

As Introduced

**130th General Assembly
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H. B. No. 532

Representatives Roegner, Reece

**Cosponsors: Representatives Brenner, Lynch, Mallory, Blair, Thompson,
Hood, Heard**

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A B I L L

To amend sections 2925.01, 4713.01, 4713.02, 4713.03, 1
4713.06, 4713.07, 4713.08, 4713.081, 4713.082, 2
4713.09, 4713.10, 4713.13, 4713.14, 4713.141, 3
4713.16, 4713.17, 4713.20, 4713.21, 4713.22, 4
4713.24, 4713.25, 4713.26, 4713.28, 4713.30, 5
4713.31, 4713.34, 4713.35, 4713.36, 4713.37, 6
4713.39, 4713.41, 4713.42, 4713.44, 4713.45, 7
4713.48, 4713.55, 4713.56, 4713.57, 4713.58, 8
4713.59, 4713.60, 4713.61, 4713.62, 4713.63, 9
4713.64, 4713.641, and 4713.99 and to enact 10
sections 4713.071, 4713.66, and 4713.69 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 2925.01, 4713.01, 4713.02, 4713.03, 14
4713.06, 4713.07, 4713.08, 4713.081, 4713.082, 4713.09, 4713.10, 15
4713.13, 4713.14, 4713.141, 4713.16, 4713.17, 4713.20, 4713.21, 16
4713.22, 4713.24, 4713.25, 4713.26, 4713.28, 4713.30, 4713.31, 17
4713.34, 4713.35, 4713.36, 4713.37, 4713.39, 4713.41, 4713.42, 18
4713.44, 4713.45, 4713.48, 4713.55, 4713.56, 4713.57, 4713.58, 19

4713.59, 4713.60, 4713.61, 4713.62, 4713.63, 4713.64, 4713.641, 20
and 4713.99 be amended and sections 4713.071, 4713.66, and 4713.69 21
of the Revised Code be enacted to read as follows: 22

Sec. 2925.01. As used in this chapter: 23

(A) "Administer," "controlled substance," "controlled 24
substance analog," "dispense," "distribute," "hypodermic," 25
"manufacturer," "official written order," "person," "pharmacist," 26
"pharmacy," "sale," "schedule I," "schedule II," "schedule III," 27
"schedule IV," "schedule V," and "wholesaler" have the same 28
meanings as in section 3719.01 of the Revised Code. 29

(B) "Drug dependent person" and "drug of abuse" have the same 30
meanings as in section 3719.011 of the Revised Code. 31

(C) "Drug," "dangerous drug," "licensed health professional 32
authorized to prescribe drugs," and "prescription" have the same 33
meanings as in section 4729.01 of the Revised Code. 34

(D) "Bulk amount" of a controlled substance means any of the 35
following: 36

(1) For any compound, mixture, preparation, or substance 37
included in schedule I, schedule II, or schedule III, with the 38
exception of controlled substance analogs, marihuana, cocaine, 39
L.S.D., heroin, and hashish and except as provided in division 40
(D)(2) or (5) of this section, whichever of the following is 41
applicable: 42

(a) An amount equal to or exceeding ten grams or twenty-five 43
unit doses of a compound, mixture, preparation, or substance that 44
is or contains any amount of a schedule I opiate or opium 45
derivative; 46

(b) An amount equal to or exceeding ten grams of a compound, 47
mixture, preparation, or substance that is or contains any amount 48

of raw or gum opium; 49

(c) An amount equal to or exceeding thirty grams or ten unit 50
doses of a compound, mixture, preparation, or substance that is or 51
contains any amount of a schedule I hallucinogen other than 52
tetrahydrocannabinol or lysergic acid amide, or a schedule I 53
stimulant or depressant; 54

(d) An amount equal to or exceeding twenty grams or five 55
times the maximum daily dose in the usual dose range specified in 56
a standard pharmaceutical reference manual of a compound, mixture, 57
preparation, or substance that is or contains any amount of a 58
schedule II opiate or opium derivative; 59

(e) An amount equal to or exceeding five grams or ten unit 60
doses of a compound, mixture, preparation, or substance that is or 61
contains any amount of phencyclidine; 62

(f) An amount equal to or exceeding one hundred twenty grams 63
or thirty times the maximum daily dose in the usual dose range 64
specified in a standard pharmaceutical reference manual of a 65
compound, mixture, preparation, or substance that is or contains 66
any amount of a schedule II stimulant that is in a final dosage 67
form manufactured by a person authorized by the "Federal Food, 68
Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as 69
amended, and the federal drug abuse control laws, as defined in 70
section 3719.01 of the Revised Code, that is or contains any 71
amount of a schedule II depressant substance or a schedule II 72
hallucinogenic substance; 73

(g) An amount equal to or exceeding three grams of a 74
compound, mixture, preparation, or substance that is or contains 75
any amount of a schedule II stimulant, or any of its salts or 76
isomers, that is not in a final dosage form manufactured by a 77
person authorized by the Federal Food, Drug, and Cosmetic Act and 78
the federal drug abuse control laws. 79

(2) An amount equal to or exceeding one hundred twenty grams 80
or thirty times the maximum daily dose in the usual dose range 81
specified in a standard pharmaceutical reference manual of a 82
compound, mixture, preparation, or substance that is or contains 83
any amount of a schedule III or IV substance other than an 84
anabolic steroid or a schedule III opiate or opium derivative; 85

(3) An amount equal to or exceeding twenty grams or five 86
times the maximum daily dose in the usual dose range specified in 87
a standard pharmaceutical reference manual of a compound, mixture, 88
preparation, or substance that is or contains any amount of a 89
schedule III opiate or opium derivative; 90

(4) An amount equal to or exceeding two hundred fifty 91
milliliters or two hundred fifty grams of a compound, mixture, 92
preparation, or substance that is or contains any amount of a 93
schedule V substance; 94

(5) An amount equal to or exceeding two hundred solid dosage 95
units, sixteen grams, or sixteen milliliters of a compound, 96
mixture, preparation, or substance that is or contains any amount 97
of a schedule III anabolic steroid. 98

(E) "Unit dose" means an amount or unit of a compound, 99
mixture, or preparation containing a controlled substance that is 100
separately identifiable and in a form that indicates that it is 101
the amount or unit by which the controlled substance is separately 102
administered to or taken by an individual. 103

(F) "Cultivate" includes planting, watering, fertilizing, or 104
tilling. 105

(G) "Drug abuse offense" means any of the following: 106

(1) A violation of division (A) of section 2913.02 that 107
constitutes theft of drugs, or a violation of section 2925.02, 108
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 109
2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36, or 110

2925.37 of the Revised Code;	111
(2) A violation of an existing or former law of this or any other state or of the United States that is substantially equivalent to any section listed in division (G)(1) of this section;	112 113 114 115
(3) An offense under an existing or former law of this or any other state, or of the United States, of which planting, cultivating, harvesting, processing, making, manufacturing, producing, shipping, transporting, delivering, acquiring, possessing, storing, distributing, dispensing, selling, inducing another to use, administering to another, using, or otherwise dealing with a controlled substance is an element;	116 117 118 119 120 121 122
(4) A conspiracy to commit, attempt to commit, or complicity in committing or attempting to commit any offense under division (G)(1), (2), or (3) of this section.	123 124 125
(H) "Felony drug abuse offense" means any drug abuse offense that would constitute a felony under the laws of this state, any other state, or the United States.	126 127 128
(I) "Harmful intoxicant" does not include beer or intoxicating liquor but means any of the following:	129 130
(1) Any compound, mixture, preparation, or substance the gas, fumes, or vapor of which when inhaled can induce intoxication, excitement, giddiness, irrational behavior, depression, stupefaction, paralysis, unconsciousness, asphyxiation, or other harmful physiological effects, and includes, but is not limited to, any of the following:	131 132 133 134 135 136
(a) Any volatile organic solvent, plastic cement, model cement, fingernail polish remover, lacquer thinner, cleaning fluid, gasoline, or other preparation containing a volatile organic solvent;	137 138 139 140

(b) Any aerosol propellant;	141
(c) Any fluorocarbon refrigerant;	142
(d) Any anesthetic gas.	143
(2) Gamma Butyrolactone;	144
(3) 1,4 Butanediol.	145
(J) "Manufacture" means to plant, cultivate, harvest,	146
process, make, prepare, or otherwise engage in any part of the	147
production of a drug, by propagation, extraction, chemical	148
synthesis, or compounding, or any combination of the same, and	149
includes packaging, repackaging, labeling, and other activities	150
incident to production.	151
(K) "Possess" or "possession" means having control over a	152
thing or substance, but may not be inferred solely from mere	153
access to the thing or substance through ownership or occupation	154
of the premises upon which the thing or substance is found.	155
(L) "Sample drug" means a drug or pharmaceutical preparation	156
that would be hazardous to health or safety if used without the	157
supervision of a licensed health professional authorized to	158
prescribe drugs, or a drug of abuse, and that, at one time, had	159
been placed in a container plainly marked as a sample by a	160
manufacturer.	161
(M) "Standard pharmaceutical reference manual" means the	162
current edition, with cumulative changes if any, of references	163
that are approved by the state board of pharmacy.	164
(N) "Juvenile" means a person under eighteen years of age.	165
(O) "Counterfeit controlled substance" means any of the	166
following:	167
(1) Any drug that bears, or whose container or label bears, a	168
trademark, trade name, or other identifying mark used without	169
authorization of the owner of rights to that trademark, trade	170

name, or identifying mark;	171
(2) Any unmarked or unlabeled substance that is represented to be a controlled substance manufactured, processed, packed, or distributed by a person other than the person that manufactured, processed, packed, or distributed it;	172 173 174 175
(3) Any substance that is represented to be a controlled substance but is not a controlled substance or is a different controlled substance;	176 177 178
(4) Any substance other than a controlled substance that a reasonable person would believe to be a controlled substance because of its similarity in shape, size, and color, or its markings, labeling, packaging, distribution, or the price for which it is sold or offered for sale.	179 180 181 182 183
(P) An offense is "committed in the vicinity of a school" if the offender commits the offense on school premises, in a school building, or within one thousand feet of the boundaries of any school premises, regardless of whether the offender knows the offense is being committed on school premises, in a school building, or within one thousand feet of the boundaries of any school premises.	184 185 186 187 188 189 190
(Q) "School" means any school operated by a board of education, any community school established under Chapter 3314. of the Revised Code, or any nonpublic school for which the state board of education prescribes minimum standards under section 3301.07 of the Revised Code, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted at the time a criminal offense is committed.	191 192 193 194 195 196 197
(R) "School premises" means either of the following:	198
(1) The parcel of real property on which any school is situated, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted	199 200 201

on the premises at the time a criminal offense is committed; 202

(2) Any other parcel of real property that is owned or leased 203
by a board of education of a school, the governing authority of a 204
community school established under Chapter 3314. of the Revised 205
Code, or the governing body of a nonpublic school for which the 206
state board of education prescribes minimum standards under 207
section 3301.07 of the Revised Code and on which some of the 208
instruction, extracurricular activities, or training of the school 209
is conducted, whether or not any instruction, extracurricular 210
activities, or training provided by the school is being conducted 211
on the parcel of real property at the time a criminal offense is 212
committed. 213

(S) "School building" means any building in which any of the 214
instruction, extracurricular activities, or training provided by a 215
school is conducted, whether or not any instruction, 216
extracurricular activities, or training provided by the school is 217
being conducted in the school building at the time a criminal 218
offense is committed. 219

(T) "Disciplinary counsel" means the disciplinary counsel 220
appointed by the board of commissioners on grievances and 221
discipline of the supreme court under the Rules for the Government 222
of the Bar of Ohio. 223

(U) "Certified grievance committee" means a duly constituted 224
and organized committee of the Ohio state bar association or of 225
one or more local bar associations of the state of Ohio that 226
complies with the criteria set forth in Rule V, section 6 of the 227
Rules for the Government of the Bar of Ohio. 228

(V) "Professional license" means any license, permit, 229
certificate, registration, qualification, admission, temporary 230
license, temporary permit, temporary certificate, or temporary 231
registration that is described in divisions (W)(1) to (36) of this 232

section and that qualifies a person as a professionally licensed person.	233 234
(W) "Professionally licensed person" means any of the following:	235 236
(1) A person who has obtained a license as a manufacturer of controlled substances or a wholesaler of controlled substances under Chapter 3719. of the Revised Code;	237 238 239
(2) A person who has received a certificate or temporary certificate as a certified public accountant or who has registered as a public accountant under Chapter 4701. of the Revised Code and who holds an Ohio permit issued under that chapter;	240 241 242 243
(3) A person who holds a certificate of qualification to practice architecture issued or renewed and registered under Chapter 4703. of the Revised Code;	244 245 246
(4) A person who is registered as a landscape architect under Chapter 4703. of the Revised Code or who holds a permit as a landscape architect issued under that chapter;	247 248 249
(5) A person licensed under Chapter 4707. of the Revised Code;	250 251
(6) A person who has been issued a certificate of registration as a registered barber under Chapter 4709. of the Revised Code;	252 253 254
(7) A person licensed and regulated to engage in the business of a debt pooling company by a legislative authority, under authority of Chapter 4710. of the Revised Code;	255 256 257
(8) A person who has been issued a cosmetologist's license, hair designer's license, manicurist's license, esthetician's license, natural hair stylist's license, managing <u>advanced</u> cosmetologist's license, managing <u>advanced</u> hair designer's license, managing <u>advanced</u> manicurist's license, managing <u>advanced</u>	258 259 260 261 262

esthetician's license, managing <u>advanced</u> natural hair stylist's	263
license, cosmetology instructor's license, hair design	264
instructor's license, manicurist instructor's license, esthetics	265
instructor's license, natural hair style instructor's license,	266
independent contractor's license, or tanning facility permit under	267
Chapter 4713. of the Revised Code;	268
(9) A person who has been issued a license to practice	269
dentistry, a general anesthesia permit, a conscious intravenous	270
sedation permit, a limited resident's license, a limited teaching	271
license, a dental hygienist's license, or a dental hygienist's	272
teacher's certificate under Chapter 4715. of the Revised Code;	273
(10) A person who has been issued an embalmer's license, a	274
funeral director's license, a funeral home license, or a crematory	275
license, or who has been registered for an embalmer's or funeral	276
director's apprenticeship under Chapter 4717. of the Revised Code;	277
(11) A person who has been licensed as a registered nurse or	278
practical nurse, or who has been issued a certificate for the	279
practice of nurse-midwifery under Chapter 4723. of the Revised	280
Code;	281
(12) A person who has been licensed to practice optometry or	282
to engage in optical dispensing under Chapter 4725. of the Revised	283
Code;	284
(13) A person licensed to act as a pawnbroker under Chapter	285
4727. of the Revised Code;	286
(14) A person licensed to act as a precious metals dealer	287
under Chapter 4728. of the Revised Code;	288
(15) A person licensed as a pharmacist, a pharmacy intern, a	289
wholesale distributor of dangerous drugs, or a terminal	290
distributor of dangerous drugs under Chapter 4729. of the Revised	291
Code;	292

