

REQUIRES TWO-THIRDS MAJORITY VOTE

(§§ 37, 39, 41, 42)

(Reprinted with amendments adopted on April 17, 2023)

FIRST REPRINT

S.B. 249

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.



* S B 2 4 9 R 1 *

Legislative Counsel's Digest:

1 Existing law provides for the licensure and regulation by the State Board of
2 Cosmetology of persons engaged in various branches of cosmetology and makeup
3 artistry, cosmetological establishments and schools of cosmetology. (Chapter 644A
4 of NRS)

5 Existing law exempts, with certain exceptions, persons authorized to practice
6 medicine, commissioned medical officers of the United States Army, Navy or
7 Marine Hospital Service and various other persons from the provisions of existing
8 law governing cosmetology. (NRS 644A.150) **Section 14** of this bill additionally
9 exempts, with certain exceptions, persons authorized to practice nursing and certain
10 additional members of the Armed Forces of the United States.

11 Existing law authorizes the Board to issue a citation to a: (1) licensee or
12 registrant for certain violations relating to health or sanitation; and (2) person for
13 certain unlicensed activities. (NRS 644A.865, 644A.955) **Section 62** of this bill
14 additionally authorizes the Board to issue a citation to a licensee or registrant for
15 certain additional violations. **Section 4** of this bill sets forth a process by which a
16 person may contest certain citations. **Section 5** of this bill authorizes the Board to
17 take appropriate legal action to recover the amount of a fine imposed by the Board.

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

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

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

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

53 Existing law prohibits a provider of health care from using space leased in a
54 cosmetological establishment to provide health care services at the same time a



55 cosmetologist uses that space to engage in the practice of cosmetology. (NRS
56 644A.615) **Section 48** of this bill provides an exemption from that prohibition to
57 authorize a physician, a physician assistant or an advanced practice registered nurse
58 to use such a leased space to provide health care services associated with the
59 supervision of an advanced esthetician.

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

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

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

75 Existing law requires a makeup artist to register with the Board and provides
76 that such a registration expires on January 1 of each year. (NRS 644A.395) **Section**
77 **12** of this bill revises the definition of "makeup artistry" to authorize a makeup
78 artist to apply strip eyelashes. (NRS 644A.105) **Section 31** of this bill: (1) revises
79 the information that a person must submit to the Board to register as a makeup
80 artist; and (2) provides that a certificate of registration as a makeup artist is valid
81 for 1 year after the date of issuance.

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

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



110 **Sections 37, 39 and 42** of this bill revise the amount of fees charged to an
111 applicant for examination for licensure as a hair braider and for the issuance and
112 renewal of such a license. **Section 41** of this bill authorizes the Board to defer the
113 expiration of certain licenses or certificates of registration for a person who submits
114 a request and pays a fee.

115 Existing law requires a person who holds a license or certificate of registration
116 to practice any branch of cosmetology to display the license or certificate or a
117 duplicate of the license or certificate at the position where the holder of the license
118 or certificate performs his or her work. (NRS 644A.530) **Section 44** of this bill
119 requires such a person to display the license or certificate or a duplicate of the
120 license or certificate at each workstation where he or she performs his or her work
121 on the public.

122 Existing law establishes requirements for the licensure and operation of a
123 cosmetological establishment or a school of cosmetology. (NRS 644A.600-
124 644A.630, 644A.700-644A.755) **Section 46** of this bill revises procedures for the
125 issuance of a license for a cosmetological establishment. **Sections 51 and 52** of this
126 bill revise requirements for the: (1) supervision by a licensed instructor of a school
127 of cosmetology; (2) attendance of a student for instruction in theory; and (3)
128 advertisement of student work to the public. **Section 57** of this bill revises the
129 circumstances under which certain apprentices may engage in certain practices at a
130 cosmetological establishment. **Section 50** of this bill requires a cosmetological
131 establishment to display a sign under certain circumstances indicating when no
132 cosmetological services will be provided.

