

ASSEMBLY BILL NO. 195—ASSEMBLYWOMAN
BUSTAMANTE ADAMS

PREFILED FEBRUARY 13, 2017

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing cosmetology.
(BDR 54-119)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to cosmetology; revising provisions governing the State Board of Cosmetology; revising provisions governing instructors of various cosmetology professionals; revising provisions relating to the licensure or registration of various cosmetology professionals, cosmetological establishments and schools of cosmetology; imposing a fee upon certain applicants who request an examination be translated into a language other than English or Spanish; revising provisions relating to disciplinary action and certain prohibited acts; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Under existing law, the State Board of Cosmetology, which consists of seven
- 2 members, is charged with (1) the licensure of cosmetologists, aestheticians, hair
- 3 designers, hair braiders, electrologists, nail technologists and demonstrators of
- 4 cosmetics; (2) the registration of shampoo technologists, makeup artists,
- 5 apprentices and persons who engage in threading and operators of threading
- 6 facilities; and (3) the licensure of cosmetological establishments, establishments for
- 7 hair braiding, instructors and schools of cosmetology. (Chapter 644 of NRS)
- 8 **Section 1** of this bill authorizes the Governor, after notice and a hearing, to remove
- 9 any member of the State Board of Cosmetology for neglect of duty, malfeasance or
- 10 misfeasance.
- 11 Existing law requires the Board to elect both a Treasurer and a Secretary and
- 12 authorizes the Board to assign the duties of Treasurer and Secretary to one person.
- 13 (NRS 644.060) **Section 2** of this bill instead requires the Board to annually elect
- 14 one person as the Secretary-Treasurer of the Board.



15 **Section 3** of this bill removes the examination of certain applicants as one of
16 the purposes of the meetings the Board is required to hold at least four times a year.
17 **Sections 15-18** of this bill make conforming changes.

18 **Section 6** of this bill: (1) revises provisions regarding the deposit and use of
19 fees and other money received by the Board pursuant to the provisions of NRS
20 governing cosmetology; and (2) prohibits certain expenses from being charged
21 against the State General Fund.

22 **Sections 11-13** of this bill revise the continuing education requirements for
23 instructors of cosmetology, instructors of aestheticians and instructors of nail
24 technology, to provide that such instructors are required to satisfy the number of
25 hours of continuing education required by the National Accrediting Commission of
26 Career Arts & Sciences, or its successor organization. **Section 38** of this bill
27 eliminates certain requirements for the examination of instructors in cosmetology
28 because those qualifications are now set forth in **section 11**.

29 **Sections 10, 14, 17 and 18** of this bill: (1) delete the requirement that an
30 applicant for a provisional license as an instructor, a license as a student instructor
31 or a license as a hair braider submit to the Board written verification of completion
32 of the educational requirement for the license; and (2) revise the circumstances
33 under which a license as a student instructor expires.

34 **Section 15** of this bill changes the requirements for admission to examination
35 for a license as a cosmetologist by reducing the number of hours of service as a
36 cosmetologist's apprentice from 3,600 to 3,200 hours for certain applicants.

37 **Sections 19 and 27-29** of this bill require certain applicants to the Board for a
38 license or a certificate of registration to certify that the information contained in the
39 application is truthful and accurate rather than verify the application by oath.

40 **Section 21** of this bill expands the provisions which require the Board to
41 provide examinations for licensure and registration in English and, upon request, in
42 Spanish and authorize the Board to provide examinations for licensure and
43 registration in other languages, upon request, to apply to examinations for licensure
44 or registration as an aesthetician, hair designer, shampoo technologist, hair braider,
45 nail technologist or demonstrator of cosmetics.

46 Existing law requires a licensee to obtain a duplicate license if his or her
47 original license was destroyed, misplaced or mutilated or if the name or address of
48 the licensee has changed. (NRS 644.295) **Section 26** of this bill eliminates those
49 requirements and instead authorizes a licensee or holder of a certificate to obtain a
50 duplicate license or certificate for any reason.

51 **Section 30** of this bill removes the specific number of hours of instruction that
52 a student enrolled as a cosmetologist, aesthetician, electrologist, hair designer or
53 nail technologist must receive before commencing work on members of the public
54 and instead requires such a student to receive a minimum of 10 percent of the total
55 hours of instruction before commencing work on members of the public.

56 **Section 32** of this bill includes prostitution or solicitation for prostitution as a
57 ground for disciplinary action by the Board against an owner of a cosmetological
58 establishment, an establishment for hair braiding or a facility in which threading is
59 conducted, a licensee or a holder of a certificate of registration.

60 **Sections 33 and 34** of this bill: (1) eliminate, as an unlawful act, a
61 cosmetological establishment representing itself to the public as primarily engaged
62 in the business of cutting men's hair; (2) revise the circumstances in which the
63 unlawful act of reproducing or otherwise copying a license or certificate of
64 registration applies; and (3) authorizes a person to reproduce a license or certificate
65 under certain circumstances.

66 **Section 36** of this bill adds the Board to the list of persons and governmental
67 entities to whom records of criminal history must be disseminated by an agency of
68 criminal justice upon request.



69 Sections 37 and 38 eliminate the Board's revolving fund used for cash
70 advances.

71 Sections 4, 5, 7-9, 20, 23-25, 31 and 35 of this bill clarify the applicability of
72 those sections to certificates of registration.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. NRS 644.050 is hereby amended to read as follows:
2 644.050 1. After the initial terms, members of the Board
3 serve terms of 4 years, except when appointed to fill unexpired
4 terms.

5 2. Before entering upon the discharge of his or her duties, each
6 member shall make and file with the Secretary of State the
7 constitutional oath of office.

8 3. No member of the Board may serve more than two
9 consecutive full terms. A member who serves two consecutive full
10 terms is not thereafter eligible to serve on the Board for a period of
11 1 year. Any time served on the Board in filling the unexpired term
12 of another member does not apply in computing two consecutive
13 full terms.

14 4. *The Governor may, after notice and hearing, remove any*
15 *member of the Board for neglect of duty, malfeasance or*
16 *misfeasance.*

17 Sec. 2. NRS 644.060 is hereby amended to read as follows:

18 644.060 The members of the Board shall annually elect a
19 President, a Vice President ~~{, a Treasurer and a Secretary}~~ and a
20 *Secretary-Treasurer* from among their number. ~~{The members may~~
21 ~~assign the duties of the Treasurer and the Secretary to one person~~
22 ~~who shall be Treasurer and Secretary.}~~

23 Sec. 3. NRS 644.070 is hereby amended to read as follows:

24 644.070 1. The Board shall hold meetings at least four times
25 a year for the ~~{examination of applicants for registration and for the}~~
26 transaction of such ~~{other}~~ business as pertains to its duties.

27 2. The Board may hold such other meetings for the
28 ~~{examination of applicants for registration or for the}~~ transaction of
29 necessary business at such times and places as it determines.

30 3. The members of the Board are entitled to receive:

31 (a) A salary of not more than \$150 per day, as fixed by the
32 Board, while engaged in the business of the Board; and

33 (b) A per diem allowance and travel expenses at a rate fixed by
34 the Board, while engaged in the business of the Board. The rate
35 must not exceed the rate provided for state officers and employees
36 generally.



1 4. While engaged in the business of the Board, each employee
2 of the Board is entitled to receive a per diem allowance and travel
3 expenses at a rate fixed by the Board. The rate must not exceed the
4 rate provided for state officers and employees generally.

5 5. All such compensation and expenses must be paid by the
6 Board out of the fees and receipts received by it, and no part thereof
7 may be paid by the State.

