

**As Reported by the House State and Local Government Committee**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Sub. H. B. No. 433**

**Representative Gross**

**Cosponsors: Representatives Powell, Fowler Arthur, Ferguson**

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**A BILL**

To amend sections 2925.01, 4709.01, 4713.01, 1  
4713.07, 4713.081, 4713.09, 4713.10, 4713.14, 2  
4713.25, 4713.28, 4713.30, 4713.31, 4713.35, 3  
4713.41, 4713.56, 4713.57, 4713.58, 4713.60, and 4  
4713.62; to enact new section 4713.69; and to 5  
repeal section 4713.69 of the Revised Code to 6  
enact the Provider of Boutique Services 7  
Opportunity Act regarding natural hair stylists 8  
and boutique salon registrants. 9

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

**Section 1.** That sections 2925.01, 4709.01, 4713.01, 10  
4713.07, 4713.081, 4713.09, 4713.10, 4713.14, 4713.25, 4713.28, 11  
4713.30, 4713.31, 4713.35, 4713.41, 4713.56, 4713.57, 4713.58, 12  
4713.60, and 4713.62 be amended and new section 4713.69 of the 13  
Revised Code be enacted to read as follows: 14

**Sec. 2925.01.** As used in this chapter: 15

(A) "Administer," "controlled substance," "controlled 16  
substance analog," "dispense," "distribute," "hypodermic," 17  
"manufacturer," "official written order," "person," 18

"pharmacist," "pharmacy," "sale," "schedule I," "schedule II," 19  
"schedule III," "schedule IV," "schedule V," and "wholesaler" 20  
have the same meanings as in section 3719.01 of the Revised 21  
Code. 22

(B) "Drug dependent person" and "drug of abuse" have the 23  
same meanings as in section 3719.011 of the Revised Code. 24

(C) "Drug," "dangerous drug," "licensed health 25  
professional authorized to prescribe drugs," and "prescription" 26  
have the same meanings as in section 4729.01 of the Revised 27  
Code. 28

(D) "Bulk amount" of a controlled substance means any of 29  
the following: 30

(1) For any compound, mixture, preparation, or substance 31  
included in schedule I, schedule II, or schedule III, with the 32  
exception of any controlled substance analog, marihuana, 33  
cocaine, L.S.D., heroin, any fentanyl-related compound, and 34  
hashish and except as provided in division (D) (2), (5), or (6) 35  
of this section, whichever of the following is applicable: 36

(a) An amount equal to or exceeding ten grams or twenty- 37  
five unit doses of a compound, mixture, preparation, or 38  
substance that is or contains any amount of a schedule I opiate 39  
or opium derivative; 40

(b) An amount equal to or exceeding ten grams of a 41  
compound, mixture, preparation, or substance that is or contains 42  
any amount of raw or gum opium; 43

(c) An amount equal to or exceeding thirty grams or ten 44  
unit doses of a compound, mixture, preparation, or substance 45  
that is or contains any amount of a schedule I hallucinogen 46  
other than tetrahydrocannabinol or lysergic acid amide, or a 47

schedule I stimulant or depressant; 48

(d) An amount equal to or exceeding twenty grams or five 49  
times the maximum daily dose in the usual dose range specified 50  
in a standard pharmaceutical reference manual of a compound, 51  
mixture, preparation, or substance that is or contains any 52  
amount of a schedule II opiate or opium derivative; 53

(e) An amount equal to or exceeding five grams or ten unit 54  
doses of a compound, mixture, preparation, or substance that is 55  
or contains any amount of phencyclidine; 56

(f) An amount equal to or exceeding one hundred twenty 57  
grams or thirty times the maximum daily dose in the usual dose 58  
range specified in a standard pharmaceutical reference manual of 59  
a compound, mixture, preparation, or substance that is or 60  
contains any amount of a schedule II stimulant that is in a 61  
final dosage form manufactured by a person authorized by the 62  
"Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 63  
U.S.C.A. 301, as amended, and the federal drug abuse control 64  
laws, as defined in section 3719.01 of the Revised Code, that is 65  
or contains any amount of a schedule II depressant substance or 66  
a schedule II hallucinogenic substance; 67

(g) An amount equal to or exceeding three grams of a 68  
compound, mixture, preparation, or substance that is or contains 69  
any amount of a schedule II stimulant, or any of its salts or 70  
isomers, that is not in a final dosage form manufactured by a 71  
person authorized by the Federal Food, Drug, and Cosmetic Act 72  
and the federal drug abuse control laws. 73

(2) An amount equal to or exceeding one hundred twenty 74  
grams or thirty times the maximum daily dose in the usual dose 75  
range specified in a standard pharmaceutical reference manual of 76

a compound, mixture, preparation, or substance that is or 77  
contains any amount of a schedule III or IV substance other than 78  
an anabolic steroid or a schedule III opiate or opium 79  
derivative; 80

(3) An amount equal to or exceeding twenty grams or five 81  
times the maximum daily dose in the usual dose range specified 82  
in a standard pharmaceutical reference manual of a compound, 83  
mixture, preparation, or substance that is or contains any 84  
amount of a schedule III opiate or opium derivative; 85

(4) An amount equal to or exceeding two hundred fifty 86  
milliliters or two hundred fifty grams of a compound, mixture, 87  
preparation, or substance that is or contains any amount of a 88  
schedule V substance; 89

(5) An amount equal to or exceeding two hundred solid 90  
dosage units, sixteen grams, or sixteen milliliters of a 91  
compound, mixture, preparation, or substance that is or contains 92  
any amount of a schedule III anabolic steroid; 93

(6) For any compound, mixture, preparation, or substance 94  
that is a combination of a fentanyl-related compound and any 95  
other compound, mixture, preparation, or substance included in 96  
schedule III, schedule IV, or schedule V, if the defendant is 97  
charged with a violation of section 2925.11 of the Revised Code 98  
and the sentencing provisions set forth in divisions (C)(10)(b) 99  
and (C)(11) of that section will not apply regarding the 100  
defendant and the violation, the bulk amount of the controlled 101  
substance for purposes of the violation is the amount specified 102  
in division (D)(1), (2), (3), (4), or (5) of this section for 103  
the other schedule III, IV, or V controlled substance that is 104  
combined with the fentanyl-related compound. 105

(E) "Unit dose" means an amount or unit of a compound, 106  
mixture, or preparation containing a controlled substance that 107  
is separately identifiable and in a form that indicates that it 108  
is the amount or unit by which the controlled substance is 109  
separately administered to or taken by an individual. 110

(F) "Cultivate" includes planting, watering, fertilizing, 111  
or tilling. 112

(G) "Drug abuse offense" means any of the following: 113

(1) A violation of division (A) of section 2913.02 that 114  
constitutes theft of drugs, or a violation of section 2925.02, 115  
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 116  
2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36, 117  
or 2925.37 of the Revised Code; 118

(2) A violation of an existing or former law of this or 119  
any other state or of the United States that is substantially 120  
equivalent to any section listed in division (G) (1) of this 121  
section; 122

(3) An offense under an existing or former law of this or 123  
any other state, or of the United States, of which planting, 124  
cultivating, harvesting, processing, making, manufacturing, 125  
producing, shipping, transporting, delivering, acquiring, 126  
possessing, storing, distributing, dispensing, selling, inducing 127  
another to use, administering to another, using, or otherwise 128  
dealing with a controlled substance is an element; 129

(4) A conspiracy to commit, attempt to commit, or 130  
complicity in committing or attempting to commit any offense 131  
under division (G) (1), (2), or (3) of this section. 132

(H) "Felony drug abuse offense" means any drug abuse 133  
offense that would constitute a felony under the laws of this 134

state, any other state, or the United States.	135
(I) "Harmful intoxicant" does not include beer or	136
intoxicating liquor but means any of the following:	137
(1) Any compound, mixture, preparation, or substance the	138
gas, fumes, or vapor of which when inhaled can induce	139
intoxication, excitement, giddiness, irrational behavior,	140
depression, stupefaction, paralysis, unconsciousness,	141
asphyxiation, or other harmful physiological effects, and	142
includes, but is not limited to, any of the following:	143
(a) Any volatile organic solvent, plastic cement, model	144
cement, fingernail polish remover, lacquer thinner, cleaning	145
fluid, gasoline, or other preparation containing a volatile	146
organic solvent;	147
(b) Any aerosol propellant;	148
(c) Any fluorocarbon refrigerant;	149
(d) Any anesthetic gas.	150
(2) Gamma Butyrolactone;	151
(3) 1,4 Butanediol.	152
(J) "Manufacture" means to plant, cultivate, harvest,	153
process, make, prepare, or otherwise engage in any part of the	154
production of a drug, by propagation, extraction, chemical	155
synthesis, or compounding, or any combination of the same, and	156
includes packaging, repackaging, labeling, and other activities	157
incident to production.	158
(K) "Possess" or "possession" means having control over a	159
thing or substance, but may not be inferred solely from mere	160
access to the thing or substance through ownership or occupation	161

of the premises upon which the thing or substance is found.	162
(L) "Sample drug" means a drug or pharmaceutical preparation that would be hazardous to health or safety if used without the supervision of a licensed health professional authorized to prescribe drugs, or a drug of abuse, and that, at one time, had been placed in a container plainly marked as a sample by a manufacturer.	163 164 165 166 167 168
(M) "Standard pharmaceutical reference manual" means the current edition, with cumulative changes if any, of references that are approved by the state board of pharmacy.	169 170 171
(N) "Juvenile" means a person under eighteen years of age.	172
(O) "Counterfeit controlled substance" means any of the following:	173 174
(1) Any drug that bears, or whose container or label bears, a trademark, trade name, or other identifying mark used without authorization of the owner of rights to that trademark, trade name, or identifying mark;	175 176 177 178
(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;	179 180 181 182
(3) Any substance that is represented to be a controlled substance but is not a controlled substance or is a different controlled substance;	183 184 185
(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	186 187 188 189

which it is sold or offered for sale. 190

(P) An offense is "committed in the vicinity of a school" 191  
if the offender commits the offense on school premises, in a 192  
school building, or within one thousand feet of the boundaries 193  
of any school premises, regardless of whether the offender knows 194  
the offense is being committed on school premises, in a school 195  
building, or within one thousand feet of the boundaries of any 196  
school premises. 197