133 Existing law requires a person who engages in the practice of threading or the
134 owner or operator of certain facilities in which a person engages in the practice of
135 threading to register with the Board. (NRS 644A.550) **Sections 17 and 45** of this
136 bill: (1) require the Board to keep certain records relating to a person who engages
137 in the practice of threading; (2) provide that a certificate of registration to engage in
138 the practice of threading expires 1 year after issuance; and (3) authorize a licensed
139 cosmetologist or esthetician to engage in the practice of threading without
140 registering with the Board.

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

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

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



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
3 thereto the provisions set forth as sections 3, 4 and 5 of this act.

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

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

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

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

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

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

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

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

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

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

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

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

37 644A.010 As used in this chapter, unless the context otherwise
38 requires, the words and terms defined in NRS 644A.011 to
39 644A.140, inclusive, *and section 3 of this act* have the meanings
40 ascribed to them in those sections.



1 **Sec. 7.** NRS 644A.012 is hereby amended to read as follows:
2 644A.012 “Advanced esthetic procedure” means any of the
3 following procedures performed for esthetic purposes and not for
4 the treatment of a medical, physical or mental ailment:

- 5 1. ~~Exfoliation;~~
6 ~~2. Microdermabrasion and related services;~~
7 ~~3.] Microneedling;~~
8 ~~4. Dermaplaning;~~
9 ~~5. Extraction;~~
10 ~~6. Hydrotherapy;~~
11 ~~7.] 2. *Medium-depth chemical peel;*~~

12 3. A nonablative esthetic medical procedure; or
13 ~~8.] 4. Other similar esthetic preparations or procedures with~~
14 the use of the hands or a mechanical or electronic apparatus.

15 **Sec. 8.** NRS 644A.030 is hereby amended to read as follows:
16 644A.030 1. “Cosmetologist” means a person who engages
17 in the practices of:

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

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

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

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

32 (e) Manicuring the nails of any person.

33 (f) Beautifying, massaging, stimulating or cleansing the skin of
34 the human body by the use of cosmetic preparations, antiseptics,
35 tonics, lotions, creams or any device ~~[, electrical or otherwise,]~~
36 for the care of the skin ~~[.]~~ *that is noninvasive and is not an esthetic*
37 *medical device or otherwise prohibited by the Board.*

38 (g) Giving facials or skin care or applying cosmetics or
39 eyelashes to any person.

40

(h) Performing any of the following procedures for esthetic

41 *purposes and not for the treatment of a medical, physical or*
42 *mental ailment:*

43 (1) *Extraction;*

44 (2) *Hydrotherapy; or*



1 (3) *Exfoliation which does not remove any skin below the*
2 *stratum corneum, including, without limitation, by the use of*
3 *manual exfoliation, microdermabrasion or dermaplaning.*

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

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

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

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

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

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

22 644A.075 ~~[-]~~ “Esthetics” means the practices of:

23 ~~[(a)]~~ 1. Beautifying, massaging, cleansing or stimulating the
24 skin of the human body by the use of cosmetic preparations,
25 antiseptics, tonics, lotions or creams, or any device ~~[, electrical or~~
26 ~~otherwise,]~~ for the care of the skin ~~[-];~~

27 ~~—(b)]~~ *that is noninvasive and is not an esthetic medical device or*
28 *otherwise prohibited by the Board;*

29 2. Applying cosmetics, eyelash extensions or eyelashes to any
30 person, tinting eyelashes and eyebrows, eyelash perming and
31 lightening hair on the body; ~~[and~~

32 ~~—(c)]~~ 3. Removing superfluous hair from the body of any person
33 by the use of depilatories, waxing, tweezers or sugaring ~~[-]; and~~

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

37 (a) *Extraction;*

38 (b) *Hydrotherapy; or*

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

42 ↪ but does not include the branches of cosmetology of a
43 cosmetologist, *advanced esthetician*, hair designer, shampoo
44 technologist, hair braider, electrologist or nail technologist.



