

Amendment No. 682

Assembly Amendment to Senate Bill No. 249 First Reprint (BDR 54-829)

Proposed by: Assembly Committee on Commerce and Labor

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of S.B. 249 R1 (§§ 37, 39, 41, 42).

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.





SENATE BILL NO. 249—SENATORS LANGE, HAMMOND, SPEARMAN; DALY, DONATE,  
DONDERO LOOP, D. HARRIS, OHRENSCHALL AND SCHEIBLE

MARCH 9, 2023

JOINT SPONSOR: ASSEMBLYMAN NGUYEN

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to cosmetology. (BDR 54-829)

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

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

AN ACT relating to cosmetology; revising provisions governing the scope of practice of certain persons licensed and regulated by the State Board of Cosmetology; establishing procedures to contest certain citations issued by the Board; repealing or removing provisions which provide for the licensure and regulation by the Board of demonstrators of cosmetics and establishments for hair braiding; revising the powers and duties of the Board and the Executive Director of the Board; requiring the Board to adopt certain regulations; revising certain requirements for a person to obtain certain licenses and certificates of registration issued by the Board; revising certain licensing fees; revising provisions concerning the issuance and renewal of certain licenses and certificates of registration issued by the Board; revising provisions relating to cosmetological establishments and schools of cosmetology; revising certain requirements relating to the supervision of certain apprentices; authorizing the Board to issue certain citations; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

- 1 Existing law provides for the licensure and regulation by the State Board of Cosmetology
- 2 of persons engaged in various branches of cosmetology and makeup artistry, cosmetological
- 3 establishments and schools of cosmetology. (Chapter 644A of NRS)
- 4 Existing law exempts, with certain exceptions, persons authorized to practice medicine,
- 5 commissioned medical officers of the United States Army, Navy or Marine Hospital Service
- 6 and various other persons from the provisions of existing law governing cosmetology. (NRS
- 7 644A.150) **Section 14** of this bill additionally exempts, with certain exceptions, persons
- 8 authorized to practice nursing and certain additional members of the Armed Forces of the
- 9 United States.
- 10 Existing law authorizes the Board to issue a citation to a: (1) licensee or registrant for
- 11 certain violations relating to health or sanitation; and (2) person for certain unlicensed

12 activities. (NRS 644A.865, 644A.955) **Section 62** of this bill additionally authorizes the  
13 Board to issue a citation to a licensee or registrant for certain additional violations. **Section 4**  
14 of this bill sets forth a process by which a person may contest certain citations. **Section 5** of  
15 this bill authorizes the Board to take appropriate legal action to recover the amount of a fine  
16 imposed by the Board.

17 Existing law provides for the licensure and regulation by the Board of persons engaged in  
18 the practice of: (1) esthetics, which existing law defines, in general, to include certain  
19 practices involving the care of the skin, the application of cosmetics and the removal of  
20 superfluous hair; and (2) advanced esthetics, which existing law defines to mean the practice  
21 of advanced esthetic procedures in addition to the practice of esthetics. (NRS 644A.014,  
22 644A.075) Existing law designates a person engaged in the practice of esthetics as an  
23 esthetician and a person engaged in the practice of advanced esthetics as an advanced  
24 esthetician. (NRS 644A.013, 644A.065) Existing law also provides for the licensure and  
25 regulation by the Board of cosmetologists, which existing law defines, in general, to mean a  
26 person engaged in various practices involving the hair, nails and skin of a person. (NRS  
27 644A.030)

28 **Section 7** of this bill revises the list of procedures that constitute advanced esthetic  
29 procedures to: (1) include a medium-depth chemical peel, which **section 3** of this bill defines,  
30 in general, to mean the removal of certain layers of skin using chemicals; and (2) remove  
31 certain procedures. **Section 6** of this bill makes a conforming change to indicate the proper  
32 placement of **section 3** in the Nevada Revised Statutes.

33 Existing law defines “esthetic medical device” to mean, in general, certain devices used  
34 to perform an esthetic medical procedure. (NRS 644A.062) **Section 18** of this bill requires the  
35 Board to adopt regulations identifying each device that the Board determines to be appropriate  
36 for use in the performance of an esthetic medical procedure. **Section 10** of this bill revises the  
37 definition of “esthetic medical device” to include only those devices that the Board has  
38 identified by regulation. **Sections 8 and 11** of this bill revise the definitions of  
39 “cosmetologist” and “esthetics,” respectively, for the purpose of: (1) prohibiting an esthetician  
40 or cosmetologist from using certain devices, including an esthetic medical device; and (2)  
41 authorizing an esthetician and a cosmetologist to perform certain procedures.

42 Existing law authorizes an advanced esthetician to perform a nonablative esthetic medical  
43 procedure under the supervision of a physician, a physician assistant or an advanced practice  
44 registered nurse. (NRS 644A.127) **Section 18** requires the Board to adopt regulations  
45 identifying each nonablative esthetic medical procedure an advanced esthetician is authorized  
46 to perform. **Section 13** of this bill revises the definition of “nonablative esthetic medical  
47 procedure” for the purpose of authorizing an advanced esthetician to perform only those  
48 nonablative medical procedures that the Board has identified by regulation.

49 Existing law prohibits a provider of health care from using space leased in a  
50 cosmetological establishment to provide health care services at the same time a cosmetologist  
51 uses that space to engage in the practice of cosmetology. (NRS 644A.615) **Section 48** of this  
52 bill provides an exemption from that prohibition to authorize a physician, a physician assistant  
53 or an advanced practice registered nurse to use such a leased space to provide health care  
54 services associated with the supervision of an advanced esthetician.

55 Existing law sets forth certain powers and duties of the Board. (NRS 644A.230) **Section**  
56 **15** of this bill provides those powers and duties to the Executive Director of the Board.  
57 Existing law requires the Board to keep all records and files at the main office of the Board  
58 and, with certain exceptions, make the records and files open to public inspection. (NRS  
59 644A.230) **Section 15** removes the requirement to keep the records and files at the main office  
60 of the Board.

61 Existing law provides that certain documents and information of the Board relating to the  
62 imposition of disciplinary action against a person are confidential unless the person submits to  
63 the Board a request that such documents and information be made public records. (NRS  
64 644A.870) **Section 56** of this bill removes provisions authorizing a person to submit such a  
65 request.

66 **Sections 39, 42 and 47** of this bill require a licensee or registrant to have paid to the  
67 Board any outstanding fees, fines or other balance owed to the Board as a condition for the  
68 renewal of a license or certificate of registration. **Section 35** of this bill provides that certain  
69 fees charged by the Board are nonrefundable.

70 Existing law requires a makeup artist to register with the Board and provides that such a  
71 registration expires on January 1 of each year. (NRS 644A.395) **Section 12** of this bill revises  
72 the definition of "makeup artistry" to authorize a makeup artist to apply strip eyelashes. (NRS  
73 644A.105) **Section 31** of this bill: (1) revises the information that a person must submit to the  
74 Board to register as a makeup artist; and (2) provides that a certificate of registration as a  
75 makeup artist is valid for 1 year after the date of issuance.

76 Existing law requires a person who applies to be admitted to an examination for licensure  
77 as a cosmetologist, hair designer, esthetician, advanced esthetician or nail technologist to  
78 satisfy certain training or experience requirements. Existing law authorizes such requirements  
79 to be satisfied by having practiced the applicable occupation for a certain length of time  
80 outside of this State. (NRS 644A.300, 644A.315, 644A.328, 644A.330, 644A.345) **Sections**  
81 **20, 22 and 24-26** of this bill revise those training and experience requirements to, among  
82 other things, specify that practice outside of this State includes practice in any other state,  
83 territory or country. **Sections 21 and 23** of this bill provide that an examination for a license  
84 as a cosmetologist or hair designer may include practical demonstrations of procedures  
85 involving the application of chemicals to the hair. **Section 32** of this bill revises certain  
86 training requirements for a person to be admitted to examination for a license as an  
87 electrologist. **Sections 29 and 30** of this bill revise requirements for a person to be admitted to  
88 examination for registration as a shampoo technologist and for the content of the examination.  
89 **Sections 27, 28 and 64** of this bill repeal and revise requirements for a person to be admitted  
90 to examination for licensure as a hair braider and for the content of the examination. **Sections**  
91 **36, 54 and 59** of this bill make conforming changes to remove references to certain  
92 requirements concerning hair braiders repealed by **section 64**.

93 Existing law sets forth separate requirements for a person to be admitted for examination  
94 as an instructor depending on whether the person wishes to be licensed as an instructor of  
95 cosmetology, hair design, esthetics, advanced esthetics or nail technology. (NRS 644A.420-  
96 644A.430) **Sections 34 and 64** of this bill: (1) establish, with certain exceptions, the same  
97 requirements for each type of instructor; and (2) authorize an instructor to provide instruction  
98 only on subject matter that is within the scope of his or her license in the applicable branch of  
99 cosmetology. **Section 33** of this bill revises the materials that an applicant for a provisional  
100 license as an instructor is required to submit to the Board.

101 **Sections 37, 39 and 42** of this bill revise the amount of fees charged to an applicant for  
102 examination for licensure as a hair braider and for the issuance and renewal of such a license.  
103 **Section 41** of this bill : (1) authorizes the Board to defer the expiration of certain licenses or  
104 certificates of registration for a person who submits a request and pays a fee  $\frac{1}{4}$ ; and (2)  
105 requires the Board to provide certain notice to a licensee or holder of a certificate of  
106 registration before the expiration of his or her license or certificate of registration.

107 Existing law requires a person who holds a license or certificate of registration to practice  
108 any branch of cosmetology to display the license or certificate or a duplicate of the license or  
109 certificate at the position where the holder of the license or certificate performs his or her  
110 work. (NRS 644A.530) **Section 44** of this bill requires such a person to display the license or  
111 certificate or a duplicate of the license or certificate at each workstation where he or she  
112 performs his or her work on the public.

113 Existing law establishes requirements for the licensure and operation of a cosmetological  
114 establishment or a school of cosmetology. (NRS 644A.600-644A.630, 644A.700-644A.755)  
115 **Section 46** of this bill revises procedures for the issuance of a license for a cosmetological  
116 establishment. **Sections 51 and 52** of this bill revise requirements for the: (1) supervision by a  
117 licensed instructor of a school of cosmetology; (2) attendance of a student for instruction in  
118 theory; and (3) advertisement of student work to the public. **Section 57** of this bill revises the  
119 circumstances under which certain apprentices may engage in certain practices at a  
120 cosmetological establishment. **Section 50** of this bill requires a cosmetological establishment  
121 to display a sign under certain circumstances indicating when no cosmetological services will  
122 be provided.

123 Existing law requires a person who engages in the practice of threading or the owner or  
124 operator of certain facilities in which a person engages in the practice of threading to register  
125 with the Board. (NRS 644A.550) **Sections 17 and 45** of this bill: (1) require the Board to keep  
126 certain records relating to a person who engages in the practice of threading; (2) provide that a  
127 certificate of registration to engage in the practice of threading expires 1 year after issuance;

128 and (3) authorize a licensed cosmetologist or esthetician to engage in the practice of threading  
129 without registering with the Board.

