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Bill Analysis
Legislative Service Commission

H.B. 486

125th General Assembly
(As Introduced)

Reps. Hollister, Aslanides, Flowers, Setzer, Widowfield

BILL SUMMARY

- Requires the State Board of Cosmetology to adopt rules specifying standards for a licensee to practice cosmetology outside of a salon.
- Adds the requirement that an applicant for a managing license of cosmetology hold the appropriate current active branch of cosmetology license.
- Modifies the qualifications to teach in a school of cosmetology without a licensed cosmetology instructor present.

CONTENT AND OPERATION

Rule adoption by the State Board of Cosmetology

The State Board of Cosmetology (hereafter "Board") generally administers the Cosmetology Law (Chapter 4713. of the Revised Code) and consists of nine members. Part of the duties of the Board include issuing licenses or permits to qualifying applicants to practice cosmetology or a branch of cosmetology, to instruct cosmetology, or to manage a salon (see sec. 4713.30 and secs. 4713.28, 4713.31, and 4713.34, not in the bill).

Additionally, continuing law unchanged by the bill requires the Board to adopt rules in accordance with the Administrative Procedure Act in order to implement the Cosmetology Law. In addition to the subjects that current law requires the Board to adopt rules regarding, the bill requires the Board to adopt rules that specify standards under which a licensee may provide cosmetology services outside of a salon. (Sec. 4713.08.)

Qualifications for a managing license

Under continuing law, a "managing license" is a license to manage a salon and to practice the branch of cosmetology practiced at the salon (sec. 4713.01, not in the bill). Continuing law prohibits a person from managing a salon without a current, valid managing license to manage that type of salon (sec. 4713.14(E), not in the bill). Current law also requires the Board to issue a managing license to an applicant who satisfies all of the following applicable conditions: (1) is at least 16 years of age, (2) is of good moral character, (3) has the equivalent of an Ohio public school 10th grade education, (4) pays to the Board the applicable fee, and (5) passes the appropriate managing license examination (sec. 4713.30(A) to (E)). Additional requirements vary based on the type of initial managing license for which the applicant is applying (managing cosmetologist license, managing esthetician license, managing hair designer license, managing manicurist license, or managing natural hair stylist license) (sec. 4713.30(G) to (K)).

The bill adds the condition that the applicant has the appropriate current active branch of cosmetology license or has passed the applicable written and practical examination for that license (sec. 4713.30(F)).

Teaching in schools of cosmetology

Current law permits schools of cosmetology to employ a person who does not hold a current, valid instructor license to teach subjects related to a branch of cosmetology, but the school must have a licensed cosmetology instructor present when that person teaches. If the person meets one of the following descriptions, then the school is not required to have a licensed instructor present:

- (1) A person with a current, valid teacher's certificate or educator license issued by the state board of education;
- (2) A person with a bachelor's degree in the subject the person teaches at the school;
- (3) A person also employed by a university or college to teach the subject the person teaches at the school.

The bill modifies the requirements for a person not licensed by the Board to teach at a school of cosmetology. The bill allows a person who does not hold a current, valid branch of cosmetology license to teach subjects related to a branch of cosmetology, but not specifically a cosmetology course including, but not limited to, anatomy, chemistry, and mathematics, without a licensed cosmetology instructor in the room if the person has any of the following qualifications:

(1) The person has a current, valid teacher's certificate or educator license issued by the state board of education to teach in the subject the person will be teaching.

(2) The person has a bachelor's degree in the subject the person will be teaching at the school.

(3) The person also is employed by a university or college to teach the subject the person will be teaching at the school. (Sec. 4713.45.)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-05-04	p. 1828

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