

ASSEMBLY BILL NO. 195—ASSEMBLYMEN  
BUSTAMANTE ADAMS AND KRAMER

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; providing for the temporary suspension of certain licenses and certificates of registration; 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: (1) provides for the temporary suspension of a license or  
9 certificate of registration issued by the Board without a prior hearing for a period  
10 not to exceed 15 business days under certain exigent circumstances; (2) authorizes  
11 the licensee or holder of a certificate of registration to request a postsuspension  
12 administrative review; and (3) requires the Board to hold a hearing and render a  
13 final decision as promptly as is practicable but not later than 15 days after the date



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14 on which the Board receives a request for review from the licensee or holder of the  
15 certificate of registration. **Section 1.5** of this bill authorizes the Governor, after  
16 notice and a hearing, to remove any member of the State Board of Cosmetology for  
17 neglect of duty, malfeasance or misfeasance.

18 Existing law requires the Board to elect both a Treasurer and a Secretary and  
19 authorizes the Board to assign the duties of Treasurer and Secretary to one person.  
20 (NRS 644.060) **Section 2** of this bill instead requires the Board to annually elect  
21 one person as the Secretary-Treasurer of the Board.

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

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

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

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

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

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

47 **Section 21** of this bill expands the provisions which require the Board to  
48 provide examinations for licensure and registration in English and, upon request, in  
49 Spanish and authorize the Board to provide examinations for licensure and  
50 registration in other languages, upon request, to apply to examinations for licensure  
51 or registration as an aesthetician, hair designer, shampoo technologist, hair braider,  
52 nail technologist or demonstrator of cosmetics.

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

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

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

67 **Sections 33 and 34** of this bill: (1) eliminate, as an unlawful act, a  
68 cosmetological establishment representing itself to the public as primarily engaged



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69 in the business of cutting men's hair; (2) revise the circumstances in which the  
70 unlawful act of reproducing or otherwise copying a license or certificate of  
71 registration applies; and (3) authorizes a person to reproduce a license or certificate  
72 under certain circumstances.

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

76 **Sections 37 and 38** eliminate the Board's revolving fund used for cash  
77 advances.

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

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

1 **Section 1.** Chapter 644 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3 *1. If the holder of a license or certificate of registration to*  
4 *operate a cosmetological establishment, an establishment for hair*  
5 *braiding or a facility in which threading is conducted or any other*  
6 *licensee or a holder of a certificate of registration issued pursuant*  
7 *to this chapter is charged with or cited for prostitution in*  
8 *violation of NRS 201.354 or any other sexual offense, the*  
9 *appropriate law enforcement agency shall report the charge or*  
10 *citation to the Executive Director of the Board. Upon receiving*  
11 *such a report, the Executive Director shall immediately forward*  
12 *the report to the Board or the Chair of the Board. The Board must*  
13 *meet as soon as practicable to consider the report. If the Board*  
14 *finds that the health, safety or welfare of the public imperatively*  
15 *require emergency action and issues a cease and desist order, the*  
16 *Executive Director shall immediately send the cease and desist*  
17 *order by certified mail to the licensee or holder of the certificate of*  
18 *registration. The temporary suspension of the license or certificate*  
19 *of registration is effective immediately after the licensee or holder*  
20 *of the certificate of registration receives notice of the cease and*  
21 *desist order and must not exceed 15 business days. The licensee or*  
22 *holder of the certificate of registration may file a written request*  
23 *for a hearing to challenge the necessity of the temporary*  
24 *suspension. The written request must be filed not later than 10*  
25 *business days after the date on which the Executive Director mails*  
26 *the cease and desist order. If the licensee or holder of the*  
27 *certificate of registration:*

28 *(a) Files a timely written request for a hearing, the Board shall*  
29 *extend the temporary suspension until a hearing is held. The*  
30 *Board shall hold a hearing and render a final decision regarding*  
31 *the necessity of the temporary suspension as promptly as is*



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1 *practicable but not later than 15 business days after the date on*  
2 *which the Board receives the written request. After holding such a*  
3 *hearing, the Board may extend the period of the temporary*  
4 *suspension if the Board finds, for good cause shown, that such*  
5 *action is necessary to protect the health, safety or welfare of the*  
6 *public pending proceedings for disciplinary action.*

7 *(b) Does not file a timely written request for a hearing and the*  
8 *Board wants to consider extending the period of the temporary*  
9 *suspension, the Board shall schedule a hearing and notify the*  
10 *licensee or holder of the certificate of registration immediately by*  
11 *certified mail of the date of the hearing. The hearing must be held*  
12 *and a final decision rendered regarding whether to extend the*  
13 *period of the temporary suspension as promptly as is practicable*  
14 *but not later than 15 business days after the date on which the*  
15 *Executive Director mails the cease and desist order. After holding*  
16 *such a hearing, the Board may extend the period of the temporary*  
17 *suspension if the Board finds, for good cause shown, that such*  
18 *action is necessary to protect the health, safety or welfare of the*  
19 *public pending proceedings for disciplinary action.*

20 **2. For purposes of this section, a person is deemed to have**  
21 **notice of a temporary suspension of his or her license or**  
22 **certificate of registration:**

23 *(a) On the date on which the notice is personally delivered to*  
24 *the person; or*

25 *(b) If the notice is mailed, 3 days after the date on which the*  
26 *notice is mailed by certified mail to the last known business or*  
27 *residential address of the person.*

28 **Sec. 1.5.** NRS 644.050 is hereby amended to read as follows:

29 644.050 1. After the initial terms, members of the Board  
30 serve terms of 4 years, except when appointed to fill unexpired  
31 terms.