(16) A person who is authorized to practice as a physician assistant under Chapter 4730. of the Revised Code;	293 294
(17) A person who has been issued a certificate to practice medicine and surgery, osteopathic medicine and surgery, a limited branch of medicine, or podiatry under Chapter 4731. of the Revised Code;	295 296 297 298
(18) A person licensed as a psychologist or school psychologist under Chapter 4732. of the Revised Code;	299 300
(19) A person registered to practice the profession of engineering or surveying under Chapter 4733. of the Revised Code;	301 302
(20) A person who has been issued a license to practice chiropractic under Chapter 4734. of the Revised Code;	303 304
(21) A person licensed to act as a real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;	305 306
(22) A person registered as a registered sanitarian under Chapter 4736. of the Revised Code;	307 308
(23) A person licensed to operate or maintain a junkyard under Chapter 4737. of the Revised Code;	309 310
(24) A person who has been issued a motor vehicle salvage dealer's license under Chapter 4738. of the Revised Code;	311 312
(25) A person who has been licensed to act as a steam engineer under Chapter 4739. of the Revised Code;	313 314
(26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Chapter 4741. of the Revised Code;	315 316 317 318
(27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Chapter 4747. of the Revised Code;	319 320 321

(28) A person who has been issued a class A, class B, or class C license or who has been registered as an investigator or security guard employee under Chapter 4749. of the Revised Code;	322 323 324
(29) A person licensed and registered to practice as a nursing home administrator under Chapter 4751. of the Revised Code;	325 326 327
(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised Code;	328 329 330
(31) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;	331 332
(32) A person who is licensed as a professional clinical counselor or professional counselor, licensed as a social worker or independent social worker, or registered as a social work assistant under Chapter 4757. of the Revised Code;	333 334 335 336
(33) A person issued a license to practice dietetics under Chapter 4759. of the Revised Code;	337 338
(34) A person who has been issued a license or limited permit to practice respiratory therapy under Chapter 4761. of the Revised Code;	339 340 341
(35) A person who has been issued a real estate appraiser certificate under Chapter 4763. of the Revised Code;	342 343
(36) A person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and published rules.	344 345 346
(X) "Cocaine" means any of the following:	347
(1) A cocaine salt, isomer, or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine;	348 349
(2) Coca leaves or a salt, compound, derivative, or preparation of coca leaves, including ecgonine, a salt, isomer, or	350 351

derivative of ecgonine, or a salt of an isomer or derivative of 352
ecgonine; 353

(3) A salt, compound, derivative, or preparation of a 354
substance identified in division (X)(1) or (2) of this section 355
that is chemically equivalent to or identical with any of those 356
substances, except that the substances shall not include 357
decocainized coca leaves or extraction of coca leaves if the 358
extractions do not contain cocaine or ecgonine. 359

(Y) "L.S.D." means lysergic acid diethylamide. 360

(Z) "Hashish" means the resin or a preparation of the resin 361
contained in marihuana, whether in solid form or in a liquid 362
concentrate, liquid extract, or liquid distillate form. 363

(AA) "Marihuana" has the same meaning as in section 3719.01 364
of the Revised Code, except that it does not include hashish. 365

(BB) An offense is "committed in the vicinity of a juvenile" 366
if the offender commits the offense within one hundred feet of a 367
juvenile or within the view of a juvenile, regardless of whether 368
the offender knows the age of the juvenile, whether the offender 369
knows the offense is being committed within one hundred feet of or 370
within view of the juvenile, or whether the juvenile actually 371
views the commission of the offense. 372

(CC) "Presumption for a prison term" or "presumption that a 373
prison term shall be imposed" means a presumption, as described in 374
division (D) of section 2929.13 of the Revised Code, that a prison 375
term is a necessary sanction for a felony in order to comply with 376
the purposes and principles of sentencing under section 2929.11 of 377
the Revised Code. 378

(DD) "Major drug offender" has the same meaning as in section 379
2929.01 of the Revised Code. 380

(EE) "Minor drug possession offense" means either of the 381

following:	382
(1) A violation of section 2925.11 of the Revised Code as it existed prior to July 1, 1996;	383 384
(2) A violation of section 2925.11 of the Revised Code as it exists on and after July 1, 1996, that is a misdemeanor or a felony of the fifth degree.	385 386 387
(FF) "Mandatory prison term" has the same meaning as in section 2929.01 of the Revised Code.	388 389
(GG) "Adulterate" means to cause a drug to be adulterated as described in section 3715.63 of the Revised Code.	390 391
(HH) "Public premises" means any hotel, restaurant, tavern, store, arena, hall, or other place of public accommodation, business, amusement, or resort.	392 393 394
(II) "Methamphetamine" means methamphetamine, any salt, isomer, or salt of an isomer of methamphetamine, or any compound, mixture, preparation, or substance containing methamphetamine or any salt, isomer, or salt of an isomer of methamphetamine.	395 396 397 398
(JJ) "Lawful prescription" means a prescription that is issued for a legitimate medical purpose by a licensed health professional authorized to prescribe drugs, that is not altered or forged, and that was not obtained by means of deception or by the commission of any theft offense.	399 400 401 402 403
(KK) "Deception" and "theft offense" have the same meanings as in section 2913.01 of the Revised Code.	404 405
Sec. 4713.01. As used in this chapter:	406
"Apprentice instructor" means a person <u>an individual</u> holding a practicing license issued by the state board of cosmetology who is engaged in learning or acquiring knowledge of the occupation of an instructor of a branch of cosmetology at a school of	407 408 409 410

cosmetology. 411

"Beauty salon" means ~~any premises, building, or part of a~~ 412
~~building~~ salon in which ~~a person~~ an individual is authorized to 413
engage in all branches of cosmetology. "~~Beauty salon~~" ~~does not~~ 414
~~include a barber shop licensed under Chapter 4709. of the Revised~~ 415
~~Code in which a person engages in the practice of manicuring.~~ 416

"Biennial licensing period" means the two-year period 417
~~beginning on the first day of February of an odd numbered year and~~ 418
~~ending on the last day of January of the next odd numbered year~~ 419
during which a license issued pursuant to this chapter is valid. 420
The biennial licensing period may be more than two years during 421
the transition from renewal on the last day of January to renewal 422
on the licensee's birthdate. 423

"Boutique services" include braiding, threading, and eye lash 424
extension services, and any other beauty service considered to be 425
a "boutique service" by the board of cosmetology. 426

"Braiding" means intertwining the hair in a systematic motion 427
to create patterns in a three-dimensional form, inverting the hair 428
against the scalp along part of a straight or curved row of 429
intertwined hair, or twisting the hair in a systematic motion, and 430
includes extending the hair with natural or synthetic hair fibers. 431

"Branch of cosmetology" means the practice of cosmetology, 432
practice of esthetics, practice of hair design, practice of 433
manicuring, ~~or~~ practice of natural hair styling, or practice of 434
boutique services. 435

"Cosmetic therapy" has the same meaning as in section 4731.15 436
of the Revised Code. 437

"Cosmetologist" means ~~a person~~ an individual authorized to 438
engage in all branches of cosmetology in a licensed facility. 439

"Cosmetology" means the art or practice of embellishment, 440

cleaning, beautification, and styling of hair, wigs, postiches, 441
face, body, or nails and tanning of human skin. 442

"Cosmetology instructor" means ~~a person~~ an individual 443
authorized to teach the theory and practice of all branches of 444
cosmetology at a school of cosmetology. 445

"Esthetician" means ~~a person~~ an individual who engages in the 446
practice of esthetics but no other branch of cosmetology in a 447
licensed facility. 448

"Esthetics instructor" means ~~a person~~ an individual who 449
teaches the theory and practice of esthetics, but no other branch 450
of cosmetology, at a school of cosmetology. 451

"Esthetics salon" means any premises, building, or part of a 452
building in which ~~a person~~ an individual engages in the practice 453
of esthetics but no other branch of cosmetology. 454

"Eye lash extensions" include temporary and semi-permanent 455
enhancements designed to add length, thickness, and fullness to 456
natural eyelashes. 457

"Hair designer" means ~~a person~~ an individual who engages in 458
the practice of hair design but no other branch of cosmetology in 459
a licensed facility. 460

"Hair design instructor" means ~~a person~~ an individual who 461
teaches the theory and practice of hair design, but no other 462
branch of cosmetology, at a school of cosmetology. 463

"Hair design salon" means ~~any premises, building, or part of~~ 464
a ~~building~~ salon in which ~~a person~~ an individual engages in the 465
practice of hair design but no other branch of cosmetology. 466

"Independent contractor license" means ~~a license to practice~~ 467
an individual who is not an employee of a salon but practices a 468
branch of cosmetology at within a salon in ~~which the license~~ 469
~~holder rents booth space~~ a licensed facility subject to an 470

<u>agreement with the salon or the salon's owner.</u>	471
"Instructor license" means a license to teach the theory and practice of a branch of cosmetology at a school of cosmetology.	472 473
<u>"Licensed facility" means any premises, building, or part of a building licensed under section 4713.41 of the Revised Code in which cosmetology services are authorized by the state board of cosmetology to be performed.</u>	474 475 476 477
" Managing Advanced cosmetologist" means a person <u>an individual</u> authorized to manage work in a beauty salon and engage in all branches of cosmetology.	478 479 480
" Managing Advanced esthetician" means a person <u>an individual</u> authorized to manage work in an esthetics salon, but no other type of salon, and engage in the practice of esthetics, but no other branch of cosmetology.	481 482 483 484
" Managing Advanced hair designer" means a person <u>an individual</u> authorized to manage work in a hair design salon, but no other type of salon, and engage in the practice of hair design, but no other branch of cosmetology.	485 486 487 488
" Managing Advanced license" means a license to manage work in a salon and practice the branch of cosmetology practiced at the salon.	489 490 491
" Managing Advanced manicurist" means a person <u>an individual</u> authorized to manage work in a nail salon, but no other type of salon, and engage in the practice of manicuring, but no other branch of cosmetology.	492 493 494 495
" Managing Advanced natural hair stylist" means a person <u>an individual</u> authorized to manage work in 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.	496 497 498 499
"Manicurist" means a person <u>an individual</u> who engages in the	500

practice of manicuring but no other branch of cosmetology in a 501
licensed facility. 502

"Manicurist instructor" means ~~a person~~ an individual who 503
teaches the theory and practice of manicuring, but no other branch 504
of cosmetology, at a school of cosmetology. 505

"Nail salon" means ~~any premises, building, or part of a~~ 506
~~building~~ salon in which ~~a person~~ an individual engages in the 507
practice of manicuring but no other branch of cosmetology. ~~"Nail~~ 508
~~salon" does not include a barber shop licensed under Chapter 4709.~~ 509
~~of the Revised Code in which a person engages in the practice of~~ 510
~~manicuring.~~ 511

"Natural hair stylist" means ~~a person~~ an individual who 512
engages in the practice of natural hair styling but no other 513
branch of cosmetology in a licensed facility. 514

"Natural hair style instructor" means ~~a person~~ an individual 515
who teaches the theory and practice of natural hair styling, but 516
no other branch of cosmetology, at a school of cosmetology. 517

"Natural hair style salon" means ~~any premises, building, or~~ 518
~~part of a building~~ salon in which ~~a person~~ an individual engages 519
in the practice of natural hair styling but no other branch of 520
cosmetology. 521

"Practice of braiding" means utilizing the technique of 522
intertwining hair in an systematic motion to create patterns in a 523
three dimensional form, including patterns that are inverted, 524
upright, or singled against the scalp that follow along straight 525
or curved partings. It may include twisting or locking the hair 526
while adding bulk or length with human hair, synthetic hair, or 527
both and using simple devices such as clips, combs, and hairpins. 528

"Practice of braiding" does not include application of 529
weaving, bonding, and fusion of individual strands or wefts; 530
application of dyes, reactive chemicals, or other preparations to 531

alter the color or straighten, curl, or alter the structure of 532
hair; embellishing or beautifying hair by cutting or singeing, 533
except as needed to finish the ends of synthetic fibers used to 534
add bulk to or lengthen hair. 535

"Practice of cosmetology" means the practice of all branches 536
of cosmetology. 537

"Practice of esthetics" means the application of cosmetics, 538
tonics, antiseptics, creams, lotions, or other preparations for 539
the purpose of skin beautification and includes preparation of the 540
skin by manual massage techniques or by use of electrical, 541
mechanical, or other apparatus; enhancement of the skin by skin 542
care, facials, body treatments, hair removal, and other 543
treatments; the application of permanent cosmetics to the eyes, 544
eyebrows, and lips; and the application of eyelash extensions. 545

"Practice of hair design" means embellishing or beautifying 546
hair, wigs, or hairpieces by arranging, dressing, pressing, 547
curling, waving, permanent waving, cleansing, cutting, singeing, 548
bleaching, coloring, braiding, weaving, or similar work. "Practice 549
of hair design" includes utilizing techniques performed by hand 550
that result in tension on hair roots such as twisting, wrapping, 551
weaving, extending, locking, or braiding of the hair. 552

"Practice of manicuring" means ~~manicuring~~ cleaning, trimming, 553
shaping the free edge of, or applying polish to the nails of any 554
~~person, individual;~~ applying artificial or sculptured nails to any 555
~~person, individual;~~ massaging the hands and lower arms up to the 556
elbow of any ~~person, individual;~~ massaging the feet and lower legs 557
up to the knee of any ~~person, individual;~~ using lotions or 558
softeners on the hands and feet of any individual; or any 559
combination of these four types of services. 560

"Practice of natural hair styling" means utilizing techniques 561
performed by hand that result in tension on hair roots such as 562

twisting, wrapping, weaving, extending, locking, or braiding of 563
the hair. "Practice of natural hair styling" does not include the 564
application of dyes, reactive chemicals, or other preparations to 565
alter the color or to straighten, curl, or alter the structure of 566
the hair. "Practice of natural hair styling" also does not include 567
embellishing or beautifying hair by cutting or singeing, except as 568
needed to finish off the end of a braid, or by dressing, pressing, 569
curling, waving, permanent waving, or similar work. 570

"Practicing license" means a license to practice a branch of 571
cosmetology in a licensed facility. 572

"Salon" means a ~~beauty salon, esthetics salon, hair design~~ 573
~~salon, nail salon, or natural hair style salon~~ licensed facility 574
on any premises, building, or part of a building in which an 575
individual engages in the practice of one or more branches of 576
cosmetology. "Salon" does not include a barber shop licensed under 577
Chapter 4709. of the Revised Code. "Salon" does not mean a tanning 578
facility, although a tanning facility may be located in a salon. 579

"School of cosmetology" means any premises, building, or part 580
of a building in which students are instructed in the theories and 581
practices of one or more branches of cosmetology. 582