130 Existing law provides for the licensure and regulation of establishments for hair braiding,  
131 which existing law defines to mean, in general, any premises, mobile unit or building where  
132 hair braiding is practiced, other than a cosmetological establishment. (NRS 644A.060)  
133 **Sections 16-19, 42, 53-55, 57, 60, 61 and 64** of this bill remove or repeal provisions which  
134 provide for the licensure and regulation of establishments for hair braiding, thereby requiring  
135 any establishment where hair braiding is practiced to be licensed as a cosmetological  
136 establishment. **Section 63** of this bill deems any person who, on October 1, 2023, holds a  
137 license for an establishment for hair braiding to hold a license for a cosmetological  
138 establishment.

139 Existing law provides for the licensure and regulation by the Board of demonstrators of  
140 cosmetics, which existing law defines to mean, in general, a person who demonstrates  
141 cosmetics under certain circumstances. (NRS 644A.045) **Sections 9, 17, 38-43, 48, 49, 54 and**  
142 **64** of this bill repeal or remove all references to demonstrators of cosmetics in the provisions  
143 of existing law governing cosmetology for the purpose of no longer subjecting a demonstrator  
144 of cosmetics to licensure or regulation by the Board.

145 Existing law prohibits: (1) the use of an x-ray machine to treat the scalp or remove hair;  
146 and (2) the local application of corrosive substances for the purpose of peeling skin. (NRS  
147 644A.925) **Section 58** of this bill: (1) eliminates the prohibition on the use of an x-ray  
148 machine to treat the scalp or remove hair; and (2) revises the prohibition on the use of  
149 corrosive substances to peel skin to allow for the application of certain substances by a  
150 cosmetologist, esthetician or advanced esthetician for certain purposes.

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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** Chapter 644A of NRS is hereby amended by adding thereto the  
3 provisions set forth as sections 3, 4 and 5 of this act.

4 **Sec. 3.** *“Medium-depth chemical peel” means the removal of skin from the*  
5 *epidermis and papillary dermis layers using chemicals applied directly to the skin.*

6 **Sec. 4.** *1. If a person is issued a citation pursuant to NRS 644A.955, the*  
7 *person may request a hearing before the Board to contest the citation by filing a*  
8 *written request with the Board:*

9 *(a) Not later than 30 days after the date on which the citation is received by*  
10 *the person; or*

11 *(b) If the Board, for good cause shown, extends the time allowed to file a*  
12 *written request for a hearing to contest the citation, on or before the later date*  
13 *specified by the Board.*

14 *2. If the person files a written request for a hearing to contest the citation*  
15 *within the time allowed pursuant to this section, the Board shall provide notice of*  
16 *and conduct the hearing in the same manner as other disciplinary proceedings.*

17 *3. If the person does not file a written request for a hearing to contest the*  
18 *citation within the time allowed pursuant to this section, the citation shall be*  
19 *deemed a final order of the Board.*

20 *4. For the purposes of this section, a citation shall be deemed to have been*  
21 *received by a person:*

22 *(a) On the date on which the citation is personally delivered to the person;*

23 *(b) For a citation issued to a licensee or registrant which is sent by electronic*  
24 *mail, the date on which the citation is sent by electronic mail to the electronic*  
25 *mail address of the licensee or registrant on file with the Board; or*

1 *(c) If the citation is mailed, 7 days after the date on which the citation is*  
2 *mailed by certified mail to the last known business or residential address of the*  
3 *person.*

4 **Sec. 5.** *The Board may cause appropriate legal action to be taken in any*  
5 *court of competent jurisdiction to recover a fine imposed by the Board pursuant*  
6 *to this chapter.*

7 **Sec. 6.** NRS 644A.010 is hereby amended to read as follows:

8 644A.010 As used in this chapter, unless the context otherwise requires, the  
9 words and terms defined in NRS 644A.011 to 644A.140, inclusive, *and section 3*  
10 *of this act* have the meanings ascribed to them in those sections.

11 **Sec. 7.** NRS 644A.012 is hereby amended to read as follows:

12 644A.012 “Advanced esthetic procedure” means any of the following  
13 procedures performed for esthetic purposes and not for the treatment of a medical,  
14 physical or mental ailment:

- 15 1. ~~Exfoliation;~~
- 16 ~~2. Microdermabrasion and related services;~~
- 17 ~~3.} Microneedling;~~
- 18 ~~4.} Dermaplaning;~~
- 19 ~~5.} Extraction;~~
- 20 ~~6.} Hydrotherapy;~~
- 21 ~~7.} 2. Medium-depth chemical peel;~~
- 22 3. A nonablative esthetic medical procedure; or
- 23 ~~8.} 4. Other similar esthetic preparations or procedures with the use of the~~  
24 hands or a mechanical or electronic apparatus.

25 **Sec. 8.** NRS 644A.030 is hereby amended to read as follows:

26 644A.030 1. “Cosmetologist” means a person who engages in the practices  
27 of:

28 (a) Cleansing, stimulating or massaging the scalp or cleansing or beautifying  
29 the hair by the use of cosmetic preparations, antiseptics, tonics, lotions or creams.

30 (b) Cutting, trimming or shaping the hair.

31 (c) Arranging, dressing, curling, waving, cleansing, singeing, bleaching,  
32 tinting, coloring or straightening the hair of any person with the hands, mechanical  
33 or electrical apparatus or appliances, or by other means, or similar work incident to  
34 or necessary for the proper carrying on of the practice or occupation provided by  
35 the terms of this chapter.

36 (d) Removing superfluous hair from the surface of the body of any person by  
37 the use of depilatories, waxing, tweezers or sugaring, except for the *removal of hair*  
38 *with lasers or the* permanent removal of hair with needles.

39 (e) Manicuring the nails of any person.

40 (f) Beautifying, massaging, stimulating or cleansing the skin of the human  
41 body by the use of cosmetic preparations, antiseptics, tonics, lotions, creams or any  
42 device ~~electrical or otherwise.} for the care of the skin {;} that is noninvasive and~~  
43 *is not an esthetic medical device or otherwise prohibited by the Board.*

44 (g) Giving facials or skin care or applying cosmetics or eyelashes to any  
45 person.

46 (h) *Performing any of the following procedures for esthetic purposes and not*  
47 *for the treatment of a medical, physical or mental ailment:*

- 48 (1) *Extraction;*
- 49 (2) *Hydrotherapy; or*
- 50 (3) *Exfoliation which does not remove any skin below the stratum*  
51 *corneum, including, without limitation, by the use of manual exfoliation,*  
52 *microdermabrasion or dermaplaning.*

1           2. ~~[As used in this section, “depilatories” does not include the practice of~~  
 2 ~~threading.] The term does not include a person who engages in the practice of~~  
 3 ~~advanced esthetics.~~

4           **Sec. 9.** NRS 644A.040 is hereby amended to read as follows:

5           644A.040 “Cosmetology” includes the occupations of a cosmetologist,  
 6 esthetician, advanced esthetician, electrologist, hair designer, shampoo  
 7 technologist, hair braider ~~[, demonstrator of cosmetics]~~ and nail technologist. The  
 8 term does not include the occupation of a makeup artist.

9           **Sec. 10.** NRS 644A.062 is hereby amended to read as follows:

10          644A.062 “Esthetic medical device” means a device, as defined in 21 U.S.C.  
 11 § 321, ~~[used to perform] which the Board, by regulation, has determined to be~~  
 12 ~~appropriate for use in the performance of~~ an esthetic medical procedure . ~~[~~  
 13 ~~including, without limitation, a laser, a radial shockwave device, a cryotherapy~~  
 14 ~~device and a device that emits radio frequencies, plasma, intense pulsed light,~~  
 15 ~~ultrasound, microwaves or other similar energies.]~~

16          **Sec. 11.** NRS 644A.075 is hereby amended to read as follows:

17          644A.075 ~~[,]~~ “Esthetics” means the practices of:

18          ~~[(a)]~~ 1. Beautifying, massaging, cleansing or stimulating the skin of the  
 19 human body by the use of cosmetic preparations, antiseptics, tonics, lotions or  
 20 creams, or any device ~~[, electrical or otherwise.]~~ for the care of the skin ~~;~~  
 21 ~~—(b)] that is noninvasive and is not an esthetic medical device or otherwise~~  
 22 ~~prohibited by the Board;~~

23          2. Applying cosmetics, eyelash extensions or eyelashes to any person, tinting  
 24 eyelashes and eyebrows, eyelash perming and lightening hair on the body; ~~and~~

25          ~~—(e)]~~ 3. Removing superfluous hair from the body of any person by the use of  
 26 depilatories, waxing, tweezers or sugaring ~~;~~ **and**

27          4. **Performing any of the following procedures for esthetic purposes and not**  
 28 **for the treatment of a medical, physical or mental ailment:**

29           (a) *Extraction;*

30           (b) *Hydrotherapy; or*

31           (c) *Exfoliation which does not remove any skin below the stratum corneum,*  
 32 *including, without limitation, by the use of manual exfoliation,*  
 33 *microdermabrasion or dermaplaning,*

34          ↳ but does not include the branches of cosmetology of a cosmetologist, *advanced*  
 35 *esthetician*, hair designer, shampoo technologist, hair braider, electrologist or nail  
 36 technologist.

37          ~~[2. As used in this section, “depilatories” does not include the practice of~~  
 38 ~~threading.]~~

39          **Sec. 12.** NRS 644A.110 is hereby amended to read as follows:

40          644A.110 1. “Makeup artistry” means the practice of applying makeup ,  
 41 *strip eyelashes* or prosthetics for:

42           (a) Theatrical, television, film and other similar productions;

43           (b) All aspects of the modeling and fashion industry, including, without  
 44 limitation, photography for magazines; and

45           (c) Weddings.

46          2. The term includes the practice of applying makeup , *strip eyelashes* or  
 47 prosthetics at:

48           (a) Licensed cosmetological establishments; and

49           (b) Retail establishments, unless the practice is limited to the demonstration of  
 50 cosmetics by a retailer in the manner described in paragraph (d) of subsection 1 of  
 51 NRS 644A.150.



1       **Sec. 13.** NRS 644A.127 is hereby amended to read as follows:

2       644A.127 “Nonablative esthetic medical procedure” means an esthetic  
3 medical procedure that is not expected to excise, vaporize, disintegrate or remove  
4 living tissue ~~{ }~~, and which the Board has, by regulation, authorized to be  
5 performed by an advanced esthetician.

6       **Sec. 14.** NRS 644A.150 is hereby amended to read as follows:

7       644A.150 1. The following persons are exempt from the provisions of this  
8 chapter:

9       (a) Except for those provisions relating to advanced estheticians, all persons  
10 authorized by the laws of this State to practice *nursing*, medicine, dentistry,  
11 osteopathic medicine, chiropractic or podiatry.