(Q) "School" means any school operated by a board of 198  
education, any community school established under Chapter 3314. 199  
of the Revised Code, or any nonpublic school for which the state 200  
board of education prescribes minimum standards under section 201  
3301.07 of the Revised Code, whether or not any instruction, 202  
extracurricular activities, or training provided by the school 203  
is being conducted at the time a criminal offense is committed. 204

(R) "School premises" means either of the following: 205

(1) The parcel of real property on which any school is 206  
situated, whether or not any instruction, extracurricular 207  
activities, or training provided by the school is being 208  
conducted on the premises at the time a criminal offense is 209  
committed; 210

(2) Any other parcel of real property that is owned or 211  
leased by a board of education of a school, the governing 212  
authority of a community school established under Chapter 3314. 213  
of the Revised Code, or the governing body of a nonpublic school 214  
for which the state board of education prescribes minimum 215  
standards under section 3301.07 of the Revised Code and on which 216  
some of the instruction, extracurricular activities, or training 217  
of the school is conducted, whether or not any instruction, 218



extracurricular activities, or training provided by the school 219  
is being conducted on the parcel of real property at the time a 220  
criminal offense is committed. 221

(S) "School building" means any building in which any of 222  
the instruction, extracurricular activities, or training 223  
provided by a school is conducted, whether or not any 224  
instruction, extracurricular activities, or training provided by 225  
the school is being conducted in the school building at the time 226  
a criminal offense is committed. 227

(T) "Disciplinary counsel" means the disciplinary counsel 228  
appointed by the board of commissioners on grievances and 229  
discipline of the supreme court under the Rules for the 230  
Government of the Bar of Ohio. 231

(U) "Certified grievance committee" means a duly 232  
constituted and organized committee of the Ohio state bar 233  
association or of one or more local bar associations of the 234  
state of Ohio that complies with the criteria set forth in Rule 235  
V, section 6 of the Rules for the Government of the Bar of Ohio. 236

(V) "Professional license" means any license, permit, 237  
certificate, registration, qualification, admission, temporary 238  
license, temporary permit, temporary certificate, or temporary 239  
registration that is described in divisions (W)(1) to (37) of 240  
this section and that qualifies a person as a professionally 241  
licensed person. 242

(W) "Professionally licensed person" means any of the 243  
following: 244

(1) A person who has received a certificate or temporary 245  
certificate as a certified public accountant or who has 246  
registered as a public accountant under Chapter 4701. of the 247

Revised Code and who holds an Ohio permit issued under that	248
chapter;	249
(2) A person who holds a certificate of qualification to	250
practice architecture issued or renewed and registered under	251
Chapter 4703. of the Revised Code;	252
(3) A person who is registered as a landscape architect	253
under Chapter 4703. of the Revised Code or who holds a permit as	254
a landscape architect issued under that chapter;	255
(4) A person licensed under Chapter 4707. of the Revised	256
Code;	257
(5) A person who has been issued a certificate of	258
registration as a registered barber under Chapter 4709. of the	259
Revised Code;	260
(6) A person licensed and regulated to engage in the	261
business of a debt pooling company by a legislative authority,	262
under authority of Chapter 4710. of the Revised Code;	263
(7) A person who has been issued a cosmetologist's	264
license, hair designer's license, manicurist's license,	265
esthetician's license, <del>natural hair stylist's license,</del> advanced	266
cosmetologist's license, advanced hair designer's license,	267
advanced manicurist's license, advanced esthetician's license,	268
<del>advanced natural hair stylist's license,</del> cosmetology	269
instructor's license, hair design instructor's license,	270
manicurist instructor's license, esthetics instructor's license,	271
<del>natural hair style instructor's license,</del> independent	272
contractor's license, or tanning facility permit under Chapter	273
4713. of the Revised Code;	274
(8) A person who has been issued a license to practice	275
dentistry, a general anesthesia permit, a conscious sedation	276

permit, a limited resident's license, a limited teaching	277
license, a dental hygienist's license, or a dental hygienist's	278
teacher's certificate under Chapter 4715. of the Revised Code;	279
(9) A person who has been issued an embalmer's license, a	280
funeral director's license, a funeral home license, or a	281
crematory license, or who has been registered for an embalmer's	282
or funeral director's apprenticeship under Chapter 4717. of the	283
Revised Code;	284
(10) A person who has been licensed as a registered nurse	285
or practical nurse, or who has been issued a certificate for the	286
practice of nurse-midwifery under Chapter 4723. of the Revised	287
Code;	288
(11) A person who has been licensed to practice optometry	289
or to engage in optical dispensing under Chapter 4725. of the	290
Revised Code;	291
(12) A person licensed to act as a pawnbroker under	292
Chapter 4727. of the Revised Code;	293
(13) A person licensed to act as a precious metals dealer	294
under Chapter 4728. of the Revised Code;	295
(14) A person licensed under Chapter 4729. of the Revised	296
Code as a pharmacist or pharmacy intern or registered under that	297
chapter as a registered pharmacy technician, certified pharmacy	298
technician, or pharmacy technician trainee;	299
(15) A person licensed under Chapter 4729. of the Revised	300
Code as a manufacturer of dangerous drugs, outsourcing facility,	301
third-party logistics provider, repackager of dangerous drugs,	302
wholesale distributor of dangerous drugs, or terminal	303
distributor of dangerous drugs;	304

(16) A person who is authorized to practice as a physician assistant under Chapter 4730. of the Revised Code;	305 306
(17) A person who has been issued a license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery under Chapter 4731. of the Revised Code or has been issued a certificate to practice a limited branch of medicine under that chapter;	307 308 309 310 311
(18) A person licensed as a psychologist or school psychologist under Chapter 4732. of the Revised Code;	312 313
(19) A person registered to practice the profession of engineering or surveying under Chapter 4733. of the Revised Code;	314 315 316
(20) A person who has been issued a license to practice chiropractic under Chapter 4734. of the Revised Code;	317 318
(21) A person licensed to act as a real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;	319 320
(22) A person registered as a registered environmental health specialist under Chapter 4736. of the Revised Code;	321 322
(23) A person licensed to operate or maintain a junkyard under Chapter 4737. of the Revised Code;	323 324
(24) A person who has been issued a motor vehicle salvage dealer's license under Chapter 4738. of the Revised Code;	325 326
(25) A person who has been licensed to act as a steam engineer under Chapter 4739. of the Revised Code;	327 328
(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	329 330 331

Chapter 4741. of the Revised Code;	332
(27) A person who has been issued a hearing aid dealer's	333
or fitter's license or trainee permit under Chapter 4747. of the	334
Revised Code;	335
(28) A person who has been issued a class A, class B, or	336
class C license or who has been registered as an investigator or	337
security guard employee under Chapter 4749. of the Revised Code;	338
(29) A person licensed to practice as a nursing home	339
administrator under Chapter 4751. of the Revised Code;	340
(30) A person licensed to practice as a speech-language	341
pathologist or audiologist under Chapter 4753. of the Revised	342
Code;	343
(31) A person issued a license as an occupational	344
therapist or physical therapist under Chapter 4755. of the	345
Revised Code;	346
(32) A person who is licensed as a licensed professional	347
clinical counselor, licensed professional counselor, social	348
worker, independent social worker, independent marriage and	349
family therapist, or marriage and family therapist, or	350
registered as a social work assistant under Chapter 4757. of the	351
Revised Code;	352
(33) A person issued a license to practice dietetics under	353
Chapter 4759. of the Revised Code;	354
(34) A person who has been issued a license or limited	355
permit to practice respiratory therapy under Chapter 4761. of	356
the Revised Code;	357
(35) A person who has been issued a real estate appraiser	358
certificate under Chapter 4763. of the Revised Code;	359

(36) A person who has been issued a home inspector license	360
under Chapter 4764. of the Revised Code;	361
(37) A person who has been admitted to the bar by order of	362
the supreme court in compliance with its prescribed and	363
published rules.	364
(X) "Cocaine" means any of the following:	365
(1) A cocaine salt, isomer, or derivative, a salt of a	366
cocaine isomer or derivative, or the base form of cocaine;	367
(2) Coca leaves or a salt, compound, derivative, or	368
preparation of coca leaves, including ecgonine, a salt, isomer,	369
or derivative of ecgonine, or a salt of an isomer or derivative	370
of ecgonine;	371
(3) A salt, compound, derivative, or preparation of a	372
substance identified in division (X) (1) or (2) of this section	373
that is chemically equivalent to or identical with any of those	374
substances, except that the substances shall not include	375
decocainized coca leaves or extraction of coca leaves if the	376
extractions do not contain cocaine or ecgonine.	377
(Y) "L.S.D." means lysergic acid diethylamide.	378
(Z) "Hashish" means a resin or a preparation of a resin to	379
which both of the following apply:	380
(1) It is contained in or derived from any part of the	381
plant of the genus cannabis, whether in solid form or in a	382
liquid concentrate, liquid extract, or liquid distillate form.	383
(2) It has a delta-9 tetrahydrocannabinol concentration of	384
more than three-tenths per cent.	385
"Hashish" does not include a hemp byproduct in the	386

possession of a licensed hemp processor under Chapter 928. of 387  
the Revised Code, provided that the hemp byproduct is being 388  
produced, stored, and disposed of in accordance with rules 389  
adopted under section 928.03 of the Revised Code. 390

(AA) "Marihuana" has the same meaning as in section 391  
3719.01 of the Revised Code, except that it does not include 392  
hashish. 393

(BB) An offense is "committed in the vicinity of a 394  
juvenile" if the offender commits the offense within one hundred 395  
feet of a juvenile or within the view of a juvenile, regardless 396  
of whether the offender knows the age of the juvenile, whether 397  
the offender knows the offense is being committed within one 398  
hundred feet of or within view of the juvenile, or whether the 399  
juvenile actually views the commission of the offense. 400

(CC) "Presumption for a prison term" or "presumption that 401  
a prison term shall be imposed" means a presumption, as 402  
described in division (D) of section 2929.13 of the Revised 403  
Code, that a prison term is a necessary sanction for a felony in 404  
order to comply with the purposes and principles of sentencing 405  
under section 2929.11 of the Revised Code. 406

(DD) "Major drug offender" has the same meaning as in 407  
section 2929.01 of the Revised Code. 408