8 **Sec. 4.** NRS 644.090 is hereby amended to read as follows:

9 644.090 The Board shall:

10 1. Hold examinations to determine the qualifications of all
11 applicants for a license ~~†~~ *or certificate of registration*, except as
12 otherwise provided in this chapter, whose applications have been
13 submitted to it in proper form.

14 2. Issue licenses to such applicants as may be entitled thereto.

15 3. Issue certificates of registration to such applicants as may be
16 entitled thereto.

17 4. License establishments for hair braiding, cosmetological
18 establishments and schools of cosmetology.

19 5. Report to the proper prosecuting officer or law enforcement
20 agency each violation of this chapter coming within its knowledge.

21 6. Inspect schools of cosmetology, establishments for hair
22 braiding, cosmetological establishments and any facility in this State
23 in which threading is conducted to ensure compliance with the
24 statutory requirements and adopted regulations of the Board. This
25 authority extends to any member of the Board or its authorized
26 employees.

27 **Sec. 5.** NRS 644.110 is hereby amended to read as follows:

28 644.110 The Board shall adopt reasonable regulations:

29 1. For carrying out the provisions of this chapter.

30 2. For conducting examinations of applicants for licenses ~~†~~
31 *and certificates of registration*.

32 3. For governing the recognition of, and the credits to be given
33 to, the study of cosmetology under a licensed electrologist or in a
34 school of cosmetology licensed pursuant to the laws of another state
35 or territory of the United States or the District of Columbia.

36 4. For governing the conduct of schools of cosmetology. The
37 regulations must include but need not be limited to, provisions:

38 (a) Prohibiting schools from requiring that students purchase
39 beauty supplies for use in the course of study;

40 (b) Prohibiting schools from deducting earned hours of school
41 credit or any other compensation earned by a student as a
42 punishment for misbehavior of the student;

43 (c) Providing for lunch and coffee recesses for students during
44 school hours; and



1 (d) Allowing a member or an authorized employee of the Board
2 to review the records of a student's training and attendance.

3 5. Governing the courses of study and practical training
4 required of persons for treating the skin of the human body.

5 6. For governing the conduct of cosmetological establishments.

6 7. As the Board determines are necessary for governing the
7 conduct of establishments for hair braiding.

8 **Sec. 6.** NRS 644.170 is hereby amended to read as follows:

9 644.170 1. ~~[All fees collected on behalf of the Board and all~~
10 ~~receipts of every kind and nature must be reported at the beginning~~
11 ~~of each month, for the month preceding, to the Board. At the same~~
12 ~~time, the entire amount of collections, except as otherwise provided~~
13 ~~in subsection 5, must be paid to the Board, who shall deposit them]~~
14 *Except as otherwise provided in subsection 3, all fees and other*
15 *money received by the Board pursuant to the provisions of this*
16 *chapter must be deposited* in banks, credit unions or savings and
17 loan associations in the State of Nevada ~~†~~.

18 ~~—2.— The receipts must be for the uses of the Board and out of~~
19 ~~them must be paid all salaries and all other expenses necessarily~~
20 ~~incurred in carrying into effect the provisions of this chapter.~~

21 ~~—3.— All orders for payment of money must be drawn on the~~
22 ~~Treasurer of the Board and countersigned by the President and the~~
23 ~~Secretary of the Board.~~

24 ~~—4.—~~ *and expended solely for the purposes of this chapter. The*
25 *money so deposited does not revert to the State General Fund. The*
26 *compensation provided for by this chapter and all expenses*
27 *incurred under this chapter must be paid from this money. No*
28 *compensation or expenses incurred under this chapter may be*
29 *charged against the State General Fund.*

30 2. In a manner consistent with the provisions of chapter 622A
31 of NRS, the Board may delegate to a hearing officer or panel its
32 authority to take any disciplinary action pursuant to this chapter,
33 impose and collect fines therefor and deposit the money therefrom
34 in banks, credit unions or savings and loan associations in this State.

35 ~~†~~ 3. If a hearing officer or panel is not authorized to take
36 disciplinary action pursuant to subsection ~~†~~ 2 and the Board
37 deposits the money collected from the imposition of fines with the
38 State Treasurer for credit to the State General Fund, it may present a
39 claim to the State Board of Examiners for recommendation to the
40 Interim Finance Committee if money is needed to pay attorney's
41 fees or the costs of an investigation, or both.

42 **Sec. 7.** NRS 644.190 is hereby amended to read as follows:

43 644.190 1. It is unlawful for any person to conduct or operate
44 a cosmetological establishment, an establishment for hair braiding, a
45 school of cosmetology or any other place of business in which any



1 one or any combination of the occupations of cosmetology are
2 taught or practiced unless the person is licensed in accordance with
3 the provisions of this chapter.

4 2. Except as otherwise provided in subsections 4 and 5, it is
5 unlawful for any person to engage in, or attempt to engage in, the
6 practice of cosmetology or any branch thereof, whether for
7 compensation or otherwise, unless the person is licensed or
8 registered in accordance with the provisions of this chapter.

9 3. This chapter does not prohibit:

10 (a) Any student in any school of cosmetology established
11 pursuant to the provisions of this chapter from engaging, in the
12 school and as a student, in work connected with any branch or any
13 combination of branches of cosmetology in the school.

14 (b) An electrologist's apprentice from participating in a course
15 of practical training and study.

16 (c) A person issued a provisional license as an instructor
17 pursuant to NRS 644.193 from acting as an instructor and accepting
18 compensation therefor while accumulating the hours of training as a
19 teacher required for an instructor's license.

20 (d) The rendering of services relating to the practice of
21 cosmetology by a person who is licensed or registered in accordance
22 with the provisions of this chapter, if those services are rendered in
23 connection with photographic services provided by a photographer.

24 (e) A registered cosmetologist's apprentice from engaging in the
25 practice of cosmetology under the immediate supervision of a
26 licensed cosmetologist.

27 (f) A registered shampoo technologist from engaging in the
28 practice of shampoo technology under the immediate supervision of
29 a licensed cosmetologist or hair designer.

30 (g) A registered aesthetician's apprentice from engaging in the
31 practice of aesthetics under the immediate supervision of a licensed
32 aesthetician or licensed cosmetologist.

33 (h) A registered hair designer's apprentice from engaging in the
34 practice of hair design under the immediate supervision of a
35 licensed hair designer or licensed cosmetologist.

36 (i) A registered nail technologist's apprentice from engaging in
37 the practice of nail technology under the immediate supervision of a
38 licensed nail technologist or licensed cosmetologist.

39 (j) A makeup artist registered pursuant to NRS 644.251 from
40 engaging in the practice of makeup artistry for compensation or
41 otherwise in a licensed cosmetological establishment.

42 4. A person employed to render services relating to the practice
43 of cosmetology in the course of and incidental to the production of a
44 motion picture, television program, commercial or advertisement is
45 exempt from the licensing *or registration* requirements of this



1 chapter if he or she renders those services only to persons who will
2 appear in that motion picture, television program, commercial or
3 advertisement.

4 5. A person practicing hair braiding is exempt from the
5 licensing requirements of this chapter applicable to hair braiding if
6 the hair braiding is practiced on a person who is related within the
7 sixth degree of consanguinity and the person does not accept
8 compensation for the hair braiding.

9 **Sec. 8.** NRS 644.191 is hereby amended to read as follows:

10 644.191 1. The State Board of Cosmetology and the Board of
11 Massage Therapists shall, to the extent practicable, reduce
12 duplication in the licensing *or registration* procedure for a qualified
13 applicant who is applying to the State Board of Cosmetology for a
14 license *or certificate of registration* to practice pursuant to this
15 chapter and who is also applying to the Board of Massage
16 Therapists for a license to practice pursuant to chapter 640C of
17 NRS, if both applications are filed not more than 60 days apart.