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

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

4 644A.110 1. “Makeup artistry” means the practice of
5 applying makeup , *strip eyelashes* or prosthetics for:

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

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

9 (c) Weddings.

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

12 (a) Licensed cosmetological establishments; and

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

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

17 644A.127 “Nonablative esthetic medical procedure” means an
18 esthetic medical procedure that is not expected to excise, vaporize,
19 disintegrate or remove living tissue ~~[]~~ , *and which the Board has,*
20 *by regulation, authorized to be performed by an advanced*
21 *esthetician.*

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

23 644A.150 1. The following persons are exempt from the
24 provisions of this chapter:

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

28 (b) Commissioned medical officers of the *Armed Forces of the*
29 *United States* ~~[Army, Navy, or Marine Hospital Service]~~ when
30 engaged in the actual performance of their official duties, and
31 attendants attached to ~~[those services.]~~ *a unit in a branch of the*
32 *Armed Forces of the United States that provides medical services.*

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

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

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

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

44 (1) The demonstration is without charge to the person to
45 whom the demonstration is given; and



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

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

9 2. Any school of cosmetology conducted as part of the
10 vocational rehabilitation training program of the Department of
11 Corrections or the Caliente Youth Center:

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

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

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

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

20 644A.230 The *Executive Director of the Board*:

21 1. Shall prescribe the duties of ~~its~~ *the* officers, examiners and
22 employees ~~of the Board~~, and fix the compensation of those
23 employees.

24 2. May, *with the approval of the Board*, establish offices in as
25 many ~~localities~~ *locations* in the State as ~~it~~ *the Executive*
26 *Director* finds necessary to carry out the provisions of this chapter.

27 ~~[All records and files of the Board must be kept at the main office of~~
28 ~~the Board and, except as otherwise provided in NRS 644A.870, be~~
29 ~~open to public inspection at all reasonable hours.]~~

30 3. May adopt a seal.

31 4. May issue subpoenas to compel the attendance of witnesses
32 and the production of books and papers.

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

34 644A.250 The Board shall:

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

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

40 3. Issue certificates of registration to such applicants as may be
41 entitled thereto.

42 4. License ~~establishments for hair braiding,~~ cosmetological
43 establishments and schools of cosmetology.

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



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

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

8 644A.260 1. The Board shall keep a record containing the
9 name, known place or places of business, electronic mail address,
10 personal mailing address, telephone number and the date and
11 number of the license or certificate of registration, as applicable, of
12 every nail technologist, electrologist, esthetician, advanced
13 esthetician, hair designer, shampoo technologist, hair braider,
14 ~~demonstrator of cosmetics,~~ *person engaged in the practice of*
15 *threading registered pursuant to NRS 644A.550,* makeup artist
16 registered pursuant to NRS 644A.395 and cosmetologist, together
17 with the names and addresses of all ~~establishments for hair~~
18 ~~braiding,~~ cosmetological establishments and schools of
19 cosmetology licensed pursuant to this chapter. The record must also
20 contain the facts which the applicants claimed in their applications
21 to justify their licensure or registration.

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

24 (a) Any other licensing board or agency that is investigating a
25 licensee or registrant.

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

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

30 644A.275 The Board shall adopt reasonable regulations:

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

32 2. For conducting examinations of applicants for licenses and
33 certificates of registration.

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

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

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

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



1 (c) Providing for lunch and coffee recesses for students during
2 school hours; and

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

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

7 6. For governing the conduct of cosmetological establishments.

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

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

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

19 644A.280 1. The Board may adopt such regulations
20 governing sanitary conditions as it deems necessary with particular
21 reference to the precautions to be employed to prevent the creating
22 or spreading of infectious or contagious diseases in the practice
23 of hair braiding, ~~[in establishments for hair braiding,]~~ in the practice
24 of a cosmetologist, in cosmetological establishments or schools of
25 cosmetology, in the practice of threading and in any facility in this
26 State in which threading is conducted.