(EE) "Minor drug possession offense" means either of the 409  
following: 410

(1) A violation of section 2925.11 of the Revised Code as 411  
it existed prior to July 1, 1996; 412

(2) A violation of section 2925.11 of the Revised Code as 413  
it exists on and after July 1, 1996, that is a misdemeanor or a 414  
felony of the fifth degree. 415

(FF) "Mandatory prison term" has the same meaning as in section 2929.01 of the Revised Code.	416 417
(GG) "Adulterate" means to cause a drug to be adulterated as described in section 3715.63 of the Revised Code.	418 419
(HH) "Public premises" means any hotel, restaurant, tavern, store, arena, hall, or other place of public accommodation, business, amusement, or resort.	420 421 422
(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.	423 424 425 426 427
(JJ) "Deception" has the same meaning as in section 2913.01 of the Revised Code.	428 429
(KK) "Fentanyl-related compound" means any of the following:	430 431
(1) Fentanyl;	432
(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4- piperidyl]propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);	433 434 435
(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4- piperidinyl]-N-phenylpropanamide);	436 437
(4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl] -N-phenylpropanamide);	438 439
(5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2- phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);	440 441 442



(6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);	443 444
(7) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide);	445 446
(8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide;	447 448
(9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;	449 450
(10) Alfentanil;	451
(11) Carfentanil;	452
(12) Remifentanil;	453
(13) Sufentanil;	454
(14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide); and	455 456
(15) Any compound that meets all of the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory, including acetylfentanyl, furanylfentanyl, valerylfentanyl, butyrylfentanyl, isobutyrylfentanyl, 4-methoxybutyrylfentanyl, para-fluorobutyrylfentanyl, acrylfentanyl, and ortho-fluorofentanyl:	457 458 459 460 461 462 463
(a) A chemical scaffold consisting of both of the following:	464 465
(i) A five, six, or seven member ring structure containing a nitrogen, whether or not further substituted;	466 467
(ii) An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached	468 469

aromatic ring or other lipophilic group to that nitrogen. 470

(b) A polar functional group attached to the chemical 471  
scaffold, including but not limited to a hydroxyl, ketone, 472  
amide, or ester; 473

(c) An alkyl or aryl substitution off the ring nitrogen of 474  
the chemical scaffold; and 475

(d) The compound has not been approved for medical use by 476  
the United States food and drug administration. 477

(LL) "First degree felony mandatory prison term" means one 478  
of the definite prison terms prescribed in division (A) (1) (b) of 479  
section 2929.14 of the Revised Code for a felony of the first 480  
degree, except that if the violation for which sentence is being 481  
imposed is committed on or after March 22, 2019, it means one of 482  
the minimum prison terms prescribed in division (A) (1) (a) of 483  
that section for a felony of the first degree. 484

(MM) "Second degree felony mandatory prison term" means 485  
one of the definite prison terms prescribed in division (A) (2) 486  
(b) of section 2929.14 of the Revised Code for a felony of the 487  
second degree, except that if the violation for which sentence 488  
is being imposed is committed on or after March 22, 2019, it 489  
means one of the minimum prison terms prescribed in division (A) 490  
(2) (a) of that section for a felony of the second degree. 491

(NN) "Maximum first degree felony mandatory prison term" 492  
means the maximum definite prison term prescribed in division 493  
(A) (1) (b) of section 2929.14 of the Revised Code for a felony of 494  
the first degree, except that if the violation for which 495  
sentence is being imposed is committed on or after March 22, 496  
2019, it means the longest minimum prison term prescribed in 497  
division (A) (1) (a) of that section for a felony of the first 498

degree. 499

(OO) "Maximum second degree felony mandatory prison term" 500  
means the maximum definite prison term prescribed in division 501  
(A) (2) (b) of section 2929.14 of the Revised Code for a felony of 502  
the second degree, except that if the violation for which 503  
sentence is being imposed is committed on or after March 22, 504  
2019, it means the longest minimum prison term prescribed in 505  
division (A) (2) (a) of that section for a felony of the second 506  
degree. 507

(PP) "Delta-9 tetrahydrocannabinol" has the same meaning 508  
as in section 928.01 of the Revised Code. 509

(QQ) An offense is "committed in the vicinity of a 510  
substance addiction services provider or a recovering addict" if 511  
either of the following apply: 512

(1) The offender commits the offense on the premises of a 513  
substance addiction services provider's facility, including a 514  
facility licensed prior to June 29, 2019, under section 5119.391 515  
of the Revised Code to provide methadone treatment or an opioid 516  
treatment program licensed on or after that date under section 517  
5119.37 of the Revised Code, or within five hundred feet of the 518  
premises of a substance addiction services provider's facility 519  
and the offender knows or should know that the offense is being 520  
committed within the vicinity of the substance addiction 521  
services provider's facility. 522

(2) The offender sells, offers to sell, delivers, or 523  
distributes the controlled substance or controlled substance 524  
analog to a person who is receiving treatment at the time of the 525  
commission of the offense, or received treatment within thirty 526  
days prior to the commission of the offense, from a substance 527

addiction services provider and the offender knows that the 528  
person is receiving or received that treatment. 529

(RR) "Substance addiction services provider" means an 530  
agency, association, corporation or other legal entity, 531  
individual, or program that provides one or more of the 532  
following at a facility: 533

(1) Either alcohol addiction services, or drug addiction 534  
services, or both such services that are certified by the 535  
director of mental health and addiction services under section 536  
5119.36 of the Revised Code; 537

(2) Recovery supports that are related to either alcohol 538  
addiction services, or drug addiction services, or both such 539  
services and paid for with federal, state, or local funds 540  
administered by the department of mental health and addiction 541  
services or a board of alcohol, drug addiction, and mental 542  
health services. 543

(SS) "Premises of a substance addiction services 544  
provider's facility" means the parcel of real property on which 545  
any substance addiction service provider's facility is situated. 546

(TT) "Alcohol and drug addiction services" has the same 547  
meaning as in section 5119.01 of the Revised Code. 548

**Sec. 4709.01.** As used in this chapter: 549

(A) (1) Except as provided in division (A) (2) of this 550  
section, "the practice of barbering" means any one or more of 551  
the following when performed upon the head, neck, or face for 552  
cosmetic purposes and when performed upon the public for pay, 553  
free, or otherwise: 554

(a) Shaving the face, shaving around the vicinity of the 555

ears and neckline, or trimming facial hair;	556
(b) Cutting or styling hair;	557
(c) Facials, skin care, or scalp massages;	558
(d) Shampooing, bleaching, coloring, straightening, or permanent waving hair;	559 560
(e) Cutting, fitting, or forming head caps for wigs or hair pieces.	561 562
(2) <u>"The practice of barbering"</u> does not include <del>the practice of natural hair styling</del> <u>braiding</u> .	563 564
(B) <u>"Sanitary"</u> means free of infectious agents, disease, or infestation by insects or vermin and free of soil, dust, or foreign material.	565 566 567
(C) <u>"Barber"</u> means any person who engages in or attempts to engage in the practice of barbering.	568 569
(D) <u>"Barber school"</u> means any establishment that engages in or attempts to engage in the teaching of the practice of barbering.	570 571 572
(E) <u>"Barber teacher"</u> means any person who engages in or attempts to engage in the teaching of the practice of barbering.	573 574
(F) <u>"Assistant barber teacher"</u> means any person who assists a barber teacher in the teaching of the practice of barbering.	575 576 577
(G) <u>"Barber pole"</u> means a cylinder or pole with alternating stripes of any combination including red and white, and red, white, and blue, which run diagonally along the length of the cylinder or pole.	578 579 580 581
(H) <del>The practice of natural hair styling means work done</del>	582

~~for a fee or other form of compensation, by any person,~~ 583  
~~utilizing techniques performed by hand that result in tension on~~ 584  
~~hair roots such as twisting, wrapping, weaving, extending,~~ 585  
~~locking, or braiding of the hair, and which work does not~~ 586  
~~include the application of dyes, reactive chemicals, or other~~ 587  
~~preparations to alter the color or to straighten, curl, or alter~~ 588  
~~the structure of the hair.~~ 589

~~(I) "Braiding means intertwining the hair in a systematic~~ 590  
~~motion to create patterns in a three dimensional form, inverting~~ 591  
~~the hair against the scalp along part of a straight or curved~~ 592  
~~row of intertwined hair, or twisting the hair in a systematic~~ 593  
~~motion, and includes extending the hair with natural or~~ 594  
~~synthetic hair fibers." has the same meaning as in section~~ 595  
4713.01 of the Revised Code. 596

**Sec. 4713.01.** As used in this chapter: 597

(A) "Apprentice instructor" means an individual holding a 598  
practicing license issued by the state cosmetology and barber 599  
board who is engaged in learning or acquiring knowledge of the 600  
occupation of an instructor of a branch of cosmetology at a 601  
school of cosmetology. 602

(B) "Beauty salon" means a salon in which an individual is 603  
authorized to engage in all branches of cosmetology. 604

(C) "Biennial licensing period" means the two-year period 605  
beginning on the first day of February of an odd-numbered year 606  
and ending on the last day of January of the next odd-numbered 607  
year. 608

(D) "Boutique salon" means a salon, facility, or residence 609  
in which an individual engages in the practice of boutique 610  
services and no other branch of cosmetology. 611

~~"Boutique services" means braiding, threading, shampooing, and makeup artistry.~~ 612  
613

(E) (1) "Blow-dry styling" means the practice of cleaning, drying, arranging, or styling hair and includes both of the following: 614  
615  
616

(a) The use of hair sprays and topical agents, such as shampoos and conditioners; 617  
618

(b) The use and styling of hair extensions and wigs. 619

(2) "Blow-dry styling" does not include cutting hair or the application of dyes, bleach, reactive chemicals, keratin, or other preparations to color or alter the structure of hair. 620  
621  
622

(F) (1) "Braiding" means intertwining the hair in a systematic motion to create patterns in a three-dimensional form, inverting the hair against the scalp along part of a straight or curved row of intertwined hair, or twisting the hair in a systematic motion, and includes. "Braiding" may include any of the following: 623  
624  
625  
626  
627  
628

(a) Accessorizing, beading, crocheting, extending, locking, twisting, weaving, wrapping, or similarly manipulating the hair, while adding bulk or length with natural or human hair, synthetic hair fibers, or both; 629  
630  
631  
632