12       (b) Commissioned medical officers of the *Armed Forces of the* United States  
13 ~~{Army, Navy, or Marine Hospital Service}~~ when engaged in the actual performance  
14 of their official duties, and attendants attached to ~~{those services.}~~ a unit in a  
15 *branch of the Armed Forces of the United States that provides medical services.*

16       (c) Barbers, insofar as their usual and ordinary vocation and profession is  
17 concerned, when engaged in any of the following practices:

18           (1) Cleansing or singeing the hair of any person.

19           (2) Massaging, cleansing, stimulating, exercising or similar work upon the  
20 scalp, face or neck of any person, with the hands or with mechanical or electrical  
21 apparatus or appliances, or by the use of cosmetic preparations, antiseptics, tonics,  
22 lotions or creams.

23       (d) Retailers, at a retail establishment, insofar as their usual and ordinary  
24 vocation and profession is concerned, when engaged in the demonstration of  
25 cosmetics if:

26           (1) The demonstration is without charge to the person to whom the  
27 demonstration is given; and

28           (2) The retailer does not advertise or provide a service relating to the  
29 practice of cosmetology except cosmetics and fragrances.

30       (e) Photographers or their employees, insofar as their usual and ordinary  
31 vocation and profession is concerned, if the photographer or his or her employee  
32 does not advertise cosmetological services or the practice of makeup artistry and  
33 provides cosmetics without charge to the customer.

34       2. Any school of cosmetology conducted as part of the vocational  
35 rehabilitation training program of the Department of Corrections or the Caliente  
36 Youth Center:

37           (a) Is exempt from the requirements of paragraph (c) of subsection 2 of NRS  
38 644A.740.

39           (b) Notwithstanding the provisions of NRS 644A.735, shall maintain a staff of  
40 at least one licensed instructor.

41       3. Any health care professional, as defined in NRS 453C.030, is exempt from  
42 the provisions of this chapter relating to advanced estheticians.

43       **Sec. 15.** NRS 644A.230 is hereby amended to read as follows:

44       644A.230 The *Executive Director of the* Board:

45       1. Shall prescribe the duties of ~~{its}~~ *the* officers, examiners and employees ~~{ }~~  
46 *of the Board*, and fix the compensation of those employees.

47       2. May , *with the approval of the Board*, establish offices in as many  
48 ~~{localities}~~ *locations* in the State as ~~{it}~~ *the Executive Director* finds necessary to  
49 carry out the provisions of this chapter. ~~{All records and files of the Board must be~~  
50 ~~kept at the main office of the Board and, except as otherwise provided in NRS~~  
51 ~~644A.870, be open to public inspection at all reasonable hours.}~~

52       3. May adopt a seal.

1           4. May issue subpoenas to compel the attendance of witnesses and the  
2 production of books and papers.

3           **Sec. 16.** NRS 644A.250 is hereby amended to read as follows:

4           644A.250 The Board shall:

5           1. Hold examinations to determine the qualifications of all applicants for a  
6 license or certificate of registration, except as otherwise provided in this chapter,  
7 whose applications have been submitted to it in proper form.

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

9           3. Issue certificates of registration to such applicants as may be entitled  
10 thereto.

11           4. License ~~establishments for hair braiding,~~ cosmetological establishments  
12 and schools of cosmetology.

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

15           6. Inspect schools of cosmetology, ~~establishments for hair braiding,~~  
16 cosmetological establishments and any facility in this State in which threading is  
17 conducted to ensure compliance with the statutory requirements and adopted  
18 regulations of the Board. This authority extends to any member of the Board or its  
19 authorized employees.

20           **Sec. 17.** NRS 644A.260 is hereby amended to read as follows:

21           644A.260 1. The Board shall keep a record containing the name, known  
22 place or places of business, electronic mail address, personal mailing address,  
23 telephone number and the date and number of the license or certificate of  
24 registration, as applicable, of every nail technologist, electrologist, esthetician,  
25 advanced esthetician, hair designer, shampoo technologist, hair braider,  
26 ~~demonstrator of cosmetics,~~ *person engaged in the practice of threading*  
27 *registered pursuant to NRS 644A.550*, makeup artist registered pursuant to NRS  
28 644A.395 and cosmetologist, together with the names and addresses of all  
29 ~~establishments for hair braiding,~~ cosmetological establishments and schools of  
30 cosmetology licensed pursuant to this chapter. The record must also contain the  
31 facts which the applicants claimed in their applications to justify their licensure or  
32 registration.

33           2. The Board may disclose the information contained in the record kept  
34 pursuant to subsection 1 to:

35           (a) Any other licensing board or agency that is investigating a licensee or  
36 registrant.

37           (b) A member of the general public, except information concerning the  
38 personal mailing address, work address, electronic mail address and telephone  
39 number of a licensee or registrant.

40           **Sec. 18.** NRS 644A.275 is hereby amended to read as follows:

41           644A.275 The Board shall adopt reasonable regulations:

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

43           2. For conducting examinations of applicants for licenses and certificates of  
44 registration.

45           3. For governing the recognition of, and the credits to be given to, the study of  
46 cosmetology under a licensed electrologist or in a school of cosmetology licensed  
47 pursuant to the laws of another state or territory of the United States or the District  
48 of Columbia.

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

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

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

4 (c) Providing for lunch and coffee recesses for students during school hours;  
5 and

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

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

10 6. For governing the conduct of cosmetological establishments.

11 7. ~~As the Board determines are necessary for governing the conduct of~~  
12 ~~establishments for hair braiding.~~ *Identifying each nonablative esthetic medical*  
13 *procedure that an advanced esthetician is authorized to perform pursuant to this*  
14 *chapter.*

15 8. *Identifying each device that the Board determines to be appropriate for*  
16 *use in the performance of an esthetic medical procedure. Such devices may*  
17 *include, without limitation, a laser, a radial shockwave device, a cryotherapy*  
18 *device and a device that emits radio frequencies, plasma, intense pulsed light,*  
19 *ultrasound, microwaves or other similar energies.*

20 **Sec. 19.** NRS 644A.280 is hereby amended to read as follows:

21 644A.280 1. The Board may adopt such regulations governing sanitary  
22 conditions as it deems necessary with particular reference to the precautions to be  
23 employed to prevent the creating or spreading of infectious or contagious diseases  
24 in the practice of hair braiding, ~~in establishments for hair braiding.~~ in the practice  
25 of a cosmetologist, in cosmetological establishments or schools of cosmetology, in  
26 the practice of threading and in any facility in this State in which threading is  
27 conducted.

28 2. No regulation governing sanitary conditions thus adopted has any effect  
29 until it has been approved by the State Board of Health.

30 3. A copy of all regulations governing sanitary conditions which are adopted  
31 must be furnished to each person to whom a license is issued for the conduct of a  
32 cosmetological establishment, ~~establishment for hair braiding.~~ school of  
33 cosmetology, practice of cosmetology or facility in this State in which threading is  
34 conducted.

35 **Sec. 20.** NRS 644A.300 is hereby amended to read as follows:

36 644A.300 The Board shall admit to examination for a license as a  
37 cosmetologist any person who has made application to the Board in proper form  
38 and paid the fee, and who before or on the date of the examination:

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

40 2. Is of good moral character.

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

44 4. Has had any one of the following:

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

47 (b) Practice of the occupation of a cosmetologist for a period of *at least* 4 years  
48 outside this State ~~in~~, *including, without limitation, in any other state, territory or*  
49 *country, which has been documented and which the Board or its designee deems*  
50 *acceptable.*

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

1 (d) At least 3,200 hours of service as a cosmetologist's apprentice in a licensed  
2 cosmetological establishment in which all of the occupations of cosmetology are  
3 practiced. The required hours must have been completed during the period of  
4 validity of the certificate of registration as a cosmetologist's apprentice issued to  
5 the person pursuant to NRS 644A.310.

6 **Sec. 21.** NRS 644A.305 is hereby amended to read as follows:

7 644A.305 Examinations for licensure as a cosmetologist may include:

8 1. Practical demonstrations in shampooing the hair, hairdressing, styling of  
9 hair, finger waving, coloring of hair, nail technology, cosmetics, thermal curling,  
10 marcelling, facial massage, massage of the scalp with the hands, *procedures*  
11 *involving the application of chemicals to hair*, and cutting, trimming or shaping  
12 hair;

13 2. Written or oral tests on:

14 (a) Antisepsis, sterilization and sanitation;

15 (b) The use of mechanical apparatus and electricity as applicable to the practice  
16 of a cosmetologist; and

17 (c) The laws of Nevada and the regulations of the Board relating to the practice  
18 of cosmetology; and

19 3. Such other demonstrations and tests as the Board may require.

20 **Sec. 22.** NRS 644A.315 is hereby amended to read as follows:

21 644A.315 The Board shall admit to examination for a license as a hair  
22 designer each person who has applied to the Board in proper form and paid the fee,  
23 and who:

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

25 2. Is of good moral character.

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

28 4. Satisfies at least one of the following:

29 (a) A barber registered pursuant to chapter 643 of NRS.

30 (b) Has had training of at least 1,000 hours ~~[, extending over a period of 7~~  
31 ~~consecutive months.]~~ in a school of cosmetology approved by the Board.

32 (c) Has had practice of the occupation of hair designing for at least 4 years  
33 outside this State ~~[,]~~, *including, without limitation, in any other state, territory or*  
34 *country, which has been documented and which the Board or its designee deems*  
35 *acceptable.*

36 (d) Has had at least 2,000 hours of service as a hair designer's apprentice in a  
37 licensed cosmetological establishment in which hair design is practiced. The  
38 required hours must have been completed during the period of validity of the  
39 certificate of registration as a hair designer's apprentice issued to the person  
40 pursuant to NRS 644A.325.

41 **Sec. 23.** NRS 644A.320 is hereby amended to read as follows:

42 644A.320 The examination for licensure as a hair designer may include:

43 1. Practical demonstrations in shampooing the hair, hairdressing, styling of  
44 hair, finger waving, coloring of hair, thermal curling, marcelling, massage of the  
45 scalp with the hands, *procedures involving the application of chemicals to hair*,  
46 and cutting, trimming or shaping the hair;

47 2. Written or oral tests, or both written and oral tests, on:

48 (a) Antisepsis, sterilization and sanitation;

49 (b) The use of mechanical apparatus and electricity as applicable to the practice  
50 of a hair designer; and

51 (c) The laws of this State and the regulations of the Board relating to the  
52 practice of cosmetology; and

53 3. Such other demonstrations and tests as the Board may require.