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

35 3. No member of the Board may serve more than two  
36 consecutive full terms. A member who serves two consecutive full  
37 terms is not thereafter eligible to serve on the Board for a period of  
38 1 year. Any time served on the Board in filling the unexpired term  
39 of another member does not apply in computing two consecutive  
40 full terms.

41 **4. The Governor may, after notice and hearing, remove any**  
42 **member of the Board for neglect of duty, malfeasance or**  
43 **misfeasance.**



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

2       644.060 The members of the Board shall annually elect a  
3 President, a Vice President ~~[, a Treasurer and a Secretary]~~ *and a*  
4 *Secretary-Treasurer* from among their number. ~~[The members may~~  
5 ~~assign the duties of the Treasurer and the Secretary to one person~~  
6 ~~who shall be Treasurer and Secretary.]~~

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

8       644.070 1. The Board shall hold meetings at least four times  
9 a year for the ~~[examination of applicants for registration and for the]~~  
10 transaction of such ~~[other]~~ business as pertains to its duties.

11       2. The Board may hold such other meetings for the  
12 ~~[examination of applicants for registration or for the]~~ transaction of  
13 necessary business at such times and places as it determines.

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

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

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

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

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

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

29       644.090 The Board shall:

30       1. Hold examinations to determine the qualifications of all  
31 applicants for a license ~~[;]~~ *or certificate of registration*, except as  
32 otherwise provided in this chapter, whose applications have been  
33 submitted to it in proper form.

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

35       3. Issue certificates of registration to such applicants as may be  
36 entitled thereto.

37       4. License establishments for hair braiding, cosmetological  
38 establishments and schools of cosmetology.

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

41       6. Inspect schools of cosmetology, establishments for hair  
42 braiding, cosmetological establishments and any facility in this State  
43 in which threading is conducted to ensure compliance with the  
44 statutory requirements and adopted regulations of the Board. This



1 authority extends to any member of the Board or its authorized  
2 employees.

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

4 644.110 The Board shall adopt reasonable regulations:

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

6 2. For conducting examinations of applicants for licenses ~~†~~  
7 *and certificates of registration.*

8 3. For governing the recognition of, and the credits to be given  
9 to, the study of cosmetology under a licensed electrologist or in a  
10 school of cosmetology licensed pursuant to the laws of another state  
11 or territory of the United States or the District of Columbia.

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

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

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

19 (c) Providing for lunch and coffee recesses for students during  
20 school hours; and

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

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

25 6. For governing the conduct of cosmetological establishments.

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

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

29 644.170 1. ~~†All fees collected on behalf of the Board and all~~  
30 ~~receipts of every kind and nature must be reported at the beginning~~  
31 ~~of each month, for the month preceding, to the Board. At the same~~  
32 ~~time, the entire amount of collections, except as otherwise provided~~  
33 ~~in subsection 5, must be paid to the Board, who shall deposit them†~~  
34 *Except as otherwise provided in subsection 3, all fees and other*  
35 *money received by the Board pursuant to the provisions of this*  
36 *chapter must be deposited* in banks, credit unions or savings and  
37 loan associations in the State of Nevada ~~†~~

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

41 ~~—3.— All orders for payment of money must be drawn on the~~  
42 ~~Treasurer of the Board and countersigned by the President and the~~  
43 ~~Secretary of the Board.~~

44 ~~—4.† and expended solely for the purposes of this chapter. The~~  
45 *money so deposited does not revert to the State General Fund. The*



1 *compensation provided for by this chapter and all expenses*  
2 *incurred under this chapter must be paid from this money. No*  
3 *compensation or expenses incurred under this chapter may be*  
4 *charged against the State General Fund.*

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

10 ~~15~~ 3. If a hearing officer or panel is not authorized to take  
11 disciplinary action pursuant to subsection ~~14~~ 2 and the Board  
12 deposits the money collected from the imposition of fines with the  
13 State Treasurer for credit to the State General Fund, it may present a  
14 claim to the State Board of Examiners for recommendation to the  
15 Interim Finance Committee if money is needed to pay attorney's  
16 fees or the costs of an investigation, or both.

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

18 644.190 1. It is unlawful for any person to conduct or operate  
19 a cosmetological establishment, an establishment for hair braiding, a  
20 school of cosmetology or any other place of business in which any  
21 one or any combination of the occupations of cosmetology are  
22 taught or practiced unless the person is licensed in accordance with  
23 the provisions of this chapter.

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

29 3. This chapter does not prohibit:

30 (a) Any student in any school of cosmetology established  
31 pursuant to the provisions of this chapter from engaging, in the  
32 school and as a student, in work connected with any branch or any  
33 combination of branches of cosmetology in the school.

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

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

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



1 (e) A registered cosmetologist's apprentice from engaging in the  
2 practice of cosmetology under the immediate supervision of a  
3 licensed cosmetologist.

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

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

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

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

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

19 4. A person employed to render services relating to the practice  
20 of cosmetology in the course of and incidental to the production of a  
21 motion picture, television program, commercial or advertisement is  
22 exempt from the licensing *or registration* requirements of this  
23 chapter if he or she renders those services only to persons who will  
24 appear in that motion picture, television program, commercial or  
25 advertisement.

26 5. A person practicing hair braiding is exempt from the  
27 licensing requirements of this chapter applicable to hair braiding if  
28 the hair braiding is practiced on a person who is related within the  
29 sixth degree of consanguinity and the person does not accept  
30 compensation for the hair braiding.