(b) Using simple devices such as blunt-tipped needles, clips, combs, crochet hooks, and hairpins; 633  
634

(c) Using topical agents such as conditioners, gels, moisturizers, mousse, oils, pomades, shampoos, and water-based sprays; 635  
636  
637

(d) Making wigs from natural hair, natural fibers, synthetic fibers, and hair extensions. 638  
639

- (2) "Braiding" does not include any of the following: 640
- (a) The use of chemical hair-joining agents such as 641  
synthetic tape, keratin bonds, or fusion bonds to weave or fuse 642  
individual strands or wefts; 643
- (b) The application of dyes, reactive chemicals, or other 644  
preparations to alter the color or straighten, curl, or alter 645  
the structure of hair; 646
- (c) The cutting or singeing of hair, except as needed to 647  
finish the ends of synthetic fibers, and except to trim the ends 648  
of natural hair if performed incidentally to providing services 649  
described under division (F) (1) of this section. 650
- (G) "Branch of cosmetology" means the practice of 651  
cosmetology, practice of esthetics, practice of hair design, 652  
practice of manicuring, ~~practice of natural hair styling,~~ or 653  
practice of boutique services. 654
- (H) "Cosmetic therapy" means the permanent removal of hair 655  
from the human body through the use of electric modalities and 656  
may include the systematic friction, stroking, slapping, and 657  
kneading or tapping of the face, neck, scalp, or shoulders. 658
- (I) "Cosmetologist" means an individual authorized to 659  
engage in all branches of cosmetology in a licensed facility. 660
- (J) "Cosmetology" means the art or practice of 661  
embellishment, cleansing, beautification, and styling of hair, 662  
wigs, postiches, face, body, or nails. 663
- (K) "Cosmetology instructor" means an individual 664  
authorized to teach the theory and practice of all branches of 665  
cosmetology at a school of cosmetology. 666
- (L) "Esthetician" means an individual who engages in the 667



practice of esthetics but no other branch of cosmetology in a 668  
licensed facility. 669

(M) "Esthetics instructor" means an individual who teaches 670  
the theory and practice of esthetics, but no other branch of 671  
cosmetology, at a school of cosmetology. 672

(N) "Esthetics salon" means a salon in which an individual 673  
engages in the practice of esthetics but no other branch of 674  
cosmetology. 675

(O) "Eye lash extensions" include temporary and semi- 676  
permanent enhancements designed to add length, thickness, and 677  
fullness to natural eyelashes. 678

(P) "Hair designer" means an individual who engages in the 679  
practice of hair design but no other branch of cosmetology in a 680  
licensed facility. 681

(Q) "Hair design instructor" means an individual who 682  
teaches the theory and practice of hair design, but no other 683  
branch of cosmetology, at a school of cosmetology. 684

(R) "Hair design salon" means a salon in which an 685  
individual engages in the practice of hair design but no other 686  
branch of cosmetology. 687

(S) "Hair removal" includes tweezing, waxing, sugaring, 688  
and threading. "Hair removal" does not include electrolysis. 689

(T) "Independent contractor" means an individual who is 690  
not an employee of a salon but practices a branch of 691  
cosmetology, other than the practice of boutique services, 692  
within a salon in a licensed facility. 693

(U) "Instructor license" means a license to teach the 694  
theory and practice of a branch of cosmetology at a school of 695

cosmetology.	696
<u>(V)</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 cosmetology and barber board to be performed.	697 698 699 700
<u>(W)</u> "Advanced cosmetologist" means an individual authorized to work in a beauty salon and engage in all branches of cosmetology.	701 702 703
<u>(X)</u> "Advanced esthetician" means an individual authorized to work in an esthetics salon, but no other type of salon, and engage in the practice of esthetics, but no other branch of cosmetology.	704 705 706 707
<u>(Y)</u> "Advanced hair designer" means an individual authorized to 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.	708 709 710 711
<u>(Z)</u> "Advanced license" means a license to work in a salon and practice the branch of cosmetology practiced at the salon.	712 713
<u>(AA)</u> "Advanced manicurist" means an individual authorized to work in a nail salon, but no other type of salon, and engage in the practice of manicuring, but no other branch of cosmetology.	714 715 716 717
<del>"Advanced natural hair stylist" means an individual authorized to 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.</del>	718 719 720 721
<u>(BB)</u> "Makeup artistry" means the application of cosmetics for the purpose of skin beautification. "Makeup artistry" does	722 723

not include any other services described in the practice of any 724  
other branch of cosmetology. 725

(CC) "Manicurist" means an individual who engages in the 726  
practice of manicuring but no other branch of cosmetology in a 727  
licensed facility. 728

(DD) "Manicurist instructor" means an individual who 729  
teaches the theory and practice of manicuring, but no other 730  
branch of cosmetology, at a school of cosmetology. 731

(EE) "Nail salon" means a salon in which an individual 732  
engages in the practice of manicuring but no other branch of 733  
cosmetology. 734

~~"Natural hair stylist" means an individual who engages in~~ 735  
~~the practice of natural hair styling but no other branch of~~ 736  
~~cosmetology in a licensed facility.~~ 737

~~"Natural hair style instructor" means an individual who~~ 738  
~~teaches the theory and practice of natural hair styling, but no~~ 739  
~~other branch of cosmetology, at a school of cosmetology.~~ 740

~~"Natural hair style salon" means a salon in which an~~ 741  
~~individual engages in the practice of natural hair styling but~~ 742  
~~no other branch of cosmetology.~~ 743

~~"Practice of braiding" means utilizing the technique of~~ 744  
~~intertwining hair in a systematic motion to create patterns in a~~ 745  
~~three-dimensional form, including patterns that are inverted,~~ 746  
~~upright, or singled against the scalp that follow along straight~~ 747  
~~or curved partings. It may include twisting or locking the hair~~ 748  
~~while adding bulk or length with human hair, synthetic hair, or~~ 749  
~~both and using simple devices such as clips, combs, and~~ 750  
~~hairpins. "Practice of braiding" does not include application of~~ 751  
~~weaving, bonding, and fusion of individual strands or wefts;~~ 752

~~application of dyes, reactive chemicals, or other preparations~~ 753  
~~to alter the color or straighten, curl, or alter the structure~~ 754  
~~of hair; embellishing or beautifying hair by cutting or~~ 755  
~~singeing, except as needed to finish the ends of synthetic~~ 756  
~~fibers used to add bulk to or lengthen hair.~~ 757

(FF) "Practice of boutique services" means braiding, 758  
threading, shampooing, blow-dry styling, makeup artistry, eye 759  
lash extension services, and wig styling and application. 760

(GG) "Practice of cosmetology" means the practice of all 761  
branches of cosmetology. 762

(HH) "Practice of esthetics" means the application of 763  
cosmetics, tonics, antiseptics, creams, lotions, or other 764  
preparations for the purpose of skin beautification and includes 765  
preparation of the skin by manual massage techniques or by use 766  
of electrical, mechanical, or other apparatus; ~~enhancement~~ of 767  
the skin by skin care, facials, body treatments, hair removal, 768  
and other treatments; and eye lash extension services. 769

(II) "Practice of hair design" means embellishing or 770  
beautifying hair, wigs, or hairpieces by arranging, dressing, 771  
pressing, curling, waving, permanent waving, cleansing, cutting, 772  
singeing, bleaching, coloring, braiding, weaving, or similar 773  
work. "Practice of hair design" includes utilizing techniques 774  
performed by hand that result in tension on hair roots such as 775  
twisting, wrapping, weaving, extending, locking, or braiding of 776  
the hair. 777

(JJ) "Practice of manicuring" means cleaning, trimming, 778  
shaping the free edge of, or applying polish to the nails of any 779  
individual; applying nail enhancements and embellishments to any 780  
individual; massaging the hands and lower arms up to the elbow 781

of any individual; massaging the feet and lower legs up to the 782  
knee of any individual; using lotions or softeners on the hands 783  
and feet of any individual; or any combination of these types of 784  
services. 785

~~"Practice of natural hair styling" means utilizing 786  
techniques performed by hand that result in tension on hair 787  
roots such as twisting, wrapping, weaving, extending, locking, 788  
or braiding of the hair. "Practice of natural hair styling" does 789  
not include the application of dyes, reactive chemicals, or 790  
other preparations to alter the color or to straighten, curl, or 791  
alter the structure of the hair. "Practice of natural hair 792  
styling" also does not include embellishing or beautifying hair 793  
by cutting or singeing, except as needed to finish off the end 794  
of a braid, or by dressing, pressing, curling, waving, permanent 795  
waving, or similar work. 796~~

(KK) "Practicing license" means a license to practice a 797  
branch of cosmetology in a licensed facility. 798

(LL) "Salon" means a licensed facility on any premises, 799  
building, or part of a building in which an individual engages 800  
in the practice of one or more branches of cosmetology. "Salon" 801  
does not include a barber shop licensed under Chapter 4709. of 802  
the Revised Code. "Salon" does not mean a tanning facility, 803  
although a tanning facility may be located in a salon. 804

(MM) "School of cosmetology" means any premises, building, 805  
or part of a building in which students are instructed in the 806  
theories and practices of one or more branches of cosmetology. 807

(NN) "Shampooing" means the act of cleansing and 808  
conditioning an individual's hair ~~under the supervision of an 809  
individual licensed under this chapter and in preparation to 810~~

~~immediately receive a service from a licensee.~~ 811

(OO) "Student" means an individual, other than an 812  
apprentice instructor, who is engaged in learning or acquiring 813  
knowledge of the practice of a branch of cosmetology at a school 814  
of cosmetology. 815

(PP) "Tanning facility" means any premises, building, or 816  
part of a building that contains one or more rooms or booths 817  
with any of the following: 818

~~(A)~~ (1) Equipment or beds used for tanning human skin by 819  
the use of fluorescent sun lamps using ultraviolet or other 820  
artificial radiation; 821

~~(B)~~ (2) Equipment or booths that use chemicals applied to 822  
human skin, including chemical applications commonly referred to 823  
as spray-on, mist-on, or sunless tans; 824

~~(C)~~ (3) Equipment or beds that use visible light for 825  
cosmetic purposes. 826