1       **Sec. 24.** NRS 644A.328 is hereby amended to read as follows:

2       644A.328 The Board shall admit to examination for a license as an advanced  
3       esthetician any person who has made the application to the Board in proper form,  
4       paid the fee and:

- 5       1. Is at least 18 years of age;
- 6       2. Is of good moral character;
- 7       3. Has successfully completed the 10th grade in school or its equivalent; and
- 8       4. Satisfies at least one of the following:

9       (a) The person has completed at least 900 hours of training in a licensed school  
10       of cosmetology in a curriculum prescribed by the Board pursuant to NRS  
11       644A.277;

12       (b) The person is a licensed esthetician and has additionally completed at least  
13       300 hours of training in a licensed school of cosmetology in a curriculum  
14       prescribed by the Board pursuant to NRS 644A.277; or

15       (c) The person has ~~practiced~~ *practice* as ~~a full-time licensed~~ *an advanced*  
16       *esthetician for at least ~~1-year~~ 4 years outside this State, including, without*  
17       *limitation, in any other state, territory or country, which has been documented*  
18       *and which the Board or its designee deems acceptable.*

19       **Sec. 25.** NRS 644A.330 is hereby amended to read as follows:

20       644A.330 The Board shall admit to examination for a license as an esthetician  
21       any person who has made application to the Board in proper form, paid the fee and:

- 22       1. Is at least 18 years of age;
- 23       2. Is of good moral character;
- 24       3. Has successfully completed the 10th grade in school or its equivalent; and
- 25       4. Has had any one of the following:

26       (a) A minimum of 600 hours of training, which includes theory ~~[-modeling]~~  
27       and practice, in a licensed school of cosmetology.

28       (b) Practice as ~~a full-time licensed~~ *an* esthetician for at least ~~1-year~~ *4 years*  
29       *outside this State, including, without limitation, in another state, territory or*  
30       *country, which has been documented and which the Board or its designee deems*  
31       *acceptable.*

32       (c) At least 1,200 hours of service as an esthetician's apprentice in a licensed  
33       cosmetological establishment in which esthetics is practiced. The required hours  
34       must have been completed during the period of validity of the certificate of  
35       registration as an esthetician's apprentice issued to the person pursuant to NRS  
36       644A.340.

37       **Sec. 26.** NRS 644A.345 is hereby amended to read as follows:

38       644A.345 The Board shall admit to examination for a license as a nail  
39       technologist any person who has made application to the Board in proper form, paid  
40       the fee and who, before or on the date of the examination:

- 41       1. Is not less than 18 years of age.
- 42       2. Is of good moral character.
- 43       3. Has successfully completed the 10th grade in school or its equivalent.
- 44       4. Has had any one of the following:

45       (a) Practical training of at least 600 hours under the immediate supervision of a  
46       licensed instructor in a licensed school of cosmetology in which the practice is  
47       taught.

48       (b) Practice as a ~~full-time licensed~~ nail technologist for ~~1-year~~ *at least 4*  
49       *years* outside ~~the State of Nevada~~ *this State, including, without limitation, in*  
50       *another state, territory or country, which has been documented and which the*  
51       *Board or its designee deems acceptable.*

52       (c) At least 1,200 hours of service as a nail technologist's apprentice in a  
53       licensed cosmetological establishment in which nail technology is practiced. The

1 required hours must have been completed during the period of validity of the  
 2 certificate of registration as a nail technologist's apprentice issued to the person  
 3 pursuant to NRS 644A.355.

4 **Sec. 27.** NRS 644A.360 is hereby amended to read as follows:

5 644A.360 ~~1. Except as otherwise provided in NRS 644A.365, the~~ *The*  
 6 Board shall admit to examination as a hair braider each person who has applied to  
 7 the Board in proper form and paid the fee, and who:

8 ~~1.~~ *1.* Is not less than 18 years of age.

9 ~~2.~~ *2.* Is of good moral character.

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

12 ~~(d) If the person has not practiced hair braiding previously:~~

13 ~~(1) Has completed a minimum of 250 hours of training and education as~~  
 14 ~~follows:~~

15 ~~(I) Fifty hours concerning the laws of Nevada and the regulations of~~  
 16 ~~the Board relating to cosmetology;~~

17 ~~(II) Seventy five hours concerning infection control and prevention~~  
 18 ~~and sanitation;~~

19 ~~(III) Seventy five hours regarding the health of the scalp and the skin~~  
 20 ~~of the human body; and~~

21 ~~(IV) Fifty hours of clinical practice; and~~

22 ~~(2) Has passed the practical demonstration in hair braiding and written~~  
 23 ~~tests described in NRS 644A.370.~~

24 ~~(e) If the person has practiced hair braiding in this State on a person who is~~  
 25 ~~related within the sixth degree of consanguinity without a license and without~~  
 26 ~~charging a fee:~~

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

29 ~~(2) Has passed the practical demonstration in hair braiding and written~~  
 30 ~~tests described in NRS 644A.370.~~

31 ~~2. The application submitted pursuant to subsection 1 must be accompanied~~  
 32 ~~by:~~

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

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

37 ~~(1) A driver's license, identification card or permanent resident card issued~~  
 38 ~~to the applicant by this State or another state, the District of Columbia, the United~~  
 39 ~~States or any territory of the United States or a tribal identification card issued by a~~  
 40 ~~tribal government which satisfies the requirements of subsection 3 of NRS 232.006;~~

41 ~~(2) The birth certificate of the applicant; or~~

42 ~~(3) The current passport issued to the applicant.]~~

43 **Sec. 28.** NRS 644A.370 is hereby amended to read as follows:

44 644A.370 ~~1.]~~ The examination for licensure as a hair braider pursuant to  
 45 ~~paragraph (d) of subsection 1 of]~~ NRS ~~[644A.365 must]~~ *644A.360 may* include:

46 ~~1.~~ *1.* A written test on antisepsis, sterilization and sanitation;

47 ~~2.~~ *2.* A written test on the laws of Nevada and the regulations of the Board  
 48 relating to cosmetology; ~~and~~

49 ~~3.~~ *3.* *A practical demonstration in hair braiding; and*

50 *4.* Such other tests or examinations as the Board deems necessary.

51 ~~2. The examination for licensure as a hair braider pursuant to NRS 644A.360~~  
 52 ~~or paragraph (e) of subsection 1 of NRS 644A.365 must include:~~

~~(a) The written tests and such other tests or examinations described in subsection 1; and~~

~~(b) A practical demonstration in hair braiding.]~~

**Sec. 29.** NRS 644A.375 is hereby amended to read as follows:

644A.375 1. The Board shall admit to examination for a certificate of registration as a shampoo technologist, any person who has applied to the Board in proper form and paid the fee, and who:

- (a) Is not less than 16 years of age.
- (b) Is of good moral character.
- (c) Has successfully completed the 10th grade in school or its equivalent.
- (d) Satisfies at least one of the following:

(1) Training of at least 50 hours in a licensed school of cosmetology as a student of the occupation of a cosmetologist or hair designer;

(2) Training of at least 50 hours in a licensed school of cosmetology in a curriculum prescribed by the Board by regulation; *or*

(3) Training of at least 50 hours which is administered online by the Board in a curriculum prescribed by the Board by regulation. ~~]; *or*~~

~~(4) Has had practice as a full time licensed shampoo technologist for 1 year outside this State.]~~

2. The Board may charge a fee of not more than \$50 to administer the training described in subparagraph (3) of paragraph (d) of subsection 1.

~~3. A certificate of registration as a shampoo technologist is valid for 2 years after the date on which it is issued and may be renewed by the Board upon good cause shown.]~~

**Sec. 30.** NRS 644A.380 is hereby amended to read as follows:

644A.380 The examination for a certificate of registration as a shampoo technologist must include:

1. ~~Practical demonstrations in shampooing and rinsing the hair which are approved and conducted by the Board or a licensed school of cosmetology;~~

~~2.] A written test on the laws of Nevada and the regulations of the Board relating to cosmetology; and~~

~~3.] 2. Such ~~other~~ demonstrations and *other* tests as the Board requires.~~

**Sec. 31.** NRS 644A.395 is hereby amended to read as follows:

644A.395 1. Each makeup artist who engages in the practice of makeup artistry in a licensed cosmetological establishment shall ~~], on or before January 1 of each year,]~~ register with the Board on a form prescribed by the Board. The registration must:

(a) Include:  
 (1) The name, address, electronic mail address and telephone number of the makeup artist; and

(2) The name and license number of each cosmetological establishment in which the makeup artist will be practicing makeup artistry.

(b) Be accompanied by ~~];~~

~~(1) A] a~~ notarized statement indicating that the makeup artist:

~~(I)] (I)~~ Is 18 years of age or older;

~~(II)] (2)~~ Is of good moral character; and

~~(III)] (3)~~ Has completed at least 2 years of high school. ~~]; *and*~~

~~(2) Two current photographs of the makeup artist which are 2 by 2 inches.]~~  
 2. The Board shall charge a fee of not more than \$25 for registering a makeup artist pursuant to this section.

3. A makeup artist shall not practice makeup artistry in a licensed cosmetological establishment without first obtaining a certificate of registration.

1 4. A makeup artist, other than a makeup artist required to be registered  
2 pursuant to subsection 1, shall not engage in the practice of makeup artistry in this  
3 State unless he or she:

- 4 (a) Is 18 years of age or older;  
5 (b) Is of good moral character; and  
6 (c) Has completed at least 2 years of high school.

7 **5. A certificate of registration as a makeup artist is valid for 1 year after the**  
8 **date on which it is issued.**

9 **Sec. 32.** NRS 644A.400 is hereby amended to read as follows:

10 644A.400 The Board shall admit to examination for a license as an  
11 electrologist any person who has made application to the Board in the proper form  
12 and paid the fee, and who before or on the date set for the examination:

- 13 1. Is not less than 18 years of age.  
14 2. Is of good moral character.  
15 3. Has successfully completed the 12th grade in school or its equivalent.  
16 4. Has or has completed any one of the following:  
17 (a) A minimum training of 500 hours under the immediate supervision of an  
18 approved electrologist in an approved school in which the practice is taught.

19 (b) Study of the practice for at least 1,000 hours extending over a period of ~~5~~  
20 **8** consecutive months, under an electrologist licensed pursuant to this chapter, in an  
21 approved program for electrologist's apprentices.

22 (c) A valid electrologist's license issued by a state whose licensing  
23 requirements are equal to or greater than those of this State.

24 (d) Either training or practice, or a combination of training and practice, in  
25 electrology outside this State for a period specified by regulations of the Board.

26 **Sec. 33.** NRS 644A.415 is hereby amended to read as follows:

27 644A.415 1. The Board may grant a provisional license as an instructor to a  
28 person who:

- 29 (a) Has successfully completed the 12th grade in school or its equivalent;  
30 (b) Has practiced as a full-time licensed cosmetologist, hair designer, ~~hair~~  
31 ~~braider,~~ esthetician, advanced esthetician or nail technologist for 1 year and  
32 submits written verification of his or her experience;  
33 (c) Is licensed pursuant to this chapter;  
34 (d) Applies for a provisional license on a form supplied by the Board;  
35 (e) Submits ~~two~~ **a** current ~~photographs~~ **photograph** of himself or herself;

36 and

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

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

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

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

48 **Sec. 34.** NRS 644A.420 is hereby amended to read as follows:

49 644A.420 1. The Board shall admit to examination for a license as an  
50 instructor of cosmetology , **hair design, esthetics, advanced esthetics or nail**  
51 **technology** any person who has applied to the Board in proper form, paid the fee  
52 and:

- 53 (a) Is at least 18 years of age;



1 (b) Is of good moral character;

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

3 (d) Has received a minimum of 700 hours of training as a student instructor or  
4 500 hours of training as an instructor or as a licensed provisional instructor in a  
5 licensed school of cosmetology; ~~and~~

6 (e) Is licensed as a cosmetologist , *hair designer, esthetician, advanced*  
7 *esthetician or nail technologist* pursuant to this chapter ~~+~~; and

8 (f) *If the applicant is licensed as a hair designer, esthetician, advanced*  
9 *esthetician or nail technologist, has practiced as a full-time licensed hair*  
10 *designer, esthetician, advanced esthetician or nail designer, as applicable, or as a*  
11 *licensed student instructor.*

12 2. Each instructor shall pay an initial fee for a license of not less than \$60 and  
13 not more than \$90.