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

32 644.191 1. The State Board of Cosmetology and the Board of  
33 Massage Therapists shall, to the extent practicable, reduce  
34 duplication in the licensing *or registration* procedure for a qualified  
35 applicant who is applying to the State Board of Cosmetology for a  
36 license *or certificate of registration* to practice pursuant to this  
37 chapter and who is also applying to the Board of Massage  
38 Therapists for a license to practice pursuant to chapter 640C of  
39 NRS, if both applications are filed not more than 60 days apart.

40 2. If a qualified applicant submits an application to the Board  
41 of Massage Therapists for a license to practice pursuant to chapter  
42 640C of NRS and, not later than 60 days after that application, the  
43 applicant also submits an application to the State Board of  
44 Cosmetology for a license *or certificate of registration* to practice  
45 pursuant to this chapter:





1 (a) The applicant is not required to submit a set of fingerprints to  
2 the State Board of Cosmetology if the applicant submitted a set of  
3 fingerprints with his or her application to the Board of Massage  
4 Therapists;

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

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

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

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

16 644.192 1. The Board and a local governmental entity shall,  
17 to the extent practicable, reduce duplication in the licensing *or*  
18 *registration* procedure for a qualified applicant who is applying to  
19 the Board for a license *or certificate of registration* to practice  
20 pursuant to this chapter and who is also applying to the local  
21 governmental entity for a license to practice massage therapy, if  
22 both applications are filed not more than 60 days apart.

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

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

31 (b) The Board shall request from the local governmental entity a  
32 copy of any reports relating to a background investigation of the  
33 applicant;

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

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

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



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

4 (b) The local governmental entity shall request from the Board a  
5 copy of any reports relating to a background investigation of the  
6 applicant;

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

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

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

16 644.193 1. The Board may grant a provisional license as an  
17 instructor to a person who:

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

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

24 (c) Is licensed pursuant to this chapter;

25 (d) Applies for a provisional license on a form supplied by the  
26 Board;

27 (e) Submits two current photographs of himself or herself; and

28 (f) Has paid the fee established pursuant to subsection 2.

29 2. The Board shall establish and collect a fee of not less than  
30 \$40 and not more than \$75 for the issuance of a provisional license  
31 as an instructor.

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

35 4. A provisional license as an instructor expires upon  
36 accumulation by the licensee of the number of hours of training  
37 required for an instructor's license or 1 year after the date of  
38 issuance, whichever occurs first. The Board may grant an extension  
39 of not more than 45 days to those provisional licensees who have  
40 applied to the Board for examination as instructors and are awaiting  
41 examination.

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

43 644.195 1. ~~Each instructor must:~~

44 ~~—(a) Be licensed as a cosmetologist pursuant to this chapter.—~~ *The*  
45 *Board shall admit to examination for a license as an instructor of*



1 *cosmetology any person who has applied to the Board in proper*  
2 *form, paid the fee and:*

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

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

5 (c) *Has* successfully completed the 12th grade in school or its  
6 equivalent †

7 ~~—(e) Have 1 year of experience as a cosmetologist or as a licensed~~  
8 ~~student instructor.~~

9 ~~—(d) Have completed 1,000† ;~~

10 (d) *Has received a minimum of 700* hours of training as ~~†an~~ *a*  
11 *student* instructor or 500 hours of training as *an instructor or as a*  
12 licensed provisional instructor in a *licensed* school of cosmetology  
13 †

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

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

17 2. *An instructor in cosmetology shall complete at least the*  
18 *number of hours of continuing education required, at the time the*  
19 *hours of continuing education are completed, for instructors of*  
20 *schools of cosmetology accredited by the National Accrediting*  
21 *Commission of Career Arts & Sciences or its successor*  
22 *organization. The hours of continuing education must be obtained*  
23 *in courses* approved by the Board †, ~~whose combined duration is at~~  
24 ~~least 30 hours†~~ during each 2-year period †.

25 ~~—2.— The provisions of paragraph (e) of subsection 1 do not apply~~  
26 ~~to an instructor who is initially licensed not more than 6 months~~  
27 ~~before the renewal date of the license. An instructor who is initially~~  
28 ~~licensed more than 6 months but less than 1 year before the renewal~~  
29 ~~date of the license must take one or more courses specified in~~  
30 ~~paragraph (e) whose combined duration is at least 15 hours during~~  
31 ~~each 2-year period.† of his or her license.~~

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

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

35 644.1955 1. The Board shall admit to examination for a  
36 license as an instructor of aestheticians any person who has applied  
37 to the Board in proper form, paid the fee and:

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

39 (b) Is of good moral character;

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

42 (d) Has received a minimum of 700 hours of training as ~~†an~~ *a*  
43 *student* instructor or 500 hours of training as *an instructor or as a*  
44 licensed provisional instructor in a licensed school of cosmetology;

45 (e) Is licensed as an aesthetician pursuant to this chapter; and



1 (f) Has practiced as a full-time licensed aesthetician or as a  
2 licensed student instructor. ~~{for 1 year.~~

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

4 **2. An** instructor of aestheticians shall complete at least ~~{30}~~ **the**  
5 **number of** hours of ~~{advanced training in a course approved by the~~  
6 ~~Board}~~ **continuing education required, at the time the hours of**  
7 **continuing education are completed, for instructors of schools of**  
8 **cosmetology accredited by the National Accrediting Commission**  
9 **of Career Arts & Sciences or its successor organization. The hours**  
10 **of continuing education must be obtained** during each 2-year  
11 period of his or her license ~~†-~~