18 2. If a qualified applicant submits an application to the Board
19 of Massage Therapists for a license to practice pursuant to chapter
20 640C of NRS and, not later than 60 days after that application, the
21 applicant also submits an application to the State Board of
22 Cosmetology for a license *or certificate of registration* to practice
23 pursuant to this chapter:

24 (a) The applicant is not required to submit a set of fingerprints to
25 the State Board of Cosmetology if the applicant submitted a set of
26 fingerprints with his or her application to the Board of Massage
27 Therapists;

28 (b) The State Board of Cosmetology shall request from the
29 Board of Massage Therapists a copy of any reports relating to a
30 background investigation of the applicant;

31 (c) Upon receiving such a request, the Board of Massage
32 Therapists shall provide to the State Board of Cosmetology any
33 reports relating to a background investigation of the applicant; and

34 (d) The State Board of Cosmetology shall use the reports
35 provided by the Board of Massage Therapists in reviewing the
36 application for a license *or certificate of registration* to practice
37 pursuant to this chapter.

38 **Sec. 9.** NRS 644.192 is hereby amended to read as follows:

39 644.192 1. The Board and a local governmental entity shall,
40 to the extent practicable, reduce duplication in the licensing *or*
41 *registration* procedure for a qualified applicant who is applying to
42 the Board for a license *or certificate of registration* to practice
43 pursuant to this chapter and who is also applying to the local
44 governmental entity for a license to practice massage therapy, if
45 both applications are filed not more than 60 days apart.



1 2. If a qualified applicant submits an application to a local
2 governmental entity for a license to practice massage therapy and,
3 not later than 60 days after that application, the applicant also
4 submits an application to the Board for a license *or certificate of*
5 *registration* to practice pursuant to this chapter:

6 (a) The applicant is not required to submit a set of fingerprints to
7 the Board if the applicant submitted a set of fingerprints with his or
8 her application to the local governmental entity;

9 (b) The Board shall request from the local governmental entity a
10 copy of any reports relating to a background investigation of the
11 applicant;

12 (c) Upon receiving such a request, the local governmental entity
13 shall provide to the Board any reports relating to a background
14 investigation of the applicant; and

15 (d) The Board shall use the reports provided by the local
16 governmental entity in reviewing the application for a license *or*
17 *certificate of registration* to practice pursuant to this chapter.

18 3. If a qualified applicant submits an application to the Board
19 for a license *or certificate of registration* to practice pursuant to this
20 chapter and, not later than 60 days after that application, the
21 applicant also submits an application to a local governmental entity
22 for a license to practice massage therapy:

23 (a) The applicant is not required to submit a set of fingerprints to
24 the local governmental entity if the applicant submitted a set of
25 fingerprints with his or her application to the Board;

26 (b) The local governmental entity shall request from the Board a
27 copy of any reports relating to a background investigation of the
28 applicant;

29 (c) Upon receiving such a request, the Board shall provide to the
30 local governmental entity any reports relating to a background
31 investigation of the applicant; and

32 (d) The local governmental entity shall use the reports provided
33 by the Board in reviewing the application for a license to practice
34 massage therapy, except that the local governmental entity may
35 conduct its own background investigation of the applicant if the
36 local governmental entity deems it to be necessary.

37 **Sec. 10.** NRS 644.193 is hereby amended to read as follows:

38 644.193 1. The Board may grant a provisional license as an
39 instructor to a person who:

40 (a) Has successfully completed the 12th grade in school or its
41 equivalent ; ~~and submits written verification of the completion of~~
42 ~~his or her education;~~

43 (b) Has practiced as a full-time licensed cosmetologist, hair
44 designer, hair braider, aesthetician or nail technologist for 1 year
45 and submits written verification of his or her experience;



- 1 (c) Is licensed pursuant to this chapter;
- 2 (d) Applies for a provisional license on a form supplied by the
- 3 Board;
- 4 (e) Submits two current photographs of himself or herself; and
- 5 (f) Has paid the fee established pursuant to subsection 2.

6 2. The Board shall establish and collect a fee of not less than
7 \$40 and not more than \$75 for the issuance of a provisional license
8 as an instructor.

9 3. A person issued a provisional license pursuant to this section
10 may act as an instructor for compensation while accumulating the
11 number of hours of training required for an instructor's license.

12 4. A provisional license as an instructor expires upon
13 accumulation by the licensee of the number of hours of training
14 required for an instructor's license or 1 year after the date of
15 issuance, whichever occurs first. The Board may grant an extension
16 of not more than 45 days to those provisional licensees who have
17 applied to the Board for examination as instructors and are awaiting
18 examination.

19 **Sec. 11.** NRS 644.195 is hereby amended to read as follows:

20 644.195 1. ~~Each instructor must:~~

21 ~~(a) Be licensed as a cosmetologist pursuant to this chapter.~~ *The*
22 *Board shall admit to examination for a license as an instructor of*
23 *cosmetology any person who has applied to the Board in proper*
24 *form, paid the fee and:*

25 (a) *Is at least 18 years of age;*

26 (b) ~~Have~~ *Is of good moral character;*

27 (c) *Has* successfully completed the 12th grade in school or its
28 equivalent ~~†~~

29 ~~(e) Have 1 year of experience as a cosmetologist or as a licensed~~
30 ~~student instructor.~~

31 ~~(d) Have completed 1,000† ;~~

32 (d) *Has received a minimum of 700* hours of training as ~~†an~~ *a*
33 *student* instructor or 500 hours of training as *an instructor or as*
34 *licensed provisional instructor in a licensed* school of cosmetology
35 ~~†~~

36 ~~(e) Except as otherwise provided in subsection 2, take one or~~
37 ~~more courses in advanced techniques for teaching or training.† ; and~~

38 (e) *Is licensed as a cosmetologist pursuant to this chapter.*

39 2. *An instructor in cosmetology shall complete at least the*
40 *number of hours of continuing education required, at the time the*
41 *hours of continuing education are completed, for instructors of*
42 *schools of cosmetology accredited by the National Accrediting*
43 *Commission of Career Arts & Sciences or its successor*
44 *organization. The hours of continuing education must be obtained*



1 *in courses* approved by the Board ~~[- whose combined duration is at~~
2 ~~least 30 hours]~~ during each 2-year period ~~[-~~

3 ~~—2.— The provisions of paragraph (e) of subsection 1 do not apply~~
4 ~~to an instructor who is initially licensed not more than 6 months~~
5 ~~before the renewal date of the license. An instructor who is initially~~
6 ~~licensed more than 6 months but less than 1 year before the renewal~~
7 ~~date of the license must take one or more courses specified in~~
8 ~~paragraph (e) whose combined duration is at least 15 hours during~~
9 ~~each 2-year period.] of his or her license.~~

10 3. Each instructor shall pay an initial fee for a license of not
11 less than \$60 and not more than \$90.

