

SENATE BILL NO. 372—SENATOR SCHNEIDER

MARCH 17, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to cosmetology.
(BDR 54-886)

FISCAL NOTE: Effect on Local Government: Yes.
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; prohibiting the State Board of Cosmetology from including certain personal information on a license or certificate which is required to be displayed publicly; reducing the period during which a person must practice as a full-time licensed cosmetologist, aesthetician or manicurist to qualify for the issuance of a provisional license as an instructor; revising the requirements for training for certain instructors; authorizing certain providers of health care to practice in a cosmetological establishment under certain circumstances; authorizing the sale of food or beverages in a cosmetological establishment; authorizing a school of cosmetology to offer certain courses of study; 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 *The Board shall not include on any license or certificate for*
4 *public display the residential address of the holder or any other*
5 *personal information relating to the holder, except the name of the*
6 *holder and the number of the license or certificate.*



* S B 3 7 2 R 2 *

1 **Sec. 2.** NRS 644.193 is hereby amended to read as follows:
2 644.193 1. The Board may grant a provisional license as an
3 instructor to a person who:

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

7 (b) Has practiced as a full-time licensed cosmetologist,
8 aesthetician or manicurist for ~~{3-years}~~ *1 year* and submits written
9 verification of his experience;

10 (c) Is licensed pursuant to this chapter;

11 (d) Applies for a provisional license on a form supplied by the
12 Board;

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

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

15 2. The Board shall establish and collect a fee of not less than
16 \$25 nor more than \$40 for the issuance of a provisional license as an
17 instructor.

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

21 4. A provisional license as an instructor expires upon
22 accumulation by the licensee of the number of hours of training
23 required for an instructor's license. The Board may grant an
24 extension of not more than 45 days to those provisional licensees
25 who have applied to the Board for examination as instructors and
26 are awaiting examination.

27 **Sec. 3.** NRS 644.195 is hereby amended to read as follows:

28 644.195 1. Each instructor must:

29 (a) Be licensed as a cosmetologist pursuant to this chapter.

30 (b) Have successfully completed the 12th grade in school or its
31 equivalent.

32 (c) Have 1 year of experience as a cosmetologist.

33 (d) Have completed 1,000 hours of training as an instructor or
34 500 hours of training as a provisional instructor in a school of
35 cosmetology.

36 (e) ~~{Take}~~ *Except as otherwise provided in subsection 2, take*
37 *one or more courses in advanced techniques for teaching or training,*
38 *approved by the Board, whose combined duration is at least 30*
39 *hours during each 2-year period.*

40 2. *The provisions of paragraph (e) of subsection 1 do not*
41 *apply to an instructor who is initially licensed not more than 6*
42 *months before the renewal date of the license. An instructor who*
43 *is initially licensed more than 6 months but less than 1 year before*
44 *the renewal date of the license must take one or more courses*



1 *specified in paragraph (e) whose combined duration is at least 15*
2 *hours during each 2-year period.*

3 3. Each instructor shall pay an initial fee for a license of not
4 less than \$40 and not more than \$60.

5 **Sec. 4.** NRS 644.1955 is hereby amended to read as follows:

6 644.1955 1. The Board shall admit to examination for a
7 license as an instructor of aestheticians any person who has applied
8 to the Board in proper form, paid the fee and:

- 9 (a) Is at least 18 years of age;
- 10 (b) Is of good moral character;
- 11 (c) Has successfully completed the 12th grade in school or its
12 equivalent;
- 13 (d) Has received a minimum of 800 hours of training as an
14 instructor or 400 hours of training as a provisional instructor in a
15 licensed school of cosmetology;
- 16 (e) Is licensed as an aesthetician pursuant to this chapter; and
- 17 (f) Has practiced as a full-time licensed aesthetician for 1 year.

18 2. ~~Am~~ *Except as otherwise provided in subsection 3, an*
19 *instructor of aestheticians shall complete at least 30 hours of*
20 *advanced training in a course approved by the Board during each*
21 *2-year period of his license.*

22 3. *The provisions of subsection 2 do not apply to an instructor*
23 *of aestheticians who is initially licensed not more than 6 months*
24 *before the renewal date of the license. An instructor of*
25 *aestheticians who is initially licensed more than 6 months but less*
26 *than 1 year before the renewal date of the license must take one or*
27 *more courses specified in subsection 2 whose combined duration*
28 *is at least 15 hours during each 2-year period.*

29 **Sec. 5.** NRS 644.197 is hereby amended to read as follows:

30 644.197 1. The Board shall admit to examination for a
31 license as an instructor in manicuring any person who has applied to
32 the Board in proper form, paid the fee and:

- 33 (a) Is at least 18 years of age;
- 34 (b) Is of good moral character;
- 35 (c) Has successfully completed the 12th grade in school or its
36 equivalent;
- 37 (d) Has received a minimum of 500 hours of training as an
38 instructor or 250 hours of training as a provisional instructor in a
39 licensed school of cosmetology;
- 40 (e) Is licensed as a manicurist pursuant to this chapter; and
- 41 (f) Has practiced as a full-time licensed manicurist for 1 year.