14 3. An instructor of cosmetology , *hair design, esthetics, advanced esthetics*  
15 *or nail technology* shall complete at least the number of hours of continuing  
16 education required, at the time the hours of continuing education are completed, for  
17 instructors of schools of cosmetology accredited by the National Accrediting  
18 Commission of Career Arts & Sciences or its successor organization. The hours of  
19 continuing education must be obtained in courses approved by the Board during  
20 each 2-year period of his or her license.

21 4. *An instructor of cosmetology, hair design, esthetics, advanced esthetics*  
22 *or nail technology may only provide instruction on subject matter that is within*  
23 *the scope of his or her license as a cosmetologist, hair designer, esthetician,*  
24 *advanced esthetician or nail technologist.*

25 **Sec. 35.** NRS 644A.450 is hereby amended to read as follows:

26 644A.450 1. An application for admission to examination or for a license in  
27 any branch of cosmetology, or for a certificate of registration as a shampoo  
28 technologist, esthetician's apprentice, cosmetologist's apprentice, hair designer's  
29 apprentice or nail technologist's apprentice must be made in writing on forms  
30 furnished by the Board and must be submitted within the period designated by the  
31 Board. The Board shall charge a *nonrefundable* fee of \$15 for furnishing the  
32 forms.

33 2. An application must contain proof of the qualifications of the applicant for  
34 examination, licensure or registration. The applicant must certify that all the  
35 information contained in the application is truthful and accurate.

36 **Sec. 36.** NRS 644A.460 is hereby amended to read as follows:

37 644A.460 ~~[Except as otherwise provided in NRS 644A.365, upon]~~ *Upon*  
38 application to the Board, accompanied by a fee of \$200, a person currently licensed  
39 in any branch of cosmetology under the laws of another state or territory of the  
40 United States or the District of Columbia may, without examination, unless the  
41 Board sees fit to require an examination, be granted a license to practice the  
42 occupation in which the applicant was previously licensed upon proof satisfactory  
43 to the Board that the applicant:

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

45 2. Is of good moral character.

46 3. Is currently licensed in another state or territory or the District of  
47 Columbia.

48 **Sec. 37.** NRS 644A.470 is hereby amended to read as follows:

49 644A.470 1. In addition to the fee for an application, the fees for  
50 examination are:

51 (a) For examination as a cosmetologist, not less than \$75 and not more than  
52 \$200.

1 (b) For examination as an electrologist, not less than \$75 and not more than  
2 \$200.

3 (c) For examination as a hair designer, not less than \$75 and not more than  
4 \$200.

5 (d) For examination as a shampoo technologist, not less than \$50 and not more  
6 than \$100.

7 (e) For examination as a hair braider, ~~[\$110.]~~ *not less than \$75 and not more*  
8 *than \$200.*

9 (f) For examination as a nail technologist, not less than \$75 and not more than  
10 \$200.

11 (g) For examination as an esthetician, not less than \$75 and not more than  
12 \$200.

13 (h) For examination as an advanced esthetician, not less than \$75 and not more  
14 than \$200.

15 (i) For examination as an instructor of estheticians, advanced estheticians, hair  
16 designers, cosmetology or nail technology, not less than \$75 and not more than  
17 \$200.

18 2. ~~[Except as otherwise provided in this subsection, the]~~ *The* fee for each  
19 reexamination is not less than \$75 and not more than \$200. ~~[The fee for~~  
20 ~~reexamination as a hair braider is \$110.]~~

21 3. ~~[In addition to the fee for an application, the fee for examination or~~  
22 ~~reexamination as a demonstrator of cosmetics is \$75.~~

23 ~~—4.]~~ Each applicant referred to in ~~[subsections]~~ *subsection 1* ~~[and 3]~~ shall, in  
24 addition to the fees specified therein, pay the reasonable value of all supplies  
25 necessary to be used in the examination.

26 **Sec. 38.** NRS 644A.480 is hereby amended to read as follows:

27 644A.480 1. The Board:

28 (a) Shall provide examinations for licensure or registration as a cosmetologist,  
29 esthetician, advanced esthetician, hair designer, shampoo technologist, hair braider  
30 ~~[.]~~ *or* nail technologist ~~[or demonstrator of cosmetics]~~ in English and, upon the  
31 request of an applicant for licensure or registration as a cosmetologist, esthetician,  
32 advanced esthetician, hair designer, shampoo technologist, hair braider ~~[.]~~ *or*  
33 nail technologist, ~~[or demonstrator of cosmetics,]~~ in Spanish; and

34 (b) May provide examinations for licensure or registration as a cosmetologist,  
35 esthetician, advanced esthetician, hair designer, shampoo technologist, hair braider  
36 ~~[.]~~ *or* nail technologist, ~~[or demonstrator of cosmetics,]~~ in any other language upon  
37 the request of an applicant, if the Board determines that providing the examination  
38 in that language is in the best interests of the public.

39 2. A request for an examination for licensure or registration as a  
40 cosmetologist, esthetician, advanced esthetician, hair designer, shampoo  
41 technologist, hair braider ~~[.]~~ *or* nail technologist ~~[or demonstrator of cosmetics]~~ to  
42 be translated into a language other than English or Spanish must be filed with the  
43 Board by the applicant making the request at least 90 days before the scheduled  
44 examination. The Board shall keep all such requests on file.

45 3. The Board shall impose a fee upon the applicants who file requests for an  
46 examination for licensure or registration as a cosmetologist, esthetician, advanced  
47 esthetician, hair designer, shampoo technologist, hair braider ~~[.]~~ *or* nail technologist  
48 ~~[or demonstrator of cosmetics]~~ to be translated into a language other than English  
49 or Spanish. The fee must be sufficient to ensure that the applicants bear the full cost  
50 for the development, preparation, administration, grading and evaluation of the  
51 translated examination. The fee is in addition to all other fees that must be paid by  
52 applicants for the examination for licensure or registration as a cosmetologist,

1 esthetician, advanced esthetician, hair designer, shampoo technologist, hair braider  
2 ~~[ ] or~~ nail technologist. ~~[or demonstrator of cosmetics.]~~

3 4. In determining whether it is in the best interests of the public to translate an  
4 examination for licensure or registration as a cosmetologist, esthetician, advanced  
5 esthetician, hair designer, shampoo technologist, hair braider ~~[ ] or~~ nail technologist  
6 ~~[or demonstrator of cosmetics]~~ into a language other than English or Spanish, the  
7 Board shall consider the percentage of the population within this State whose native  
8 language is the language for which the translated examination is sought.

9 **Sec. 39.** NRS 644A.490 is hereby amended to read as follows:

10 644A.490 1. The Board shall issue a license or certificate of registration, as  
11 applicable, as a cosmetologist, esthetician, advanced esthetician, electrologist, hair  
12 designer, shampoo technologist, hair braider, nail technologist ~~[, demonstrator of~~  
13 ~~cosmetics]~~ or instructor to each applicant who:

14 (a) Except as otherwise provided in NRS ~~[644A.380 and]~~ 644A.455, passes a  
15 satisfactory examination, conducted by the Board to determine his or her fitness to  
16 practice that occupation of cosmetology; ~~[and]~~

17 (b) Complies with such other requirements as are prescribed in this chapter for  
18 the issuance of the license or certificate of registration ~~[ ]~~; and

19 (c) *Has paid any required fees, fines or outstanding balances as required by*  
20 *the Board.*

21 2. The fees for issuance of an initial license or certificate of registration, as  
22 applicable, are:

23 (a) For nail technologists, electrologists, estheticians, advanced estheticians,  
24 hair designers, *hair braiders*, shampoo technologists ~~[, demonstrators of cosmetics]~~  
25 and cosmetologists:

26 (1) For 2 years, not less than \$50 and not more than \$100.

27 (2) For 4 years, not less than \$100 and not more than \$200.

28 (b) ~~[For hair braiders:~~

29 ~~— (1) For 2 years, \$70.~~

30 ~~— (2) For 4 years, \$140.~~

31 ~~— (e)]~~ For instructors:

32 (1) For 2 years, not less than \$60 and not more than \$100.

33 (2) For 4 years, not less than \$120 and not more than \$200.

34 **Sec. 40.** NRS 644A.510 is hereby amended to read as follows:

35 644A.510 Every licensed or registered nail technologist, electrologist,  
36 esthetician, advanced esthetician, hair designer, shampoo technologist, hair braider  
37 ~~[, demonstrator of cosmetics]~~ or cosmetologist shall, within 30 days after changing  
38 his or her place of business or personal mailing address, as designated in the  
39 records of the Board, notify the Board of the new place of business or personal  
40 mailing address. Upon receipt of the notification, the Board shall make the  
41 necessary change in the records.

42 **Sec. 41.** NRS 644A.515 is hereby amended to read as follows:

43 644A.515 1. The license or certificate of registration, as applicable, of every  
44 cosmetologist, esthetician, advanced esthetician, electrologist, hair designer,  
45 shampoo technologist, hair braider, nail technologist ~~[, demonstrator of cosmetics]~~  
46 and instructor expires on either:

47 (a) The second anniversary of the birthday of the licensee or holder of the  
48 certificate of registration measured, in the case of an original license or certificate  
49 of registration, restored license or certificate of registration, renewal of a license or  
50 certificate of registration or renewal of an expired license or certificate of  
51 registration, from the birthday of the licensee or holder nearest the date of issuance,  
52 restoration or renewal; or

1 (b) The fourth anniversary of the birthday of the licensee or holder of the  
 2 certificate of registration measured, in the case of an original license or certificate  
 3 of registration, restored license or certificate of registration, renewal of a license or  
 4 certificate of registration or renewal of an expired license or certificate of  
 5 registration from the birthday of the licensee or holder nearest the date of issuance,  
 6 restoration or renewal.

7 2. The Board may, by regulation, defer the expiration of a license or  
 8 certificate of registration, as applicable, of a person who is on active duty in *any*  
 9 *branch of* the Armed Forces of the United States upon such terms and conditions as  
 10 it may prescribe. The Board may similarly defer the expiration of the license or  
 11 certificate of registration, as applicable, of the spouse or dependent child of that  
 12 person if the spouse or child is residing with the person.