12 ~~—3.— The provisions of subsection 2 do not apply to an instructor~~  
13 ~~of aestheticians who is initially licensed not more than 6 months~~  
14 ~~before the renewal date of the license. An instructor of aestheticians~~  
15 ~~who is initially licensed more than 6 months but less than 1 year~~  
16 ~~before the renewal date of the license must take one or more courses~~  
17 ~~specified in subsection 2 whose combined duration is at least 15~~  
18 ~~hours during each 2-year period.}~~ **in courses approved by the**  
19 **Board.**

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

21 644.197 1. The Board shall admit to examination for a  
22 license as an instructor in nail technology any person who has  
23 applied to the Board in proper form, paid the fee and:

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

25 (b) Is of good moral character;

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

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

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

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

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

35 **2. An** instructor in nail technology shall complete at least ~~{30}~~  
36 **the number of** hours of ~~{advanced training in a course approved by~~  
37 ~~the Board}~~ **continuing education required, at the time the hours of**  
38 **continuing education are completed, for instructors of schools of**  
39 **cosmetology accredited by the National Accrediting Commission**  
40 **of Career Arts & Sciences or its successor organization. The hours**  
41 **of continuing education must be obtained** during each 2-year  
42 period of his or her license ~~†-~~

43 ~~—3.— The provisions of subsection 2 do not apply to an instructor~~  
44 ~~in nail technology who is initially licensed not more than 6 months~~  
45 ~~before the renewal date of the license. An instructor in nail~~



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~~1 technology who is initially licensed more than 6 months but less  
2 than 1 year before the renewal date of the license must take one or  
3 more courses specified in subsection 2 whose combined duration is  
4 at least 15 hours during each 2-year period.] in courses approved by  
5 the Board.~~

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

7 644.199 1. The Board shall grant a license as a student  
8 instructor to a person who:

9 (a) Has successfully completed the 12th grade in school or its  
10 equivalent ; ~~11 [and submits written verification of the completion of  
12 his or her education;]~~

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

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

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

18 (c) Is licensed pursuant to this chapter;

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

21 (e) Submits two current photographs of himself or herself; and

22 (f) Has paid the fee established pursuant to subsection 2.

23 2. The Board shall establish and collect a fee of not less than  
24 \$25 or more than \$40 for the issuance of a license as a student  
25 instructor.

26 3. A person issued a license as a student instructor pursuant to  
27 this section:

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

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

32 4. A license as a student instructor expires upon accumulation  
33 by the licensee of the number of hours of training required for an  
34 instructor's license . ~~35 [or after full-time employment as a student  
36 instructor for 1 year, whichever occurs later.]~~ The Board may grant  
37 an extension of not more than 45 days to those student instructor  
38 licensees who have applied to the Board for examination as  
39 instructors and are awaiting examination.

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

41 644.200 The Board shall admit to examination for a license as  
42 a cosmetologist ~~43 [; at any meeting of the Board held to conduct  
44 examinations.]~~ any person who has made application to the Board in  
45 proper form and paid the fee, and who before or on the date of the  
46 examination:

1. Is not less than 18 years of age.

2. Is of good moral character.



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

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

6 5. Has had any one of the following:

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

10 (b) Practice of the occupation of a cosmetologist for a period of  
11 4 years outside this State.

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

14 (d) At least ~~13,600~~ 3,200 hours of service as a cosmetologist's  
15 apprentice in a licensed cosmetological establishment in which all of  
16 the occupations of cosmetology are practiced. The required hours  
17 must have been completed during the period of validity of the  
18 certificate of registration as a cosmetologist's apprentice issued to  
19 the person pursuant to NRS 644.217.

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

21 644.204 The Board shall admit to examination for a license as  
22 a hair designer ~~[- at any meeting of the Board held to conduct~~  
23 ~~examinations.]~~ each person who has applied to the Board in proper  
24 form and paid the fee, and who:

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 state or  
31 federal requirements.

32 5. Satisfies at least one of the following:

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

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

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

39 (d) Has had at least 2,400 hours of service as a hair designer's  
40 apprentice in a licensed cosmetological establishment in which hair  
41 design is practiced. The required hours must have been completed  
42 during the period of validity of the certificate of registration as a  
43 hair designer's apprentice issued to the person pursuant to  
44 NRS 644.216.



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

2       644.208 1. ~~{The}~~ *Except as otherwise provided in NRS*  
3 *644.209, the* Board shall admit to examination as a hair braider ~~[-at~~  
4 ~~any meeting of the Board held to conduct examinations,]~~ each  
5 person who has applied to the Board in proper form and paid the  
6 fee, and who:

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

8       (b) Is of good moral character.

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

11       (d) Has successfully completed the 10th grade in school or its  
12 equivalent . ~~and has submitted to the Board a notarized affidavit~~  
13 ~~establishing the successful completion by the applicant of the 10th~~  
14 ~~grade or its equivalent.]~~ Testing for equivalency must be pursuant to  
15 state or federal requirements.