(OO) "Threading" includes a service that results in the 827  
removal of hair from its follicle from around the eyebrows and 828  
from other parts of the face with the use of a single strand of 829  
thread and an astringent, if the service does not use chemicals 830  
of any kind, wax, or any implements, instruments, or tools to 831  
remove hair. 832

**Sec. 4713.07.** (A) The state cosmetology and barber board 833  
shall do all of the following: 834

(1) Regulate the practice of cosmetology and all of its 835  
branches in this state; 836

(2) Investigate or inspect, when evidence appears to 837  
demonstrate that an individual has violated any provision of 838

this chapter or any rule adopted pursuant to it, the activities	839
or premises of a license holder or unlicensed individual;	840
(3) Adopt rules in accordance with section 4713.08 of the	841
Revised Code;	842
(4) Prescribe and make available application forms to be	843
used by individuals seeking admission to an examination	844
conducted under section 4713.24 of the Revised Code or a license	845
or registration issued under this chapter;	846
(5) Prescribe and make available application forms to be	847
used by individuals seeking renewal of a license <del>or registration</del>	848
issued under this chapter;	849
(6) Provide a toll-free number and an online service to	850
receive complaints alleging violations of this chapter or	851
Chapter 4709. of the Revised Code;	852
(7) Report to the proper prosecuting officer violations of	853
section 4713.14 of the Revised Code of which the board is aware;	854
(8) Submit a written report annually to the governor that	855
provides all of the following:	856
(a) A discussion of the conditions in this state of the	857
branches of cosmetology;	858
(b) An evaluation of board activities intended to aid or	859
protect consumers;	860
(c) A brief summary of the board's proceedings during the	861
year the report covers;	862
(d) A statement of all money that the board received and	863
expended during the year the report covers.	864
(9) Keep a record of all of the following:	865

(a) The board's proceedings;	866
(b) The name and last known physical address, electronic mail address, and telephone number of each individual issued a license or registration under this chapter;	867 868 869
(c) The date and number of each license, permit, and registration that the board issues.	870 871
(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;	872 873 874
(11) Require inspectors appointed pursuant to section 4713.06 of the Revised Code to conduct inspections of licensed or permitted facilities, including salons <del>and boutique salons</del> , schools of cosmetology, barber schools, barber shops, 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 or a violation of any provision of Chapter 4709. of the Revised Code or rule adopted by the board pursuant to Chapter 4709. of the Revised Code. 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.	875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895



(12) Supply a copy of the poster created pursuant to 896  
division (B) of section 5502.63 of the Revised Code to each 897  
person authorized to operate a salon, school of cosmetology, 898  
tanning facility, or other type of facility under this chapter; 899

(13) All other duties that this chapter imposes on the 900  
board. 901

(B) The board may delegate any of the duties listed in 902  
division (A) of this section to the executive director of the 903  
board or to an individual designated by the executive director. 904

**Sec. 4713.081.** The state cosmetology and barber board 905  
shall furnish a copy of the sanitary standards established by 906  
rules adopted under section 4713.08 of the Revised Code to each 907  
individual to whom the board issues a practicing license, 908  
advanced license, or license to operate a salon or school of 909  
cosmetology, ~~or boutique services registration~~. The board also 910  
shall furnish a copy of the sanitary standards to each 911  
individual providing cosmetic therapy, massage therapy, or other 912  
professional service in a salon under section 4713.42 of the 913  
Revised Code. A salon or school of cosmetology provided a copy 914  
of the sanitary standards shall post the standards in a public 915  
and conspicuous place in the salon or school. 916

**Sec. 4713.09.** The state cosmetology and barber board may 917  
adopt rules in accordance with section 4713.08 of the Revised 918  
Code to establish a continuing education requirement, not to 919  
exceed eight hours in a biennial licensing period, as a 920  
condition of renewal for a practicing license, advanced license, 921  
or instructor license, ~~or boutique services registration~~. These 922  
hours may include training in identifying and addressing the 923  
crime of trafficking in persons as described in section 2905.32 924  
of the Revised Code. At least two of the eight hours of the 925

continuing education requirement must be achieved in courses 926  
concerning safety and sanitation, and at least one hour of the 927  
eight hours of the continuing education requirement must be 928  
achieved in courses concerning law and rule updates. 929

**Sec. 4713.10.** (A) The state cosmetology and barber board 930  
shall charge and collect the following fees: 931

(1) For a temporary pre-examination work permit under 932  
section 4713.22 of the Revised Code, not more than fifteen 933  
dollars; 934

(2) For initial application to take an examination under 935  
section 4713.24 of the Revised Code, not more than forty 936  
dollars; 937

(3) For application to take an examination under section 938  
4713.24 of the Revised Code by an applicant who has previously 939  
applied to take, but failed to appear for, the examination, not 940  
more than fifty-five dollars; 941

(4) For application to re-take an examination under 942  
section 4713.24 of the Revised Code by an applicant who has 943  
previously appeared for, but failed to pass, the examination, 944  
not more than forty dollars; 945

(5) For the issuance of a license under section 4713.28, 946  
4713.30, or 4713.31 of the Revised Code, not more than seventy- 947  
five dollars; 948

(6) For the issuance of a license under section 4713.34 of 949  
the Revised Code, not more than seventy dollars; 950

(7) For renewal of a license issued under section 4713.28, 951  
4713.30, 4713.31, or 4713.34 of the Revised Code, not more than 952  
seventy dollars; 953

(8) For the issuance or renewal of a cosmetology school license, not more than two hundred fifty dollars;	954 955
(9) For the issuance of a new salon license or the change of name or ownership of a salon license under section 4713.41 of the Revised Code, not more than one hundred dollars;	956 957 958
(10) For the renewal of a salon license under section 4713.41 of the Revised Code, not more than ninety dollars;	959 960
(11) For the restoration of an expired license that may be restored pursuant to section 4713.63 of the Revised Code, an amount equal to the sum of the current license renewal fee and a lapsed renewal fee of not more than forty-five dollars per license renewal period that has elapsed since the license was last issued or renewed;	961 962 963 964 965 966
(12) For the issuance of a duplicate of any license, not more than thirty dollars;	967 968
(13) For the preparation and mailing of a licensee's records to another state for a reciprocity license, not more than fifty dollars;	969 970 971
(14) For the processing of any fees related to a check from a licensee returned to the board for insufficient funds, an additional thirty dollars;	972 973 974
<u>(15) For the issuance of a boutique salon registration under section 4713.69 of the Revised Code, not more than twenty-five dollars.</u>	975 976 977
(B) The board shall adjust the fees biennially, by rule, within the limits established by division (A) of this section, to provide sufficient revenues to meet its expenses.	978 979 980
(C) The board may establish an installment plan for the	981

payment of fines and fees and may reduce fees as considered 982  
appropriate by the board. 983

(D) At the request of a person who is temporarily unable 984  
to pay a fee imposed under division (A) of this section, or on 985  
its own motion, the board may extend the date payment is due by 986  
up to ninety days. If the fee remains unpaid after the date 987  
payment is due, the amount of the fee shall be certified to the 988  
attorney general for collection in the form and manner 989  
prescribed by the attorney general. The attorney general may 990  
assess the collection cost to the amount certified in such a 991  
manner and amount as prescribed by the attorney general. 992

**Sec. 4713.14.** No individual shall do any of the following: 993

(A) Use fraud or deceit in making application for a 994  
license, permit, or registration; 995

(B) Aid or abet any individual or entity in any of the 996  
following: 997

(1) Violating this chapter or a rule adopted under it; 998

(2) Obtaining a license, permit, or registration 999  
fraudulently; 1000

(3) Falsely pretending to hold a current, valid license or 1001  
permit. 1002

(C) Practice a branch of cosmetology, for pay, free, or 1003  
otherwise, without one of the following authorizing the practice 1004  
of that branch of cosmetology: 1005

(1) A current, valid license under section 4713.28, 1006  
4713.30, or 4713.34 of the Revised Code; 1007

(2) A current, valid temporary pre-examination work permit 1008

issued under section 4713.22 of the Revised Code;	1009
(3) A current, valid temporary special occasion work	1010
permit issued under section 4713.37 of the Revised Code;	1011
(4) A current, valid temporary work permit issued under	1012
rules adopted by the board pursuant to section 4713.08 of the	1013
Revised Code;	1014
(5) A current, valid registration under section 4713.69 of	1015
the Revised Code.	1016
(D) Employ an individual to practice a branch of	1017
cosmetology if the individual does not hold one of the following	1018
authorizing the practice of that branch of cosmetology:	1019
(1) A current, valid license under section 4713.28,	1020
4713.30, or 4713.34 of the Revised Code;	1021
(2) A current, valid temporary pre-examination work permit	1022
issued under section 4713.22 of the Revised Code;	1023
(3) A current, valid temporary special occasion work	1024
permit issued under section 4713.37 of the Revised Code;	1025
(4) A current, valid temporary work permit issued under	1026
rules adopted by the board pursuant to section 4713.08 of the	1027
Revised Code;	1028
(5) A current, valid registration under section 4713.69 of	1029
the Revised Code.	1030
(E) Except for apprentice instructors and as provided in	1031
section 4713.45 of the Revised Code, teach the theory or	1032
practice of a branch of cosmetology at a school of cosmetology	1033
without either of the following authorizing the teaching of that	1034
branch of cosmetology:	1035

(1) A current, valid license under section 4713.31 or	1036
4713.34 of the Revised Code;	1037
(2) A current, valid temporary special occasion work	1038
permit issued under section 4713.37 of the Revised Code.	1039
(F) Advertise or operate a glamour photography service in	1040
which a branch of cosmetology is practiced unless the individual	1041
practicing the branch of cosmetology holds either of the	1042
following authorizing the practice of that branch of	1043
cosmetology:	1044
(1) A current, valid license under section 4713.28,	1045
4713.30, or 4713.34 of the Revised Code;	1046
(2) A current, valid temporary special occasion work	1047
permit issued under section 4713.37 of the Revised Code.	1048
(G) Advertise or operate a glamour photography service in	1049
which a branch of cosmetology is practiced at a location not	1050
specified by rules adopted under section 4713.08 of the Revised	1051
Code;	1052
(H) Practice a branch of cosmetology at a salon as an	1053
independent contractor without a current, valid independent	1054
contractor license issued under section 4713.39 of the Revised	1055
Code;	1056
(I) Operate a salon without a current, valid license under	1057
section 4713.41 of the Revised Code;	1058
(J) Provide any of the following at a salon for pay, free,	1059
or otherwise:	1060
(1) Massage therapy, unless the individual has a current,	1061
valid license issued by the state medical board under section	1062
4731.15 of the Revised Code;	1063

