may satisfy a 1868  
continuing education requirement established by rules adopted 1869  
under section 4713.09 of the Revised Code only by completing 1870  
continuing education programs approved under division (B) of this 1871  
section or developed under division (C) of this section. 1872

(B) The state board of cosmetology shall approve a continuing 1873  
education program if all of the following conditions are 1874  
satisfied: 1875

(1) The person operating the program submits to the board a 1876  
written application for approval. 1877

(2) The person operating the program pays to the board a fee 1878  
established by rules adopted under section 4713.08 of the Revised 1879  
Code. 1880

(3) The program is operated by an employee, officer, or 1881  
director of a nonprofit professional association, college or 1882  
university, proprietary continuing education institutions 1883  
providing programs approved by the board, vocational school, 1884  
postsecondary proprietary school of cosmetology licensed by the 1885

board, salon licensed by the board, or manufacturer of supplies or equipment used in the practice of a branch of cosmetology. 1886  
1887

(4) The program will do at least one of the following: 1888

(a) Enhance the professional competency of the affected licensees; 1889  
1890

(b) Protect the public; 1891

(c) Educate the affected licensees in the application of the laws and rules regulating the practice of a branch of cosmetology. 1892  
1893

(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. 1894  
1895  
1896  
1897

**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 in escrow, or because the license holder has been given a waiver or extension under section 4713.60 of the Revised Code, is ~~expired no longer valid~~. ~~An expired~~ The license may be restored if the ~~person~~ individual who held the license meets all of the following applicable conditions: 1898  
1899  
1900  
1901  
1902  
1903  
1904  
1905

(A) Pays to the state board of cosmetology the restoration fee, ~~the current renewal fee, and any applicable late fees~~ specified in division (A)(11) of section 4713.10 of the Revised Code; 1906  
1907  
1908  
1909

(B) ~~Pays a lapsed renewal fee of forty five dollars per license renewal period that has elapsed since the license was last issued or renewed;~~ 1910  
1911  
1912

~~(C)~~ In the case of a practicing license or managing license that has not been ~~expired~~ valid for more than two consecutive license renewal periods, completes eight hours of continuing 1913  
1914  
1915



education for each license renewal period that has elapsed since 1916  
the license was last issued or renewed, up to a maximum of 1917  
twenty-four hours. At least four of those hours shall include a 1918  
course pertaining to sanitation and safety methods. 1919

~~The board shall deposit all fees it receives under division 1920  
(B) of this section into the general revenue fund. 1921~~

**Sec. 4713.64.** (A) The state board of cosmetology may take 1922  
disciplinary action for any of the following: 1923

(1) Failure to comply with the requirements of this chapter 1924  
or rules adopted under it; 1925

(2) Continued practice by ~~a person~~ an individual knowingly 1926  
having an infectious or contagious disease; 1927

(3) Habitual drunkenness or addiction to any habit-forming 1928  
drug; 1929

(4) Willful false and fraudulent or deceptive advertising; 1930

(5) Falsification of any record or application required to be 1931  
filed with the board; 1932

(6) Failure to cooperate with an investigation or an 1933  
inspection; 1934

(7) Failure to respond to a subpoena; 1935

(8) Failure to pay a fine or abide by a suspension order 1936  
issued by the board. 1937

(B) On determining that there is cause for disciplinary 1938  
action, the board may do one or more of the following: 1939

(1) Deny, revoke, or suspend a license or permit issued by 1940  
the board; 1941

(2) Impose a fine; 1942

(3) Require the holder of a license or permit to take 1943

corrective action courses. 1944

(C) The board shall take disciplinary action pursuant to an 1945  
adjudication under Chapter 119. of the Revised Code, except that, 1946  
in lieu of an adjudication, the board may enter into a consent 1947  
agreement with the holder of the license or permit. When ratified 1948  
by a majority vote of a quorum of the board members, a consent 1949  
agreement constitutes the findings and order of the board with 1950  
respect to the matter addressed in the agreement. If the board 1951  
refuses to ratify a consent agreement, the admissions and findings 1952  
contained in it are of no effect and the case shall be scheduled 1953  
for adjudication under Chapter 119. of the Revised Code. 1954

(D) The amount and content of corrective action courses and 1955  
other relevant criteria shall be established by the board in rules 1956  
adopted under section 4713.08 of the Revised Code. 1957