12 **Sec. 12.** NRS 644.1955 is hereby amended to read as follows:

13 644.1955 1. The Board shall admit to examination for a
14 license as an instructor of aestheticians any person who has applied
15 to the Board in proper form, paid the fee and:

- 16 (a) Is at least 18 years of age;
17 (b) Is of good moral character;
18 (c) Has successfully completed the 12th grade in school or its
19 equivalent;
20 (d) Has received a minimum of 700 hours of training as ~~an~~ *a*
21 *student* instructor or 500 hours of training as *an instructor or as*
22 licensed provisional instructor in a licensed school of cosmetology;
23 (e) Is licensed as an aesthetician pursuant to this chapter; and
24 (f) Has practiced as a full-time licensed aesthetician or as a
25 licensed student instructor. ~~[- for 1 year.~~

26 ~~—2.— Except as otherwise provided in subsection 3, an]~~

27 *2. An* instructor of aestheticians shall complete at least ~~30]~~ *the*
28 *number of* hours of ~~advanced training in a course approved by the~~
29 ~~Board]~~ *continuing education required, at the time the hours of*
30 *continuing education are completed, for instructors of schools of*
31 *cosmetology accredited by the National Accrediting Commission*
32 *of Career Arts & Sciences or its successor organization. The hours*
33 *of continuing education must be obtained* during each 2-year
34 period of his or her license ~~[-~~

35 ~~—3.— The provisions of subsection 2 do not apply to an instructor~~
36 ~~of aestheticians who is initially licensed not more than 6 months~~
37 ~~before the renewal date of the license. An instructor of aestheticians~~
38 ~~who is initially licensed more than 6 months but less than 1 year~~
39 ~~before the renewal date of the license must take one or more courses~~
40 ~~specified in subsection 2 whose combined duration is at least 15~~
41 ~~hours during each 2-year period.] in courses approved by the~~
42 *Board.*



1 **Sec. 13.** NRS 644.197 is hereby amended to read as follows:

2 644.197 1. The Board shall admit to examination for a
3 license as an instructor in nail technology any person who has
4 applied to the Board in proper form, paid the fee and:

5 (a) Is at least 18 years of age;

6 (b) Is of good moral character;

7 (c) Has successfully completed the 12th grade in school or its
8 equivalent;

9 (d) Has received a minimum of *700 hours of training as a*
10 *student instructor or* 500 hours of training as an instructor or as a
11 licensed provisional instructor in a licensed school of cosmetology;

12 (e) Is licensed as a nail technologist pursuant to this chapter; and

13 (f) Has practiced as a full-time licensed nail technologist or as a
14 licensed student instructor . ~~{for 1 year.~~

15 ~~—2.— Except as otherwise provided in subsection 3, an}~~

16 **2.** *An instructor in nail technology shall complete at least {30}*
17 *the number of* hours of ~~{advanced training in a course approved by~~
18 ~~the Board}~~ *continuing education required, at the time the hours of*
19 *continuing education are completed, for instructors of schools of*
20 *cosmetology accredited by the National Accrediting Commission*
21 *of Career Arts & Sciences or its successor organization. The hours*
22 *of continuing education must be obtained* during each 2-year
23 period of his or her license ~~{-~~

24 ~~—3.— The provisions of subsection 2 do not apply to an instructor~~
25 ~~in nail technology who is initially licensed not more than 6 months~~
26 ~~before the renewal date of the license. An instructor in nail~~
27 ~~technology who is initially licensed more than 6 months but less~~
28 ~~than 1 year before the renewal date of the license must take one or~~
29 ~~more courses specified in subsection 2 whose combined duration is~~
30 ~~at least 15 hours during each 2-year period.}~~ *in courses approved by*
31 *the Board.*

32 **Sec. 14.** NRS 644.199 is hereby amended to read as follows:

33 644.199 1. The Board shall grant a license as a student
34 instructor to a person who:

35 (a) Has successfully completed the 12th grade in school or its
36 equivalent ; ~~{and submits written verification of the completion of~~
37 ~~his or her education;}~~

38 (b) Is enrolled in a program to prepare student instructors in a
39 school of cosmetology if:

40 (1) The program is certified by the Board; and

41 (2) The program requires that the student instructor is
42 supervised by an instructor who is licensed;

43 (c) Is licensed pursuant to this chapter;

44 (d) Applies for a license as a student instructor on a form
45 provided by the Board;



- 1 (e) Submits two current photographs of himself or herself; and
- 2 (f) Has paid the fee established pursuant to subsection 2.

3 2. The Board shall establish and collect a fee of not less than
4 \$25 or more than \$40 for the issuance of a license as a student
5 instructor.

6 3. A person issued a license as a student instructor pursuant to
7 this section:

8 (a) Must be supervised by an instructor who is licensed; and

9 (b) May act as an instructor for compensation and work
10 experience credit while accumulating the number of hours of
11 training required for an instructor's license.

12 4. A license as a student instructor expires upon accumulation
13 by the licensee of the number of hours of training required for an
14 instructor's license . ~~for after full-time employment as a student~~
15 ~~instructor for 1 year, whichever occurs later.~~ The Board may grant
16 an extension of not more than 45 days to those student instructor
17 licensees who have applied to the Board for examination as
18 instructors and are awaiting examination.

19 **Sec. 15.** NRS 644.200 is hereby amended to read as follows:

20 644.200 The Board shall admit to examination for a license as
21 a cosmetologist ~~for at any meeting of the Board held to conduct~~
22 ~~examinations.~~ any person who has made application to the Board in
23 proper form and paid the fee, and who before or on the date of the
24 examination:

25 1. Is not less than 18 years of age.

26 2. Is of good moral character.

27 3. Is a citizen of the United States or is lawfully entitled to
28 remain and work in the United States.

29 4. Has successfully completed the 10th grade in school or its
30 equivalent. Testing for equivalency must be pursuant to applicable
31 state or federal requirements.

32 5. Has had any one of the following:

33 (a) Training of at least 1,600 hours, extending over a school
34 term of 10 months, in a school of cosmetology approved by the
35 Board.

36 (b) Practice of the occupation of a cosmetologist for a period of
37 4 years outside this State.

38 (c) If the applicant is a barber registered pursuant to chapter 643
39 of NRS, 600 hours of specialized training approved by the Board.

40 (d) At least ~~13,600~~ **3,200** hours of service as a cosmetologist's
41 apprentice in a licensed cosmetological establishment in which all of
42 the occupations of cosmetology are practiced. The required hours
43 must have been completed during the period of validity of the
44 certificate of registration as a cosmetologist's apprentice issued to
45 the person pursuant to NRS 644.217.



1 **Sec. 16.** NRS 644.204 is hereby amended to read as follows:

2 644.204 The Board shall admit to examination for a license as
3 a hair designer ~~[- at any meeting of the Board held to conduct~~
4 ~~examinations.]~~ each person who has applied to the Board in proper
5 form and paid the fee, and who:

6 1. Is not less than 18 years of age.

7 2. Is of good moral character.

8 3. Is a citizen of the United States or is lawfully entitled to
9 remain and work in the United States.

10 4. Has successfully completed the 10th grade in school or its
11 equivalent. Testing for equivalency must be pursuant to state or
12 federal requirements.

13 5. Satisfies at least one of the following:

14 (a) Is a barber registered pursuant to chapter 643 of NRS.

15 (b) Has had training of at least 1,200 hours, extending over a
16 period of 7 consecutive months, in a school of cosmetology
17 approved by the Board.

18 (c) Has had practice of the occupation of hair designing for at
19 least 4 years outside this State.

20 (d) Has had at least 2,400 hours of service as a hair designer's
21 apprentice in a licensed cosmetological establishment in which hair
22 design is practiced. The required hours must have been completed
23 during the period of validity of the certificate of registration as a
24 hair designer's apprentice issued to the person pursuant to
25 NRS 644.216.

26 **Sec. 17.** NRS 644.208 is hereby amended to read as follows:

27 644.208 1. ~~[-The]~~ *Except as otherwise provided in NRS*
28 *644.209, the* Board shall admit to examination as a hair braider ~~[-at~~
29 ~~any meeting of the Board held to conduct examinations.]~~ each
30 person who has applied to the Board in proper form and paid the
31 fee, and who:

32 (a) Is not less than 18 years of age.

33 (b) Is of good moral character.

34 (c) Is a citizen of the United States or is lawfully entitled to
35 remain and work in the United States.