(2) Any other professional service, unless the individual has a current, valid license or certificate issued by the professional regulatory board of this state that regulates the profession;	1064 1065 1066 1067
(3) Cosmetic therapy, unless the individual is authorized by rules adopted under section 4713.08 of the Revised Code.	1068 1069
(K) Teach a branch of cosmetology at a salon, unless the individual receiving the instruction holds either of the following authorizing the practice of that branch of cosmetology:	1070 1071 1072 1073
(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;	1074 1075
(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code.	1076 1077
(L) Operate a school of cosmetology without a current, valid license under section 4713.44 of the Revised Code;	1078 1079
(M) At a salon or school of cosmetology, do any of the following:	1080 1081
(1) Use or possess a cosmetic product containing an ingredient that the United States food and drug administration has prohibited by regulation;	1082 1083 1084
(2) Use a cosmetic product in a manner inconsistent with a restriction established by the United States food and drug administration by regulation;	1085 1086 1087
(3) Use or possess a liquid nail monomer containing any trace of methyl methacrylate (MMA).	1088 1089
(N) While in charge of a salon or school of cosmetology,	1090

permit any individual to sleep in, or use for residential 1091  
purposes, any room used wholly or in part as the salon or school 1092  
of cosmetology; 1093

(O) Maintain, as an established place of business for the 1094  
practice of one or more of the branches of cosmetology, a room 1095  
used wholly or in part for sleeping or residential purposes; 1096

(P) Operate a tanning facility that is offered to the 1097  
public for a fee or other compensation without a current, valid 1098  
permit under section 4713.48 of the Revised Code; 1099

(Q) Practice a branch of cosmetology other than the 1100  
practice of boutique services in a location other than a 1101  
licensed facility unless otherwise exempted under section 1102  
4713.16 or 4713.17 of the Revised Code; 1103

(R) Use any of the services or arts that are part of 1104  
cosmetology to treat or attempt to cure a physical or mental 1105  
disease or ailment. 1106

**Sec. 4713.25.** (A) The state cosmetology and barber board 1107  
may administer a separate advanced cosmetologist examination for 1108  
individuals who complete an advanced cosmetologist training 1109  
course separate from a cosmetologist training course. The board 1110  
may combine the advanced cosmetologist examination with the 1111  
cosmetologist examination for individuals who complete a 1112  
combined cosmetologist and advanced cosmetologist training 1113  
course. 1114

(B) The board may administer a separate advanced 1115  
esthetician examination for individuals who complete an advanced 1116  
esthetician training course separate from an esthetician 1117  
training course. The board may combine the advanced esthetician 1118  
examination with the esthetician examination for individuals who 1119



complete an esthetician and advanced esthetician training 1120  
course. 1121

(C) The board may administer a separate advanced hair 1122  
designer examination for individuals who complete an advanced 1123  
hair designer training course separate from a hair designer 1124  
training course. The board may combine the advanced hair 1125  
designer examination with the hair designer examination for 1126  
individuals who complete a hair designer and advanced hair 1127  
designer training course. 1128

(D) The board may administer a separate advanced 1129  
manicurist examination for individuals who complete an advanced 1130  
manicurist training course separate from a manicurist training 1131  
course. The board may combine the advanced manicurist 1132  
examination with the manicurist examination for individuals who 1133  
complete a manicurist and advanced manicurist training course. 1134

~~(E) The board may administer a separate advanced natural 1135  
hair stylist examination for individuals who complete an 1136  
advanced natural hair stylist training course separate from a 1137  
natural hair stylist training course. The board may combine the 1138  
advanced natural hair stylist examination with the natural hair 1139  
stylist examination for individuals who complete a natural hair 1140  
stylist and advanced natural hair stylist training course. 1141~~

**Sec. 4713.28.** (A) The state cosmetology and barber board 1142  
shall issue a practicing license to an applicant who satisfies 1143  
all of the following applicable conditions: 1144

(1) Is at least sixteen years of age; 1145

(2) Has the equivalent of an Ohio public school tenth 1146  
grade education; 1147

(3) Has submitted a written application on a form 1148

furnished by the board that contains all of the following:	1149
(a) The name of the individual and any other identifying information required by the board;	1150 1151
(b) A recent photograph of the individual that meets the specifications established by the board;	1152 1153
(c) A photocopy of the individual's current driver's license or other proof of legal residence;	1154 1155
(d) Proof that the individual is qualified to take the applicable examination as required by section 4713.20 of the Revised Code;	1156 1157 1158
(e) An oath verifying that the information in the application is true;	1159 1160
(f) The applicable application fee.	1161
(4) Passes an examination conducted under division (A) of section 4713.24 of the Revised Code for the branch of cosmetology the applicant seeks to practice;	1162 1163 1164
(5) Pays to the board the applicable license fee;	1165
(6) In the case of an applicant for an initial cosmetologist license, has successfully completed at least one thousand five hundred hours of board-approved cosmetology training in a school of cosmetology licensed in this state, except that only one thousand hours of board-approved cosmetology training in a school of cosmetology licensed in this state is required of an individual licensed as a barber under Chapter 4709. of the Revised Code;	1166 1167 1168 1169 1170 1171 1172 1173
(7) In the case of an applicant for an initial esthetician license, has successfully completed at least six hundred hours	1174 1175

of board-approved esthetics training in a school of cosmetology 1176  
licensed in this state; 1177

(8) In the case of an applicant for an initial hair 1178  
designer license, has successfully completed at least one 1179  
thousand two hundred hours of board-approved hair designer 1180  
training in a school of cosmetology licensed in this state, 1181  
except that only one thousand hours of board-approved hair 1182  
designer training in a school of cosmetology licensed in this 1183  
state is required of an individual licensed as a barber under 1184  
Chapter 4709. of the Revised Code; 1185

(9) In the case of an applicant for an initial manicurist 1186  
license, has successfully completed at least two hundred hours 1187  
of board-approved manicurist training in a school of cosmetology 1188  
licensed in this state; 1189

~~(10) In the case of an applicant for an initial natural 1190  
hair stylist license, has successfully completed at least four 1191  
hundred fifty hours of instruction in subjects relating to 1192  
sanitation, scalp care, anatomy, hair styling, communication 1193  
skills, and laws and rules governing the practice of 1194  
cosmetology. 1195~~

(B) The board shall not deny a license to any applicant 1196  
based on prior incarceration or conviction for any crime. If the 1197  
board denies an individual a license or license renewal, the 1198  
reasons for such denial shall be put in writing. 1199

**Sec. 4713.30.** The state cosmetology and barber board shall 1200  
issue an advanced license to an applicant who satisfies all of 1201  
the following applicable conditions: 1202

(A) Is at least sixteen years of age; 1203

(B) Has the equivalent of an Ohio public school tenth 1204

grade education;	1205
(C) Pays to the board the applicable fee;	1206
(D) Passes the appropriate advanced license examination;	1207
(E) In the case of an applicant for an initial advanced cosmetologist license, does either of the following:	1208 1209
(1) Has a licensed advanced cosmetologist or owner of a licensed beauty salon located in this or another state certify to the board that the applicant has practiced as a cosmetologist for at least one thousand eight hundred hours in a licensed beauty salon;	1210 1211 1212 1213 1214
(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as a cosmetologist, at least three hundred hours of board-approved advanced cosmetologist training.	1215 1216 1217 1218 1219
(F) In the case of an applicant for an initial advanced esthetician license, does either of the following:	1220 1221
(1) Has the licensed advanced esthetician, licensed advanced cosmetologist, or owner of a licensed esthetics salon or licensed beauty salon located in this or another state certify to the board that the applicant has practiced esthetics for at least one thousand eight hundred hours as an esthetician in a licensed esthetics salon or as a cosmetologist in a licensed beauty salon;	1222 1223 1224 1225 1226 1227 1228
(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as an esthetician or cosmetologist, at least one hundred fifty hours	1229 1230 1231 1232

of board-approved advanced esthetician training. 1233

(G) In the case of an applicant for an initial advanced 1234  
hair designer license, does either of the following: 1235

(1) Has the licensed advanced hair designer, licensed 1236  
advanced cosmetologist, or owner of a licensed hair design salon 1237  
or licensed beauty salon located in this or another state 1238  
certify to the board that the applicant has practiced hair 1239  
design for at least one thousand eight hundred hours as a hair 1240  
designer in a licensed hair design salon or as a cosmetologist 1241  
in a licensed beauty salon; 1242

(2) Has a school of cosmetology licensed in this state 1243  
certify to the board that the applicant has successfully 1244  
completed, in addition to the hours required for licensure as a 1245  
hair designer or cosmetologist, at least two hundred forty hours 1246  
of board-approved advanced hair designer training. 1247

(H) In the case of an applicant for an initial advanced 1248  
manicurist license, does either of the following: 1249

(1) Has the licensed advanced manicurist, licensed 1250  
advanced cosmetologist, or owner of a licensed nail salon, 1251  
licensed beauty salon, or licensed barber shop located in this 1252  
or another state certify to the board that the applicant has 1253  
practiced manicuring for at least one thousand eight hundred 1254  
hours as a manicurist in a licensed nail salon or licensed 1255  
barber shop or as a cosmetologist in a licensed beauty salon or 1256  
licensed barber shop; 1257

(2) Has a school of cosmetology licensed in this state 1258  
certify to the board that the applicant has successfully 1259  
completed, in addition to the hours required for licensure as a 1260  
manicurist or cosmetologist, at least one hundred hours of 1261

board-approved advanced manicurist training. 1262

~~(I) In the case of an applicant for an initial advanced- 1263  
natural hair stylist license, does either of the following: 1264~~

~~(1) Has the licensed advanced natural hair stylist, 1265  
licensed advanced cosmetologist, or owner of a licensed natural- 1266  
hair style salon or licensed beauty salon located in this or 1267  
another state certify to the board that the applicant has 1268  
practiced natural hair styling for at least one thousand eight- 1269  
hundred hours as a natural hair stylist in a licensed natural- 1270  
hair style salon or as a cosmetologist in a licensed beauty- 1271  
salon; 1272~~