42 2. ~~Am~~ *Except as otherwise provided in subsection 3, an*
43 *instructor in manicuring shall complete at least 30 hours of*
44 *advanced training in a course approved by the Board during each*
45 *2-year period of his license.*



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

8 **Sec. 6.** NRS 644.360 is hereby amended to read as follows:
9 644.360 1. Every holder of a license issued by the Board to
10 operate a cosmetological establishment shall display the license in
11 plain view of members of the general public in the principal office
12 or place of business of the holder.

13 2. ~~The~~ *Except as otherwise provided in subsection 3, the*
14 *operator of a cosmetological establishment shall lease space to or*
15 *employ only licensed manicurists, electrologists, aestheticians, hair*
16 *designers, demonstrators of cosmetics and cosmetologists at his*
17 *establishment to provide cosmetological services. This subsection*
18 *does not prohibit an operator of a cosmetological establishment*
19 *from leasing space to or employing a barber.*

20 3. *The operator of a cosmetological establishment may lease*
21 *space at his cosmetological establishment to a provider of health*
22 *care for the purpose of providing health care within the scope of*
23 *his practice. The provider of health care shall not use the leased*
24 *space to provide such health care at the same time a cosmetologist*
25 *uses that space to engage in the practice of cosmetology. A*
26 *provider of health care who leases space at a cosmetological*
27 *establishment pursuant to this subsection remains subject to the*
28 *laws and regulations of this state applicable to his business or*
29 *profession.*

30 4. *As used in this section, “provider of health care” means a*
31 *person who is licensed, certified or otherwise authorized by the*
32 *law of this state to administer health care in the ordinary course of*
33 *business or practice of a profession.*

34 **Sec. 7.** NRS 644.375 is hereby amended to read as follows:
35 644.375 ~~Any food~~ *Food* or beverages ~~that are sold~~ for
36 immediate consumption *may be sold* in a cosmetological
37 establishment . ~~must be sold in an area of the cosmetological~~
38 ~~establishment which is sufficiently separated from the area of the~~
39 ~~cosmetological establishment where cosmetological services are~~
40 ~~provided.]~~

41 **Sec. 8.** NRS 644.400 is hereby amended to read as follows:
42 644.400 1. A school of cosmetology must at all times be
43 under the immediate supervision of a licensed instructor who has
44 had practical experience of at least 1 year in the practice of a



1 majority of the branches of cosmetology in an established place of
2 business.

3 2. A school of cosmetology shall:

4 (a) Maintain a school term of not less than 1,800 hours
5 extending over a period of not ~~less than 10 months nor~~ more than
6 ~~24~~ 36 months, and maintain a course of practical training and
7 technical instruction equal to the requirements for examination for a
8 license as a cosmetologist.

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

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

15 (d) Include in its curriculum a course of deportment consisting
16 of instruction in courtesy, neatness and professional attitude in
17 meeting the public.

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

21 (f) Not allow any student to perform services on the public for
22 more than 7 hours in any day . ~~nor for more than 5 days out of~~
23 ~~every 7.~~

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

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

29 *3. A school of cosmetology may offer courses of study other*
30 *than courses of study that are required to be approved by the*
31 *Board.*

32 **Sec. 9.** NRS 644.477 is hereby amended to read as follows:

33 644.477 ~~It~~ *Except as otherwise provided in NRS 644.360, it*
34 is unlawful for the operator of a cosmetological establishment to
35 practice or allow the practice of any profession other than
36 cosmetology in that establishment.

37 **Sec. 10.** The provisions of section 1 of this act apply only to a
38 license or certificate issued or renewed on or after June 1, 2003.

39 **Sec. 11.** 1. This section and sections 1 and 10 of this act
40 become effective upon passage and approval.

41 2. Sections 2 to 9, inclusive, of this act become effective on
42 July 1, 2003.