13 3. *The Board may, by regulation, defer the expiration of a license or*  
 14 *certificate of registration, as applicable, of a person who:*

15 (a) *Submits to the Board, on a form prescribed by the Board, a request for*  
 16 *his or her license or certificate of registration to be placed on inactive or*  
 17 *retirement status; and*

18 (b) *Pays a fee in an amount established by the Board by regulation.*

19 4. For the purposes of this section, any licensee or holder of a certificate of  
 20 registration whose date of birth occurs on February 29 in a leap year shall be  
 21 deemed to have a birthdate of February 28.

22 5. *The Board shall send written notice to a licensee or holder of a certificate*  
 23 *of registration identifying the date of the expiration of his or her license or*  
 24 *certificate of registration, as applicable, at least:*

25 (a) *Ninety days before the license or certificate of registration expires; and*

26 (b) *Once each month following the month in which notice is sent pursuant to*  
 27 *paragraph (a) until the month in which the license or certificate of registration*  
 28 *expires.*

29 **Sec. 42.** NRS 644A.520 is hereby amended to read as follows:

30 644A.520 1. An application for renewal of any license or certificate of  
 31 registration issued pursuant to this chapter must be:

- 32 (a) Made on a form prescribed and furnished by the Board;
- 33 (b) Made on or before the date for renewal specified by the Board;
- 34 (c) Accompanied by the applicable fee for renewal; and
- 35 (d) Accompanied by all information required to complete the renewal.

36 2. The fees for renewal of a license or a certificate of registration, as  
 37 applicable, are:

38 (a) For nail technologists, electrologists, estheticians, advanced estheticians,  
 39 hair designers, *hair braiders*, shampoo technologists ~~[, demonstrators of cosmetics]~~  
 40 and cosmetologists:

- 41 (1) For 2 years, not less than \$50 and not more than \$100.
- 42 (2) For 4 years, not less than \$100 and not more than \$200.

43 (b) ~~For hair braiders:~~

- 44 ~~(1) For 2 years, \$70.~~
- 45 ~~(2) For 4 years, \$140.~~

46 ~~(c) For instructors:~~

- 47 (1) For 2 years, not less than \$60 and not more than \$100.
- 48 (2) For 4 years, not less than \$120 and not more than \$200.

49 ~~(d) For cosmetological establishments:~~

- 50 (1) For 2 years, not less than \$100 and not more than \$200.
- 51 (2) For 4 years, not less than \$200 and not more than \$400.

52 ~~(e) For establishments for hair braiding:~~

- 53 ~~(1) For 2 years, \$70.~~

1 ~~— (2) For 4 years, \$140.~~

2 ~~— (f)~~ (d) For schools of cosmetology:

3 (1) For 2 years, not less than \$500 and not more than \$800.

4 (2) For 4 years, not less than \$1,000 and not more than \$1,600.

5 3. For each month or fraction thereof after the date for renewal specified by  
6 the Board in which a license or a certificate of registration as a shampoo  
7 technologist is not renewed, there must be assessed and collected at the time of  
8 renewal a penalty of \$50 for a school of cosmetology and \$20 for ~~an establishment~~  
9 ~~for hair braiding,~~ a cosmetological establishment, all persons licensed pursuant to  
10 this chapter and persons registered as a shampoo technologist.

11 4. An application for the renewal of a license or a certificate of registration, as  
12 applicable, as a cosmetologist, hair designer, shampoo technologist, hair braider,  
13 esthetician, advanced esthetician, electrologist, nail technologist ~~[- demonstrator of~~  
14 ~~cosmetics]~~ or instructor must be:

15 (a) Accompanied by ~~two~~ a current ~~[photographs]~~ **photograph** of the applicant  
16 ; ~~[which are 2 by 2 inches and have the name of the applicant written on the back of~~  
17 ~~each photograph.]~~ or

18 (b) If the application for the renewal of the license or certificate of registration,  
19 as applicable, is made online, accompanied by a current photograph of the applicant  
20 which is ~~[2 by 2 inches and is]~~ electronically attached to the application for  
21 renewal.

22 5. Before a person applies for the renewal of a license or certificate of  
23 registration, as applicable, as a cosmetologist, hair designer, shampoo technologist,  
24 hair braider, esthetician, advanced esthetician, electrologist ~~[-]~~ or nail technologist ,  
25 ~~[- demonstrator of cosmetics.]~~ the person must ~~[complete]~~ :

26 (a) **Complete** at least 4 hours of instruction relating to infection control and  
27 prevention in a professional course or seminar approved by the Board ~~[-]~~ ; **and**

28 (b) **Pay any outstanding fee, fine or other balance owed to the Board.**

29 **Sec. 43.** NRS 644A.525 is hereby amended to read as follows:

30 644A.525 1. A nail technologist, electrologist, esthetician, advanced  
31 esthetician, hair designer, shampoo technologist, hair braider, cosmetologist ~~[-~~  
32 ~~demonstrator of cosmetics]~~ or instructor whose license or certificate of registration,  
33 as applicable, has expired may have his or her license or certificate of registration  
34 renewed only upon payment of all applicable required fees and submission of all  
35 information required to complete the renewal.

36 2. Any nail technologist, electrologist, esthetician, advanced esthetician, hair  
37 designer, shampoo technologist, hair braider, cosmetologist ~~[- demonstrator of~~  
38 ~~cosmetics]~~ or instructor who retires from practice for more than 1 year may have  
39 his or her license or certificate of registration, as applicable, restored only upon  
40 payment of all required fees and submission of all information required to complete  
41 the restoration.

42 3. No nail technologist, electrologist, esthetician, advanced esthetician, hair  
43 designer, shampoo technologist, hair braider, cosmetologist ~~[- demonstrator of~~  
44 ~~cosmetics]~~ or instructor who has retired from practice for more than 4 years may  
45 have his or her license or certificate of registration, as applicable, restored without  
46 examination and must comply with any additional requirements established in  
47 regulations adopted by the Board.

48 **Sec. 44.** NRS 644A.530 is hereby amended to read as follows:

49 644A.530 1. The holder of a license or certificate of registration issued by  
50 the Board to practice any branch of cosmetology must display his or her current  
51 license or certificate or a duplicate of the license or certificate in plain view of the  
52 public at the ~~[position]~~ **workstation** where the holder of the license or certificate  
53 performs his or her work ~~[-]~~ **on the public.**

1           2. If a person practices cosmetology in more than one place, the person shall  
2 display the license or certificate or a duplicate of the license or certificate wherever  
3 he or she is actually working ~~[ ]~~ *on the public.*

4           **Sec. 45.** NRS 644A.550 is hereby amended to read as follows:

5           644A.550 1. Each natural person who engages in the practice of threading  
6 and each owner or operator of a kiosk or other stand-alone facility in which a  
7 natural person engages in the practice of threading shall ~~[, on or before January 1 of~~  
8 ~~each year,]~~ register with the Board on a form prescribed by the Board. The  
9 registration must be accompanied by a fee of not more than \$25 and must include:

10           (a) The name, address, electronic mail address and telephone number of the  
11 person, owner or operator; and

12           (b) Any other information relating to the practice of the person or the operation  
13 of the kiosk or other facility required by the Board.

14           2. The Board shall, during regular business hours, inspect each facility in this  
15 State in which threading is conducted . ~~[not later than 90 days after the date on~~  
16 ~~which the registration is activated.]~~

17           3. The fee required by subsection 1 must be established by regulation of the  
18 Board.

19           4. *A certificate of registration to engage in the practice of threading is valid*  
20 *for 1 year after the date on which it is issued.*

21           5. *A person who is registered with the Board pursuant to subsection 1 is not*  
22 *required to obtain any other license or certificate of registration pursuant to this*  
23 *chapter to engage in the practice of threading.*

24           6. *A licensed cosmetologist or esthetician is not required to register with the*  
25 *Board pursuant to subsection 1 to engage in the practice of threading.*

26           **Sec. 46.** NRS 644A.600 is hereby amended to read as follows:

27           644A.600 1. Any person wishing to operate a cosmetological establishment  
28 in which any one or a combination of the occupations of cosmetology are practiced  
29 must apply to the Board for a license, through the owner, manager or person in  
30 charge, upon forms prepared and furnished by the Board. Each application must  
31 contain a detailed floor plan of the proposed cosmetological establishment and  
32 proof of the particular requisites for a license provided for in this chapter. The  
33 applicant must certify that all the information contained in the application is truthful  
34 and accurate.

35           2. The applicant must submit the application accompanied by the applicable  
36 required fees for inspection and licensing. ~~[Upon receipt of the application, the]~~  
37 ~~Before issuing a license for a cosmetological establishment, the~~ Board shall  
38 ~~[contact the applicant to arrange a date and time to]~~ conduct ~~[the on site] an~~  
39 ~~opening~~ inspection ~~[and]~~ *of the proposed cosmetological establishment to ensure*  
40 *that the minimum requirements for operating a cosmetological establishment*  
41 *pursuant to this chapter are met. After the Board has conducted an inspection*  
42 *pursuant to this subsection and determined that such minimum requirements are*  
43 *met, the Board or its designee shall* issue ~~[and activate]~~ the license. ~~[A license~~  
44 ~~issued pursuant to this subsection is not valid until it is activated.]~~

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

46           (a) For 2 years, \$200.

47           (b) For 4 years, \$400.

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

50           **Sec. 47.** NRS 644A.610 is hereby amended to read as follows:

51           644A.610 1. The license of every cosmetological establishment:

52           (a) Expires 2 years after the date of issuance or renewal of a license that was  
53 issued or renewed for a 2-year period.

1 (b) Expires 4 years after the date of issuance or renewal of a license that was  
2 issued or renewed for a 4-year period.

3 2. If a cosmetological establishment fails to pay the applicable required fee  
4 for renewal of its license within 90 days after the date of expiration of the license,  
5 the establishment must be immediately closed.

6 ***3. Before the license of a cosmetological establishment may be renewed, the***  
7 ***holder of the license must pay any outstanding fee, fine or other balance owed to***  
8 ***the Board.***

9 **Sec. 48.** NRS 644A.615 is hereby amended to read as follows:

10 644A.615 1. Every holder of a license issued by the Board to operate a  
11 cosmetological establishment shall display in plain view of members of the general  
12 public:

13 (a) In the principal office or place of business of the holder, the license or a  
14 duplicate of the license; and

15 (b) At each cosmetological establishment operated by the holder, a sign of  
16 sufficient size to be legible to members of the general public stating that the  
17 establishment is not a medical facility.

18 2. Except as otherwise provided in this section, the operator of a  
19 cosmetological establishment may lease space to or employ only licensed or  
20 registered, as applicable, nail technologists, electrologists, estheticians, advanced  
21 estheticians, hair designers, shampoo technologists, hair braiders ~~[-demonstrators~~  
22 ~~of cosmetics]~~ and cosmetologists at the establishment to provide services relating to  
23 the practice of cosmetology. This subsection does not prohibit an operator of a  
24 cosmetological establishment from:

25 (a) Leasing space to or employing a barber. Such a barber remains under the  
26 jurisdiction of the State Barbers' Health and Sanitation Board and remains subject  
27 to the laws and regulations of this State applicable to his or her business or  
28 profession.