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

30 3. A copy of all regulations governing sanitary conditions
31 which are adopted must be furnished to each person to whom a
32 license is issued for the conduct of a cosmetological establishment,
33 ~~[establishment for hair braiding,]~~ school of cosmetology, practice of
34 cosmetology or facility in this State in which threading is 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
37 as a cosmetologist any person who has made application to the
38 Board in proper form and paid the fee, and who before or on the
39 date of the examination:

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

41 2. Is of good moral character.

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

45 4. Has had any one of the following:



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

4 (b) Practice of the occupation of a cosmetologist for a period of
5 *at least 4 years outside this State [-], including, without limitation,*
6 *in any other state, territory or country, which has been*
7 *documented and which the Board or its designee deems*
8 *acceptable.*

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

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

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

18 644A.305 Examinations for licensure as a cosmetologist may
19 include:

20 1. Practical demonstrations in shampooing the hair,
21 hairdressing, styling of hair, finger waving, coloring of hair, nail
22 technology, cosmetics, thermal curling, marcelling, facial massage,
23 massage of the scalp with the hands, *procedures involving the*
24 *application of chemicals to hair*, and cutting, trimming or shaping
25 hair;

26 2. Written or oral tests on:

27 (a) Antisepsis, sterilization and sanitation;

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

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

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

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

35 644A.315 The Board shall admit to examination for a license
36 as a hair designer each person who has applied to the Board in
37 proper form and paid the fee, and who:

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

39 2. Is of good moral character.

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

43 4. Satisfies at least one of the following:

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



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

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

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

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

15 644A.320 The examination for licensure as a hair designer may
16 include:

17 1. Practical demonstrations in shampooing the hair,
18 hairdressing, styling of hair, finger waving, coloring of hair, thermal
19 curling, marcelling, massage of the scalp with the hands, *procedures*
20 *involving the application of chemicals to hair*, and cutting,
21 trimming or shaping the hair;

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

23 (a) Antisepsis, sterilization and sanitation;

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

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

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

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

31 644A.328 The Board shall admit to examination for a license
32 as an advanced esthetician any person who has made the application
33 to the Board in proper form, paid the fee and:

34 1. Is at least 18 years of age;

35 2. Is of good moral character;

36 3. Has successfully completed the 10th grade in school or its
37 equivalent; and

38 4. Satisfies at least one of the following:

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

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



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

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

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

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

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

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

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

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

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

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

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

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

(c) At least 1,200 hours of service as a nail technologist's apprentice in a licensed cosmetological establishment in which nail



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

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

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

10 ~~[(a)]~~ **1.** Is not less than 18 years of age.

11 ~~[(b)]~~ **2.** Is of good moral character.

12 ~~[(c)]~~ **3.** Has successfully completed the 10th grade in school or
13 its equivalent. Testing for equivalency must be pursuant to state or
14 federal requirements.

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

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

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

20 ~~— (II) Seventy five hours concerning infection control and~~
21 ~~prevention and sanitation;~~

22 ~~— (III) Seventy five hours regarding the health of the scalp~~
23 ~~and the skin of the human body; and~~

24 ~~— (IV) Fifty hours of clinical practice; and~~

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

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

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

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

35 ~~— 2. The application submitted pursuant to subsection 1 must be~~
36 ~~accompanied by:~~

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

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

42 ~~— (1) A driver's license, identification card or permanent~~
43 ~~resident card issued to the applicant by this State or another state,~~
44 ~~the District of Columbia, the United States or any territory of the~~
45 ~~United States or a tribal identification card issued by a tribal~~



1 ~~government which satisfies the requirements of subsection 3 of~~
2 ~~NRS 232.006;~~

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

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

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

6 644A.370 ~~[1.]~~ The examination for licensure as a hair braider
7 pursuant to ~~[paragraph (d) of subsection 1 of]~~ NRS ~~[644A.365 must]~~
8 ~~644A.360 may~~ include:

9 ~~[(a)]~~ 1. A written test on antiseptis, sterilization and sanitation;

10 ~~[(b)]~~ 2. A written test on the laws of Nevada and the
11 regulations of the Board relating to cosmetology; ~~and~~

12 ~~— (e)]~~ 3. *A practical demonstration in hair braiding; and*

13 4. Such other tests or examinations as the Board deems
14 necessary.

