

ASSEMBLY BILL NO. 258—COMMITTEE ON
COMMERCE AND LABOR

MARCH 6, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to cosmetology.
(BDR 54-912)

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

~

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

AN ACT relating to cosmetology; requiring a barber who engages in the practice of barbering in a cosmetological establishment to display his license in plain view of the public at the position where he performs his work; revising the definition of the term “cosmetologist” for the purpose of licensing the practice of cosmetology; revising the requirements for the issuance of a provisional license as an instructor; revising the requirements governing the hours of work of a student in a school of cosmetology; and providing other matters properly relating thereto.

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. *A barber who engages in the practice of barbering in a*
4 *cosmetological establishment shall display his license in plain view*
5 *of the public at the position where he performs his work.*
6 2. *The provisions of chapter 643 of NRS, except the*
7 *provisions relating to the licensing of a barber, do not apply to a*
8 *cosmetological establishment in which a barber engages in the*
9 *practice of barbering pursuant to this section.*
10 3. *As used in this section, “practice of barbering” has the*
11 *meaning ascribed to it in NRS 643.010.*



1 **Sec. 2.** NRS 644.023 is hereby amended to read as follows:
2 644.023 “Cosmetologist” means a person who engages in the
3 practices of:

4 1. Cleansing, stimulating or massaging the scalp or cleansing
5 or beautifying the hair by the use of cosmetic preparations,
6 antiseptics, tonics, lotions or creams. *The term does not include a
7 person whose tasks are solely limited to:*

8 (a) *Cleansing, stimulating or massaging the scalp of a
9 customer with shampoo, conditioner or lotion;*

10 (b) *Removing foils or rollers from the hair of a customer; and*

11 (c) *Rinsing the hair of a customer.*

12 2. Cutting, trimming or shaping the hair.

13 3. Arranging, dressing, curling, waving, cleansing, singeing,
14 bleaching, tinting, coloring or straightening the hair of any person
15 with the hands, mechanical or electrical apparatus or appliances, or
16 by other means, or similar work incident to or necessary for the
17 proper carrying on of the practice or occupation provided by the
18 terms of this chapter.

19 4. Removing superfluous hair from the surface of the body of
20 any person by the use of electrolysis where the growth is a blemish,
21 or by the use of depilatories, waxing or tweezers, except for the
22 permanent removal of hair with needles.

23 5. Manicuring the nails of any person.

24 6. Beautifying, massaging, stimulating or cleansing the skin of
25 the human body by the use of cosmetic preparations, antiseptics,
26 tonics, lotions, creams or any device, electrical or otherwise, for the
27 care of the skin.

28 7. Giving facials or skin care or applying cosmetics or
29 eyelashes to any person.

30 **Sec. 3.** NRS 644.193 is hereby amended to read as follows:

31 644.193 1. The Board may grant a provisional license as an
32 instructor to a person who:

33 (a) Has successfully completed the 12th grade in school or its
34 equivalent and submits written verification of the completion of his
35 education;

36 (b) Has practiced as a full-time licensed cosmetologist,
37 aesthetician or manicurist for ~~3 years~~ *1 year* and submits written
38 verification of his experience;

39 (c) Is licensed pursuant to this chapter;

40 (d) Applies for a provisional license on a form supplied by the
41 Board;

42 (e) Submits two current photographs of himself; and

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



1 2. The Board shall establish and collect a fee of not less than
2 \$25 nor more than \$40 for the issuance of a provisional license as an
3 instructor.

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

7 4. A provisional license as an instructor expires upon
8 accumulation by the licensee of the number of hours of training
9 required for an instructor's license. The Board may grant an
10 extension of not more than 45 days to those provisional licensees
11 who have applied to the Board for examination as instructors and
12 are awaiting examination.

13 **Sec. 4.** NRS 644.360 is hereby amended to read as follows:

14 644.360 1. Every holder of a license issued by the Board to
15 operate a cosmetological establishment shall display the license in
16 plain view of members of the general public in the principal office
17 or place of business of the holder.