"Student" means ~~a person~~ an individual, other than an 583
apprentice instructor, who is engaged in learning or acquiring 584
knowledge of the practice of a branch of cosmetology at a school 585
of cosmetology. 586

"Tanning facility" means ~~a room or booth that houses~~ 587
~~equipment~~ any premises, building, or part of a building that 588
contains one or more rooms or booths with any of the following: 589

(A) Equipment or beds used for tanning human skin by the use 590
of fluorescent sun lamps using ultraviolet or other artificial 591
radiation; 592

(B) Equipment or beds that use chemicals applied to human 593

skin, including chemical applications commonly referred to as 594
spray-on, mist-on, or sunless tans; 595

(C) Equipment or beds that use visible light for cosmetic 596
purposes. 597

"Threading" includes a service that results in the removal of 598
hair from its follicle from around the eyebrows and from other 599
parts of the face with the use of a single strand of thread and an 600
over-the-counter astringent, if the service does not use chemicals 601
of any kind, wax, or any implements, instruments, or tools to 602
remove hair. 603

Sec. 4713.02. (A) There is hereby created the state board of 604
cosmetology, consisting of all of the following members appointed 605
by the governor, with the advice and consent of the senate: 606

(1) One ~~person~~ individual holding a current, valid 607
cosmetologist, ~~managing cosmetologist~~, or cosmetology instructor 608
license at the time of appointment; 609

(2) Two ~~persons~~ individuals holding current, valid ~~managing~~ 610
cosmetologist licenses and actively engaged in managing beauty 611
salons for a period of not less than five years at the time of 612
appointment; 613

(3) One ~~person~~ individual who holds a current, valid 614
independent contractor license at the time of appointment ~~or the~~ 615
~~owner or manager of a licensed salon in which at least one person~~ 616
~~holding a current, valid independent contractor license and~~ 617
practices a branch of cosmetology; 618

(4) One ~~person~~ individual who represents individuals who 619
teach the theory and practice of a branch of cosmetology at a 620
vocational or career-technical school; 621

(5) One owner of a licensed school of cosmetology; 622

(6) One owner of at least five licensed salons; 623

(7) One ~~person~~ individual who is either a certified nurse 624
practitioner or clinical nurse specialist holding a certificate of 625
authority issued under Chapter 4723. of the Revised Code, or a 626
physician authorized under Chapter 4731. of the Revised Code to 627
practice medicine and surgery or osteopathic medicine and surgery; 628

(8) One ~~person~~ individual representing the general public; 629

(9) One individual who holds a current, valid, tanning 630
license and who has owned or managed a tanning facility for at 631
least five years immediately preceding the individual's 632
appointment. 633

(B) The superintendent of public instruction shall nominate 634
three ~~persons~~ individuals for the governor to choose from when 635
making an appointment under division (A)(4) of this section. 636

(C) All members shall be at least twenty-five years of age, 637
residents of the state, and citizens of the United States. No more 638
than two members, at any time, shall be graduates of the same 639
school of cosmetology. Not more than one member shall be 640
financially interested in, or have any financial connection with, 641
any school of cosmetology. 642

~~Except for the initial members appointed under divisions 643
(A)(3) and (4) of this section, terms Terms of office are for five 644
years. The term of the initial member appointed under division 645
(A)(3) of this section shall be three years. The term of the 646
initial member appointed under division (A)(4) of this section 647
shall be four years. Terms shall commence on the first day of 648
November and end on the thirty-first day of October. Each member 649
shall hold office from the date of appointment until the end of 650
the term for which appointed. In case of a vacancy occurring on 651
the board, the governor shall, in the same manner prescribed for 652
the regular appointment to the board, fill the vacancy by 653
appointing a member. Any member appointed to fill a vacancy 654~~

occurring prior to the expiration of the term for which the 655
member's predecessor was appointed shall hold office for the 656
remainder of such term. Any member shall continue in office 657
subsequent to the expiration date of the member's term until the 658
member's successor takes office, or until a period of sixty days 659
has elapsed, whichever occurs first. Before entering upon the 660
discharge of the duties of the office of member, each member shall 661
take, and file with the secretary of state, the oath of office 662
required by Section 7 of Article XV, Ohio Constitution. 663

The members of the board shall receive an amount fixed 664
pursuant to Chapter 124. of the Revised Code per diem for every 665
meeting of the board which they attend, together with their 666
necessary expenses, and mileage for each mile necessarily 667
traveled. 668

The members of the board shall annually elect, from among 669
their number, a chairperson and a vice-chairperson. The executive 670
director appointed pursuant to section 4713.06 of the Revised Code 671
shall serve as the board's secretary. 672

(D) The board shall prescribe the duties of its officers and 673
establish an office within Franklin ~~County~~ county. The board shall 674
keep all records and files at the office and have the records and 675
files at all reasonable hours open to public inspection in 676
accordance with section 149.43 of the Revised Code and any rules 677
adopted by the board in compliance with this state's record 678
retention policy. The board also shall adopt a seal. 679

Sec. 4713.03. The state board of cosmetology shall hold a 680
~~meeting~~ meetings to transact its business at least four times a 681
year. The board may hold additional meetings as, in its judgment, 682
are necessary. The board shall meet at the times and places it 683
selects. 684

Sec. 4713.06. The state board of cosmetology shall annually 685
appoint an executive director. The executive director may not be a 686
member of the board, but subsequent to appointment, shall serve as 687
secretary of the board. The executive director, before entering 688
upon the discharge of the executive director's duties, shall file 689
with the secretary of state a good and sufficient bond payable to 690
the state, to ensure the faithful performance of duties of the 691
office of executive director. The bond shall be in an amount the 692
board requires. The premium of the bond shall be paid from 693
appropriations made to the board for operating purposes. 694

The board may employ inspectors, examiners, consultants on 695
contents of examinations, ~~and~~ clerks, or other individuals as 696
necessary for the administration of this chapter. All inspectors 697
and examiners shall be licensed cosmetologists. 698

The board may appoint inspectors ~~of~~ to inspect and 699
investigate all facilities regulated by this chapter, including 700
tanning facilities as needed to make periodic inspections as the 701
board specifies, to ensure compliance with this chapter, the rules 702
adopted pursuant to it, and the board's policies, in accordance 703
with division (A)(11) of section 4713.07 of the Revised Code. 704

Sec. 4713.07. (A) The state board of cosmetology shall do all 705
of the following: 706

~~(A)~~(1) Regulate the practice of cosmetology and all of its 707
branches in this state; 708

(2) Investigate or inspect, when evidence appears to 709
demonstrate that an individual has violated any provision of this 710
chapter or any rule adopted pursuant to it, the activities or 711
premises of a license holder or unlicensed individual; 712

(3) Adopt rules in accordance with section 4713.08 of the 713
Revised Code; 714

(4) Prescribe and make available application forms to be used 715
by ~~persons~~ individuals seeking admission to an examination 716
conducted under section 4713.24 of the Revised Code or a license 717
or registration issued under this chapter; 718

~~(B)~~(5) Prescribe and make available application forms to be 719
used by ~~persons~~ individuals seeking renewal of a license or 720
registration issued under this chapter; 721

~~(C)~~(6) Provide a toll-free number and an online service to 722
receive complaints alleging violations of this chapter; 723

(7) Report to the proper prosecuting officer ~~all~~ violations 724
of section 4713.14 of the Revised Code of which the board is 725
aware; 726

~~(D)~~(8) Submit a written report annually to the governor that 727
provides all of the following: 728

~~(1)~~(a) A discussion of the conditions in this state of the 729
branches of cosmetology; 730

~~(2)~~(b) A brief summary of the board's proceedings during the 731
year the report covers; 732

~~(3)~~(c) A statement of all money that the board received and 733
expended during the year the report covers. 734

~~(E)~~(9) Keep a record of all of the following: 735

~~(1)~~(a) The board's proceedings; 736

~~(2)~~(b) The name and last known physical address, electronic 737
mail address, and telephone number of each ~~person~~ individual 738
issued a license or registration under ~~section 4713.28, 4713.30,~~ 739
~~4713.31, 4713.34, or 4713.39~~ of the Revised Code this chapter; 740

~~(3)~~ ~~The name and address of each salon issued a license under~~ 741
~~section 4713.41 of the Revised Code and each school of cosmetology~~ 742
~~issued a license under section 4713.44 of the Revised Code;~~ 743

~~(4) The name and address of each tanning facility issued a permit under section 4713.48 of the Revised Code;~~ 744
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~~(5)(c) The date and number of each license and, permit, and registration that the board issues;~~ 746
747

~~(F)(10) Assist ex-offenders and military veterans who hold licenses issued by the board to find employment within salons or other facilities within this state;~~ 748
749
750

~~(G)(11) Cause inspectors appointed pursuant to section 4713.06 of the Revised Code to conduct inspections of licensed facilities, including salons, schools of cosmetology, and tanning facilities, within ninety days of the opening for business of a licensed facility, upon complaints reported to the board, within ninety days after a violation was documented at a facility, and at least once every two years. Any individual, after providing the individual's name and contact information, may report to the board any information the individual may have that appears to show a violation of any provision of this chapter or rule adopted under it. In the absence of bad faith, any individual who reports information of that nature or who testifies before the board in any adjudication conducted under Chapter 119. of the Revised Code shall not be liable for damages in a civil action as a result of the report or testimony. For the purpose of inspections, an independent contractor shall be added to the board's records as an individual salon.~~ 751
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~~(12) Supply a copy of the poster created pursuant to division (B) of section 5502.63 of the Revised Code to each person authorized to operate a salon, school of cosmetology, tanning facility, or other type of facility under this chapter;~~ 768
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~~(13) All other duties that this chapter imposes on the board.~~ 772

~~(B) The board may delegate any of the duties listed in division (A) of this section to the executive director of the~~ 773
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board or to an individual designated by the executive director. 775

Sec. 4713.071. (A) Beginning one year after the effective 776
date of this section, the state board of cosmetology shall 777
annually submit a written report to the governor, president of the 778
senate, and speaker of the house of representatives. The report 779
shall list all of the following for the preceding twelve-month 780
period: 781

(1) The number of students enrolled in courses at licensed 782
public and private schools of cosmetology; 783

(2) The number of students graduating from licensed public 784
and private schools of cosmetology; 785

(3) The annual cost for students to attend each licensed 786
public or private school of cosmetology; 787

(4) The loan default rates for licensed public and private 788
schools of cosmetology; 789

(5) The first-time licensure passage rate for graduates of 790
all public and private schools; 791

(6) The total number of new and renewal licenses in each 792
profession; 793

(7) The total number of complaint-driven inspections 794
conducted by the board; 795

(8) The total number and type of violations, including a list 796
of the top ten violations, which shall aid in the identification 797
of focus areas for continuing education purposes; 798

(9) The top twenty salons and individuals cited for 799
unlicensed workers; 800

(10) The number of adjudications or other disciplinary action 801
taken by the board. 802

(B) The board shall include in the final report under 803

division (A) of this section any recommendations it has for 804
changes to this chapter. 805

Sec. 4713.08. (A) The state board of cosmetology shall adopt 806
rules in accordance with Chapter 119. of the Revised Code as 807
necessary to implement this chapter. The rules shall do all of the 808
following: 809

(1) Govern the practice of the branches of cosmetology ~~and~~ 810
~~management of salons;~~ 811

(2) Specify conditions ~~a person~~ an individual must satisfy to 812
qualify for a temporary pre-examination work permit under section 813
4713.22 of the Revised Code and the conditions and method of 814
renewing a temporary pre-examination work permit under that 815
section; 816

(3) Provide for the conduct of examinations under section 817
4713.24 of the Revised Code; 818

(4) Specify conditions under which the board will take into 819
account, under section 4713.32 of the Revised Code, instruction an 820
applicant for a license under section 4713.28, 4713.30, or 4713.31 821
of the Revised Code received more than five years before the date 822
of application for the license; 823

(5) Provide for the granting of waivers under section 4713.29 824
of the Revised Code; 825

(6) Specify conditions an applicant must satisfy for the 826
board to issue the applicant a license under section 4713.34 of 827
the Revised Code without the applicant taking an examination 828
conducted under section 4713.24 of the Revised Code; 829

(7) Specify locations in which glamour photography services 830
in which a branch of cosmetology is practiced may be provided; 831

(8) Establish conditions and the fee for a temporary special 832
occasion work permit under section 4713.37 of the Revised Code and 833

specify the amount of time such a permit is valid;	834
(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;	835 836 837 838
(10) Establish conditions under which food may be sold at a salon;	839 840
(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;	841 842 843
(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;	844 845 846
(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;	847 848 849
(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;	850 851 852
(15) Establish sanitary standards for the practice of the branches of cosmetology, salons, and schools of cosmetology;	853 854
(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;	855 856 857
(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:	858 859 860
(a) Establish a maximum safe time of exposure to radiation and a maximum safe temperature at which sun lamps may be operated;	861 862
(b) Require consumers to wear protective eyeglasses and be	863

supervised as to the length of time consumers use the facility; 864

(c) Require the operator to prohibit consumers from standing 865
too close to sun lamps and to post signs warning consumers of the 866
potential effects of radiation on ~~persons~~ individuals taking 867
certain medications and of the possible relationship of the 868
radiation to skin cancer; 869

(d) Require the installation of protective shielding for sun 870
lamps and handrails for consumers; 871

(e) Require floors to be dry during operation of lamps; 872

(f) Require a consumer who is under the age of eighteen to 873
obtain written consent from the consumer's parent or legal 874
guardian prior to receiving tanning services. 875

(18)(a) If the board, under section 4713.61 of the Revised 876
Code, develops a procedure for classifying licenses ~~inactive in~~ 877
escrow, do both of the following: 878

(i) Establish a fee for having a license classified ~~inactive~~ 879
in escrow that reflects the cost to the board of providing the 880
~~inactive escrow~~ license service; 881

(ii) Specify the continuing education that ~~a person an~~ 882
individual whose license has been classified ~~inactive in escrow~~ 883
must complete to have the license restored. The continuing 884
education shall be sufficient to ensure the minimum competency in 885
the use or administration of a new procedure or product required 886
by a licensee necessary to protect public health and safety. The 887
requirement shall not exceed the cumulative number of hours of 888
continuing education that the ~~person~~ individual would have been 889
required to complete had the ~~person~~ individual retained an active 890
license. 891

(b) In addition, the board may specify the conditions and 892
method for granting a temporary work permit to practice a branch 893

of cosmetology to a ~~person~~ an individual whose license has been 894
classified ~~inactive~~ in escrow. 895

(19) Establish a fee for approval of a continuing education 896
program under section 4713.62 of the Revised Code that is adequate 897
to cover any expense the board incurs in the approval process; 898

(20) Anything else necessary to implement this chapter. 899

(B)(1) The rules adopted under division (A)(2) of this 900
section may establish additional conditions for a temporary 901
pre-examination work permit under section 4713.22 of the Revised 902
Code that are applicable to ~~persons~~ individuals who practice a 903
branch of cosmetology in another state or country. 904