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

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

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

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

22 644A.375 1. The Board shall admit to examination for a
23 certificate of registration as a shampoo technologist, any person who
24 has applied to the Board in proper form and paid the fee, and who:

25 (a) Is not less than 16 years of age.

26 (b) Is of good moral character.

27 (c) Has successfully completed the 10th grade in school or its
28 equivalent.

29 (d) Satisfies at least one of the following:

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

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

35 *or*

36 (3) Training of at least 50 hours which is administered online
37 by the Board in a curriculum prescribed by the Board by regulation .

38 ~~}; or~~

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

41 2. The Board may charge a fee of not more than \$50 to
42 administer the training described in subparagraph (3) of paragraph
43 (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)} (1)~~ 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.

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

(a) Is 18 years of age or older;

(b) Is of good moral character; and

(c) Has completed at least 2 years of high school.



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

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

4 644A.400 The Board shall admit to examination for a license
5 as an electrologist any person who has made application to the
6 Board in the proper form and paid the fee, and who before or on the
7 date set for the examination:

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

9 2. Is of good moral character.

10 3. Has successfully completed the 12th grade in school or its
11 equivalent.

12 4. Has or has completed any one of the following:

13 (a) A minimum training of 500 hours under the immediate
14 supervision of an approved electrologist in an approved school in
15 which the practice is taught.

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

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

23 (d) Either training or practice, or a combination of training and
24 practice, in electrology outside this State for a period specified by
25 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
28 instructor to a person who:

29 (a) Has successfully completed the 12th grade in school or its
30 equivalent;

31 (b) Has practiced as a full-time licensed cosmetologist, hair
32 designer, ~~{hair braider,}~~ esthetician, advanced esthetician or nail
33 technologist for 1 year and submits written verification of his or her
34 experience;

35 (c) Is licensed pursuant to this chapter;

36 (d) Applies for a provisional license on a form supplied by the
37 Board;

38 (e) Submits ~~{two}~~ a current ~~{photographs}~~ *photograph* of
39 himself or herself; and

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

41 2. The Board shall establish and collect a fee of not less than
42 \$40 and not more than \$75 for the issuance of a provisional license
43 as an instructor.



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

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

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

12 644A.420 1. The Board shall admit to examination for a
13 license as an instructor of cosmetology , *hair design, esthetics,*
14 *advanced esthetics or nail technology* any person who has applied
15 to the Board in proper form, paid the fee and:

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

17 (b) Is of good moral character;

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

20 (d) Has received a minimum of 700 hours of training as a
21 student instructor or 500 hours of training as an instructor or as a
22 licensed provisional instructor in a licensed school of cosmetology;

23 ~~and~~

24 (e) Is licensed as a cosmetologist , *hair designer, esthetician,*
25 *advanced esthetician or nail technologist* pursuant to this chapter

26 ~~;~~ *and*

27 (f) *If the applicant is licensed as a hair designer, esthetician,*
28 *advanced esthetician or nail technologist, has practiced as a full-*
29 *time licensed hair designer, esthetician, advanced esthetician or*
30 *nail designer, as applicable, or as a licensed student instructor.*

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

33 3. An instructor of cosmetology , *hair design, esthetics,*
34 *advanced esthetics or nail technology* shall complete at least the
35 number of hours of continuing education required, at the time the
36 hours of continuing education are completed, for instructors of
37 schools of cosmetology accredited by the National Accrediting
38 Commission of Career Arts & Sciences or its successor
39 organization. The hours of continuing education must be obtained in
40 courses approved by the Board during each 2-year period of his or
41 her license.