36 (d) Has successfully completed the 10th grade in school or its
37 equivalent . ~~[-and has submitted to the Board a notarized affidavit~~
38 ~~establishing the successful completion by the applicant of the 10th~~
39 ~~grade or its equivalent.]~~ Testing for equivalency must be pursuant to
40 state or federal requirements.

41 (e) If the person has not practiced hair braiding previously:

42 (1) Has completed a minimum of 250 hours of training and
43 education as follows:

44 (1) Fifty hours concerning the laws of Nevada and the
45 regulations of the Board relating to cosmetology;



1 (II) Seventy-five hours concerning infection control and
2 prevention and sanitation;

3 (III) Seventy-five hours regarding the health of the scalp
4 and the skin of the human body; and

5 (IV) Fifty hours of clinical practice; and

6 (2) Has passed the practical demonstration in hair braiding
7 and written tests described in NRS 644.248.

8 (f) If the person has practiced hair braiding in this State on a
9 person who is related within the sixth degree of consanguinity
10 without a license and without charging a fee:

11 (1) Has submitted to the Board a signed affidavit stating that
12 the person has practiced hair braiding for at least 1 year on such a
13 relative; and

14 (2) Has passed the practical demonstration in hair braiding
15 and written tests described in NRS 644.248.

16 2. The application submitted pursuant to subsection 1 must be
17 accompanied by:

18 (a) Two current photographs of the applicant which are 2 by 2
19 inches. The name and address of the applicant must be written on
20 the back of each photograph.

21 (b) A copy of one of the following documents as proof of the
22 age of the applicant:

23 (1) A driver's license or identification card issued to the
24 applicant by this State or another state, the District of Columbia or
25 any territory of the United States;

26 (2) The birth certificate of the applicant; or

27 (3) The current passport issued to the applicant.

28 **Sec. 18.** NRS 644.209 is hereby amended to read as follows:

29 644.209 1. The Board shall admit to examination as a hair
30 braider ~~], at any meeting of the Board held to conduct~~
31 ~~examinations,]~~ each person who has practiced hair braiding in
32 another state, has applied to the Board in proper form and paid a fee
33 of \$200, and who:

34 (a) Is not less than 18 years of age.

35 (b) Is of good moral character.

36 (c) Is a citizen of the United States or is lawfully entitled to
37 remain and work in the United States.

38 (d) Has successfully completed the 10th grade in school or its
39 equivalent . ~~], and has submitted to the Board a notarized affidavit~~
40 ~~establishing the successful completion by the applicant of the 10th~~
41 ~~grade or its equivalent.]~~ Testing for equivalency must be pursuant to
42 state or federal requirements.

43 (e) If the person has practiced hair braiding in another state in
44 accordance with a license issued in that other state:



- 1 (1) Has submitted to the Board proof of the license; and
- 2 (2) Has passed the written tests described in NRS 644.248.

3 (f) If the person has practiced hair braiding in another state
4 without a license and it is legal in that state to practice hair braiding
5 without a license:

6 (1) Has submitted to the Board a signed affidavit stating that
7 the person has practiced hair braiding for at least 1 year; and

8 (2) Has passed the practical demonstration in hair braiding
9 and written tests described in NRS 644.248.

10 2. The application submitted pursuant to subsection 1 must be
11 accompanied by:

12 (a) Two current photographs of the applicant which are 2 by 2
13 inches. The name and address of the applicant must be written on
14 the back of each photograph.

15 (b) A copy of one of the following documents as proof of the
16 age of the applicant:

17 (1) A driver's license or identification card issued to the
18 applicant by this State or another state, the District of Columbia or
19 any territory of the United States;

20 (2) The birth certificate of the applicant; or

21 (3) The current passport issued to the applicant.

22 **Sec. 19.** NRS 644.210 is hereby amended to read as follows:

23 644.210 1. An application for admission to examination or
24 for a license in any branch of cosmetology, or for a certificate of
25 registration as a shampoo technologist, aesthetician's apprentice,
26 cosmetologist's apprentice, hair designer's apprentice or nail
27 technologist's apprentice must be made in writing on forms
28 furnished by the Board and must be submitted within the period
29 designated by the Board. The Board shall charge a fee of \$15 for
30 furnishing the forms.

31 2. An application must contain proof of the qualifications of
32 the applicant for examination, licensure or registration. The
33 ~~{application} applicant must {be verified by the oath of the~~
34 ~~applicant.}~~ *certify that all the information contained in the*
35 *application is truthful and accurate.*

36 **Sec. 20.** NRS 644.230 is hereby amended to read as follows:

37 644.230 All examinations of applicants must:

38 1. Include both practical demonstrations and written or oral
39 tests, except where otherwise provided in this chapter.

40 2. Not be confined to any special system or method.

41 3. Be consistent in both practical and technical requirements
42 and of sufficient thoroughness to satisfy the Board as to the
43 applicant's skill in, and knowledge of, the practice of the occupation
44 for which a license *or certificate of registration* is sought.



1 **Sec. 21.** NRS 644.235 is hereby amended to read as follows:
2 644.235 1. The Board:

3 (a) Shall provide examinations for licensure *or registration* as a
4 cosmetologist , *aesthetician, hair designer, shampoo technologist,*
5 *hair braider, nail technologist or demonstrator of cosmetics* in
6 English and, upon the request of an applicant for licensure *or*
7 *registration* as a cosmetologist, *aesthetician, hair designer,*
8 *shampoo technologist, hair braider, nail technologist or*
9 *demonstrator of cosmetics*, in Spanish; and

10 (b) May provide examinations for licensure *or registration* as a
11 cosmetologist , *aesthetician, hair designer, shampoo technologist,*
12 *hair braider, nail technologist or demonstrator of cosmetics*, in any
13 other language upon the request of an applicant, if the Board
14 determines that providing the examination in that language is in the
15 best interests of the public.

16 2. A request for an examination for licensure *or registration* as
17 a cosmetologist , *aesthetician, hair designer, shampoo*
18 *technologist, hair braider, nail technologist or demonstrator of*
19 *cosmetics* to be translated into a language other than English or
20 Spanish must be filed with the Board by the applicant making the
21 request at least 90 days before the scheduled examination. The
22 Board shall keep all such requests on file.

23 3. The Board shall impose a fee upon the applicants who file
24 requests for an examination for licensure *or registration* as a
25 cosmetologist , *aesthetician, hair designer, shampoo technologist,*
26 *hair braider, nail technologist or demonstrator of cosmetics* to be
27 translated into a language other than English or Spanish. The fee
28 must be sufficient to ensure that the applicants bear the full cost for
29 the development, preparation, administration, grading and
30 evaluation of the translated examination. The fee is in addition to all
31 other fees that must be paid by applicants for the examination for
32 licensure *or registration* as a cosmetologist **H** , *aesthetician, hair*
33 *designer, shampoo technologist, hair braider, nail technologist or*
34 *demonstrator of cosmetics*.

35 4. In determining whether it is in the best interests of the public
36 to translate an examination for licensure *or registration* as a
37 cosmetologist , *aesthetician, hair designer, shampoo technologist,*
38 *hair braider, nail technologist or demonstrator of cosmetics* into a
39 language other than English or Spanish, the Board shall consider the
40 percentage of the population within this State whose native language
41 is the language for which the translated examination is sought.