(2) The rules adopted under division (A)(18)(b) of this 905
section may establish additional conditions for a temporary work 906
permit that are applicable to ~~persons~~ individuals who practice a 907
branch of cosmetology in another state. 908

(C) The conditions specified in rules adopted under division 909
(A)(6) of this section may include that an applicant is applying 910
for a license to practice a branch of cosmetology for which the 911
board determines an examination is unnecessary. 912

(D) The rules adopted under division (A)(11) of this section 913
shall not include a profession if practice of the profession in a 914
salon is a violation of a statute or rule governing the 915
profession. 916

(E) The sanitary standards established under division (A)(15) 917
of this section shall focus in particular on precautions to be 918
employed to prevent infectious or contagious diseases being 919
created or spread. The board shall consult with the Ohio 920
department of health when establishing the sanitary standards. 921

(F) The fee established by rules adopted under division 922
(A)(16) of this section shall cover the cost the board incurs in 923

inspecting tanning facilities and enforcing the board's rules but 924
may not exceed one hundred dollars per location of such 925
facilities. 926

Sec. 4713.081. The state board of cosmetology shall furnish a 927
copy of the sanitary standards established by rules adopted under 928
section 4713.08 of the Revised Code to each ~~person~~ individual to 929
whom the board issues a practicing license, ~~managing advanced~~ 930
license, ~~or~~ license to operate a salon or school of cosmetology, 931
or boutique services registration. The board also shall furnish a 932
copy of the sanitary standards to each ~~person~~ individual providing 933
cosmetic therapy, massage therapy, or other professional service 934
in a salon under section 4713.42 of the Revised Code. A salon or 935
school of cosmetology provided a copy of the sanitary standards 936
shall post the standards in a public and conspicuous place in the 937
salon or school. 938

Sec. 4713.082. The state board of cosmetology shall furnish a 939
copy of the standards established by rules adopted under section 940
4713.08 of the Revised Code for installing and operating a tanning 941
facility to each ~~person~~ individual to whom the board issues a 942
permit to operate a tanning facility. ~~A person~~ An individual 943
provided a copy of the standards shall post the standards in a 944
public and conspicuous place in the tanning facility. 945

Sec. 4713.09. The state board of cosmetology may adopt rules 946
in accordance with ~~Chapter 119.~~ section 4713.08 of the Revised 947
Code to establish a continuing education requirement, not to 948
exceed eight hours in a biennial licensing period, as a condition 949
of renewal for a practicing license, ~~managing advanced~~ license, ~~or~~ 950
instructor license, or boutique services registration. These hours 951
shall include training in identifying and addressing the crime of 952
trafficking in persons as described in section 2905.32 of the 953

Revised Code. At least two of the eight hours of the continuing education requirement must be achieved in courses concerning safety and sanitation, and at least one hour of the eight hours of the continuing education requirement must be achieved in courses concerning law and rule updates.

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

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

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

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

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

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

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

~~(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

<u>section 4713.41 of the Revised Code, sixty dollars;</u>	983
(J) <u>(10) For the renewal of a salon license under section</u>	984
<u>4713.41 of the Revised Code, fifty dollars;</u>	985
(K) <u>(11) For the restoration of an expired a license that may</u>	986
be restored pursuant to <u>under section 4713.63 of the Revised Code,</u>	987
and in addition to the payments for all <u>an amount equal to the sum</u>	988
<u>of the following: the current renewal fee; any applicable late</u>	989
<u>fees; and, if one or more renewal periods have elapsed since the</u>	990
<u>license was valid, the lapsed renewal fees, thirty dollars for not</u>	991
<u>more than three of those renewal periods;</u>	992
(L) <u>(12) For the issuance of a duplicate of any license,</u>	993
<u>fifteen dollars;</u>	994
(M) <u>(13) For the preparation and mailing of a licensee's</u>	995
<u>records to another state for a reciprocity license, fifty dollars;</u>	996
(N) <u>(14) For the processing of any fees related to a check</u>	997
<u>from a licensee returned to the board for insufficient funds, an</u>	998
<u>additional twenty dollars.</u>	999
<u>(B) The board may establish an installment plan for the</u>	1000
<u>payment of fines and fees and may reduce fees as considered</u>	1001
<u>appropriate by the board.</u>	1002
<u>(C) At the request of a person who is temporarily unable to</u>	1003
<u>pay a fee imposed under division (A) of this section, or on its</u>	1004
<u>own motion, the board may extend the date payment is due by up to</u>	1005
<u>ninety days. If the fee remains unpaid after the date payment is</u>	1006
<u>due, the amount of the fee shall be certified to the attorney</u>	1007
<u>general for collection in the form and manner prescribed by the</u>	1008
<u>attorney general. The attorney general may assess the collection</u>	1009
<u>cost to the amount certified in such a manner and amount as</u>	1010
<u>prescribed by the attorney general.</u>	1011
Sec. 4713.13. Whenever in the judgment of the state board of	1012

cosmetology any ~~person~~ individual has engaged in or is about to 1013
engage in any acts or practices that constitute a violation of 1014
this chapter, or any rule adopted under this chapter, the board 1015
may apply to the appropriate court for an order enjoining the acts 1016
or practices, and upon a showing by the board that the ~~person~~ 1017
individual has engaged in the acts or practices, the court shall 1018
grant an injunction, restraining order, or other order as may be 1019
appropriate. 1020

Sec. 4713.14. No ~~person~~ individual shall do any of the 1021
following: 1022

(A) Use fraud or deceit in making application for a license 1023
~~or~~, permit, or registration; 1024

(B) Aid or abet any ~~person~~ individual or entity in any of the 1025
following: 1026

(1) Violating this chapter or a rule adopted under it; 1027

(2) Obtaining a license ~~or~~, permit, or registration 1028
fraudulently; 1029

(3) Falsely pretending to hold a current, valid license or 1030
permit. 1031

(C) Practice a branch of cosmetology, for pay, free, or 1032
otherwise, without one of the following authorizing the practice 1033
of that branch of cosmetology: 1034

(1) A current, valid license under section 4713.28, 4713.30, 1035
or 4713.34 of the Revised Code; 1036

(2) A current, valid temporary pre-examination work permit 1037
issued under section 4713.22 of the Revised Code; 1038

(3) A current, valid temporary special occasion work permit 1039
issued under section 4713.37 of the Revised Code; 1040

(4) A current, valid temporary work permit issued under rules 1041

adopted by the board pursuant to section 4713.08 of the Revised Code; 1042
1043

(5) A current, valid registration under section 4713.69 of the Revised Code. 1044
1045

(D) Employ ~~a person~~ an individual to practice a branch of cosmetology if the ~~person~~ individual does not hold one of the following authorizing the practice of that branch of cosmetology: 1046
1047
1048

(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code; 1049
1050

(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code; 1051
1052

(3) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code; 1053
1054

(4) A current, valid temporary work permit issued under rules adopted by the board pursuant to section 4713.08 of the Revised Code; 1055
1056
1057

(5) A current, valid registration under section 4713.69 of the Revised Code. 1058
1059

~~(E) Manage a salon without a current, valid license under section 4713.30 or 4713.34 of the Revised Code to manage that type of salon;~~ 1060
1061
1062

~~(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: 1063
1064
1065
1066
1067

(1) A current, valid license under section 4713.31 or 4713.34 of the Revised Code; 1068
1069

(2) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code. 1070
1071

~~(G)~~(F) Advertise or operate a glamour photography service in 1072
which a branch of cosmetology is practiced unless the ~~person~~ 1073
individual practicing the branch of cosmetology holds either of 1074
the following authorizing the practice of that branch of 1075
cosmetology: 1076

(1) A current, valid license under section 4713.28, 4713.30, 1077
or 4713.34 of the Revised Code; 1078

(2) A current, valid temporary special occasion work permit 1079
issued under section 4713.37 of the Revised Code. 1080

~~(H)~~(G) Advertise or operate a glamour photography service in 1081
which a branch of cosmetology is practiced at a location not 1082
specified by rules adopted under section 4713.08 of the Revised 1083
Code; 1084

~~(I)~~(H) Practice a branch of cosmetology at a salon ~~in which~~ 1085
~~the person rents booth space~~ as an independent contractor without 1086
a current, valid independent contractor license issued under 1087
section 4713.39 of the Revised Code; 1088

~~(J)~~(I) Operate a salon without a current, valid license under 1089
section 4713.41 of the Revised Code; 1090

~~(K)~~(J) Provide cosmetic therapy or massage therapy at a salon 1091
for pay, free, or otherwise without a current, valid certificate 1092
issued by the state medical board under section 4731.15 of the 1093
Revised Code or provide any other professional service at a salon 1094
for pay, free, or otherwise without a current, valid license or 1095
certificate issued by the professional regulatory board of this 1096
state that regulates the profession; 1097

~~(L)~~(K) Teach a branch of cosmetology at a salon, unless the 1098
~~person~~ individual receiving the instruction holds either of the 1099
following authorizing the practice of that branch of cosmetology: 1100

(1) A current, valid license under section 4713.28, 4713.30, 1101

or 4713.34 of the Revised Code; 1102

(2) A current, valid temporary pre-examination work permit 1103
issued under section 4713.22 of the Revised Code. 1104

~~(M)~~(L) Operate a school of cosmetology without a current, 1105
valid license under section 4713.44 of the Revised Code; 1106

~~(N)~~(M) At a salon or school of cosmetology, do ~~either~~ any of 1107
the following: 1108

(1) Use or possess a cosmetic product containing an 1109
ingredient that the United States food and drug administration has 1110
prohibited by regulation; 1111

(2) Use a cosmetic product in a manner inconsistent with a 1112
restriction established by the United States food and drug 1113
administration by regulation; 1114

(3) Use or possess a liquid nail monomer containing any trace 1115
of methyl methacrylate (MMA). 1116

~~(O)~~(N) While in charge of a salon or school of cosmetology, 1117
permit any ~~person~~ individual to sleep in, or use for residential 1118
purposes, any room used wholly or in part as the salon or school 1119
of cosmetology; 1120

~~(P)~~(O) Maintain, as an established place of business for the 1121
practice of one or more of the branches of cosmetology, a room 1122
used wholly or in part for sleeping or residential purposes; 1123

~~(Q)~~(P) Operate a tanning facility that is offered to the 1124
public for a fee or other compensation without a current, valid 1125
permit under section 4713.48 of the Revised Code; 1126

(O) Treat a person as an independent contractor for purposes 1127
of federal or state taxes or workers' compensation if the 1128
individual hired, sets the schedule of, or compensates the person 1129
by commission or otherwise; 1130

(R) Practice a branch of cosmetology in a location other than 1131

a licensed facility unless otherwise exempted under section 1132
4713.16 or 4713.17 of the Revised Code; 1133

(S) Use any of the services or arts that are part of 1134
cosmetology to treat or attempt to cure a physical or mental 1135
disease or ailment. 1136

Sec. 4713.141. An inspector employed by the state board of 1137
cosmetology may take a sample of a product used or sold in a salon 1138
or school of cosmetology for the purpose of examining the sample, 1139
or causing an examination of the sample to be made, to determine 1140
whether division ~~(N)~~(M) of section 4713.14 of the Revised Code has 1141
been violated. 1142

Should the results of the test prove that division (M) of 1143
section 4713.14 of the Revised Code has been violated, the board 1144
shall take action in accordance with section 4713.64 of the 1145
Revised Code. A fine imposed under that section shall include the 1146
cost of the test. The person's license may be suspended or 1147
revoked. 1148

Sec. 4713.16. This chapter does not prohibit any of the 1149
following: 1150

(A) Practicing a branch of cosmetology without a license or 1151
registration if the ~~person~~ individual does so for free at the 1152
~~person's individual's~~ home for a family member who resides in the 1153
same household as the ~~person~~ individual; 1154

(B) The retail sale, or trial demonstration by application to 1155
the skin for purposes of retail sale, of cosmetics, preparations, 1156
tonics, antiseptics, creams, lotions, wigs, or hairpieces without 1157
a practicing license or registration; 1158

(C) The retailing, at a salon, of cosmetics, preparations, 1159
tonics, antiseptics, creams, lotions, wigs, hairpieces, clothing, 1160
or any other items that pose no risk of creating unsanitary 1161

conditions at the salon; 1162

(D) The provision of glamour photography services at a 1163
licensed salon if either of the following is the case: 1164

(1) A branch of cosmetology is not practiced as part of the 1165
services. 1166

(2) If a branch of cosmetology is practiced as part of the 1167
services, the part of the services that is a branch of cosmetology 1168
is performed by ~~a person~~ an individual who holds either of the 1169
following authorizing the ~~person~~ individual to practice that 1170
branch of cosmetology: 1171

(a) A current, valid license under section 4713.28, 4713.30, 1172
or 4713.34 of the Revised Code; 1173

(b) A current, valid temporary special occasion work permit 1174
issued under section 4713.37 of the Revised Code. 1175

(E) A student engaging, as a student, in work connected with 1176
a branch of cosmetology taught at the school of cosmetology at 1177
which the student is enrolled; 1178

(F) A public school student, who has earned licensure in a 1179
branch of cosmetology, in work connected with the branch of 1180
cosmetology if the services are provided at the licensed school 1181
clinic and are free. This allowance terminates upon the graduation 1182
of the student from the public school. 1183

Sec. 4713.17. (A) The following persons are exempt from the 1184
provisions of this chapter, except, as applicable, section 4713.42 1185
of the Revised Code: 1186

(1) All ~~persons~~ individuals authorized to practice medicine, 1187
surgery, dentistry, and nursing or any of its branches in this 1188
state; 1189

(2) Commissioned surgical and medical officers of the United 1190

States army, navy, air force, or marine hospital service when	1191
engaged in the actual performance of their official duties, and	1192
attendants attached to same;	1193
(3) Barbers, insofar as their usual and ordinary vocation and	1194
profession is concerned;	1195
(4) Funeral directors, embalmers, and apprentices licensed or	1196
registered under Chapter 4717. of the Revised Code;	1197
(5) Persons who are engaged in the retail sale, cleaning, or	1198
beautification of wigs and hairpieces but who do not engage in any	1199
other act constituting the practice of a branch of cosmetology;	1200
(6) Volunteers of hospitals, and homes as defined in section	1201
3721.01 of the Revised Code, who render service to registered	1202
patients and inpatients who reside in such hospitals or homes.	1203
Such volunteers shall not use or work with any chemical products	1204
such as permanent wave, hair dye, or chemical hair relaxer, which	1205
without proper training would pose a health or safety problem to	1206
the patient.	1207
(7) Nurse aides and other employees of hospitals and homes as	1208
defined in section 3721.01 of the Revised Code, who practice a	1209
branch of cosmetology on registered patients only as part of	1210
general patient care services and who do not charge patients	1211
directly on a fee for service basis;	1212
(8) Cosmetic therapists and massage therapists who hold	1213
current, valid certificates to practice cosmetic or massage	1214
therapy issued by the state medical board under section 4731.15 of	1215
the Revised Code, to the extent their actions are authorized by	1216
their certificates to practice;	1217
(9) Inmates who provide services related to a branch of	1218
cosmetology to other inmates, except when those services are	1219
provided in a licensed school of cosmetology within a state	1220
correctional institution for females.	1221