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

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

19               (I) Fifty hours concerning the laws of Nevada and the  
20 regulations of the Board relating to cosmetology;

21               (II) Seventy-five hours concerning infection control and  
22 prevention and sanitation;

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

25               (IV) Fifty hours of clinical practice; and

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

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

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

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

36       2. The application submitted pursuant to subsection 1 must be  
37 accompanied by:

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

41       (b) A copy of one of the following documents as proof of the  
42 age of the applicant:

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



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

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

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

4 644.209 1. The Board shall admit to examination as a hair  
5 braider  ~~[, at any meeting of the Board held to conduct~~  
6  ~~examinations.]~~ each person who has practiced hair braiding in  
7 another state, has applied to the Board in proper form and paid a fee  
8 of \$200, and who:

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

10 (b) Is of good moral character.

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

13 (d) Has successfully completed the 10th grade in school or its  
14 equivalent .  ~~[and has submitted to the Board a notarized affidavit~~  
15  ~~establishing the successful completion by the applicant of the 10th~~  
16  ~~grade or its equivalent.]~~ Testing for equivalency must be pursuant to  
17 state or federal requirements.

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

20 (1) Has submitted to the Board proof of the license; and

21 (2) Has passed the written tests described in NRS 644.248.

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

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

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

29 2. The application submitted pursuant to subsection 1 must be  
30 accompanied by:

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

34 (b) A copy of one of the following documents as proof of the  
35 age of the applicant:

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

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

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

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

42 644.210 1. An application for admission to examination or  
43 for a license in any branch of cosmetology, or for a certificate of  
44 registration as a shampoo technologist, aesthetician's apprentice,  
45 cosmetologist's apprentice, hair designer's apprentice or nail





1 technologist's apprentice must be made in writing on forms  
2 furnished by the Board and must be submitted within the period  
3 designated by the Board. The Board shall charge a fee of \$15 for  
4 furnishing the forms.

5 2. An application must contain proof of the qualifications of  
6 the applicant for examination, licensure or registration. The  
7 ~~{application}~~ *applicant* must ~~{be verified by the oath of the~~  
8 ~~applicant.}~~ *certify that all the information contained in the*  
9 *application is truthful and accurate.*

10 **Sec. 20.** NRS 644.230 is hereby amended to read as follows:  
11 644.230 All examinations of applicants must:

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

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

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

19 **Sec. 21.** NRS 644.235 is hereby amended to read as follows:

20 644.235 1. The Board:

21 (a) Shall provide examinations for licensure *or registration* as a  
22 cosmetologist , *aesthetician, hair designer, shampoo technologist,*  
23 *hair braider, nail technologist or demonstrator of cosmetics* in  
24 English and, upon the request of an applicant for licensure *or*  
25 *registration* as a cosmetologist, *aesthetician, hair designer,*  
26 *shampoo technologist, hair braider, nail technologist or*  
27 *demonstrator of cosmetics*, in Spanish; and

28 (b) May provide examinations for licensure *or registration* as a  
29 cosmetologist , *aesthetician, hair designer, shampoo technologist,*  
30 *hair braider, nail technologist or demonstrator of cosmetics*, in any  
31 other language upon the request of an applicant, if the Board  
32 determines that providing the examination in that language is in the  
33 best interests of the public.

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

41 3. The Board shall impose a fee upon the applicants who file  
42 requests for an examination for licensure *or registration* as a  
43 cosmetologist , *aesthetician, hair designer, shampoo technologist,*  
44 *hair braider, nail technologist or demonstrator of cosmetics* to be  
45 translated into a language other than English or Spanish. The fee



1 must be sufficient to ensure that the applicants bear the full cost for  
2 the development, preparation, administration, grading and  
3 evaluation of the translated examination. The fee is in addition to all  
4 other fees that must be paid by applicants for the examination for  
5 licensure *or registration* as a cosmetologist ~~H~~, *aesthetician, hair*  
6 *designer, shampoo technologist, hair braider, nail technologist or*  
7 *demonstrator of cosmetics.*

8 4. In determining whether it is in the best interests of the public  
9 to translate an examination for licensure *or registration* as a  
10 cosmetologist, *aesthetician, hair designer, shampoo technologist,*  
11 *hair braider, nail technologist or demonstrator of cosmetics* into a  
12 language other than English or Spanish, the Board shall consider the  
13 percentage of the population within this State whose native language  
14 is the language for which the translated examination is sought.

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

16 644.260 The Board shall issue a license or certificate of  
17 registration, as applicable, as a cosmetologist, aesthetician,  
18 electrologist, hair designer, shampoo technologist, hair braider, nail  
19 technologist, demonstrator of cosmetics or instructor to each  
20 applicant who:

21 1. Except as otherwise provided in NRS 644.242 ~~H~~ *and*  
22 *644.315*, passes a satisfactory examination, conducted by the Board  
23 to determine his or her fitness to practice that occupation of  
24 cosmetology; and

25 2. Complies with such other requirements as are prescribed in  
26 this chapter for the issuance of the license or certificate of  
27 registration.

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

29 644.270 Every license *or certificate of registration* issued by  
30 the Board must specify the occupation which the license *or*  
31 *certificate* entitles the holder thereof to practice. No person may  
32 practice any other occupation designated in this chapter than that for  
33 which the license *or certificate* is issued.

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

35 644.280 1. Every license *or certificate of registration* issued  
36 by the Board must be signed by the President and attested by the  
37 ~~Secretary~~ *Secretary-Treasurer* and must bear the Board's seal.

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

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

42 644.290 1. The holder of a license *or certificate of*  
43 *registration* issued by the Board to practice any branch of  
44 cosmetology must display his or her current license *or certificate* or  
45 a duplicate of the license *or certificate* in plain view of the public at



1 the position where the holder of the license *or certificate* performs  
2 his or her work.