~~(2) Has a school of cosmetology licensed in this state- 1273  
certify to the board that the applicant has successfully- 1274  
completed, in addition to the hours required for licensure as 1275  
natural hair stylist or cosmetologist, at least one hundred- 1276  
fifty hours of board approved advanced natural hair stylist- 1277  
training. 1278~~

**Sec. 4713.31.** The state cosmetology and barber board shall 1279  
issue an instructor license to an applicant who satisfies all of 1280  
the following applicable conditions: 1281

(A) Is at least eighteen years of age; 1282

(B) Has the equivalent of an Ohio public school twelfth 1283  
grade education; 1284

(C) Pays to the board the applicable fee; 1285

(D) In the case of an applicant for an initial cosmetology 1286  
instructor license, holds a current, valid advanced 1287  
cosmetologist license issued in this state and does either of 1288  
the following: 1289

(1) Has the licensed advanced cosmetologist or owner of 1290  
the licensed beauty salon in which the applicant has been 1291  
employed certify to the board that the applicant has engaged in 1292  
the practice of cosmetology in a licensed beauty salon for at 1293  
least one thousand eight hundred hours; 1294

(2) Has a school of cosmetology licensed in this state 1295  
certify to the board that the applicant has successfully 1296  
completed one thousand hours of board-approved cosmetology 1297  
instructor training as an apprentice instructor. 1298

(E) In the case of an applicant for an initial esthetics 1299  
instructor license, holds a current, valid advanced esthetician 1300  
or advanced cosmetologist license issued in this state and does 1301  
either of the following: 1302

(1) Has the licensed advanced esthetician, licensed 1303  
advanced cosmetologist, or owner of the licensed esthetics salon 1304  
or licensed beauty salon in which the applicant has been 1305  
employed certify to the board that the applicant has engaged in 1306  
the practice of esthetics in a licensed esthetics salon or 1307  
practice of cosmetology in a licensed beauty salon for at least 1308  
one thousand eight hundred hours; 1309

(2) Has a school of cosmetology licensed in this state 1310  
certify to the board that the applicant has successfully 1311  
completed at least five hundred hours of board-approved 1312  
esthetics instructor training as an apprentice instructor. 1313

(F) In the case of an applicant for an initial hair design 1314  
instructor license, holds a current, valid advanced hair 1315  
designer or advanced cosmetologist license and does either of 1316  
the following: 1317

(1) Has the licensed advanced hair designer, licensed 1318

advanced cosmetologist, or owner of the licensed hair design 1319  
salon or licensed beauty salon in which the applicant has been 1320  
employed certify to the board that the applicant has engaged in 1321  
the practice of hair design in a licensed hair design salon or 1322  
practice of cosmetology in a licensed beauty salon for at least 1323  
one thousand eight hundred hours; 1324

(2) Has a school of cosmetology licensed in this state 1325  
certify to the board that the applicant has successfully 1326  
completed at least eight hundred hours of board-approved hair 1327  
design instructor's training as an apprentice instructor. 1328

(G) In the case of an applicant for an initial manicurist 1329  
instructor license, holds a current, valid advanced manicurist 1330  
or advanced cosmetologist license and does either of the 1331  
following: 1332

(1) Has the licensed advanced manicurist, licensed 1333  
advanced cosmetologist, or owner of the licensed nail salon or 1334  
licensed beauty salon in which the applicant has been employed 1335  
certify to the board that the applicant has engaged in the 1336  
practice of manicuring in a licensed nail salon or practice of 1337  
cosmetology in a licensed beauty salon for at least one thousand 1338  
eight hundred hours; 1339

(2) Has a school of cosmetology licensed in this state 1340  
certify to the board that the applicant has successfully 1341  
completed at least three hundred hours of board-approved 1342  
manicurist instructor training as an apprentice instructor. 1343

~~(H) In the case of an applicant for an initial natural 1344  
hair style instructor license, holds a current, valid advanced 1345  
natural hair stylist or advanced cosmetologist license and does 1346  
either of the following: 1347~~



~~(1) Has the licensed advanced natural hair stylist,  
licensed advanced cosmetologist, or owner of the licensed  
natural hair style 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 natural hair styling in  
a licensed natural hair style salon or practice of cosmetology  
in a licensed beauty salon for at least one thousand eight  
hundred hours;~~ 1348  
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~~(2) Has a school of cosmetology licensed in this state  
certify to the board that the applicant has successfully  
completed at least four hundred hours of board approved natural  
hair style instructor training as an apprentice instructor.~~ 1356  
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~~(I) In the case of all applicants, passes an examination  
conducted under division (B) of section 4713.24 of the Revised  
Code for the branch of cosmetology the applicant seeks to  
instruct.~~ 1360  
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**Sec. 4713.35.** An individual who holds a current, valid 1364  
cosmetologist or advanced cosmetologist license issued by the 1365  
state cosmetology and barber board may engage in the practice of 1366  
one or more branches of cosmetology as the individual chooses in 1367  
a licensed facility. 1368

An individual who holds a current, valid esthetician or 1369  
advanced esthetician license issued by the board may engage in 1370  
the practice of esthetics but no other branch of cosmetology in 1371  
a licensed facility. 1372

An individual who holds a current, valid hair designer or 1373  
advanced hair designer license issued by the board may engage in 1374  
the practice of hair design but no other branch of cosmetology 1375  
in a licensed facility. 1376

An individual who holds a current, valid manicurist or 1377  
advanced manicurist license issued by the board may engage in 1378  
the practice of manicuring but no other branch of cosmetology in 1379  
a licensed facility. 1380

~~An individual who holds a current, valid natural hair-~~ 1381  
~~stylist or advanced natural hair stylist license issued by the-~~ 1382  
~~board may engage in the practice of natural hair styling but no-~~ 1383  
~~other branch of cosmetology in a licensed facility.~~ 1384

An individual who holds a current, valid cosmetology 1385  
instructor license issued by the board may teach the theory and 1386  
practice of one or more branches of cosmetology at a school of 1387  
cosmetology as the individual chooses. 1388

An individual who holds a current, valid esthetics 1389  
instructor license issued by the board may teach the theory and 1390  
practice of esthetics, but no other branch of cosmetology, at a 1391  
school of cosmetology. 1392

An individual who holds a current, valid hair design 1393  
instructor license issued by the board may teach the theory and 1394  
practice of hair design, but no other branch of cosmetology, at 1395  
a school of cosmetology. 1396

An individual who holds a current, valid manicurist 1397  
instructor license issued by the board may teach the theory and 1398  
practice of manicuring, but no other branch of cosmetology, at a 1399  
school of cosmetology. 1400

~~An individual who holds a current, valid natural hair-~~ 1401  
~~style instructor license issued by the board may teach the-~~ 1402  
~~theory and practice of natural hair styling, but no other branch-~~ 1403  
~~of cosmetology, at a school of cosmetology.~~ 1404

~~An individual who holds a current, valid boutique-~~ 1405

~~registration with the board may engage in the practice of~~ 1406  
~~boutique services but no other branch of cosmetology.~~ 1407

**Sec. 4713.41.** The state cosmetology and barber board shall 1408  
issue a license to operate a salon, ~~including a boutique salon,~~ 1409  
to an applicant who pays the applicable fee and affirms that all 1410  
of the following conditions will be met: 1411

(A) (1) An individual holding a current, valid 1412  
cosmetologist license ~~or boutique services registration~~ 1413  
pertaining to the branch of cosmetology services performed at 1414  
the salon ~~or boutique salon,~~ shall have charge of and immediate 1415  
supervision over the salon at all times when the salon is open 1416  
for business except as permitted under division (A) (2) of this 1417  
section. 1418

(2) A business establishment that is engaged primarily in 1419  
retail sales but is also licensed as a salon shall have present 1420  
an individual holding a current, valid license ~~or registration~~ 1421  
to practice in that type of salon in charge of and in immediate 1422  
supervision of the salon during posted or advertised service 1423  
hours, if the practice of cosmetology is restricted to those 1424  
posted or advertised service hours. 1425

(B) The salon is equipped to do all of the following: 1426

(1) Provide potable running hot and cold water and proper 1427  
drainage; 1428

(2) Sanitize all instruments and supplies used in the 1429  
branch of cosmetology provided at the salon; 1430

(3) If cosmetic therapy, massage therapy, or other 1431  
professional service is provided at the salon under section 1432  
4713.42 of the Revised Code, sanitize all instruments and 1433  
supplies used in the cosmetic therapy, massage therapy, or other 1434

professional service. 1435

(C) Except as provided in sections 4713.42 ~~and~~ 4713.49, 1436  
and 4713.69 of the Revised Code, only the branch of cosmetology 1437  
that the salon is licensed to provide is practiced at the salon. 1438

(D) The salon is kept in a clean and sanitary condition 1439  
and properly ventilated. 1440

(E) No food is sold at the salon in a manner inconsistent 1441  
with rules adopted under section 4713.08 of the Revised Code. 1442

(F) A notice that contains a toll-free number and online 1443  
process for reporting alleged violations of this chapter, as 1444  
prescribed by the board of cosmetology, is posted at the salon 1445  
in a common area for all customers of salon services. 1446

**Sec. 4713.56.** Every holder of a practicing license, 1447  
instructor license, or independent contractor license, ~~or~~ 1448  
~~boutique service registration~~ issued by the state cosmetology 1449  
and barber board shall maintain the board-issued, wallet-sized 1450  
license or electronically generated license certification ~~or~~ 1451  
~~registration~~ and a current government-issued photo 1452  
identification that can be produced upon inspection or request. 1453

Every holder of a license to operate a salon issued by the 1454  
board shall display the license in a public and conspicuous 1455  
place in the salon. 1456

Every holder of a license to operate a school of 1457  
cosmetology issued by the board shall display the license in a 1458  
public and conspicuous place in the school. 1459

Every individual who provides massage therapy or other 1460  
professional service in a salon under section 4713.42 of the 1461  
Revised Code shall maintain the individual's professional 1462

license or certificate or electronically generated license 1463  
certification or registration and a state of Ohio issued photo 1464  
identification that can be produced upon inspection or request. 1465