42 4. *An instructor of cosmetology, hair design, esthetics,*
43 *advanced esthetics or nail technology may only provide instruction*
44 *on subject matter that is within the scope of his or her license as a*



1 *cosmetologist, hair designer, esthetician, advanced esthetician or*
2 *nail technologist.*

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

4 644A.450 1. An application for admission to examination or
5 for a license in any branch of cosmetology, or for a certificate of
6 registration as a shampoo technologist, esthetician's apprentice,
7 cosmetologist's apprentice, hair designer's apprentice or nail
8 technologist's apprentice must be made in writing on forms
9 furnished by the Board and must be submitted within the period
10 designated by the Board. The Board shall charge a *nonrefundable*
11 fee of \$15 for furnishing the forms.

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

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

17 644A.460 ~~[Except as otherwise provided in NRS 644A.365,~~
18 ~~upon]~~ *Upon* application to the Board, accompanied by a fee of \$200,
19 a person currently licensed in any branch of cosmetology under the
20 laws of another state or territory of the United States or the District
21 of Columbia may, without examination, unless the Board sees fit to
22 require an examination, be granted a license to practice the
23 occupation in which the applicant was previously licensed upon
24 proof satisfactory to the Board that the applicant:

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

26 2. Is of good moral character.

27 3. Is currently licensed in another state or territory or the
28 District of Columbia.

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

30 644A.470 1. In addition to the fee for an application, the fees
31 for examination are:

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

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

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

38 (d) For examination as a shampoo technologist, not less than
39 \$50 and not more than \$100.

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

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

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



1 (h) For examination as an advanced esthetician, not less than
2 \$75 and not more than \$200.

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

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

9 3. ~~[In addition to the fee for an application, the fee for~~
10 ~~examination or reexamination as a demonstrator of cosmetics is \$75.~~
11 ~~—4.]~~ Each applicant referred to in ~~[subsections]~~ *subsection 1*
12 ~~[and 3]~~ shall, in addition to the fees specified therein, pay the
13 reasonable value of all supplies necessary to be used in the
14 examination.

15 **Sec. 38.** NRS 644A.480 is hereby amended to read as follows:
16 644A.480 1. The Board:

17 (a) Shall provide examinations for licensure or registration as a
18 cosmetologist, esthetician, advanced esthetician, hair designer,
19 shampoo technologist, hair braider ~~[,]~~ *or* nail technologist ~~[or~~
20 ~~demonstrator of cosmetics]~~ in English and, upon the request of an
21 applicant for licensure or registration as a cosmetologist, esthetician,
22 advanced esthetician, hair designer, shampoo technologist, hair
23 braider ~~[,]~~ *or* nail technologist , ~~[or demonstrator of cosmetics,]~~ in
24 Spanish; and

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

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

38 3. The Board shall impose a fee upon the applicants who file
39 requests for an examination for licensure or registration as a
40 cosmetologist, esthetician, advanced esthetician, hair designer,
41 shampoo technologist, hair braider ~~[,]~~ *or* nail technologist ~~[or~~
42 ~~demonstrator of cosmetics]~~ to be translated into a language other
43 than English or Spanish. The fee must be sufficient to ensure that
44 the applicants bear the full cost for the development, preparation,
45 administration, grading and evaluation of the translated



1 examination. The fee is in addition to all other fees that must be paid
2 by applicants for the examination for licensure or registration as a
3 cosmetologist, esthetician, advanced esthetician, hair designer,
4 shampoo technologist, hair braider ~~[;]~~ *or* nail technologist . ~~for~~
5 ~~demonstrator of cosmetics.]~~

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

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

15 644A.490 1. The Board shall issue a license or certificate of
16 registration, as applicable, as a cosmetologist, esthetician, advanced
17 esthetician, electrologist, hair designer, shampoo technologist, hair
18 braider, nail technologist ~~[, demonstrator of cosmetics]~~ or instructor
19 to each applicant who:

20 (a) Except as otherwise provided in NRS ~~[644A.380 and]~~
21 644A.455, passes a satisfactory examination, conducted by the
22 Board to determine his or her fitness to practice that occupation of
23 cosmetology; ~~[and]~~

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

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

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

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

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

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

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

37 ~~— (1) For 2 years, \$70.~~

38 ~~— (2) For 4 years, \$140.~~

39 ~~— (c)]~~ For instructors:

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

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

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

43 644A.510 Every licensed or registered nail technologist,
44 electrologist, esthetician, advanced esthetician, hair designer,
45 shampoo technologist, hair braider ~~[, demonstrator of cosmetics]~~ or



1 cosmetologist shall, within 30 days after changing his or her place
2 of business or personal mailing address, as designated in the records
3 of the Board, notify the Board of the new place of business or
4 personal mailing address. Upon receipt of the notification, the Board
5 shall make the necessary change in the records.