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

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

8 644.295 1. A person licensed *or registered* pursuant to this  
9 chapter ~~;~~

10 ~~—(a) Shall~~ *may* obtain a duplicate of that license ~~if the:~~

11 ~~—(1) Original was destroyed, misplaced or mutilated; or~~

12 ~~—(2) Name or address of the licensee has changed; or~~

13 ~~—(b) May obtain a duplicate of that license if required by the~~  
14 ~~person~~ *or certificate* for any ~~other~~ reason.

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

16 (a) ~~File an affidavit with the Board, on the form prescribed by~~  
17 ~~the Board, which states that, if the person is required to obtain the~~  
18 ~~duplicate pursuant to paragraph (a) of subsection 1, the original~~  
19 ~~license was destroyed, misplaced or mutilated or that the person's~~  
20 ~~name or address has changed or, if the person is requesting the~~  
21 ~~duplicate pursuant to paragraph (b) of subsection 1, that the~~  
22 ~~duplicate is required by the person for a reason other than a reason~~  
23 ~~set forth in paragraph (a) of subsection 1;]~~ *Request a duplicate*  
24 *license or certificate from the Board;* and

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

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

27 644.340 1. Any person wishing to operate a cosmetological  
28 establishment in which any one or a combination of the occupations  
29 of cosmetology are practiced must apply to the Board for a license,  
30 through the owner, manager or person in charge, upon forms  
31 prepared and furnished by the Board. Each application must contain  
32 a detailed floor plan of the proposed cosmetological establishment  
33 and proof of the particular requisites for a license provided for in  
34 this chapter.  ~~and must be verified by the oath of the maker. ]~~ *The*  
35 *applicant must certify that all the information contained in the*  
36 *application is truthful and accurate.*

37 2. The applicant must submit the application accompanied by  
38 the applicable required fees for inspection and licensing. After the  
39 applicant has submitted the application, the applicant must contact  
40 the Board and request a verbal review concerning the application to  
41 determine if the cosmetological establishment complies with the  
42 requirements of this chapter and the regulations adopted by  
43 the Board. If, based on the verbal review, the Board determines that  
44 the cosmetological establishment meets those requirements, the  
45 Board shall issue to the applicant the required license. Upon receipt



1 of the license, the applicant must contact the Board to request the  
2 activation of the license. A license issued pursuant to this subsection  
3 is not valid until it is activated. The Board shall conduct an on-site  
4 inspection of the cosmetological establishment not later than 90  
5 days after the date on which the license is activated.

6 3. The fee for issuance of a license for a cosmetological  
7 establishment is:

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

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

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

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

13 644.377 1. Any person wishing to operate an establishment  
14 for hair braiding must apply to the Board for a license, through the  
15 owner, manager or person in charge, upon forms prepared and  
16 furnished by the Board. Each application must contain a detailed  
17 floor plan of the proposed establishment for hair braiding and proof  
18 of any particular requisites for a license provided for in this chapter .  
19 ~~†, and must be verified by the oath of the maker.†~~ *The applicant*  
20 *must certify that all the information contained in the application is*  
21 *truthful and accurate.*

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

36 3. The fee for issuance of a license for an establishment for hair  
37 braiding is:

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

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

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

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

43 644.380 1. Any person desiring to conduct a school of  
44 cosmetology in which any one or any combination of the  
45 occupations of cosmetology are taught must apply to the Board for a



1 license, through the owner, manager or person in charge, upon  
2 forms prepared and furnished by the Board. Each application must  
3 contain proof of the particular requisites for a license provided for in  
4 this chapter, and *the applicant* must ~~be verified by the oath of the~~  
5 ~~maker.]~~ *certify that all the information contained in the*  
6 *application is truthful and accurate.* The forms must be  
7 accompanied by:

- 8 (a) A detailed floor plan of the proposed school;
- 9 (b) The name, address and number of the license of the manager  
10 or person in charge and of each instructor;
- 11 (c) Evidence of financial ability to provide the facilities and  
12 equipment required by regulations of the Board and to maintain the  
13 operation of the proposed school for 1 year;
- 14 (d) Proof that the proposed school will commence operation  
15 with an enrollment of a number of students acceptable to the Board;
- 16 (e) The applicable fee for a license;
- 17 (f) A copy of the contract for the enrollment of a student in a  
18 program at the school of cosmetology; and
- 19 (g) The name and address of the person designated to accept  
20 service of process.

21 2. Upon receipt by the Board of the application, the Board  
22 shall, before issuing a license, determine whether the proposed  
23 school:

- 24 (a) Is suitably located.
- 25 (b) Contains adequate floor space and adequate equipment.
- 26 (c) Has a contract for the enrollment of a student in a program at  
27 the school of cosmetology that is approved by the Board.
- 28 (d) Admits as regular students only persons who have received a  
29 certificate of graduation from high school, or the recognized  
30 equivalent of such a certificate, or who are beyond the age of  
31 compulsory school attendance.
- 32 (e) Meets all requirements established by regulations of the  
33 Board.

34 3. The fee for issuance of a license for a school of cosmetology  
35 is:

- 36 (a) For 2 years, not less than \$500 and not more than \$800.
- 37 (b) For 4 years, not less than \$1,000 and not more than \$1,600.

38 4. If the proposed school meets all requirements established by  
39 this chapter and the regulations adopted pursuant thereto, the Board  
40 shall issue a license to the proposed school. The license must  
41 contain:

- 42 (a) The name of the proposed school;
- 43 (b) A statement that the proposed school is authorized to operate  
44 educational programs beyond secondary education; and
- 45 (c) Such other information as the Board considers necessary.