29 (b) Leasing space to any other professional, including, without limitation, a  
30 provider of health care pursuant to subsection 3. Each such professional remains  
31 under the jurisdiction of the regulatory body which governs his or her business or  
32 profession and remains subject to the laws and regulations of this State applicable  
33 to such business or profession.

34 3. The operator of a cosmetological establishment may lease space at the  
35 cosmetological establishment to a provider of health care for the purpose of  
36 providing health care within the scope of his or her practice. ~~[The]~~ ***Except as***  
37 ***otherwise provided in subsection 4, the*** provider of health care shall not use the  
38 leased space to provide such health care at the same time a cosmetologist uses that  
39 space to engage in the practice of cosmetology. A provider of health care who  
40 leases space at a cosmetological establishment pursuant to this subsection remains  
41 under the jurisdiction of the regulatory body which governs his or her business or  
42 profession and remains subject to the laws and regulations of this State applicable  
43 to such business or profession.

44 4. ***A provider of health care who is a health care professional may use***  
45 ***leased space at a cosmetological establishment to provide health care associated***  
46 ***with the supervision of an advanced esthetician pursuant to NRS 644A.545 at the***  
47 ***same time as a cosmetologist uses that space to engage in the practice of***  
48 ***cosmetology.***

49 5. As used in this section:

50 (a) ***"Health care professional" has the meaning ascribed to it in NRS***  
51 ***453C.030.***

1 (b) "Provider of health care" means a person who is licensed, certified or  
2 otherwise authorized by the law of this State to administer health care in the  
3 ordinary course of business or practice of a profession.

4 ~~[(b)]~~ (c) "Space" includes, without limitation, a separate room in the  
5 cosmetological establishment.

6 **Sec. 49.** NRS 644A.620 is hereby amended to read as follows:

7 644A.620 Cosmetology and threading may be practiced in a cosmetological  
8 establishment by licensed or registered, as applicable, cosmetologists, estheticians,  
9 advanced estheticians, electrologists, hair designers, shampoo technologists, hair  
10 braiders, ~~[demonstrators of cosmetics,]~~ nail technologists and natural persons who  
11 engage in the practice of threading, as appropriate, who are:

- 12 1. Employees of the owner of the enterprise; or
- 13 2. Lessees of space from the owner of the enterprise.

14 **Sec. 50.** NRS 644A.625 is hereby amended to read as follows:

15 644A.625 1. A cosmetological establishment must, at all times, be under the  
16 immediate supervision of a person who is licensed in the branch of cosmetology or  
17 a combination of branches of cosmetology of any service relating to the practice of  
18 cosmetology provided at the cosmetological establishment at the time the service is  
19 provided.

20 2. If the operator of a cosmetological establishment leases space to a licensed  
21 or registered, as applicable, nail technologist, electrologist, esthetician, advanced  
22 esthetician, hair designer, shampoo technologist, hair braider ~~[-, demonstrator of~~  
23 ~~cosmetics]~~ or cosmetologist pursuant to NRS 644A.615, the lessee must provide  
24 supervision for that branch of cosmetology in the manner required by subsection 1.

25 *3. If a cosmetological establishment is open to the public at any time during*  
26 *which no licensed or registered, as applicable, nail technologist, electrologist,*  
27 *esthetician, advanced esthetician, hair designer, shampoo technologist, hair*  
28 *braider or cosmetologist is physically present in the establishment, the*  
29 *cosmetological establishment must display conspicuously a sign indicating that*  
30 *no cosmetological services are being offered at that time.*

31 **Sec. 51.** NRS 644A.740 is hereby amended to read as follows:

32 644A.740 1. A school of cosmetology must at all times be under the  
33 immediate supervision of a licensed instructor. ~~[who has had practical experience~~  
34 ~~in an established place of business for at least 1 year in the practice of a majority of~~  
35 ~~the branches of cosmetology taught at the school of cosmetology.]~~

36 2. A school of cosmetology shall:

37 (a) Except as otherwise provided in subsection 6, maintain courses of practical  
38 training and technical instruction equal to the requirements for examination for a  
39 license or certificate of registration in each branch of cosmetology taught at the  
40 school of cosmetology.

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

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

46 (d) Include in its curriculum a course of department consisting of instruction in  
47 courtesy, neatness and professional attitude in meeting the public.

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

50 (f) Not allow any student to perform services on the public for more than 7  
51 hours in any day.

52 (g) *Not allow any student to attend school for more than:*

53 *(1) Forty regularly scheduled school hours in each week; ~~for]~~*



1 *(2) Ten regularly scheduled school hours in any day ~~for~~ ; or*

2 *(3) Ten hours in a week to make up for regularly scheduled school hours*  
3 *that the student missed.*

4 *(h) Conduct at least 5 hours of instruction in theory in each 40-hour week , ~~for~~*  
5 *6 hours of instruction in theory in each 48-hour week, which must be ~~attended~~*  
6 *completed by all registered students ~~for~~*

7 *—(h) either through in-person instruction or, subject to paragraph (i),*  
8 *through an alternative form of instruction that has been approved by the Board,*  
9 *including, without limitation, instruction that is provided through distance*  
10 *education.*

11 *(i) Not allow any student to complete more than 10 percent of his or her*  
12 *required hours of instruction in theory in a manner other than through in-person*  
13 *instruction.*

14 *(j) Require that all work by students be done on the basis of rotation.*

15 3. Except as otherwise provided in subsection 4, the Board may, upon request,  
16 authorize a school of cosmetology to offer, in addition to courses which are  
17 included in any curriculum required for licensure or registration in each branch of  
18 cosmetology taught at the school of cosmetology, any other course.

19 4. The Board shall, upon request, authorize a school of cosmetology to offer a  
20 course or program that is designed, intended or used to prepare or qualify another  
21 person for licensure in the field of massage therapy, reflexology or structural  
22 integration if:

23 (a) The school of cosmetology has obtained all licenses, authorizations and  
24 approvals required by state and local law to offer such a course or program; and

25 (b) With regard to that portion of the premises where the school of  
26 cosmetology offers courses included in the cosmetological curriculum, the school  
27 of cosmetology continues to comply with the provisions of this chapter and any  
28 regulations adopted pursuant thereto.

29 5. Notwithstanding any other provision of law, if a school of cosmetology  
30 offers a course or program that is designed, intended or used to prepare or qualify  
31 another person for licensure in the field of massage therapy, reflexology or  
32 structural integration:

33 (a) The Board has exclusive jurisdiction over the authorization and regulation  
34 of the course or program offered by the school of cosmetology; and

35 (b) The school of cosmetology is not required to obtain any other license,  
36 authorization or approval to offer the course or program.

37 6. A school of cosmetology is not required to maintain courses of practical  
38 training and technical instruction equal to the requirements for examination for a  
39 license or certificate of registration in any branch of cosmetology if the school of  
40 cosmetology provides its students with a disclaimer, in at least 14-point bold type,  
41 indicating that completion of the instruction provided at the school of cosmetology  
42 does not:

43 (a) Qualify the student for a license or certificate of registration in any branch  
44 of cosmetology; or

45 (b) Prepare the student for an examination in any branch of cosmetology.

46 7. *As used in this section, “distance education” means instruction delivered*  
47 *by means of video, computer, television, or the Internet or other electronic means*  
48 *of communication, or any combination thereof, in such a manner that the person*  
49 *supervising or providing the instruction and the student receiving the instruction*  
50 *are separated geographically.*

1       **Sec. 52.** NRS 644A.750 is hereby amended to read as follows:

2       644A.750 No school of cosmetology *or student of cosmetology* may  
3       advertise student work to the public for pay through any medium, including radio,  
4       unless the work advertised is ~~expressly~~:

5       1. *Expressly* designated as student's work ~~[-];~~

6       2. *Performed within the school of cosmetology; and*

7       3. *Performed under the supervision of a licensed instructor of the school of*  
8       *cosmetology.*

9       **Sec. 53.** NRS 644A.800 is hereby amended to read as follows:

10       644A.800 1. Except as otherwise provided in subsection 2, an advertisement  
11       for services relating to the practice of cosmetology must list:

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

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

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

21       **Sec. 54.** NRS 644A.850 is hereby amended to read as follows:

22       644A.850 1. The following are grounds for disciplinary action by the  
23       Board:

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

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

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

36       (d) Gross malpractice.

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

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

42       (g) Advertising in violation of any of the provisions of NRS 644A.800 or  
43       644A.935.

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

46       (i) Failure to display the license or certificate of registration or a duplicate of  
47       the license or certificate of registration as provided in NRS 644A.530, 644A.535,  
48       644A.615 ~~[-644A.665]~~ and 644A.710.

49       (j) Failure to display the sign as provided in paragraph (b) of subsection 1 of  
50       NRS 644A.615.

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

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

3 (m) Engaging in prostitution or solicitation for prostitution in violation of NRS  
4 201.353 or 201.354 by the owner of a cosmetological establishment [~~an~~  
5 ~~establishment for hair braiding~~] or a facility in which threading is conducted, a  
6 licensee or a holder of a certificate of registration.

7 (n) Failure to comply with the provisions of NRS 454.217 or 629.086.

8 (o) Any other unfair or unjust practice, method or dealing which, in the  
9 judgment of the Board, may justify such action.

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

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

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

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

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

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

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

20 **Sec. 55.** NRS 644A.855 is hereby amended to read as follows:

21 644A.855 1. If the holder of a license or certificate of registration to operate  
22 a cosmetological establishment [~~an establishment for hair braiding~~] or a facility in  
23 which threading is conducted or any other licensee or a holder of a certificate of  
24 registration issued pursuant to this chapter is charged with or cited for prostitution  
25 in violation of NRS 201.353 or 201.354 or any other sexual offense, the appropriate  
26 law enforcement agency shall report the charge or citation to the Executive Director  
27 of the Board. Upon receiving such a report, the Executive Director shall  
28 immediately forward the report to the Board or the Chair of the Board. The Board  
29 must meet as soon as practicable to consider the report. If the Board finds that the  
30 health, safety or welfare of the public imperatively require emergency action and  
31 issues a cease and desist order, the Executive Director shall immediately send the  
32 cease and desist order by certified mail to the licensee or holder of the certificate of  
33 registration. The temporary suspension of the license or certificate of registration is  
34 effective immediately after the licensee or holder of the certificate of registration  
35 receives notice of the cease and desist order and must not exceed 15 business days.  
36 The licensee or holder of the certificate of registration may file a written request for  
37 a hearing to challenge the necessity of the temporary suspension. The written  
38 request must be filed not later than 10 business days after the date on which the  
39 Executive Director mails the cease and desist order. If the licensee or holder of the  
40 certificate of registration:

41 (a) Files a timely written request for a hearing, the Board shall extend the  
42 temporary suspension until a hearing is held. The Board shall hold a hearing and  
43 render a final decision regarding the necessity of the temporary suspension as  
44 promptly as is practicable but not later than 15 business days after the date on  
45 which the Board receives the written request. After holding such a hearing, the  
46 Board may extend the period of the temporary suspension if the Board finds, for  
47 good cause shown, that such action is necessary to protect the health, safety or  
48 welfare of the public pending proceedings for disciplinary action.