**Sec. 4713.57.** A license ~~or registration~~ issued by the 1466  
state cosmetology and barber board pursuant to this chapter is 1467  
valid until the last day of January of the odd-numbered year 1468  
following its original issuance or renewal, unless the license 1469  
is revoked or suspended prior to that date. Renewal shall be 1470  
done in accordance with the standard renewal procedure of 1471  
Chapter 4745. of the Revised Code. The board may refuse to renew 1472  
a license if the individual holding the license has an 1473  
outstanding unpaid fine levied under section 4713.64 of the 1474  
Revised Code. 1475

**Sec. 4713.58.** (A) Except as provided in division (B) of 1476  
this section, on payment of the renewal fee and submission of 1477  
proof satisfactory to the state cosmetology and barber board 1478  
that any applicable continuing education requirements have been 1479  
completed, an individual currently licensed as: 1480

(1) A cosmetology instructor who has previously been 1481  
licensed as a cosmetologist or an advanced cosmetologist, is 1482  
entitled to the reissuance of a cosmetologist or advanced 1483  
cosmetologist license; 1484

(2) An esthetics instructor who has previously been 1485  
licensed as an esthetician or an advanced esthetician, is 1486  
entitled to the reissuance of an esthetician or advanced 1487  
esthetician license; 1488

(3) A hair design instructor who has previously been 1489  
licensed as a hair designer or an advanced hair designer, is 1490  
entitled to the reissuance of a hair designer or advanced hair 1491

designer license; 1492

(4) A manicurist instructor who has previously been 1493  
licensed as a manicurist or an advanced manicurist, is entitled 1494  
to the reissuance of a manicurist or advanced manicurist 1495  
license. 1496

~~(5) A natural hair style instructor who has previously 1497  
been licensed as a natural hair stylist or an advanced natural 1498  
hair stylist, is entitled to the reissuance of a natural hair 1499  
stylist or advanced natural hair stylist license. 1500~~

(B) No individual is entitled to the reissuance of a 1501  
license under division (A) of this section if the license was 1502  
revoked or suspended or the individual has an outstanding unpaid 1503  
fine levied under section 4713.64 of the Revised Code. 1504

**Sec. 4713.60.** (A) Except as provided in division (C) of 1505  
this section, an individual seeking a renewal of a license to 1506  
practice a branch of cosmetology, advanced license, or 1507  
instructor license, ~~or boutique services registration~~ shall 1508  
include in the renewal application proof satisfactory to the 1509  
state cosmetology and barber board of completion of any 1510  
applicable continuing education requirements established by 1511  
rules adopted under section 4713.09 of the Revised Code. 1512

(B) If an applicant fails to provide satisfactory proof of 1513  
completion of any applicable continuing education requirements, 1514  
the board shall notify the applicant that the application is 1515  
incomplete. The board shall not renew the license ~~or~~ 1516  
~~registration~~ until the applicant provides satisfactory proof of 1517  
completion of any applicable continuing education requirements. 1518  
The board may provide the applicant with an extension of up to 1519  
ninety days in which to complete the continuing education 1520

requirement. In providing for the extension, the board may 1521  
charge the licensee ~~or registrant~~ a fine of up to one hundred 1522  
dollars. 1523

(C) The board may waive, or extend the period for 1524  
completing, any continuing education requirement if a licensee 1525  
~~or registrant~~ applies to the board and provides proof 1526  
satisfactory to the board of being unable to complete the 1527  
requirement within the time allowed because of any of the 1528  
following: 1529

(1) An emergency; 1530

(2) An unusual or prolonged illness; 1531

(3) Active duty service in any branch of the armed forces 1532  
of the United States or a reserve component of the armed forces 1533  
of the United States, including the Ohio national guard or the 1534  
national guard of any other state. 1535

The board shall determine the period of time during which 1536  
each extension is effective and shall inform the applicant. The 1537  
board shall also inform the applicant of the continuing 1538  
education requirements that must be met to have the license ~~or~~ 1539  
~~registration~~ renewed. If an extension is granted for less than 1540  
one year, the continuing education requirement for that year, in 1541  
addition to the required continuing education for the succeeding 1542  
year, must be completed in the succeeding year. In all other 1543  
cases the board may waive all or part of the continuing 1544  
education requirement on a case-by-case basis. Any required 1545  
continuing education shall be completed and satisfactory proof 1546  
of its completion submitted to the board by a date specified by 1547  
the board. Every license ~~or registration~~ that has not been 1548  
renewed in the timeframe specified in section 4713.57 of the 1549

Revised Code and for which the continuing education requirement 1550  
has not been waived or extended shall be considered expired. 1551

**Sec. 4713.62.** (A) An individual holding a practicing 1552  
license, advanced license, or instructor license, ~~or boutique-~~ 1553  
~~services registration~~ may satisfy a continuing education 1554  
requirement established by rules adopted under section 4713.09 1555  
of the Revised Code only by completing continuing education 1556  
programs approved under division (B) of this section. 1557

(B) The state cosmetology and barber board shall approve a 1558  
continuing education program if all of the following conditions 1559  
are satisfied: 1560

(1) The person operating the program submits to the board 1561  
a written application for approval. 1562

(2) The person operating the program pays to the board a 1563  
fee established by rules adopted under section 4713.08 of the 1564  
Revised Code. 1565

(3) The program is operated by an employee, officer, or 1566  
director of a nonprofit professional association, college or 1567  
university, proprietary continuing education institutions 1568  
providing programs approved by the board, vocational school, 1569  
postsecondary proprietary school of cosmetology licensed by the 1570  
board, salon licensed by the board, or manufacturer of supplies 1571  
or equipment used in the practice of a branch of cosmetology. 1572

(4) The program will do at least one of the following: 1573

(a) Enhance the professional competency of the affected 1574  
licensees ~~or registrants~~; 1575

(b) Protect the public; 1576

(c) Educate the affected licensees ~~or registrants~~ in the 1577



application of the laws and rules regulating the practice of a 1578  
branch of cosmetology. 1579

(5) The person operating the program provides the board a 1580  
tentative schedule of when the program will be available so that 1581  
the board can make the schedule readily available to all 1582  
licensees ~~and registrants~~ throughout the state. 1583

Sec. 4713.69. (A) An individual who engages in the 1584  
practice of boutique services shall obtain a boutique salon 1585  
registration. 1586

(B) An individual wishing to obtain a boutique salon 1587  
registration shall do both of the following: 1588

(1) Submit an application on a form prescribed by the 1589  
state cosmetology and barber board containing all of the 1590  
following: 1591

(a) The applicant's name; 1592

(b) The address of the physical location where an 1593  
applicant engages in the practice of boutique services or the 1594  
applicant's primary home address if the applicant primarily 1595  
engages in the practice of boutique services at multiple 1596  
locations; 1597

(c) The applicant's primary telephone number; 1598

(d) The applicant's primary electronic mail address. 1599

(2) Pay the applicable fee, if any, to the board. 1600

(C) The board shall issue a boutique salon registration to 1601  
an individual who submits a boutique salon registration 1602  
application on the form prescribed by the board and pays to the 1603  
board the applicable fee, if any. 1604

- (D) An individual with a boutique salon registration shall 1605  
do all of the following: 1606
- (1) Inform the board whenever the information provided in 1607  
the individual's application for a registration changes; 1608
- (2) Sanitize all instruments and supplies used in the 1609  
practice of boutique services; 1610
- (3) Engage in the practice of boutique services only at a 1611  
salon or boutique salon that is in clean and sanitary condition 1612  
with proper ventilation, potable running hot and cold water, and 1613  
proper drainage. 1614
- (E) An individual with a valid boutique salon registration 1615  
may engage in the practice of boutique services at a salon. 1616
- (F) The board shall not require initial inspection of a 1617  
boutique salon as a condition for issuing a boutique salon 1618  
registration. The board shall require inspectors appointed 1619  
pursuant to section 4713.06 of the Revised Code to conduct 1620  
inspections of boutique salons only under one of the following 1621  
conditions: 1622
- (1) The inspection is to occur after a complaint is 1623  
reported to the board in accordance with division (A)(11) of 1624  
section 4713.07 of the Revised Code; 1625
- (2) The inspection is to occur within ninety days after a 1626  
violation was documented at a boutique salon. 1627
- (G) The board shall maintain a registry of boutique 1628  
salons. 1629
- (H) A registration issued under division (C) of this 1630  
section does not expire. 1631

(I) An individual who engages in the practice of boutique services and no other branch of cosmetology is exempt from any requirement under this chapter to obtain a current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code.

(J) If an individual holds a license issued under section 4713.28, 4713.30, or 4713.34 of the Revised Code, the individual is not required to register under this section if the individual's practice of boutique services falls under the scope of practice of that license.

**Section 2.** That existing sections 2925.01, 4709.01, 4713.01, 4713.07, 4713.081, 4713.09, 4713.10, 4713.14, 4713.25, 4713.28, 4713.30, 4713.31, 4713.35, 4713.41, 4713.56, 4713.57, 4713.58, 4713.60, and 4713.62 of the Revised Code are hereby repealed.

**Section 3.** That section 4713.69 of the Revised Code is hereby repealed.

**Section 4.** (A) Notwithstanding the amendment of sections in Chapter 4713. of the Revised Code in this act, which no longer provides for natural hair stylist licenses, advanced natural hair stylist licenses, or natural hair style instructor licenses, a valid natural hair stylist license, valid advanced natural hair stylist license, or valid natural hair style instructor license held by a person on or after the effective date of this section is valid for the duration of that license term. If the license is not renewed in accordance with division (B) of this section, the license expires and cannot be renewed.

(B) An individual who holds any of the following licenses on the effective date of this section may maintain and renew the

license at the discretion of the State Cosmetology and Barber Board until December 31, 2022: 1661  
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(1) A valid natural hair stylist license issued under section 4713.28 of the Revised Code as it existed immediately before the effective date of this section; 1663  
1664  
1665

(2) A valid advanced natural hair stylist license issued under section 4713.30 of the Revised Code as it existed immediately before the effective date of this section; 1666  
1667  
1668

(3) A valid natural hair style instructor license issued under section 4713.31 of the Revised Code as it existed immediately before the effective date of this section. 1669  
1670  
1671

**Section 5.** This act shall be known as the Provider of Boutique Services Opportunity Act. 1672  
1673