(B) The director of rehabilitation and correction shall 1222
oversee the services described in division (A)(9) of this section 1223
with respect to sanitation and adopt rules governing those types 1224
of services provided by inmates. 1225

Sec. 4713.20. ~~(A) Each person individual who seeks admission~~ 1226
to an examination conducted under section 4713.24 of the Revised 1227
Code ~~and each person who seeks a license under this chapter shall~~ 1228
~~do all~~ submit both of the following: 1229

~~(1) Submit to the state board of cosmetology a written~~ 1230
~~application containing:~~ 1231

~~(A) As part of a license application, proof of the following:~~ 1232

~~(a) If the person seeks admission to an examination, that the~~ 1233
~~person individual~~ satisfies all conditions to obtain the license 1234
for which the examination is conducted, other than the requirement 1235
to have passed the examination; 1236

~~(b) If the person seeks a license, that the person satisfies~~ 1237
~~all conditions for obtaining the license.~~ 1238

~~(2) Pay to the board the applicable fee;~~ 1239

~~(3) Verify by oath that the application is true.~~ 1240

(B) ~~An application to operate a salon or school of~~ 1241
~~cosmetology may be submitted by the owner, manager, or person in~~ 1242
~~charge of the salon or school~~ A set of the individual's 1243
fingerprint impressions. 1244

Sec. 4713.21. Both of the following may apply again under 1245
section 4713.20 of the Revised Code for admission to an 1246
examination conducted under section 4713.24 of the Revised Code: 1247

(A) ~~A person~~ An individual who failed to appear for an 1248
examination that the ~~person~~ individual was previously scheduled to 1249
take; 1250

(B) ~~A person~~ An individual who appeared for a previously 1251
scheduled examination but failed to pass it. 1252

Sec. 4713.22. (A) The state board of cosmetology shall issue 1253
a temporary pre-examination work permit to ~~a person~~ an individual 1254
who applies under section 4713.20 of the Revised Code for 1255
admission to an examination conducted under division (A) of 1256
section 4713.24 of the Revised Code, if the ~~person~~ individual 1257
satisfies all of the following conditions: 1258

(1) Is seeking a practicing license; 1259

(2) Has not previously failed an examination conducted under 1260
section 4713.24 of the Revised Code to determine the applicant's 1261
fitness to practice the branch of cosmetology for which the ~~person~~ 1262
individual seeks a license; 1263

(3) Pays to the board the applicable fee; 1264

(4) Satisfies all other conditions established by rules 1265
adopted under section 4713.08 of the Revised Code. 1266

(B) ~~A person~~ An individual issued a temporary pre-examination 1267
work permit may practice the branch of cosmetology for which the 1268
~~person~~ individual seeks a license until the date the ~~person~~ 1269
individual is scheduled to take an examination under section 1270
4713.24 of the Revised Code. The ~~person~~ individual shall practice 1271
under the supervision of ~~a person~~ an individual holding a current, 1272
valid ~~managing~~ license appropriate for the type of salon in which 1273
the permit holder practices. A temporary pre-examination work 1274
permit is renewable in accordance with rules adopted under section 1275
4713.08 of the Revised Code. 1276

Sec. 4713.24. (A) The state board of cosmetology shall 1277
conduct an examination for each ~~person~~ individual who satisfies 1278
the requirements established by section 4713.20 of the Revised 1279
Code for admission to the examination. Examinations for licensure 1280

for any branch of cosmetology shall assess the ability of a 1281
prospective cosmetology professional to maintain a safe and 1282
sanitary place of service delivery. The board may develop and 1283
administer the appropriate examination or enter into an agreement 1284
with a national testing service to develop the examination, 1285
administer the examination, or both. The examination shall be 1286
specific to the type of license the ~~person~~ individual seeks and 1287
satisfy all of the following conditions: 1288

~~(A)~~(1) Include both practical demonstrations and written or 1289
oral tests related to the type of license the ~~person~~ individual 1290
seeks; 1291

~~(B)~~(2) Relate only to a branch of cosmetology, ~~managing~~ 1292
~~license, or both,~~ but not be confined to any special system or 1293
method; 1294

~~(C)~~(3) Be consistent in both practical and technical 1295
requirements for the type of license the ~~person~~ individual seeks; 1296

~~(D)~~(4) Be of sufficient thoroughness to satisfy the board as 1297
to the ~~person's~~ individual's skill in and knowledge of the branch 1298
of cosmetology, ~~managing license, or both,~~ for which the 1299
examination is conducted. 1300

(B) The board shall create an examination for individuals 1301
seeking licensure to become an instructor and shall conduct an 1302
examination for each individual who satisfies the requirements 1303
established pursuant to section 4713.31 of the Revised Code for 1304
admission to the examination. Examinations for licensure as an 1305
instructor shall assess an applicant's ability to educate students 1306
using standards established by the department of education and 1307
approved by the board. 1308

(C) The board shall adopt rules regarding the equipment or 1309
supplies an individual is required to bring to an examination 1310
described in this section. 1311

(D) The board shall not release the questions developed for 1312
the examinations and the practical demonstrations used in the 1313
testing process, except for the following purposes: 1314

(1) Reviewing or rewriting of any part of the examination on 1315
a periodic basis as prescribed in rules adopted under section 1316
4713.08 of the Revised Code; 1317

(2) Testing of individuals in another state for admission to 1318
the profession of cosmetology or any of its branches as required 1319
under a contract or by means of a license with that state. 1320

(E) The examination papers and the scored results of the 1321
practical demonstrations of each individual examined by the board 1322
shall be open for inspection by the individual or the individual's 1323
attorney for at least ninety days following the announcement of 1324
the individual's grade, except for papers that under the terms of 1325
a contract with a testing service are not available for 1326
inspection. On written request of an individual or the 1327
individual's attorney made to the board not later than ninety days 1328
after announcement of the individual's grade, the board shall have 1329
the individual's examination papers regraded manually. 1330

Sec. 4713.25. (A) The state board of cosmetology may 1331
administer a separate ~~managing~~ advanced cosmetologist examination 1332
for ~~persons~~ individuals who complete a ~~managing~~ an advanced 1333
cosmetologist training course separate from a cosmetologist 1334
training course. The board may combine the ~~managing~~ advanced 1335
cosmetologist examination with the cosmetologist examination for 1336
~~persons~~ individuals who complete a combined ~~eighteen hundred hour~~ 1337
cosmetologist and ~~managing~~ advanced cosmetologist training course. 1338

(B) The board may administer a separate ~~managing~~ advanced 1339
esthetician examination for ~~persons~~ individuals who complete a 1340
~~managing~~ an advanced esthetician training course separate from an 1341
esthetician training course. The board may combine the ~~managing~~ 1342

advanced esthetician examination with the esthetician examination 1343
for ~~persons~~ individuals who complete a ~~combined seven hundred~~ 1344
~~fifty-hour~~ an esthetician and ~~managing~~ advanced esthetician 1345
training course. 1346

(C) The board may administer a separate ~~managing~~ advanced 1347
hair designer examination for ~~persons~~ individuals who complete a 1348
~~managing an advanced~~ hair designer training course separate from a 1349
hair designer training course. The board may combine the ~~managing~~ 1350
advanced hair designer examination with the hair designer 1351
examination for ~~persons~~ individuals who complete a ~~combined one~~ 1352
~~thousand four hundred forty-hour~~ hair designer and ~~managing~~ 1353
advanced hair designer training course. 1354

(D) The board may administer a separate ~~managing~~ advanced 1355
manicurist examination for ~~persons~~ individuals who complete a 1356
~~managing an advanced~~ manicurist training course separate from a 1357
manicurist training course. The board may combine the ~~managing~~ 1358
advanced manicurist examination with the manicurist examination 1359
for ~~persons~~ individuals who complete a ~~combined three hundred-hour~~ 1360
manicurist and ~~managing~~ advanced manicurist training course. 1361

(E) The board may administer a separate ~~managing~~ advanced 1363
natural hair stylist examination for ~~persons~~ individuals who 1364
complete a ~~managing an advanced~~ natural hair stylist training 1365
course separate from a natural hair stylist training course. The 1366
board may combine the ~~managing~~ advanced natural hair stylist 1367
examination with the natural hair stylist examination for ~~persons~~ 1368
individuals who complete a ~~combined six hundred-hour~~ natural hair 1369
stylist and ~~managing~~ advanced natural hair stylist training 1370
course. 1371

Sec. 4713.26. Each ~~person~~ individual admitted to an 1372
examination conducted under section 4713.24 of the Revised Code 1373

shall furnish the ~~person's~~ individual's own model. 1374

Sec. 4713.28. (A) The state board of cosmetology shall issue 1375
a practicing license to an applicant who, ~~except as provided in~~ 1376
~~section 4713.30 of the Revised Code,~~ satisfies all of the 1377
following applicable conditions: 1378

~~(A)~~(1) Is at least sixteen years of age; 1379

~~(B)~~(2) Is of good moral character; 1380

~~(C)~~(3) Has the equivalent of an Ohio public school tenth 1381
grade education; 1382

~~(D)~~(4) Has submitted a written application on a form 1383
furnished by the board that contains all of the following: 1384

(a) The name of the individual and any other identifying 1385
information required by the board; 1386

(b) A recent photograph of the individual that meets the 1387
specifications established by the board; 1388

(c) A photocopy of the individual's current driver's license 1389
or other proof of legal residence in this state or contiguous 1390
state; 1391

(d) Proof that the individual is qualified to take the 1392
applicable examination as required by section 4713.20 of the 1393
Revised Code; 1394

(e) An oath verifying that the information in the application 1395
is true; 1396

(f) The applicable application fee. 1397

(5) Passes an examination conducted under division (A) of 1398
section 4713.24 of the Revised Code for the branch of cosmetology 1399
the applicant seeks to practice; 1400

~~(E)~~(6) Pays to the board the applicable license fee; 1401

~~(F)~~(7) In the case of an applicant for an initial 1402
cosmetologist license, has successfully completed at least ~~fifteen~~ 1403
one thousand five hundred hours of board-approved cosmetology 1404
training in a school of cosmetology licensed in this state, except 1405
that only one thousand hours of board-approved cosmetology 1406
training in a school of cosmetology licensed in this state is 1407
required of ~~a person~~ an individual licensed as a barber under 1408
Chapter 4709. of the Revised Code; 1409

~~(G)~~(8) In the case of an applicant for an initial esthetician 1410
license, has successfully completed at least six hundred hours of 1411
board-approved esthetics training in a school of cosmetology 1412
licensed in this state; 1413

~~(H)~~(9) In the case of an applicant for an initial hair 1414
designer license, has successfully completed at least one thousand 1415
two hundred hours of board-approved hair designer training in a 1416
school of cosmetology licensed in this state, except that only one 1417
thousand hours of board-approved hair designer training in a 1418
school of cosmetology licensed in this state is required of a 1419
~~person~~ an individual licensed as a barber under Chapter 4709. of 1420
the Revised Code; 1421

~~(I)~~(10) In the case of an applicant for an initial manicurist 1422
license, has successfully completed at least two hundred hours of 1423
board-approved manicurist training in a school of cosmetology 1424
licensed in this state; 1425

~~(J)~~(11) In the case of an applicant for an initial natural 1426
hair stylist license, has successfully completed at least four 1427
hundred fifty hours of instruction in subjects relating to 1428
sanitation, scalp care, anatomy, hair styling, communication 1429
skills, and laws and rules governing the practice of cosmetology~~+~~. 1430

~~(K)~~(B) The board shall not deny a license to any applicant 1431
based on prior incarceration or conviction for any crime. If the 1432

board denies an individual a license or license renewal, the 1433
reasons for such denial shall be put in writing. 1434

Sec. 4713.30. The state board of cosmetology shall issue a 1435
~~managing~~ an advanced license to an applicant who satisfies all of 1436
the following applicable conditions: 1437

(A) Is at least sixteen years of age; 1438

(B) Is of good moral character; 1439

(C) Has the equivalent of an Ohio public school tenth grade 1440
education; 1441

(D) Pays to the board the applicable fee; 1442

(E) Passes the appropriate ~~managing~~ advanced license 1443
examination; 1444

(F) In the case of an applicant for an initial ~~managing~~ 1445
advanced cosmetologist license, does either of the following: 1446

(1) Has a licensed ~~managing~~ advanced cosmetologist or owner 1447
of a licensed beauty salon located in this or another state 1448
certify to the board that the applicant has practiced as a 1449
cosmetologist for at least two thousand hours in a licensed beauty 1450
salon; 1451

(2) Has a school of cosmetology licensed in this state 1452
certify to the board that the applicant has successfully 1453
completed, in addition to the hours required for licensure as a 1454
cosmetologist, at least ~~three~~ one hundred hours of board-approved 1455
~~managing~~ advanced cosmetologist training. 1456

(G) In the case of an applicant for an initial ~~managing~~ 1457
advanced esthetician license, does either of the following: 1458

(1) Has the licensed ~~managing~~ advanced esthetician, licensed 1459
~~managing~~ advanced cosmetologist, or owner of a licensed esthetics 1460
salon or licensed beauty salon located in this or another state 1461

certify to the board that the applicant has practiced esthetics 1462
for at least two thousand hours as an esthetician in a licensed 1463
esthetics salon or as a cosmetologist in a licensed beauty salon; 1464

(2) Has a school of cosmetology licensed in this state 1465
certify to the board that the applicant has successfully 1466
completed, in addition to the hours required for licensure as an 1467
esthetician or cosmetologist, at least one hundred ~~fifty~~ hours of 1468
board-approved ~~managing~~ advanced esthetician training. 1469

(H) In the case of an applicant for an initial ~~managing~~ 1470
advanced hair designer license, does either of the following: 1471

(1) Has the licensed ~~managing~~ advanced hair designer, 1472
licensed ~~managing~~ advanced cosmetologist, or owner of a licensed 1473
hair design salon or licensed beauty salon located in this or 1474
another state certify to the board that the applicant has 1475
practiced hair design for at least two thousand hours as a hair 1476
designer in a licensed hair design salon or as a cosmetologist in 1477
a licensed beauty salon; 1478

(2) Has a school of cosmetology licensed in this state 1479
certify to the board that the applicant has successfully 1480
completed, in addition to the hours required for licensure as a 1481
hair designer or cosmetologist, at least ~~two~~ one hundred ~~forty~~ 1482
hours of board-approved ~~managing~~ advanced hair designer training. 1483

(I) In the case of an applicant for an initial ~~managing~~ 1484
advanced manicurist license, does either of the following: 1485