~~(D)~~(E)(1) The board may impose a separate fine for each 1958  
offense listed in division (A) of this section. The amount of a 1959  
fine shall be not more than five hundred dollars if the violator 1960  
has not previously been fined for that offense. The fine shall be 1961  
not more than one thousand dollars if the violator has been fined 1962  
for the same offense once before. The fine shall be not more than 1963  
one thousand five hundred dollars if the violator has been fined 1964  
for the same offense two or more times before. 1965

~~(E)~~(2) The board shall issue an order notifying a violator of 1966  
a fine imposed under division (E)(1) of this section. The notice 1967  
shall specify the date by which the fine is to be paid. The date 1968  
must be less than forty-five days after the order is issued. 1969

(3) At the request of a violator who is temporarily unable to 1970  
pay a fine, or on its own motion, the board may extend the date by 1971  
which the fine is to be paid to up to ninety days after the date 1972  
the order is issued. 1973

(4) If a violator fails to pay a fine not later than the date 1974

specified in the board's order and does not request an extension 1975  
not later than ten days after the date the order is issued or 1976  
fails to pay the fine not later than the extended date, the board 1977  
shall add to the fine an additional penalty equal to ten per cent 1978  
of the fine. 1979

(5) If a violator fails to pay a fine not later than ninety 1980  
days after the board issues an order, the board shall add to the 1981  
fine interest at a rate specified by the board in rules adopted 1982  
under section 4713.08 of the Revised Code. 1983

(6) If the fine, including any interest or additional 1984  
penalty, remains unpaid on the ninety-first day after the board 1985  
issues an order under division (E)(2) of this section, the amount 1986  
of the fine and any interest or additional penalty shall be 1987  
certified to the attorney general for collection in the form and 1988  
manner prescribed by the attorney general. The attorney general 1989  
may assess the collection cost to the amount certified in such a 1990  
manner and amount as prescribed by the attorney general. 1991

(F) If a person fails to request a hearing ~~within~~ or a 1992  
consent agreement not later than thirty days ~~of~~ after the date the 1993  
board, in accordance with section 119.07 of the Revised Code, 1994  
notifies the person of the board's intent to act against the 1995  
person under division (A) of this section, the board by a majority 1996  
vote of a quorum of the board members may take the action against 1997  
the person without holding an adjudication hearing. 1998

~~(F)~~(G) The board, after a hearing in accordance with Chapter 1999  
119. of the Revised Code or pursuant to a consent agreement, may 2000  
suspend a ~~tanning facility~~ license or permit if the ~~owner or~~ 2001  
~~operator~~ licensee or permit holder fails to correct an unsafe 2002  
condition that exists in violation of the board's rules or fails 2003  
to cooperate in an inspection ~~of the tanning facility.~~ If 2004

If a violation of this chapter or rules adopted under it has 2005

resulted in a condition reasonably believed by an inspector to 2006  
create an immediate danger to the health and safety of any person 2007  
using ~~the tanning~~ a facility, the inspector may suspend the 2008  
license or permit of the facility or the person responsible for 2009  
the violation without a prior hearing or an opportunity for a 2010  
consent agreement until the condition is corrected or until a 2011  
hearing in accordance with Chapter 119. of the Revised Code is 2012  
held or a consent agreement is entered into and the board either 2013  
upholds the suspension or reinstates the license or permit. 2014

(H) In addition to the methods of notification required under 2015  
section 119.07 of the Revised Code, the board may send the notices 2016  
required under divisions (C)(2), (E)(2), and (F) of this section 2017  
by any delivery method that is traceable and requires that the 2018  
delivery person obtain a signature to verify that the notice has 2019  
been delivered. The board also may send the notices by electronic 2020  
mail if the electronic mail delivery system certifies that a 2021  
notice has been received. 2022

**Sec. 4713.66.** The state board of cosmetology or the executive 2023  
director acting for the board may compel, by order or subpoena, 2024  
the attendance of witnesses to testify in relation to any matter 2025  
over which the board has jurisdiction that is the subject of 2026  
inquiry or investigation by the board and may require the 2027  
production of any book, paper, document, or testimony pertaining 2028  
to that matter. For this purpose, the board or director has the 2029  
same power as the judge of a court of common pleas to administer 2030  
oaths and to compel the attendance of witnesses and punish 2031  
witnesses for refusal to testify. 2032