1 5. If the ownership of the school changes or the school moves  
2 to a new location, the school may not be operated until a new  
3 license is issued by the Board.

4 6. The Board shall, by regulation, prescribe:

5 (a) The minimum enrollment of students required by paragraph  
6 (d) of subsection 1; and

7 (b) The amount of floor space required by paragraph (b) of  
8 subsection 2.

9 7. After a license has been issued for the operation of a school  
10 of cosmetology, the licensee must obtain the approval of the Board  
11 before making any changes in the physical structure of the school.

12 **Sec. 30.** NRS 644.408 is hereby amended to read as follows:

13 644.408 A student *enrolled as a cosmetologist, aesthetician,*  
14 *electrologist, hair designer or nail technologist* must receive ~~the~~  
15 ~~following~~ a minimum ~~amount~~ of *10 percent of the total hours* of  
16 instruction in the classroom before commencing work on members  
17 of the public. †:

18 ~~1. A student enrolled as a cosmetologist must receive at least~~  
19 ~~300 hours.~~

20 ~~2. A student enrolled as a hair designer must receive at least~~  
21 ~~300 hours.~~

22 ~~3. A student enrolled as a nail technologist must receive at least~~  
23 ~~100 hours.~~

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

26 ~~5. A student enrolled as an aesthetician must receive at least~~  
27 ~~150 hours.†~~

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

29 644.422 1. Except as otherwise provided in subsection 2, an  
30 advertisement for services relating to the practice of cosmetology  
31 must list:

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

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

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

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

43 644.430 1. The following are grounds for disciplinary action  
44 by the Board:



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

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

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

14 (d) Gross malpractice.

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

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

20 (g) Advertising in violation of any of the provisions of NRS  
21 644.422 or 644.478.

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

25 (i) Failure to display the license *or certificate of registration* or  
26 a duplicate of the license *or certificate of registration* as provided in  
27 NRS **644.2175**, 644.290, 644.360, 644.3774 and 644.410.

28 ~~(j) Failure to display the certificate of registration or a duplicate~~  
29 ~~of the certificate of registration as provided in NRS 644.2175.~~

30 ~~—(k)~~ Entering, by a school of cosmetology, into an  
31 unconscionable contract with a student of cosmetology.

32 ~~(k)~~ (k) Continued practice of cosmetology or operation of a  
33 cosmetological establishment or school of cosmetology after the  
34 license therefor has expired.

35 ~~(m)~~ (l) *Engaging in prostitution or solicitation for*  
36 *prostitution in violation of NRS 201.354 by the owner of a*  
37 *cosmetological establishment, an establishment for hair braiding*  
38 *or a facility in which threading is conducted, a licensee or a*  
39 *holder of a certificate of registration.*

40 (m) Any other unfair or unjust practice, method or dealing  
41 which, in the judgment of the Board, may justify such action.

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

44 (a) Refuse to issue or renew a license or certificate of  
45 registration;



- 1 (b) Revoke or suspend a license or certificate of registration;
- 2 (c) Place the licensee or holder of a certificate of registration on
- 3 probation for a specified period;
- 4 (d) Impose a fine not to exceed \$2,000; or
- 5 (e) Take any combination of the actions authorized by
- 6 paragraphs (a) to (d), inclusive.

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

9 **Sec. 33.** NRS 644.473 is hereby amended to read as follows:  
10 644.473 It is unlawful for ~~f~~:

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

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

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

18 644.476 *1.* It is unlawful for a person to ~~reproduce~~  
19 ~~mechanically or otherwise copy or~~ alter a license *or certificate of*  
20 *registration* issued pursuant to this chapter.

21 *2. It is unlawful for a person to reproduce mechanically or*  
22 *otherwise duplicate a license or certificate of registration issued*  
23 *pursuant to this chapter for purposes of fraud, deception,*  
24 *misrepresentation or other illegal purposes. A person may*  
25 *duplicate a license or certificate of registration issued pursuant to*  
26 *this chapter for a lawful purpose, including, without limitation, for*  
27 *purposes of displaying a duplicate license or certificate of*  
28 *registration pursuant to NRS 644.2175, 644.290, 644.360,*  
29 *644.3774 or 644.410.*

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

31 644.478 With regard to advertising relating to the education,  
32 licensing, *registration* or practice of cosmetology or threading:

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

37 2. An advertisement must not state or imply favorable  
38 consideration by the Board except that an advertisement may state  
39 that a cosmetological establishment, establishment for hair braiding,  
40 school of cosmetology, ~~f~~ licensee *or registrant* is licensed *or*  
41 *registered* by the Board.

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

43 179A.100 1. The following records of criminal history may  
44 be disseminated by an agency of criminal justice without any  
45 restriction pursuant to this chapter:





- 1 (a) Any which reflect records of conviction only; and
- 2 (b) Any which pertain to an incident for which a person is
- 3 currently within the system of criminal justice, including parole or
- 4 probation.

5 2. Without any restriction pursuant to this chapter, a record of

6 criminal history or the absence of such a record may be:

7 (a) Disclosed among agencies which maintain a system for the

8 mutual exchange of criminal records.

9 (b) Furnished by one agency to another to administer the system

10 of criminal justice, including the furnishing of information by a

11 police department to a district attorney.

12 (c) Reported to the Central Repository.