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

7 644A.515 1. The license or certificate of registration, as
8 applicable, of every cosmetologist, esthetician, advanced
9 esthetician, electrologist, hair designer, shampoo technologist, hair
10 braider, nail technologist [~~-, demonstrator of cosmetics~~] and
11 instructor expires on either:

12 (a) The second anniversary of the birthday of the licensee or
13 holder of the certificate of registration measured, in the case of an
14 original license or certificate of registration, restored license or
15 certificate of registration, renewal of a license or certificate of
16 registration or renewal of an expired license or certificate of
17 registration, from the birthday of the licensee or holder nearest the
18 date of issuance, restoration or renewal; or

19 (b) The fourth anniversary of the birthday of the licensee or
20 holder of the certificate of registration measured, in the case of an
21 original license or certificate of registration, restored license or
22 certificate of registration, renewal of a license or certificate of
23 registration or renewal of an expired license or certificate of
24 registration from the birthday of the licensee or holder nearest the
25 date of issuance, restoration or renewal.

26 2. The Board may, by regulation, defer the expiration of a
27 license or certificate of registration, as applicable, of a person who is
28 on active duty in *any branch of* the Armed Forces of the United
29 States upon such terms and conditions as it may prescribe. The
30 Board may similarly defer the expiration of the license or certificate
31 of registration, as applicable, of the spouse or dependent child of
32 that person if the spouse or child is residing with the person.

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

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

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

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



1 **Sec. 42.** NRS 644A.520 is hereby amended to read as follows:
2 644A.520 1. An application for renewal of any license or
3 certificate of registration issued pursuant to this chapter must be:

- 4 (a) Made on a form prescribed and furnished by the Board;
5 (b) Made on or before the date for renewal specified by the
6 Board;
7 (c) Accompanied by the applicable fee for renewal; and
8 (d) Accompanied by all information required to complete the
9 renewal.

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

12 (a) For nail technologists, electrologists, estheticians, advanced
13 estheticians, hair designers, *hair braiders*, shampoo technologists ~~[-~~
14 ~~demonstrators of cosmetics]~~ and cosmetologists:

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

17 (b) ~~[-~~ ~~For hair braiders:~~

- 18 ~~[-~~ (1) ~~For 2 years, \$70-~~
19 ~~[-~~ (2) ~~For 4 years, \$140-~~

20 ~~[-~~ (c) ~~For instructors:~~

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

23 ~~[-~~ (d) (c) For cosmetological establishments:

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

26 ~~[-~~ (e) ~~For establishments for hair braiding:~~

- 27 ~~[-~~ (1) ~~For 2 years, \$70-~~
28 ~~[-~~ (2) ~~For 4 years, \$140-~~

29 ~~[-~~ (f) (d) For schools of cosmetology:

- 30 (1) For 2 years, not less than \$500 and not more than \$800.
31 (2) For 4 years, not less than \$1,000 and not more than
32 \$1,600.

33 3. For each month or fraction thereof after the date for renewal
34 specified by the Board in which a license or a certificate of
35 registration as a shampoo technologist is not renewed, there must be
36 assessed and collected at the time of renewal a penalty of \$50 for a
37 school of cosmetology and \$20 for ~~[-~~ ~~an establishment for hair~~
38 ~~braiding,]~~ a cosmetological establishment, all persons licensed
39 pursuant to this chapter and persons registered as a shampoo
40 technologist.