42 **Sec. 22.** NRS 644.260 is hereby amended to read as follows:

43 644.260 The Board shall issue a license or certificate of
44 registration, as applicable, as a cosmetologist, aesthetician,
45 electrologist, hair designer, shampoo technologist, hair braider, nail



1 technologist, demonstrator of cosmetics or instructor to each
2 applicant who:

3 1. Except as otherwise provided in NRS 644.242 ~~†~~ and
4 **644.315**, passes a satisfactory examination, conducted by the Board
5 to determine his or her fitness to practice that occupation of
6 cosmetology; and

7 2. Complies with such other requirements as are prescribed in
8 this chapter for the issuance of the license or certificate of
9 registration.

10 **Sec. 23.** NRS 644.270 is hereby amended to read as follows:

11 644.270 Every license **or certificate of registration** issued by
12 the Board must specify the occupation which the license **or**
13 **certificate** entitles the holder thereof to practice. No person may
14 practice any other occupation designated in this chapter than that for
15 which the license **or certificate** is issued.

16 **Sec. 24.** NRS 644.280 is hereby amended to read as follows:

17 644.280 1. Every license **or certificate of registration** issued
18 by the Board must be signed by the President and attested by the
19 ~~Secretary~~ **Secretary-Treasurer** and must bear the Board's seal.

20 2. Every license **or certificate of registration** is prima facie
21 evidence of the right of the holder thereof to practice that occupation
22 of cosmetology for which the license **or certificate** is issued.

23 **Sec. 25.** NRS 644.290 is hereby amended to read as follows:

24 644.290 1. The holder of a license **or certificate of**
25 **registration** issued by the Board to practice any branch of
26 cosmetology must display his or her current license **or certificate** or
27 a duplicate of the license **or certificate** in plain view of the public at
28 the position where the holder of the license **or certificate** performs
29 his or her work.

30 2. If a person practices cosmetology in more than one place,
31 the person shall ~~carry his or her license or a duplicate of the license~~
32 ~~with him or her and~~ display the license **or certificate** or a duplicate
33 **of the license or certificate** wherever he or she is actually working.

34 **Sec. 26.** NRS 644.295 is hereby amended to read as follows:

35 644.295 1. A person licensed **or registered** pursuant to this
36 chapter ~~†~~:

- 37 ~~(a) Shall~~ **may** obtain a duplicate of that license ~~if the:~~
38 ~~(1) Original was destroyed, misplaced or mutilated; or~~
39 ~~(2) Name or address of the licensee has changed; or~~
40 ~~(b) May obtain a duplicate of that license if required by the~~
41 ~~person~~ **or certificate** for any ~~other~~ reason.

42 2. To obtain a duplicate license **or certificate** a person must:

- 43 (a) ~~File an affidavit with the Board, on the form prescribed by~~
44 ~~the Board, which states that, if the person is required to obtain the~~
45 ~~duplicate pursuant to paragraph (a) of subsection 1, the original~~



1 ~~license was destroyed, misplaced or mutilated or that the person's~~
2 ~~name or address has changed or, if the person is requesting the~~
3 ~~duplicate pursuant to paragraph (b) of subsection 1, that the~~
4 ~~duplicate is required by the person for a reason other than a reason~~
5 ~~set forth in paragraph (a) of subsection 1.}] **Request a duplicate**
6 **license or certificate from the Board;** and~~

7 (b) Pay a fee of \$25.

8 **Sec. 27.** NRS 644.340 is hereby amended to read as follows:

9 644.340 1. Any person wishing to operate a cosmetological
10 establishment in which any one or a combination of the occupations
11 of cosmetology are practiced must apply to the Board for a license,
12 through the owner, manager or person in charge, upon forms
13 prepared and furnished by the Board. Each application must contain
14 a detailed floor plan of the proposed cosmetological establishment
15 and proof of the particular requisites for a license provided for in
16 this chapter . ~~and must be verified by the oath of the maker.}] **The**
17 **applicant must certify that all the information contained in the**
18 **application is truthful and accurate.**~~

19 2. The applicant must submit the application accompanied by
20 the applicable required fees for inspection and licensing. After the
21 applicant has submitted the application, the applicant must contact
22 the Board and request a verbal review concerning the application to
23 determine if the cosmetological establishment complies with the
24 requirements of this chapter and the regulations adopted by
25 the Board. If, based on the verbal review, the Board determines that
26 the cosmetological establishment meets those requirements, the
27 Board shall issue to the applicant the required license. Upon receipt
28 of the license, the applicant must contact the Board to request the
29 activation of the license. A license issued pursuant to this subsection
30 is not valid until it is activated. The Board shall conduct an on-site
31 inspection of the cosmetological establishment not later than 90
32 days after the date on which the license is activated.

33 3. The fee for issuance of a license for a cosmetological
34 establishment is:

35 (a) For 2 years, \$200.

36 (b) For 4 years, \$400.

37 4. The fee for the initial inspection is \$15. If an additional
38 inspection is necessary, the fee is \$25.

39 **Sec. 28.** NRS 644.377 is hereby amended to read as follows:

40 644.377 1. Any person wishing to operate an establishment
41 for hair braiding must apply to the Board for a license, through the
42 owner, manager or person in charge, upon forms prepared and
43 furnished by the Board. Each application must contain a detailed
44 floor plan of the proposed establishment for hair braiding and proof
45 of any particular requisites for a license provided for in this chapter .



1 ~~;~~ and must be verified by the oath of the maker.} *The applicant*
2 *must certify that all the information contained in the application is*
3 *truthful and accurate.*

4 2. The applicant must submit the application accompanied by
5 the required fees for inspection and licensing. After the applicant
6 has submitted the application, the applicant must contact the Board
7 and request a verbal review concerning the application to determine
8 if the establishment for hair braiding complies with the requirements
9 of this chapter and any regulations adopted by the Board. If, based
10 on the verbal review, the Board determines that the establishment
11 for hair braiding meets those requirements, the Board shall issue to
12 the applicant the required license. Upon receipt of the license, the
13 applicant must contact the Board to request the activation of the
14 license. A license issued pursuant to this subsection is not valid until
15 it is activated. The Board shall conduct an on-site inspection of the
16 establishment for hair braiding not later than 90 days after the date
17 on which the license is activated.

18 3. The fee for issuance of a license for an establishment for hair
19 braiding is:

20 (a) For 2 years, \$200.

21 (b) For 4 years, \$400.

22 4. The fee for the initial inspection is \$15. If an additional
23 inspection is necessary, the fee is \$25.

24 **Sec. 29.** NRS 644.380 is hereby amended to read as follows:

25 644.380 1. Any person desiring to conduct a school of
26 cosmetology in which any one or any combination of the
27 occupations of cosmetology are taught must apply to the Board for a
28 license, through the owner, manager or person in charge, upon
29 forms prepared and furnished by the Board. Each application must
30 contain proof of the particular requisites for a license provided for in
31 this chapter, and *the applicant* must ~~be verified by the oath of the~~
32 ~~maker.}~~ *certify that all the information contained in the*
33 *application is truthful and accurate.* The forms must be
34 accompanied by:

35 (a) A detailed floor plan of the proposed school;

36 (b) The name, address and number of the license of the manager
37 or person in charge and of each instructor;

38 (c) Evidence of financial ability to provide the facilities and
39 equipment required by regulations of the Board and to maintain the
40 operation of the proposed school for 1 year;

41 (d) Proof that the proposed school will commence operation
42 with an enrollment of a number of students acceptable to the Board;

43 (e) The applicable fee for a license;

44 (f) A copy of the contract for the enrollment of a student in a
45 program at the school of cosmetology; and