49 (b) Does not file a timely written request for a hearing and the Board wants to  
50 consider extending the period of the temporary suspension, the Board shall  
51 schedule a hearing and notify the licensee or holder of the certificate of registration  
52 immediately by certified mail of the date of the hearing. The hearing must be held  
53 and a final decision rendered regarding whether to extend the period of the

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

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

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

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

12 **Sec. 56.** NRS 644A.870 is hereby amended to read as follows:

13 644A.870 1. Except as otherwise provided in this section and NRS  
14 239.0115, a complaint filed with the Board, all documents and other information  
15 filed with the complaint and all documents and other information compiled as a  
16 result of an investigation conducted to determine whether to initiate disciplinary  
17 action against a person are confidential . ~~[unless the person submits a written~~  
18 ~~statement to the Board requesting that such documents and information be made~~  
19 ~~public records.]~~

20 2. The charging document filed with the Board to initiate disciplinary action  
21 pursuant to chapter 622A of NRS and all documents and information considered by  
22 the Board when determining whether to impose discipline are public records.

23 3. The Board shall, to the extent feasible, communicate or cooperate with or  
24 provide any documents or other information to any other licensing board or any  
25 other agency that is investigating a person, including, without limitation, a law  
26 enforcement agency.

27 **Sec. 57.** NRS 644A.900 is hereby amended to read as follows:

28 644A.900 1. It is unlawful for any person to conduct or operate a  
29 cosmetological establishment, ~~[an establishment for hair braiding,]~~ a school of  
30 cosmetology or any other place of business in which any one or any combination of  
31 the occupations of cosmetology are taught or practiced unless the person is licensed  
32 in accordance with the provisions of this chapter.

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

37 3. This chapter does not prohibit:

38 (a) Any student in any school of cosmetology established pursuant to the  
39 provisions of this chapter from engaging, in the school and as a student, in work  
40 connected with any branch or any combination of branches of cosmetology in the  
41 school.

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

44 (c) A person issued a provisional license as an instructor pursuant to NRS  
45 644A.415 from acting as an instructor and accepting compensation therefor while  
46 accumulating the hours of training as a teacher required for an instructor's license.

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

51 (e) A registered cosmetologist's apprentice from engaging in the practice of  
52 cosmetology under the immediate supervision of a licensed cosmetologist ~~[ ]~~ *who is*  
53 *approved to supervise the apprentice.*

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

4 (g) A registered esthetician's apprentice from engaging in the practice of  
5 esthetics under the immediate supervision of a licensed esthetician or licensed  
6 cosmetologist ~~[-]~~ *who is approved to supervise the apprentice.*

7 (h) A registered hair designer's apprentice from engaging in the practice of hair  
8 design under the immediate supervision of a licensed hair designer or licensed  
9 cosmetologist ~~[-]~~ *who is approved to supervise the apprentice.*

10 (i) A registered nail technologist's apprentice from engaging in the practice of  
11 nail technology under the immediate supervision of a licensed nail technologist or  
12 licensed cosmetologist ~~[-]~~ *who is approved to supervise the apprentice.*

13 (j) A makeup artist registered pursuant to NRS 644A.395 from engaging in the  
14 practice of makeup artistry for compensation or otherwise in a licensed  
15 cosmetological establishment.

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

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

26 **Sec. 58.** NRS 644A.925 is hereby amended to read as follows:

27 644A.925 Nothing in this chapter ~~[-]~~ *permits:*

28 1. ~~[-]~~ *Authorizes the use of any X-ray machine in the treatment of the scalp or in*  
29 *the removal of superfluous hair; or*

30 ~~[-]~~ *2. Permits the* **The** *local application of* ~~[-]~~ *carbolic acid or corrosive sublimes*  
31 *or their derivatives or compounds, salicylic acid, resorcinol, or* ~~[-]~~ *any* ~~[-]~~ *other*  
32 *corrosive* ~~[-]~~ *substance for the purpose of peeling skin* ~~[-]~~ *Any that is not intended for*  
33 *use by:*

34 (a) *A cosmetologist or esthetician for the purposes of peeling skin at or above*  
35 *the stratum corneum; or*

36 (b) *An advanced esthetician for the purposes of performing a medium-depth*  
37 *chemical peel; or*

38 2. *The* **The** *implantation of permanent pigment into the skin* ~~[-]~~ *is prohibited.*

39 ~~[-]~~ *A violation of the provisions of this section constitutes a misdemeanor.*

40 **Sec. 59.** NRS 644A.930 is hereby amended to read as follows:

41 644A.930 1. It is unlawful for a person to alter a license or certificate of  
42 registration issued pursuant to this chapter.

43 2. It is unlawful for a person to reproduce mechanically or otherwise  
44 duplicate a license or certificate of registration issued pursuant to this chapter for  
45 purposes of fraud, deception, misrepresentation or other illegal purposes. A person  
46 may duplicate a license or certificate of registration issued pursuant to this chapter  
47 for a lawful purpose, including, without limitation, for purposes of displaying a  
48 duplicate license or certificate of registration pursuant to NRS 644A.530,  
49 644A.535, 644A.615 ~~[-]~~ *644A.665* or 644A.710.

50 **Sec. 60.** NRS 644A.935 is hereby amended to read as follows:

51 644A.935 With regard to advertising relating to the education, licensing,  
52 registration or practice of cosmetology or threading:

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

4 2. An advertisement must not state or imply favorable consideration by the  
5 Board except that an advertisement may state that a cosmetological establishment,  
6 ~~establishment for hair braiding,~~ school of cosmetology, licensee or registrant is  
7 licensed or registered by the Board.

8 **Sec. 61.** NRS 644A.940 is hereby amended to read as follows:

9 644A.940 1. Except as otherwise provided in subsection 2, it is unlawful for  
10 any animal to be on the premises of a licensed ~~establishment for hair braiding or~~  
11 cosmetological establishment.

12 2. The provisions of subsection 1 do not apply to:

13 (a) An aquarium maintained on the premises of a licensed ~~establishment for~~  
14 ~~hair braiding or~~ cosmetological establishment; or

15 (b) A service animal or service animal in training.

16 3. As used in this section:

17 (a) "Service animal" includes only a dog that has been trained and meets the  
18 qualifications set forth in 28 C.F.R. § 36.104, and a miniature horse that has been  
19 trained and meets the qualifications set forth in 28 C.F.R. § 36.302.

20 (b) "Service animal in training" includes only a dog or miniature horse that is  
21 being trained for the purposes of 28 C.F.R. § 36.104 or 36.302, as applicable.

22 **Sec. 62.** NRS 644A.955 is hereby amended to read as follows:

23 644A.955 1. In addition to any other penalty ~~;~~

24 ~~—(a) The,~~ *the* Board may issue a citation to ~~it~~ :

25 (a) A person who violates the provisions of NRS 644A.900.

26 (b) *A licensee or registrant who violates the provisions of NRS 644A.850.*

27 2. A citation issued pursuant to ~~this paragraph~~ *subsection 1* must be in  
28 writing and describe with particularity the nature of the violation. The citation also  
29 must inform the person of the provisions of ~~subsection 2,~~ *section 4 of this act*. A  
30 separate citation must be issued for each violation. ~~If appropriate, the~~ *The* citation  
31 may ~~contain an~~ *include, without limitation:*

32 (a) *An order to cease and desist ~~it~~, if appropriate; and*

33 (b) ~~Upon finding that a person has violated~~ *An order to pay an*  
34 *administrative fine for each violation.*

35 3. *If the citation is issued to a licensee or registrant and includes an order*  
36 *to pay an administrative fine for one or more violations of the provisions of NRS*  
37 *644A.850, the amount of the administrative fine must not exceed the maximum*  
38 *amount authorized by NRS 644A.850.*

39 4. *If the citation is issued to a person and includes an order to pay an*  
40 *administrative fine for one or more violations of the provisions of NRS 644A.900,*  
41 ~~the Board shall assess an administrative fine of;~~ *amount of the administrative*  
42 *fine must be:*

43 (1) For ~~the~~ *a* first violation, \$1,000.

44 (2) For ~~the~~ *a* second violation, \$1,500.

45 (3) For ~~the~~ *a* third or subsequent violation, \$2,000.

46 ~~2. To appeal a finding of a violation of NRS 644A.900, the person must~~  
47 ~~request a hearing by written notice of appeal to]~~

48 5. *The provisions of this section and section 4 of this act do not apply to the*  
49 *issuance of a citation by any inspector of the Board ~~within 30 days after the date~~*  
50 ~~on which the~~ *pursuant to subsection 3 of NRS 644A.865 and do not limit the*  
51 *authority of an inspector of the Board to issue such a citation. ~~is issued.~~*

52 **Sec. 63.** A person who, on October 1, 2023, is the holder of a valid license to  
53 operate an establishment for hair braiding issued pursuant to NRS 644A.650 and

1 who is otherwise qualified to hold such a license on that date shall be deemed to  
2 hold a license to operate a cosmetological establishment issued pursuant to NRS  
3 644A.600, as amended by section 46 of this act.

4 **Sec. 64.** NRS 644A.045, 644A.060, 644A.365, 644A.385, 644A.390,  
5 644A.423, 644A.425, 644A.430, 644A.650, 644A.655, 644A.660, 644A.665,  
6 644A.670, 644A.675, 644A.680 and 644A.720 are hereby repealed.

7 **Sec. 65.** 1. This section becomes effective upon passage and approval.

8 2. Sections 1 to 64, inclusive, of this act become effective:

9 (a) Upon passage and approval for the purpose of adopting regulations and  
10 performing any other preparatory administrative tasks that are necessary to carry  
11 out the provisions of this act; and

12 (b) On October 1, 2023, for all other purposes.

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### LEADLINES OF REPEALED SECTIONS

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**644A.045** “Demonstrator of cosmetics” defined.

**644A.060** “Establishment for hair braiding” defined.

**644A.365** Qualifications for examination for person who has practiced  
hair braiding in another state.

**644A.385** Qualifications for examination.

**644A.390** Scope of examination.

**644A.423** Instructors of advanced estheticians: Qualifications for  
examination for license; continuing education.

**644A.425** Instructors of estheticians: Qualifications for examination for  
license; continuing education.

**644A.430** Instructors in nail technology: Qualifications for examination  
for license; continuing education.

**644A.650** Application for license; verbal review; issuance and activation  
of license; on-site inspection; fees.

**644A.655** Notice of change of ownership, name, services offered or  
location; new license required for operation after change; approval of changes  
in physical structure of establishment by Board.

**644A.660** Expiration of license; effect of failure to timely pay renewal fee.

**644A.665** Display of license.

**644A.670** Practice of hair braiding by certain licensees.

**644A.675** Supervision by licensed person.

**644A.680** Food and beverage sales.

**644A.720** Surety bonds; payment plans; regulations.