(1) Has the licensed ~~managing~~ advanced manicurist, licensed 1486
~~managing~~ advanced cosmetologist, or owner of a licensed nail 1487
salon, licensed beauty salon, or licensed barber shop located in 1488
this or another state certify to the board that the applicant has 1489
practiced manicuring for at least two thousand hours as a 1490
manicurist in a licensed nail salon or licensed barber shop or as 1491
a cosmetologist in a licensed beauty salon or licensed barber 1492

shop;	1493
(2) Has a school of cosmetology licensed in this state	1494
certify to the board that the applicant has successfully	1495
completed, in addition to the hours required for licensure as a	1496
manicurist or cosmetologist, at least one hundred hours of	1497
board-approved managing <u>advanced</u> manicurist training.	1498
(J) In the case of an applicant for an initial managing	1499
<u>advanced</u> natural hair stylist license, does either of the	1500
following:	1501
(1) Has the licensed managing <u>advanced</u> natural hair stylist,	1502
licensed managing <u>advanced</u> cosmetologist, or owner of a licensed	1503
natural hair style salon or licensed beauty salon located in this	1504
or another state certify to the board that the applicant has	1505
practiced natural hair styling for at least two thousand hours as	1506
a natural hair stylist in a licensed natural hair style salon or	1507
as a cosmetologist in a licensed beauty salon;	1508
(2) Has a school of cosmetology licensed in this state	1509
certify to the board that the applicant has successfully	1510
completed, in addition to the hours required for licensure as	1511
natural hair stylist or cosmetologist, at least one hundred fifty	1512
hours of board-approved managing <u>advanced</u> natural hair stylist	1513
training.	1514
Sec. 4713.31. The state board of cosmetology shall issue an	1515
instructor license to an applicant who satisfies all of the	1516
following applicable conditions:	1517
(A) Is at least eighteen years of age;	1518
(B) Is of good moral character;	1519
(C) Has the equivalent of an Ohio public school twelfth grade	1520
education;	1521
(D) Pays to the board the applicable fee;	1522

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

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

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

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

(1) Has the licensed ~~managing~~ advanced esthetician, licensed ~~managing~~ advanced cosmetologist, or owner of the licensed esthetics salon or licensed beauty salon in which the applicant has been employed certify to the board that the applicant has engaged in the practice of esthetics in a licensed esthetics salon or practice of cosmetology in a licensed beauty salon for at least two thousand hours;

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

(G) In the case of an applicant for an initial hair design instructor license, holds a current, valid ~~managing~~ advanced hair designer or ~~managing~~ advanced cosmetologist license and does

either of the following: 1554

(1) Has the licensed ~~managing~~ advanced hair designer, 1555
licensed ~~managing~~ advanced cosmetologist, or owner of the licensed 1556
hair design salon or licensed beauty salon in which the applicant 1557
has been employed certify to the board that the applicant has 1558
engaged in the practice of hair design in a licensed hair design 1559
salon or practice of cosmetology in a licensed beauty salon for at 1560
least two thousand hours; 1561

(2) Has a school of cosmetology licensed in this state 1562
certify to the board that the applicant has successfully completed 1563
at least eight hundred hours of board-approved hair design 1564
instructor's training as an apprentice instructor. 1565

(H) In the case of an applicant for an initial manicurist 1566
instructor license, holds a current, valid ~~managing~~ advanced 1567
manicurist or ~~managing~~ advanced cosmetologist license and does 1568
either of the following: 1569

(1) Has the licensed ~~managing~~ advanced manicurist, licensed 1570
~~managing~~ advanced cosmetologist, or owner of the licensed nail 1571
salon or licensed beauty salon in which the applicant has been 1572
employed certify to the board that the applicant has engaged in 1573
the practice of manicuring in a licensed nail salon or practice of 1574
cosmetology in a licensed beauty salon for at least two thousand 1575
hours; 1576

(2) Has a school of cosmetology licensed in this state 1577
certify to the board that the applicant has successfully completed 1578
at least three hundred hours of board-approved manicurist 1579
instructor training as an apprentice instructor. 1580

(I) In the case of an applicant for an initial natural hair 1581
style instructor license, holds a current, valid ~~managing~~ advanced 1582
natural hair stylist or ~~managing~~ advanced cosmetologist license 1583
and does either of the following: 1584

(1) Has the licensed ~~managing~~ advanced natural hair stylist, 1585
licensed ~~managing~~ advanced cosmetologist, or owner of the licensed 1586
natural hair style salon or licensed beauty salon in which the 1587
applicant has been employed certify to the board that the 1588
applicant has engaged in the practice of natural hair styling in a 1589
licensed natural hair style salon or practice of cosmetology in a 1590
licensed beauty salon for at least two thousand hours; 1591

(2) Has a school of cosmetology licensed in this state 1592
certify to the board that the applicant has successfully completed 1593
at least four hundred hours of board-approved natural hair style 1594
instructor training as an apprentice instructor. 1595

(J) In the case of all applicants, has a school of 1596
cosmetology in this state certify to the board that the applicant 1597
has successfully completed courses in educating students using 1598
standards established by the department of education and approved 1599
by the board. 1600

Sec. 4713.34. The state board of cosmetology shall issue a 1601
license to practice a branch of cosmetology, ~~managing license,~~ or 1602
instructor license to an applicant who is licensed or registered 1603
in another state or country to practice that branch of 1604
cosmetology, ~~manage that type of salon,~~ or teach the theory and 1605
practice of that branch of cosmetology, as appropriate, if all of 1606
the following conditions are satisfied: 1607

(A) The applicant satisfies all of the following conditions: 1608

(1) Is not less than eighteen years of age; 1609

(2) Is of good moral character; 1610

(3) In the case of an applicant for a practicing license ~~or~~ 1611
~~managing license,~~ passes an examination conducted under section 1612
4713.24 of the Revised Code for the license the applicant seeks, 1613
unless the applicant satisfies conditions specified in rules 1614

adopted under section 4713.08 of the Revised Code for the board to 1615
issue the applicant a license without taking the examination; 1616

(4) Pays the applicable fee. 1617

(B) At the time the applicant obtained the license or 1618
registration in the other state or country, the requirements in 1619
this state for obtaining the license the applicant seeks were 1620
substantially equal to the other state or country's requirements. 1621

(C) The jurisdiction that issued the applicant's license or 1622
registration extends similar reciprocity to ~~persons~~ individuals 1623
holding a license issued by the board. 1624

Sec. 4713.35. ~~A person~~ (A)(1) An individual who holds a 1625
current, valid cosmetologist or advanced cosmetologist license 1626
issued by the state board of cosmetology may engage in the 1627
practice of one or more branches of cosmetology as the ~~person~~ 1628
individual chooses in a licensed facility. 1629

~~A person~~ (2) An individual who holds a current, valid 1630
esthetician or advanced esthetician license issued by the board 1631
may engage in the practice of esthetics but no other branch of 1632
cosmetology in a licensed facility. 1633

~~A person~~ (3) An individual who holds a current, valid hair 1634
designer or advanced hair designer license issued by the board may 1635
engage in the practice of hair design but no other branch of 1636
cosmetology in a licensed facility. 1637

~~A person~~ (4) An individual who holds a current, valid 1638
manicurist or advanced manicurist license issued by the board may 1639
engage in the practice of manicuring but no other branch of 1640
cosmetology in a licensed facility. 1641

~~A person~~ (5) An individual who holds a current, valid natural 1642
hair stylist or advanced natural hairstylist license issued by the 1643
board may engage in the practice of natural hair styling but no 1644

other branch of cosmetology in a licensed facility. 1645

~~A person who holds a current, valid managing cosmetologist
license issued by the board may manage all types of salons and
engage in the practice of one or more branches of cosmetology as
the person chooses.~~ 1646
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~~A person who holds a current, valid managing esthetician
license issued by the board may manage an esthetics salon, but no
other type of salon, and engage in the practice of esthetics, but
no other branch of cosmetology.~~ 1650
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~~A person who holds a current, valid managing hair designer
license issued by the board may manage a hair design salon, but no
other type of salon, and engage in the practice of hair design,
but no other branch of cosmetology.~~ 1654
1655
1656
1657

~~A person who holds a current, valid managing manicurist
license issued by the board may manage a nail salon, but no other
type of salon, and engage in the practice of manicuring, but no
other branch of cosmetology.~~ 1658
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~~A person who holds a current, valid managing natural hair
stylist license issued by the board may manage a natural hair
style salon, but no other type of salon, and engage in the
practice of natural hair styling, but no other branch of
cosmetology.~~ 1662
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~~A person~~ (6) An individual who holds a current, valid 1667
cosmetology instructor license issued by the board may teach the 1668
theory and practice of one or more branches of cosmetology at a 1669
school of cosmetology as the ~~person~~ individual chooses. 1670

~~A person~~ (7) An individual who holds a current, valid 1671
esthetics instructor license issued by the board may teach the 1672
theory and practice of esthetics, but no other branch of 1673
cosmetology, at a school of cosmetology. 1674

~~A person~~ (8) An individual who holds a current, valid hair design instructor license issued by the board may teach the theory and practice of hair design, but no other branch of cosmetology, at a school of cosmetology.

~~A person~~ (9) An individual who holds a current, valid manicurist instructor license issued by the board may teach the theory and practice of manicuring, but no other branch of cosmetology, at a school of cosmetology.

~~A person~~ (10) An individual who holds a current, valid natural hair style instructor license issued by the board may teach the theory and practice of natural hair styling, but no other branch of cosmetology, at a school of cosmetology.

(11) An individual who holds a current, valid boutique registration with the board may engage in the practice of boutique services but no other branch of cosmetology.

(B) All newly licensed individuals with no related work history under this chapter shall complete a six-month apprenticeship in a salon prior to practicing without supervision in a salon. This division does not apply to independent contractors or instructors.

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

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

(1) Has been licensed or registered in another state or country to practice a branch of cosmetology or teach the theory

and practice of a branch of cosmetology for at least five years; 1705

(2) Is a recognized expert in the practice or teaching of the 1706
branch of cosmetology the ~~person~~ individual practices or teaches; 1707

(3) Is to practice that branch of cosmetology or teach the 1708
theory and practice of that branch of cosmetology in this state as 1709
part of a promotional or instructional program for not more than 1710
the amount of time a temporary special occasion work permit is 1711
effective; 1712

(4) Satisfies all other conditions for a temporary special 1713
occasion work permit established by rules adopted under section 1714
4713.08 of the Revised Code; 1715

(5) Pays the fee established by rules adopted under section 1716
4713.08 of the Revised Code. 1717

(B) ~~A person~~ An individual issued a temporary special 1718
occasion work permit may practice the branch of cosmetology the 1719
~~person~~ individual practices in another state or country, or teach 1720
the theory and practice of the branch of cosmetology the ~~person~~ 1721
individual teaches in another state or country, until the 1722
expiration date of the permit. A temporary special occasion work 1723
permit is valid for the period of time specified in rules adopted 1724
under section 4713.08 of the Revised Code. 1725

Sec. 4713.39. The state board of cosmetology shall issue a 1726
license to engage in the practice of a branch of cosmetology as an 1727
independent contractor to an applicant who pays the applicable 1728
fee; holds a current, valid advanced license ~~to manage for~~ the 1729
type of salon in which the applicant will practice that branch of 1730
cosmetology; and satisfies the conditions for the license 1731
established by rules adopted under section 4713.08 of the Revised 1732
Code. 1733

Sec. 4713.41. The state board of cosmetology shall issue a 1734

license to operate a salon to an applicant who pays the applicable 1735
fee and affirms that all of the following conditions will be met: 1736

(A)(1) ~~A person~~ An individual holding a current, valid 1737
~~managing~~ cosmetologist license ~~or license to manage that type of~~ 1738
~~salon has charge of and immediate supervision over~~ pertaining to 1739
the branch of cosmetology services performed at the salon, shall 1740
be present at the salon at all times when the salon is open for 1741
business except as permitted under division (A)(2) of this 1742
section. 1743

(2) A business establishment that is engaged primarily in 1744
retail sales but is also licensed as a salon shall have ~~a person~~ 1745
present an individual holding a current, valid ~~managing~~ license 1746
for that type of salon ~~in charge of and in immediate supervision~~ 1747
~~of the salon~~ during posted or advertised service hours, if the 1748
practice of cosmetology is restricted to those posted or 1749
advertised service hours. 1750

(B) The salon is equipped to do all of the following: 1751

(1) Provide potable running hot and cold water and proper 1752
drainage; 1753

(2) Sanitize all instruments and supplies used in the branch 1754
of cosmetology provided at the salon; 1755

(3) If cosmetic therapy, massage therapy, or other 1756
professional service is provided at the salon under section 1757
4713.42 of the Revised Code, sanitize all instruments and supplies 1758
used in the cosmetic therapy, massage therapy, or other 1759
professional service. 1760

(C) Except as provided in sections 4713.42 and 4713.49 of the 1761
Revised Code, only the branch of cosmetology that the salon is 1762
licensed to provide is practiced at the salon. 1763

(D) The salon is kept in a clean and sanitary condition and 1764

properly ventilated. 1765

(E) No food is sold at the salon in a manner inconsistent 1766
with rules adopted under section 4713.08 of the Revised Code. 1767

(F) A notice that contains a toll-free number and online 1768
process for reporting alleged violations of this chapter, as 1769
prescribed by the board of cosmetology, is posted at the salon in 1770
a common area for all customers of salon services. 1771

(G) All newly licensed individuals with no related work 1772
history under this chapter shall be required by the operator to 1773
complete a six-month apprenticeship in the salon prior to 1774
practicing without supervision in the salon. This division does 1775
not apply to independent contractors or instructors. 1776

Sec. 4713.42. ~~A person~~ An individual holding a current, valid 1777
certificate issued under section 4731.15 of the Revised Code to 1778
provide cosmetic therapy or massage therapy may provide cosmetic 1779
therapy or massage therapy, as appropriate, in a salon. ~~A person~~ 1780
An individual holding a current, valid license or certificate 1781
issued by a professional regulatory board of this state may 1782
practice the ~~person's~~ individual's profession in a salon if the 1783
~~person's~~ individual's profession is authorized by rules adopted 1784
under section 4713.08 of the Revised Code to practice in a salon. 1785

~~A person~~ An individual providing cosmetic therapy, massage 1786
therapy, or other professional service in a salon pursuant to this 1787
section shall satisfy the standards established by rules adopted 1788
under section 4713.08 of the Revised Code. 1789

Sec. 4713.44. (A) The state board of cosmetology shall issue 1790
a license to operate a school of cosmetology to an applicant who 1791
pays the applicable fee and satisfies all of the following 1792
requirements: 1793

(1) Maintains a course of practical training and technical 1794

instruction for the branch or branches of cosmetology to be taught 1795
at the school equal to the requirements for admission to an 1796
examination under section 4713.24 of the Revised Code that a 1797
~~person~~ an individual must pass to obtain a license to practice 1798
that branch or those branches of cosmetology; 1799

(2) Possesses or makes available apparatus and equipment 1800
sufficient for the ready and full teaching of all subjects of the 1801
curriculum; 1802