Service of a subpoena may be made by sheriffs or constables, 2033  
or by certified mail, return receipt requested. A subpoena shall 2034  
be considered served on the date delivery is made or the date the 2035  
intended recipient refuses to accept delivery. 2036

Witnesses shall receive, after their appearance, the fees and mileage provided for in section 119.094 of the Revised Code. If two or more witnesses travel together in the same vehicle, the mileage fee shall be paid to only one of them, but the witnesses may agree to divide the fee among them in any manner. 2037  
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Should a person fail to obey an order or subpoena issued under this section, on application by the board or director setting forth the failure, the court of common pleas of any county may issue a subpoena or subpoena duces tecum ordering the person to appear and testify before the board and produce books, records, or papers, as required. On the filing of the order, the clerk of court, under the court's seal, shall issue process of subpoena for the person to appear before the board or the director at a time and place named in the subpoena, and each day thereafter until the examination of the person is completed. The subpoena may require that the person bring to the examination any books, records, or papers required by the order. The clerk shall also issue, under the seal of the court, such other orders, in reference to the examination, appearance, and production of books, records, or papers, as the court directs. If a person so summoned by subpoena fails to obey the subpoena, to give testimony, to answer questions as required, or to obey an order of the court, the court, on motion supported by proof, may order an attachment for contempt to be issued against the person. If the person is brought before the court by virtue of the attachment and upon a hearing the disobedience appears, the court may order the person to be committed and kept in close custody. 2042  
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**Sec. 4713.67.** (A) The state board of cosmetology, on its own motion or on receipt of a written complaint, may investigate or inspect the activities or premises of a person who is alleged to have violated this chapter or rules adopted under it, regardless of whether the person holds a license issued under this chapter. 2064  
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(B) If, based on its investigation, the board determines that there is reasonable cause to believe that a person has violated this chapter or rules adopted under it, the board shall afford the person an opportunity for a hearing. Notice shall be given and any hearing conducted in accordance with Chapter 119. of the Revised Code.

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

**Section 2.** That existing sections 4709.01, 4709.03, 4713.01, 4713.02, 4713.03, 4713.06, 4713.07, 4713.08, 4713.081, 4713.09, 4713.10, 4713.14, 4713.141, 4713.16, 4713.20, 4713.21, 4713.22, 4713.24, 4713.25, 4713.26, 4713.28, 4713.29, 4713.30, 4713.31, 4713.32, 4713.34, 4713.35, 4713.37, 4713.41, 4713.42, 4713.44, 4713.45, 4713.48, 4713.55, 4713.56, 4713.58, 4713.60, 4713.61, 4713.62, 4713.63, and 4713.64 and sections 4713.17 and 4713.39 of the Revised Code are hereby repealed.

**Section 3.** (A) As used in this section, "braider" and "threader" have the same meanings as in section 4713.01 of the Revised Code.

(B) Notwithstanding division (C)(1) of section 4713.14 of the Revised Code which, as a result of amendments made by this act, prohibits practicing braiding or threading without a current, valid license, a braider or threader may practice without a license until twelve months after the effective date of this act.

(C) Notwithstanding division (D)(1) of section 4713.14 of the Revised Code which, as a result of amendments made by this act, prohibits employing a person to practice braiding or threading who does not have a current, valid license, a person may employ an unlicensed braider or unlicensed threader until twelve months

after the effective date of this act. 2100

(D) Notwithstanding division (E) of section 4713.14 of the Revised Code which, as a result of amendments made by this act, prohibits managing a braiding or threading salon without a current, valid managing license, a braider or threader may manage a braiding or threading salon without a managing license until twelve months after the effective date of this act. 2101  
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(E) Notwithstanding division (F)(1) of section 4713.14 of the Revised Code which, as a result of amendments made by this act, prohibits teaching braiding or threading at a school of cosmetology without a current, valid instructor license, a braider or threader may teach at a school of cosmetology without an instructor license until twelve months after the effective date of this act. 2107  
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(F) Notwithstanding division (L)(1) of section 4713.14 of the Revised Code which, as a result of amendments made by this act, prohibits teaching braiding or threading at a salon without a current, valid practicing or managing license, a braider or threader may teach at a salon without a practicing or managing license until twelve months after the effective date of this act. 2114  
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