18 2. The operator of a cosmetological establishment shall lease
19 space to or employ only licensed manicurists, electrologists,
20 aestheticians, hair designers, demonstrators of cosmetics and
21 cosmetologists at his establishment to provide cosmetological
22 services. *This subsection does not prohibit an operator of a
23 cosmetological establishment from leasing space to or employing a
24 barber.*

25 **Sec. 5.** NRS 644.375 is hereby amended to read as follows:

26 644.375 ~~Any food~~ *Food* or beverages ~~that are sold~~ for
27 immediate consumption *may be sold* in a cosmetological
28 establishment . ~~must be sold in an area of the cosmetological
29 establishment which is sufficiently separated from the area of the
30 cosmetological establishment where cosmetological services are
31 provided.~~

32 **Sec. 6.** NRS 644.400 is hereby amended to read as follows:

33 644.400 1. A school of cosmetology must at all times be
34 under the immediate supervision of a licensed instructor who has
35 had practical experience of at least 1 year in the practice of a
36 majority of the branches of cosmetology in an established place of
37 business.

38 2. A school of cosmetology shall:

39 (a) Maintain a school term of not less than 1,800 hours
40 extending over a period of not ~~less than 10 months nor~~ more than
41 ~~24~~ *36* months, and maintain a course of practical training and
42 technical instruction equal to the requirements for examination for a
43 license as a cosmetologist.

44 (b) Maintain apparatus and equipment sufficient to teach all the
45 subjects of its curriculum.



1 (c) Keep a daily record of the attendance of each student, a
2 record devoted to the different practices, establish grades and hold
3 examinations before issuing diplomas. These records must be
4 submitted to the Board pursuant to its regulations.

5 (d) Include in its curriculum a course of deportment consisting
6 of instruction in courtesy, neatness and professional attitude in
7 meeting the public.

8 (e) Arrange the courses devoted to each branch or practice of
9 cosmetology as the Board may from time to time adopt as the course
10 to be followed by the schools.

11 (f) Not allow any student to perform services on the public for
12 more than 7 hours in any day . ~~{nor for more than 5 days out of~~
13 ~~every 7.}~~

14 (g) Conduct at least 5 hours of instruction in theory in each
15 40-hour week or 6 hours of instruction in theory in each 48-hour
16 week, which must be attended by all registered students.

17 (h) Require that all work by students be done on the basis of
18 rotation.

19 **Sec. 7.** NRS 644.425 and 644.477 are hereby repealed.

TEXT OF REPEALED SECTIONS

644.425 Temporary educational permit; unlawful acts.

1. The Board may grant a temporary educational permit authorizing a current licensee within the scope of his license to conduct demonstrations and exhibitions, temporarily and primarily for educational purposes, of techniques for the benefit and instruction of cosmetologists, hair designers, aestheticians, electrologists and manicurists licensed pursuant to this chapter, and electrologists' apprentices, cosmetologists' apprentices and students enrolled in licensed schools of cosmetology.

2. The permit must specify the purpose for which it is granted, the period during which the person is permitted to conduct the demonstrations and exhibitions, which may not exceed 10 days, and the time and place of exercising the privilege granted by the permit.

3. A person may be granted a temporary educational permit only if he:

- (a) Applies to the Board for the permit;
- (b) Demonstrates to the satisfaction of the Board that the permit is sought primarily for educational purposes; and
- (c) Pays a fee of not less than \$10 and not more than \$25.



Except for schools licensed pursuant to this chapter, an application for a permit must be submitted at least 10 days before the date of the demonstration or exhibit.

4. It is unlawful:

(a) For any person to conduct a demonstration or exhibition without a permit.

(b) For any person who is granted a permit to allow persons other than cosmetologists, hair designers, aestheticians, electrologists and manicurists licensed pursuant to this chapter, and electrologists' apprentices, cosmetologists' apprentices and students enrolled in licensed schools of cosmetology to attend any demonstration or exhibition made or given by him.

644.477 Unlawful to practice any other profession in cosmetological establishment. It is unlawful for the operator of a cosmetological establishment to practice or allow the practice of any profession other than cosmetology in that establishment.