- 1 (g) The name and address of the person designated to accept
2 service of process.
- 3 2. Upon receipt by the Board of the application, the Board
4 shall, before issuing a license, determine whether the proposed
5 school:
- 6 (a) Is suitably located.
7 (b) Contains adequate floor space and adequate equipment.
8 (c) Has a contract for the enrollment of a student in a program at
9 the school of cosmetology that is approved by the Board.
- 10 (d) Admits as regular students only persons who have received a
11 certificate of graduation from high school, or the recognized
12 equivalent of such a certificate, or who are beyond the age of
13 compulsory school attendance.
- 14 (e) Meets all requirements established by regulations of the
15 Board.
- 16 3. The fee for issuance of a license for a school of cosmetology
17 is:
- 18 (a) For 2 years, not less than \$500 and not more than \$800.
19 (b) For 4 years, not less than \$1,000 and not more than \$1,600.
- 20 4. If the proposed school meets all requirements established by
21 this chapter and the regulations adopted pursuant thereto, the Board
22 shall issue a license to the proposed school. The license must
23 contain:
- 24 (a) The name of the proposed school;
25 (b) A statement that the proposed school is authorized to operate
26 educational programs beyond secondary education; and
27 (c) Such other information as the Board considers necessary.
- 28 5. If the ownership of the school changes or the school moves
29 to a new location, the school may not be operated until a new
30 license is issued by the Board.
- 31 6. The Board shall, by regulation, prescribe:
- 32 (a) The minimum enrollment of students required by paragraph
33 (d) of subsection 1; and
34 (b) The amount of floor space required by paragraph (b) of
35 subsection 2.
- 36 7. After a license has been issued for the operation of a school
37 of cosmetology, the licensee must obtain the approval of the Board
38 before making any changes in the physical structure of the school.
- 39 **Sec. 30.** NRS 644.408 is hereby amended to read as follows:
40 644.408 A student *enrolled as a cosmetologist, aesthetician,*
41 *electrologist, hair designer or nail technologist* must receive ~~the~~
42 ~~following~~ a minimum ~~amount~~ of *10 percent of the total hours of*
43 instruction in the classroom before commencing work on members
44 of the public. †



~~1. A student enrolled as a cosmetologist must receive at least 300 hours.~~

~~2. A student enrolled as a hair designer must receive at least 300 hours.~~

~~3. A student enrolled as a nail technologist must receive at least 100 hours.~~

~~4. A student enrolled as an electrologist's apprentice must receive at least 150 hours.~~

~~5. A student enrolled as an aesthetician must receive at least 150 hours.~~

Sec. 31. NRS 644.422 is hereby amended to read as follows:

644.422 1. Except as otherwise provided in subsection 2, an advertisement for services relating to the practice of cosmetology must list:

(a) The name, as it appears on the license, and license number of the cosmetological establishment or establishment for hair braiding where the services will be provided; and

(b) The name and ~~license~~ number of *the license or certificate of registration of* any licensee *or registrant* mentioned in the advertisement.

2. An advertisement for services relating to the practice of cosmetology to be provided at a school of cosmetology must list the name, as it appears on the license, and license number of the school of cosmetology where the services will be provided.

Sec. 32. NRS 644.430 is hereby amended to read as follows:

644.430 1. The following are grounds for disciplinary action by the Board:

(a) Failure of an owner of an establishment for hair braiding, a cosmetological establishment, a licensed or registered, as applicable, aesthetician, cosmetologist, hair designer, shampoo technologist, hair braider, electrologist, instructor, nail technologist, demonstrator of cosmetics, makeup artist or school of cosmetology to comply with the requirements of this chapter or the applicable regulations adopted by the Board.

(b) Failure of a cosmetologist's apprentice, electrologist's apprentice, aesthetician's apprentice, hair designer's apprentice or nail technologist's apprentice to comply with the requirements of this chapter or the applicable regulations adopted by the Board.

(c) Obtaining practice in cosmetology or any branch thereof, for money or any thing of value, by fraudulent misrepresentation.

(d) Gross malpractice.

(e) Continued practice by a person knowingly having an infectious or contagious disease.



1 (f) Drunkenness or the use or possession, or both, of a controlled
2 substance or dangerous drug without a prescription, while engaged
3 in the practice of cosmetology.

4 (g) Advertising in violation of any of the provisions of NRS
5 644.422 or 644.478.

6 (h) Permitting a license *or certificate of registration* to be used
7 where the holder thereof is not personally, actively and continuously
8 engaged in business.

9 (i) Failure to display the license *or certificate of registration* or
10 a duplicate of the license *or certificate of registration* as provided in
11 NRS 644.290, 644.360, 644.3774 and 644.410.

12 (j) Failure to display the certificate of registration or a duplicate
13 of the certificate of registration as provided in NRS 644.2175.

14 (k) Entering, by a school of cosmetology, into an
15 unconscionable contract with a student of cosmetology.

16 (l) Continued practice of cosmetology or operation of a
17 cosmetological establishment or school of cosmetology after the
18 license therefor has expired.

19 (m) *Engaging in prostitution or solicitation for prostitution in
20 violation of NRS 201.354 by the owner of a cosmetological
21 establishment, an establishment for hair braiding or a facility in
22 which threading is conducted, a licensee or a holder of a
23 certificate of registration.*

24 (n) Any other unfair or unjust practice, method or dealing
25 which, in the judgment of the Board, may justify such action.

26 2. If the Board determines that a violation of this section has
27 occurred, it may:

28 (a) Refuse to issue or renew a license or certificate of
29 registration;

30 (b) Revoke or suspend a license or certificate of registration;

31 (c) Place the licensee or holder of a certificate of registration on
32 probation for a specified period;

33 (d) Impose a fine not to exceed \$2,000; or

34 (e) Take any combination of the actions authorized by
35 paragraphs (a) to (d), inclusive.

36 3. An order that imposes discipline and the findings of fact and
37 conclusions of law supporting that order are public records.

38 **Sec. 33.** NRS 644.473 is hereby amended to read as follows:

39 644.473 It is unlawful for ~~f~~:

40 ~~1. Any licensed cosmetological establishment to represent
41 itself to the public as primarily engaged in the business of cutting
42 men's hair; or~~

43 ~~2. Any~~ *any* person licensed *or registered* pursuant to this
44 chapter to engage in any act or practice which constitutes a violation
45 of subsection 6 or 7 of NRS 643.190.



1 **Sec. 34.** NRS 644.476 is hereby amended to read as follows:

2 644.476 **1.** It is unlawful for a person to ~~reproduce~~
3 ~~mechanically or otherwise copy or~~ alter a license *or certificate of*
4 *registration* issued pursuant to this chapter.

5 **2.** *It is unlawful for a person to reproduce mechanically or*
6 *otherwise duplicate a license or certificate of registration issued*
7 *pursuant to this chapter for purposes of fraud, deception,*
8 *misrepresentation or other illegal purposes. A person may*
9 *duplicate a license or certificate of registration issued pursuant to*
10 *this chapter for a lawful purpose, including, without limitation, for*
11 *purposes of displaying a duplicate license or certificate of*
12 *registration pursuant to NRS 644.290, 644.360, 644.3774 or*
13 *644.410.*

14 **Sec. 35.** NRS 644.478 is hereby amended to read as follows:

15 644.478 With regard to advertising relating to the education,
16 licensing, *registration* or practice of cosmetology or threading:

17 **1.** It is unlawful to advertise in any manner that is misleading
18 or inaccurate with respect to any services relating to the practice of
19 cosmetology offered by a licensee, *registrant* or other natural
20 person.

21 **2.** An advertisement must not state or imply favorable
22 consideration by the Board except that an advertisement may state
23 that a cosmetological establishment, establishment for hair braiding,
24 school of cosmetology, ~~or~~ licensee *or registrant* is licensed *or*
25 *registered* by the Board.