(3) Maintains ~~persons~~ individuals licensed under section 1803
4713.31 or 4713.34 of the Revised Code to teach the theory and 1804
practice of the branches of cosmetology; 1805

(4) Notifies the board of the enrollment of each new student, 1806
keeps a record devoted to the different practices, establishes 1807
grades, and holds examinations in order to certify the students' 1808
completion of the prescribed course of study before the issuance 1809
of certificates of completion; 1810

(5) In the case of a school of cosmetology that offers clock 1811
hours for the purpose of satisfying minimum hours of training and 1812
instruction, keeps a daily record of the attendance of each 1813
student; 1814

(6) On the date that an apprentice cosmetology instructor 1815
begins cosmetology instructor training at the school, certifies 1816
the name of the apprentice cosmetology instructor to the board 1817
along with the date on which the apprentice's instructor training 1818
began; 1819

(7) Instructs not more than six apprentice cosmetology 1820
instructors at any one time; 1821

(8) Files with the board a good and sufficient surety bond 1822
executed by the ~~person~~ individual, firm, or corporation operating 1823
the school of cosmetology as principal and by a surety company as 1824
surety in the amount of ten thousand dollars; provided, that this 1825

requirement does not apply to a vocational or career-technical 1826
school program conducted by a city, exempted village, local, or 1827
joint vocational school district. The bond shall be in the form 1828
prescribed by the board and be conditioned upon the school's 1829
continued instruction in the theory and practice of the branches 1830
of cosmetology. Every bond shall continue in effect until notice 1831
of its termination is given to the board by registered mail and 1832
every bond shall so provide. 1833

(9) Establishes and maintains an internal procedure for 1834
processing complaints filed against the school and for providing 1835
students with instructions on how to file a complaint directly 1836
with the board pursuant to section 4713.641 of the Revised Code. 1837

(B) A school of cosmetology holding a license issued under 1838
division (A) of this section is an educational institution and is 1839
authorized to offer educational programs beyond secondary 1840
education, advanced practice programs, or both in accordance with 1841
rules adopted by the board pursuant to section 4713.08 of the 1842
Revised Code. 1843

(C) A school of cosmetology holding a license to operate a 1844
school of cosmetology on ~~the effective date of this amendment~~ 1845
September 29, 2013, shall establish and maintain an internal 1846
procedure for processing complaints filed against the school and 1847
shall provide each of the school's students with instructions on 1848
how to file a complaint directly with the board pursuant to 1849
section 4713.641 of the Revised Code. 1850

Sec. 4713.45. (A) A school of cosmetology may do the 1851
following: 1852

(1) In accordance with rules adopted under section 4713.08 of 1853
the Revised Code, a school of cosmetology operated by a public 1854
entity or a private person may offer clock hours, credit hours, or 1855
~~competency-based credits, and a school of cosmetology that is~~ 1856

~~operated by a private person may offer clock or credit hours, for~~ 1857
the purpose of satisfying minimum hours of training and 1858
instruction; 1859

(2) Allow an apprentice cosmetology instructor the regular 1860
quota of students prescribed by the state board of cosmetology if 1861
a cosmetology instructor is present; 1862

(3) Compensate an apprentice cosmetology instructor; 1863

(4) Subject to division (B) of this section, employ ~~a person~~ 1864
an individual who does not hold a current, valid instructor 1865
license to teach subjects related to a branch of cosmetology. 1866

(B) A school of cosmetology shall have a licensed cosmetology 1867
instructor present when ~~a person~~ an individual employed pursuant 1868
to division (A)(4) of this section teaches at the school, unless 1869
the ~~person~~ individual is one of the following: 1870

(1) ~~A person~~ An individual with a current, valid teacher's 1871
certificate or educator license issued by the state board of 1872
education; 1873

(2) ~~A person~~ An individual with a bachelor's degree in the 1874
subject the person teaches at the school; 1875

(3) ~~A person~~ An individual also employed by a university or 1876
college to teach the subject the person teaches at the school. 1877

(C) A school of cosmetology shall annually review the 1878
subjects and coursework required to receive an initial cosmetology 1879
license and advanced license and, in doing so, shall incorporate 1880
standards adopted by the state board of cosmetology pursuant to 1881
division (A)(13) of section 4713.08 of the Revised Code. 1882

Sec. 4713.48. (A) The state board of cosmetology shall issue 1883
a permit to operate a tanning facility to an applicant if ~~all~~ both 1884
of the following conditions are satisfied: 1885

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

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

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

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

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

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

The board shall specify on each practicing license that the board issues the branch of cosmetology that the license entitles the holder to practice. The board shall specify on each ~~managing~~ advanced license that the board issues the type of salon ~~that~~ in which the license entitles the holder to ~~manage~~ work and the branch of cosmetology that the license entitles the holder to practice. The board shall specify on each instructor license that

the board issues the branch of cosmetology that the license 1916
entitles the holder to teach. The board shall specify on each 1917
salon license that the board issues the branch of cosmetology that 1918
the license entitles the holder to offer. The board shall specify 1919
on each independent contractor license that the board issues the 1920
branch of cosmetology that the license entitles the holder to 1921
offer within a licensed salon. Such licenses are prima-facie 1922
evidence of the right of the holder to practice or teach the 1923
branch of cosmetology, ~~or manage the type of salon,~~ that the 1924
license specifies. 1925

Sec. 4713.56. Every holder of a practicing license, ~~managing~~ 1926
~~license,~~ instructor license, ~~or~~ independent contractor license, or 1927
boutique services registration issued by the state board of 1928
cosmetology shall ~~display~~ maintain the license ~~in a public and~~ 1929
~~conspicuous place in the place of employment of the holder and a~~ 1930
state of Ohio issued photo identification that can be produced 1931
upon inspection or request. 1932

Every holder of a license to operate a salon issued by the 1933
board shall display the license in a public and conspicuous place 1934
in the salon. 1935

Every holder of a license to operate a school of cosmetology 1936
issued by the board shall display the license in a public and 1937
conspicuous place in the school. 1938

Every ~~person~~ individual who provides cosmetic therapy, 1939
massage therapy, or other professional service in a salon under 1940
section 4713.42 of the Revised Code shall ~~display~~ maintain the 1941
~~person's~~ individual's professional license or certificate ~~in a~~ 1942
~~public and conspicuous place in the room used for the therapy or~~ 1943
other service and a state of Ohio issued photo identification that 1944
can be produced upon inspection or request. 1945

Sec. 4713.57. A license or registration issued by the state 1946
board of cosmetology is valid ~~until the last day of January of the~~ 1947
~~odd-numbered year~~ for at least two years following its original 1948
issuance or renewal, unless the license is revoked or suspended 1949
prior to that date. ~~Renewal~~ Beginning January 1, 2015, renewal 1950
shall be ~~done~~ completed on the licensee's first birthdate that 1951
occurs on or after two years from the issuance or prior renewal of 1952
the license in accordance with the standard renewal procedure of 1953
Chapter 4745. of the Revised Code. The board may refuse to renew a 1954
license if the ~~person~~ individual holding the license has an 1955
outstanding unpaid fine levied under section 4713.64 of the 1956
Revised Code. 1957

Sec. 4713.58. (A) Except as provided in division (B) of this 1958
section, on payment of the renewal fee and submission of proof 1959
satisfactory to the state board of cosmetology that any applicable 1960
continuing education requirements have been completed, ~~a person an~~ 1961
individual currently licensed as: 1962

(1) A cosmetology instructor who has previously been licensed 1963
as a cosmetologist or ~~a managing an advanced~~ cosmetologist, is 1964
entitled to the reissuance of a cosmetologist or ~~managing advanced~~ 1965
cosmetologist license; 1966

(2) An esthetics instructor who has previously been licensed 1967
as an esthetician or ~~a managing an advanced~~ esthetician, is 1968
entitled to the reissuance of an esthetician or ~~managing advanced~~ 1969
esthetician license; 1970

(3) A hair design instructor who has previously been licensed 1971
as a hair designer or ~~a managing an advanced~~ hair designer, is 1972
entitled to the reissuance of a hair designer or ~~managing advanced~~ 1973
hair designer license; 1974

(4) A manicurist instructor who has previously been licensed 1975

as a manicurist or a ~~managing~~ an advanced manicurist, is entitled 1976
to the reissuance of a manicurist or ~~managing~~ advanced manicurist 1977
license; 1978

(5) A natural hair style instructor who has previously been 1979
licensed as a natural hair stylist or a ~~managing~~ an advanced 1980
natural hair stylist, is entitled to the reissuance of a natural 1981
hair stylist or ~~managing~~ advanced natural hair stylist license. 1982

(B) No ~~person~~ individual is entitled to the reissuance of a 1983
license under division (A) of this section if the license was 1984
revoked or suspended or the ~~person~~ individual has an outstanding 1985
unpaid fine levied under section 4713.64 of the Revised Code. 1986

Sec. 4713.59. If the state board of cosmetology adopts rules 1987
under section 4713.09 of the Revised Code to establish a 1988
continuing education requirement as a condition of renewal for a 1989
practicing license, ~~managing~~ advanced license, or instructor 1990
license, the board shall inform each affected licensee of the 1991
continuing education requirement that applies to the next biennial 1992
licensing period by including a notification in the license 1993
renewal application form it sends the licensee. The notification 1994
shall state that the licensee must complete the continuing 1995
education requirement by the last day of January of the next 1996
odd-numbered year. 1997

Hours completed in excess of the continuing education 1998
requirement may not be applied to the next biennial licensing 1999
period. 2000

Sec. 4713.60. (A) Except as provided in division (C) of this 2001
section, a ~~person~~ an individual seeking a renewal of a license to 2002
practice a branch of cosmetology, ~~managing~~ advanced license, ~~or~~ 2003
instructor license, or boutique services registration shall 2004
include in the renewal application proof satisfactory to the board 2005

of completion of any applicable continuing education requirements 2006
established by rules adopted under section 4713.09 of the Revised 2007
Code. 2008

(B) If an applicant fails to provide satisfactory proof of 2009
completion of any applicable continuing education requirements, 2010
the board shall notify the applicant that the application is 2011
incomplete. The board shall not renew the license or registration 2012
until the applicant provides satisfactory proof of completion of 2013
any applicable continuing education requirements. The board may 2014
provide the applicant with an extension of up to ninety days in 2015
which to complete the continuing education requirement. In 2016
providing for the extension, the board may charge the licensee or 2017
registrant a fine of up to one hundred dollars. 2018

(C) The board may waive, or extend the period for completing, 2019
any continuing education requirement if a licensee or registrant 2020
applies to the board and provides proof satisfactory to the board 2021
of being unable to complete the requirement within the time 2022
allowed because of any of the following: 2023

(1) An emergency; 2024

(2) An unusual or prolonged illness; 2025

(3) Active duty service in any branch of the armed forces of 2026
the United States or a reserve component of the armed forces of 2027
the United States, including the Ohio national guard or the 2028
national guard of any other state. 2029

The board shall determine the period of time during which 2030
each extension is effective and shall inform the applicant. The 2031
board shall also inform the applicant of the continuing education 2032
requirements that must be met to have the license or registration 2033
renewed. If an extension is granted for less than one year, the 2034
continuing education requirement for that year, in addition to the 2035
required continuing education for the succeeding year, must be 2036

completed in the succeeding year. In all other cases the board may 2037
waive all or part of the continuing education requirement on a 2038
case-by-case basis. Any required continuing education shall be 2039
completed and satisfactory proof of its completion submitted to 2040
the board by a date specified by the board. Every license ~~which~~ or 2041
registration that has not been renewed in any odd-numbered year by 2042
the last day of January and for which the continuing education 2043
requirement has not been waived or extended shall be considered 2044
expired. 2045

Sec. 4713.61. (A) If the state board of cosmetology adopts a 2046
continuing education requirement under section 4713.09 of the 2047
Revised Code, it may develop a procedure by which ~~a person~~ an 2048
individual who holds a license to practice a branch of 2049
cosmetology, ~~managing~~ advanced license, or instructor license and 2050
who is not currently engaged in the practice of the branch of 2051
cosmetology, ~~managing a salon,~~ or teaching the theory and practice 2052
of the branch of cosmetology, but who desires to be so engaged in 2053
the future, may apply to the board to have the ~~person's~~ 2054
individual's license classified ~~inactive~~ in escrow. If the board 2055
develops such a procedure, ~~a person~~ an individual seeking to have 2056
the ~~person's~~ individual's license classified ~~inactive~~ in escrow 2057
shall apply to the board on a form provided by the board and pay 2058
the fee established by rules adopted under section 4713.08 of the 2059
Revised Code. 2060

(B) The board shall not restore ~~an inactive~~ a license in 2061
escrow until the later of the following: 2062

(1) The date that the ~~person~~ individual holding the license 2063
submits proof satisfactory to the board that the ~~person~~ individual 2064
has completed the continuing education that a rule adopted under 2065
section 4713.08 of the Revised Code requires; 2066

(2) The last day of January of the next odd-numbered year 2067

following the year the license is classified ~~inactive~~ in escrow. 2068

(C) ~~A person~~ An individual who holds ~~an inactive~~ a license in 2069
escrow may engage in the practice of a branch of cosmetology if 2070
the ~~person~~ individual holds a temporary work permit as specified 2071
in rules adopted by the board under section 4713.08 of the Revised 2072
Code. 2073

Sec. 4713.62. (A) ~~A person~~ An individual holding a practicing 2074
license, ~~managing advanced~~ license, ~~or~~ instructor license, or 2075
boutique services registration may satisfy a continuing education 2076
requirement established by rules adopted under section 4713.09 of 2077
the Revised Code only by completing continuing education programs 2078
approved under division (B) of this section or developed under 2079
division (C) of this section. 2080

(B) The state board of cosmetology shall approve a continuing 2081
education program if all of the following conditions are 2082
satisfied: 2083

(1) The person operating the program submits to the board a 2084
written application for approval. 2085

(2) The person operating the program pays to the board a fee 2086
established by rules adopted under section 4713.08 of the Revised 2087
Code. 2088

(3) The program is operated by an employee, officer, or 2089
director of a nonprofit professional association, college or 2090
university, proprietary continuing education institutions 2091
providing programs approved by the board, vocational school, 2092
postsecondary proprietary school of cosmetology licensed by the 2093
board, salon licensed by the board, or manufacturer of supplies or 2094
equipment used in the practice of a branch of cosmetology. 2095