13 3. An agency of criminal justice shall disseminate to a

14 prospective employer, upon request, records of criminal history

15 concerning a prospective employee or volunteer which are the result

16 of a name-based inquiry and which:

17 (a) Reflect convictions only; or

18 (b) Pertain to an incident for which the prospective employee or

19 volunteer is currently within the system of criminal justice,

20 including parole or probation.

21 4. In addition to any other information to which an employer is

22 entitled or authorized to receive from a name-based inquiry, the

23 Central Repository shall disseminate to a prospective or current

24 employer, or a person or entity designated to receive the information

25 on behalf of such an employer, the information contained in a record

26 of registration concerning an employee, prospective employee,

27 volunteer or prospective volunteer who is a sex offender or an

28 offender convicted of a crime against a child, regardless of whether

29 the employee, prospective employee, volunteer or prospective

30 volunteer gives written consent to the release of that information.

31 The Central Repository shall disseminate such information in a

32 manner that does not reveal the name of an individual victim of an

33 offense or the information described in subsection 7 of NRS

34 179B.250. A request for information pursuant to this subsection

35 must conform to the requirements of the Central Repository and

36 must include:

37 (a) The name and address of the employer, and the name and

38 signature of the person or entity requesting the information on

39 behalf of the employer;

40 (b) The name and address of the employer's facility in which the

41 employee, prospective employee, volunteer or prospective volunteer

42 is employed or volunteers or is seeking to become employed or

43 volunteer; and

44 (c) The name and other identifying information of the employee,

45 prospective employee, volunteer or prospective volunteer.



1 5. In addition to any other information to which an employer is  
2 entitled or authorized to receive, the Central Repository shall  
3 disseminate to a prospective or current employer, or a person or  
4 entity designated to receive the information on behalf of such an  
5 employer, the information described in subsection 4 of NRS  
6 179A.190 concerning an employee, prospective employee, volunteer  
7 or prospective volunteer who gives written consent to the release of  
8 that information if the employer submits a request in the manner set  
9 forth in NRS 179A.200 for obtaining a notice of information. The  
10 Central Repository shall search for and disseminate such  
11 information in the manner set forth in NRS 179A.210 for the  
12 dissemination of a notice of information.

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

17 7. Records of criminal history must be disseminated by an  
18 agency of criminal justice, upon request, to the following persons or  
19 governmental entities:

20 (a) The person who is the subject of the record of criminal  
21 history for the purposes of NRS 179A.150.

22 (b) The person who is the subject of the record of criminal  
23 history when the subject is a party in a judicial, administrative,  
24 licensing, disciplinary or other proceeding to which the information  
25 is relevant.

26 (c) The Nevada Gaming Control Board.

27 (d) The State Board of Nursing.

28 (e) The Private Investigator's Licensing Board to investigate an  
29 applicant for a license.

30 (f) A public administrator to carry out the duties as prescribed in  
31 chapter 253 of NRS.

32 (g) A public guardian to investigate a ward or proposed ward or  
33 persons who may have knowledge of assets belonging to a ward or  
34 proposed ward.

35 (h) Any agency of criminal justice of the United States or of  
36 another state or the District of Columbia.

37 (i) Any public utility subject to the jurisdiction of the Public  
38 Utilities Commission of Nevada when the information is necessary  
39 to conduct a security investigation of an employee or prospective  
40 employee or to protect the public health, safety or welfare.

41 (j) Persons and agencies authorized by statute, ordinance,  
42 executive order, court rule, court decision or court order as  
43 construed by appropriate state or local officers or agencies.

44 (k) Any person or governmental entity which has entered into a  
45 contract to provide services to an agency of criminal justice relating



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1 to the administration of criminal justice, if authorized by the  
2 contract, and if the contract also specifies that the information will  
3 be used only for stated purposes and that it will be otherwise  
4 confidential in accordance with state and federal law and regulation.

5 (l) Any reporter for the electronic or printed media in a  
6 professional capacity for communication to the public.

7 (m) Prospective employers if the person who is the subject of  
8 the information has given written consent to the release of that  
9 information by the agency which maintains it.

10 (n) For the express purpose of research, evaluative or statistical  
11 programs pursuant to an agreement with an agency of criminal  
12 justice.

13 (o) An agency which provides child welfare services, as defined  
14 in NRS 432B.030.

15 (p) The Division of Welfare and Supportive Services of the  
16 Department of Health and Human Services or its designated  
17 representative, as needed to ensure the safety of investigators and  
18 caseworkers.

19 (q) The Aging and Disability Services Division of the  
20 Department of Health and Human Services or its designated  
21 representative, as needed to ensure the safety of investigators and  
22 caseworkers.

23 (r) An agency of this or any other state or the Federal  
24 Government that is conducting activities pursuant to Part D of  
25 Subchapter IV of Chapter 7 of Title 42 of the Social Security Act,  
26 42 U.S.C. §§ 651 et seq.

27 (s) The State Disaster Identification Team of the Division of  
28 Emergency Management of the Department.

29 (t) The Commissioner of Insurance.

30 (u) The Board of Medical Examiners.

31 (v) The State Board of Osteopathic Medicine.

32 (w) The Board of Massage Therapists and its Executive  
33 Director.

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

35 (y) *The State Board of Cosmetology and its Executive*  
36 *Director.*

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

40 8. Agencies of criminal justice in this State which receive  
41 information from sources outside this State concerning transactions  
42 involving criminal justice which occur outside Nevada shall treat the  
43 information as confidentially as is required by the provisions of this  
44 chapter.



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

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

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

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**TEXT OF REPEALED SECTIONS**

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**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.