26 **Sec. 36.** NRS 179A.100 is hereby amended to read as follows:

27 179A.100 **1.** The following records of criminal history may
28 be disseminated by an agency of criminal justice without any
29 restriction pursuant to this chapter:

30 (a) Any which reflect records of conviction only; and

31 (b) Any which pertain to an incident for which a person is
32 currently within the system of criminal justice, including parole or
33 probation.

34 **2.** Without any restriction pursuant to this chapter, a record of
35 criminal history or the absence of such a record may be:

36 (a) Disclosed among agencies which maintain a system for the
37 mutual exchange of criminal records.

38 (b) Furnished by one agency to another to administer the system
39 of criminal justice, including the furnishing of information by a
40 police department to a district attorney.

41 (c) Reported to the Central Repository.

42 **3.** An agency of criminal justice shall disseminate to a
43 prospective employer, upon request, records of criminal history
44 concerning a prospective employee or volunteer which are the result
45 of a name-based inquiry and which:



- 1 (a) Reflect convictions only; or
- 2 (b) Pertain to an incident for which the prospective employee or
- 3 volunteer is currently within the system of criminal justice,
- 4 including parole or probation.

5 4. In addition to any other information to which an employer is
6 entitled or authorized to receive from a name-based inquiry, the
7 Central Repository shall disseminate to a prospective or current
8 employer, or a person or entity designated to receive the information
9 on behalf of such an employer, the information contained in a record
10 of registration concerning an employee, prospective employee,
11 volunteer or prospective volunteer who is a sex offender or
12 an offender convicted of a crime against a child, regardless of whether
13 the employee, prospective employee, volunteer or prospective
14 volunteer gives written consent to the release of that information.
15 The Central Repository shall disseminate such information in a
16 manner that does not reveal the name of an individual victim of an
17 offense or the information described in subsection 7 of NRS
18 179B.250. A request for information pursuant to this subsection
19 must conform to the requirements of the Central Repository and
20 must include:

21 (a) The name and address of the employer, and the name and
22 signature of the person or entity requesting the information on
23 behalf of the employer;

24 (b) The name and address of the employer's facility in which the
25 employee, prospective employee, volunteer or prospective volunteer
26 is employed or volunteers or is seeking to become employed or
27 volunteer; and

28 (c) The name and other identifying information of the employee,
29 prospective employee, volunteer or prospective volunteer.

30 5. In addition to any other information to which an employer is
31 entitled or authorized to receive, the Central Repository shall
32 disseminate to a prospective or current employer, or a person or
33 entity designated to receive the information on behalf of such an
34 employer, the information described in subsection 4 of NRS
35 179A.190 concerning an employee, prospective employee, volunteer
36 or prospective volunteer who gives written consent to the release of
37 that information if the employer submits a request in the manner set
38 forth in NRS 179A.200 for obtaining a notice of information. The
39 Central Repository shall search for and disseminate such
40 information in the manner set forth in NRS 179A.210 for the
41 dissemination of a notice of information.

42 6. Except as otherwise provided in subsection 5, the provisions
43 of NRS 179A.180 to 179A.240, inclusive, do not apply to an
44 employer who requests information and to whom such information
45 is disseminated pursuant to subsections 4 and 5.



- 1 7. Records of criminal history must be disseminated by an
2 agency of criminal justice, upon request, to the following persons or
3 governmental entities:
- 4 (a) The person who is the subject of the record of criminal
5 history for the purposes of NRS 179A.150.
- 6 (b) The person who is the subject of the record of criminal
7 history when the subject is a party in a judicial, administrative,
8 licensing, disciplinary or other proceeding to which the information
9 is relevant.
- 10 (c) The Nevada Gaming Control Board.
- 11 (d) The State Board of Nursing.
- 12 (e) The Private Investigator's Licensing Board to investigate an
13 applicant for a license.
- 14 (f) A public administrator to carry out the duties as prescribed in
15 chapter 253 of NRS.
- 16 (g) A public guardian to investigate a ward or proposed ward or
17 persons who may have knowledge of assets belonging to a ward or
18 proposed ward.
- 19 (h) Any agency of criminal justice of the United States or of
20 another state or the District of Columbia.
- 21 (i) Any public utility subject to the jurisdiction of the Public
22 Utilities Commission of Nevada when the information is necessary
23 to conduct a security investigation of an employee or prospective
24 employee or to protect the public health, safety or welfare.
- 25 (j) Persons and agencies authorized by statute, ordinance,
26 executive order, court rule, court decision or court order as
27 construed by appropriate state or local officers or agencies.
- 28 (k) Any person or governmental entity which has entered into a
29 contract to provide services to an agency of criminal justice relating
30 to the administration of criminal justice, if authorized by the
31 contract, and if the contract also specifies that the information will
32 be used only for stated purposes and that it will be otherwise
33 confidential in accordance with state and federal law and regulation.
- 34 (l) Any reporter for the electronic or printed media in a
35 professional capacity for communication to the public.
- 36 (m) Prospective employers if the person who is the subject of
37 the information has given written consent to the release of that
38 information by the agency which maintains it.
- 39 (n) For the express purpose of research, evaluative or statistical
40 programs pursuant to an agreement with an agency of criminal
41 justice.
- 42 (o) An agency which provides child welfare services, as defined
43 in NRS 432B.030.
- 44 (p) The Division of Welfare and Supportive Services of the
45 Department of Health and Human Services or its designated



1 representative, as needed to ensure the safety of investigators and
2 caseworkers.

3 (q) The Aging and Disability Services Division of the
4 Department of Health and Human Services or its designated
5 representative, as needed to ensure the safety of investigators and
6 caseworkers.

7 (r) An agency of this or any other state or the Federal
8 Government that is conducting activities pursuant to Part D of
9 Subchapter IV of Chapter 7 of Title 42 of the Social Security Act,
10 42 U.S.C. §§ 651 et seq.

11 (s) The State Disaster Identification Team of the Division of
12 Emergency Management of the Department.

13 (t) The Commissioner of Insurance.

14 (u) The Board of Medical Examiners.

15 (v) The State Board of Osteopathic Medicine.

16 (w) The Board of Massage Therapists and its Executive
17 Director.

18 (x) The Board of Examiners for Social Workers.

19 (y) *The State Board of Cosmetology and its Executive*
20 *Director.*

21 (z) A multidisciplinary team to review the death of the victim of
22 a crime that constitutes domestic violence organized or sponsored
23 by the Attorney General pursuant to NRS 228.495.

24 8. Agencies of criminal justice in this State which receive
25 information from sources outside this State concerning transactions
26 involving criminal justice which occur outside Nevada shall treat the
27 information as confidentially as is required by the provisions of this
28 chapter.

29 **Sec. 37.** As soon as practicable after January 1, 2018, any
30 amount remaining in the revolving fund for the State Board of
31 Cosmetology established in former NRS 644.180 must be
32 transferred to the State General Fund.

33 **Sec. 38.** NRS 644.180 and 644.196 are hereby repealed.

34 **Sec. 39.** This act becomes effective on passage and approval
35 for the purposes of adopting regulations and performing any other
36 preparatory administrative tasks that are necessary to carry out the
37 provisions of this act, and on January 1, 2018, for all other purposes.

TEXT OF REPEALED SECTIONS

644.180 Revolving fund. An amount not to exceed \$1,000
may be drawn from the Contingent Fund to be used as a revolving



fund where cash advances are necessary. Expenditures from the revolving fund must be substantiated by vouchers and itemized statements at the end of each fiscal year, or at any other time when demanded by the Chief of the Budget Division of the Office of Finance.

644.196 Instructors in cosmetology: Qualifications for examination. The Board shall admit to examination for a license as an instructor in cosmetology any person who has made application to the Board in proper form, paid the fee and meets the requirements of NRS 644.195.