(4) The program will do at least one of the following: 2096

(a) Enhance the professional competency of the affected 2097

licensees <u>or registrants</u> ;	2098
(b) Protect the public;	2099
(c) Educate the affected licensees <u>or registrants</u> in the	2100
application of the laws and rules regulating the practice of a	2101
branch of cosmetology.	2102
(5) The person operating the program provides the board a	2103
tentative schedule of when the program will be available so that	2104
the board can make the schedule readily available to all licensees	2105
<u>and registrants</u> throughout the state.	2106
Sec. 4713.63. A practicing license, managing <u>advanced</u>	2107
license, or instructor license that has not been renewed for any	2108
reason other than because it has been revoked, suspended, or	2109
classified inactive <u>in escrow</u> , or because the license holder has	2110
been given a waiver or extension under section 4713.60 of the	2111
Revised Code, is expired. An expired license may be restored if	2112
the person <u>individual</u> who held the license meets all of the	2113
following applicable conditions:	2114
(A) Pays to the state board of cosmetology the restoration	2115
fee, the current renewal fee, and any applicable late fees;	2116
(B) Pays a lapsed renewal fee of forty-five dollars per	2117
license renewal period that has elapsed since the license was last	2118
issued or renewed;	2119
(C) In the case of a practicing license or managing <u>advanced</u>	2120
license that has been expired for more than two consecutive	2121
license renewal periods, completes eight hours of continuing	2122
education for each license renewal period that has elapsed since	2123
the license was last issued or renewed, up to a maximum of	2124
twenty-four hours. At least four of those hours shall include a	2125
course pertaining to sanitation and safety methods.	2126
The board shall deposit all fees it receives under division	2127

(B) of this section into the general revenue fund. 2128

Sec. 4713.64. (A) The state board of cosmetology may take 2129
disciplinary action for any of the following: 2130

(1) Failure to comply with the safety and sanitation 2131
requirements of this chapter or rules adopted under it; 2132

(2) Continued practice by ~~a person~~ an individual knowingly 2133
having an infectious or contagious disease; 2134

(3) Habitual drunkenness or addiction to any habit-forming 2135
drug; 2136

(4) Willful false and fraudulent or deceptive advertising; 2137

(5) Falsification of any record or application required to be 2138
filed with the board; 2139

(6) Failure to pay a fine or abide by a suspension order 2140
issued by the board; 2141

(7) Failure to cooperate with an investigation or inspection; 2142

(8) Failure to respond to a subpoena; 2143

(9) Conviction of or plea of guilty to a violation of section 2144
2905.32 of the Revised Code; 2145

(10) In the case of a salon, any person's conviction of or 2146
plea of guilty to a violation of section 2905.32 of the Revised 2147
Code for an activity that took place on the premises of the salon. 2148

(B) On determining that there is cause for disciplinary 2149
action, the board may do one or more of the following: 2150

(1) Deny, revoke, or suspend a license ~~or~~ permit or 2151
registration issued by the board; 2152

(2) Impose a fine; 2153

(3) Require the holder of a license ~~or~~ permit or 2154
registration to take corrective action courses. 2155

(C)(1) Except as provided in divisions (C)(2) and (3) of this section, the board shall take disciplinary action pursuant to an adjudication under Chapter 119. of the Revised Code. 2156
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(2) The board may take disciplinary action without conducting an adjudication under Chapter 119. of the Revised Code against an individual or salon who violates division (A)(9) or (10) of this section. After the board takes such disciplinary action, the board shall give written notice to the subject of the disciplinary action of the right to request a hearing under Chapter 119. of the Revised Code. 2159
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(3) In lieu of an adjudication, the board may enter into a consent agreement with the holder of a license, permit, or registration. A consent agreement that is ratified by a majority vote of a quorum of the board members is considered to constitute the findings and orders of the board with respect to the matter addressed in the agreement. If the board does not ratify a consent agreement, the admissions and findings contained in the agreement are of no effect, and the case shall be scheduled for adjudication under Chapter 119. of the Revised Code. 2166
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(D) The amount and content of corrective action courses and other relevant criteria shall be established by the board in rules adopted under section 4713.08 of the Revised Code. 2175
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~~(D)~~(E)(1) The board may impose a separate fine for each offense listed in division (A) of this section. The amount of a the first fine issued for a violation as the result of an inspection shall be not more than five two hundred fifty dollars if the violator has not previously been fined for that offense. Any fines issued for additional violations during such an inspection shall not be more than one hundred dollars for each additional violation. The fine shall be not more than one thousand five hundred dollars if the violator has been fined for the same offense once before. Any fines issued for additional violations 2178
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during a second inspection shall not be more than two hundred 2188
dollars for each additional violation. The fine shall be not more 2189
than one thousand ~~five hundred~~ dollars if the violator has been 2190
fined for the same offense two or more times before. Any fines 2191
issued for additional violations during a third inspection shall 2192
not be more than three hundred dollars for each additional 2193
violation. 2194

(2) The board shall issue an order notifying a violator of a 2195
fine imposed under division (E)(1) of this section. The notice 2196
shall specify the date by which the fine is to be paid. The date 2197
shall be less than forty-five days after the board issues the 2198
order. 2199

(3) At the request of a violator who is temporarily unable to 2200
pay a fine, or upon its own motion, the board may extend the time 2201
period within which the violator shall pay the fine up to ninety 2202
days after the date the board issues the order. 2203

(4) If a violator fails to pay a fine by the date specified 2204
in the board's order and does not request an extension within ten 2205
days after the date the board issues the order, or if the violator 2206
fails to pay the fine within the extended time period as described 2207
in division (E)(3) of this section, the board shall add to the 2208
fine an additional penalty equal to ten per cent of the fine. 2209

(5) If a violator fails to pay a fine within ninety days 2210
after the board issues the order, the board shall add to the fine 2211
interest at a rate specified by the board in rules adopted under 2212
section 4713.08 of the Revised Code. 2213

(6) If the fine, including any interest or additional 2214
penalty, remains unpaid on the ninety-first day after the board 2215
issues an order under division (E)(2) of this section, the amount 2216
of the fine and any interest or additional penalty shall be 2217
certified to the attorney general for collection in the form and 2218

manner prescribed by the attorney general. The attorney general 2219
may assess the collection cost to the amount certified in such a 2220
manner and amount as prescribed by the attorney general. 2221

~~(E)~~(F) The board shall notify a licensee or registrant who is 2222
in violation of division (A) of this section and the owner of the 2223
salon in which the conditions constituting the violation were 2224
found. The individual receiving the notice of violation and the 2225
owner of the salon may request a hearing pursuant to section 2226
119.07 of the Revised Code. If a person the individual or owner 2227
fails to request a hearing within or enter into a consent 2228
agreement thirty days of after the date the board, in accordance 2229
with section 119.07 of the Revised Code and division (I) of this 2230
section, notifies the person individual and owner of the board's 2231
intent to act against the person individual or owner under 2232
division (A) of this section, the board by a majority vote of a 2233
quorum of the board members may take the action against the person 2234
individual or owner without holding an adjudication hearing. 2235

~~(F)~~(G) The board, after a hearing in accordance with Chapter 2236
119. of the Revised Code or pursuant to a consent agreement, may 2237
suspend a tanning facility license, permit, or registration if the 2238
owner or operator licensee, permit holder, or registrant fails to 2239
correct an unsafe condition that exists in violation of the 2240
board's rules or fails to cooperate in an inspection of the 2241
tanning facility. If a violation of this chapter or rules adopted 2242
under it has resulted in a condition reasonably believed by an 2243
inspector to create an immediate danger to the health and safety 2244
of any person individual using the tanning facility, the inspector 2245
may suspend the license or permit of the facility or the 2246
individual responsible for the violation without a prior hearing 2247
until the condition is corrected or until a hearing in accordance 2248
with Chapter 119. of the Revised Code is held or a consent 2249
agreement is entered into and the board either upholds the 2250

suspension or reinstates the license, permit, or registration. 2251

(H) The board shall not take disciplinary action against an individual licensed to operate a salon or school of cosmetology for a violation of this chapter that was committed by an individual licensed to practice a branch of cosmetology, while practicing within the salon or school, when the individual's actions were beyond the control of the salon owner or school. 2252
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(I) In addition to the methods of notification required under section 119.07 of the Revised Code, the board may send the notices required under divisions (C)(2), (E)(2), and (F) of this section by any delivery method that is traceable and requires that the delivery person obtain a signature to verify that the notice has been delivered. The board also may send the notices by electronic mail, provided that the electronic mail delivery system certifies that a notice has been received. 2258
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Sec. 4713.641. Any student or former student of a school of cosmetology licensed under division (A) of section 4713.44 of the Revised Code may file a complaint with the state board of cosmetology alleging that the school has violated division (A) of section 4713.64 of the Revised Code. The complaint shall be in writing and signed by the ~~person~~ individual bringing the complaint. Upon receiving a complaint, the board shall initiate a preliminary investigation to determine whether it is probable that a violation was committed. If the board determines after preliminary investigation that it is not probable that a violation was committed, the board shall notify the ~~person~~ individual who filed the complaint of the board's findings and that the board will not issue a formal complaint in the matter. If the board determines after a preliminary investigation that it is probable that a violation was committed, the board shall proceed against the school pursuant to the board's authority under section 4713.64 2266
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of the Revised Code and in accordance with the hearing and notice 2282
requirements prescribed in Chapter 119. of the Revised Code. 2283

Sec. 4713.66. (A) The state board of cosmetology, on its own 2284
motion or on receipt of a written complaint, may investigate or 2285
inspect the activities or premises of an individual or entity who 2286
is alleged to have violated this chapter or rules adopted under 2287
it, regardless of whether the individual or entity holds a license 2288
or registration issued under this chapter. 2289

(B) If, based on its investigation, the board determines that 2290
there is reasonable cause to believe that an individual or entity 2291
has violated this chapter or rules adopted under it, the board 2292
shall afford the individual or entity an opportunity for a 2293
hearing. Notice shall be given and any hearing conducted in 2294
accordance with Chapter 119. of the Revised Code. 2295

(C) The board shall maintain a transcript of the hearing and 2296
issue a written opinion to all parties, citing its findings and 2297
ground for any action it takes. Any action shall be taken in 2298
accordance with section 4713.64 of the Revised Code. 2299

Sec. 4713.69. (A) The state board of cosmetology shall issue 2300
a boutique services registration to an applicant who satisfies all 2301
of the following applicable conditions: 2302

(1) Is at least sixteen years of age; 2303

(2) Is of good moral character; 2304

(3) Has the equivalent of an Ohio public school tenth grade 2305
education; 2306

(4) Has submitted a written application on a form prescribed 2307
by the board containing all of the following; 2308

(a) The applicant's name and home address; 2309

<u>(b) The applicant's home telephone number and cellular telephone number, if any;</u>	2310
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<u>(c) The applicant's electronic mail address, if any;</u>	2312
<u>(d) The applicant's date of birth;</u>	2313
<u>(e) The address and telephone number where boutique services will be performed. The address shall not contain a post office box number.</u>	2314
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<u>(f) Whether the applicant has an occupational license, certification, or registration to provide beauty services in another state, and if so, what type of license and in what state;</u>	2317
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<u>(g) Whether the applicant has ever had an occupational license, certification, or registration suspended, revoked, or denied in any state;</u>	2320
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<u>(h) An affidavit providing proof of formal training or apprenticeship under an individual providing such services.</u>	2323
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<u>(5) Pays the application fee specified by the board.</u>	2325
<u>(B) The place of business where boutique services are performed must comply with the safety and sanitation requirements for licensed salon facilities as described in section 4713.41 of the Revised Code.</u>	2326
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<u>(C) Within six months of the effective date of this section, the board shall specify the manner by which boutique services registrants shall fulfill the continuing education requirements set forth in section 4713.09 of the Revised Code.</u>	2330
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Sec. 4713.99. Whoever violates section 4713.14 of the Revised Code is guilty of a misdemeanor of the fourth degree on a first offense; on each subsequent offense, such person <u>individual</u> is guilty of a misdemeanor of the third degree.	2334
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Section 2. That existing sections 2925.01, 4713.01, 4713.02, 2338
4713.03, 4713.06, 4713.07, 4713.08, 4713.081, 4713.082, 4713.09, 2339
4713.10, 4713.13, 4713.14, 4713.141, 4713.16, 4713.17, 4713.20, 2340
4713.21, 4713.22, 4713.24, 4713.25, 4713.26, 4713.28, 4713.30, 2341
4713.31, 4713.34, 4713.35, 4713.36, 4713.37, 4713.39, 4713.41, 2342
4713.42, 4713.44, 4713.45, 4713.48, 4713.55, 4713.56, 4713.57, 2343
4713.58, 4713.59, 4713.60, 4713.61, 4713.62, 4713.63, 4713.64, 2344
4713.641, and 4713.99 of the Revised Code are hereby repealed. 2345

Section 3. (A) There is hereby created the Efficient 2346
Regulation of Beauty Services Commission, to be comprised of six 2347
members. The Governor shall appoint two individuals who currently 2348
serve as members of the State Board of Cosmetology and one 2349
individual who currently serves as a member of the State Barber 2350
Board. The other members shall be the executive director of the 2351
State Board of Cosmetology, the executive director of the State 2352
Barber Board, and one representative from the Governor's office, 2353
who shall serve as chairperson of the Commission. 2354

(B) The Commission shall do all of the following: 2355

(1) Conduct meetings and hearings at the call of the 2356
chairperson; 2357

(2) Engage in research and other activities that the 2358
Commission considers necessary or appropriate; 2359

(3) Study the viability of consolidating tasks and duties 2360
currently undertaken by the Board of Cosmetology and the Barber 2361
Board, including registration of and testing for licensees and 2362
inspection of regulated facilities and individuals; 2363

(4) Propose, as the Commission considers necessary, 2364
legislation or changes in rules for the efficient conduct of 2365
regulation cosmetologists and barbers; 2366

(5) Prepare a report of its findings. The State Board of 2367

Cosmetology shall provide clerical services for the preparation of 2368
the report. 2369

(C) A copy of the report of findings described in division 2370
(B)(5) of this section shall be delivered to the Governor, Speaker 2371
of the House of Representatives, Minority Leader of the House of 2372
Representatives, President of the Senate, and Minority Leader of 2373
the Senate by December 31, 2014, at which point the Commission 2374
shall cease to exist. 2375

(D) In undertaking its duties, the Commission shall solicit 2376
input from all interested parties who may be adversely impacted by 2377
current law as well as those who may be adversely impacted by 2378
proposed changes to the law. 2379

(E) The Commission members shall serve without compensation 2380
but shall be reimbursed for their actual and necessary expenses 2381
incurred in the performance of their duties. 2382

Section 4. (A) Not more than ninety days after the effective 2383
date of this act, the State Board of Cosmetology shall issue an 2384
advanced license to all individuals holding a valid managing 2385
license for the level of licensure attained by the individual 2386
prior to the effective date of this act. 2387

(B) All licenses issued under Chapter 4713. of the Revised 2388
Code that are classified inactive as of the effective date of this 2389
act shall be deemed to be in escrow in accordance with section 2390
4713.61 of the Revised Code, as amended by this act. 2391

Section 5. On or before December 31, 2014, the Governor shall 2392
appoint the member of the State Board of Cosmetology who holds a 2393
tanning license as described in division (A)(9) of section 4713.02 2394
of the Revised Code. The initial term of office shall be from the 2395
date of appointment until October 31, 2019. 2396