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



1 (a) Accompanied by ~~two~~ a current ~~photographs~~ *photograph*
2 of the applicant ; ~~which are 2 by 2 inches and have the name of the~~
3 ~~applicant written on the back of each photograph;~~ or

4 (b) If the application for the renewal of the license or certificate
5 of registration, as applicable, is made online, accompanied by a
6 current photograph of the applicant which is ~~2 by 2 inches and is~~
7 electronically attached to the application for renewal.

8 5. Before a person applies for the renewal of a license or
9 certificate of registration, as applicable, as a cosmetologist, hair
10 designer, shampoo technologist, hair braider, esthetician, advanced
11 esthetician, electrologist ~~;~~ or nail technologist , ~~for demonstrator of~~
12 ~~cosmetics;~~ the person must ~~complete~~ :

13 (a) *Complete* at least 4 hours of instruction relating to infection
14 control and prevention in a professional course or seminar approved
15 by the Board ~~;~~ ; and

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

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

19 644A.525 1. A nail technologist, electrologist, esthetician,
20 advanced esthetician, hair designer, shampoo technologist, hair
21 braider, cosmetologist ~~;~~ ~~demonstrator of cosmetics~~ or instructor
22 whose license or certificate of registration, as applicable, has
23 expired may have his or her license or certificate of registration
24 renewed only upon payment of all applicable required fees and
25 submission of all information required to complete the renewal.

26 2. Any nail technologist, electrologist, esthetician, advanced
27 esthetician, hair designer, shampoo technologist, hair braider,
28 cosmetologist ~~;~~ ~~demonstrator of cosmetics~~ or instructor who retires
29 from practice for more than 1 year may have his or her license or
30 certificate of registration, as applicable, restored only upon payment
31 of all required fees and submission of all information required to
32 complete the restoration.

33 3. No nail technologist, electrologist, esthetician, advanced
34 esthetician, hair designer, shampoo technologist, hair braider,
35 cosmetologist ~~;~~ ~~demonstrator of cosmetics~~ or instructor who has
36 retired from practice for more than 4 years may have his or her
37 license or certificate of registration, as applicable, restored without
38 examination and must comply with any additional requirements
39 established in regulations adopted by the Board.

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

41 644A.530 1. The holder of a license or certificate of
42 registration issued by the Board to practice any branch of
43 cosmetology must display his or her current license or certificate or
44 a duplicate of the license or certificate in plain view of the public at



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

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

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

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

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

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

18 2. The Board shall, during regular business hours, inspect each
19 facility in this State in which threading is conducted. ~~not later than~~
20 ~~90 days after the date on which the registration is activated.~~

21 3. The fee required by subsection 1 must be established by
22 regulation of the Board.

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

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

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

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

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

42 2. The applicant must submit the application accompanied by
43 the applicable required fees for inspection and licensing. ~~Upon~~
44 ~~receipt of the application, the~~ *Before issuing a license for a*
45 *cosmetological establishment, the* Board shall ~~contact the applicant~~



~~to arrange a date and time to~~ conduct ~~the on site~~ *an opening inspection [and] of the proposed cosmetological establishment to ensure that the minimum requirements for operating a cosmetological establishment pursuant to this chapter are met. After the Board has conducted an inspection pursuant to this subsection and determined that such minimum requirements are met, the Board or its designee shall issue [and activate] the license. [A license issued pursuant to this subsection is not valid until it is activated.]*

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

(a) For 2 years, \$200.

(b) For 4 years, \$400.

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

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

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

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

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

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

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

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

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

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

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

2. Except as otherwise provided in this section, the operator of a cosmetological establishment may lease space to or employ only licensed or registered, as applicable, nail technologists, electrologists, estheticians, advanced estheticians, hair designers, shampoo technologists, hair braiders ~~[-, demonstrators of cosmetics]~~ and cosmetologists at the establishment to provide services relating



1 to the practice of cosmetology. This subsection does not prohibit an
2 operator of a cosmetological establishment from:

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

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

13 3. The operator of a cosmetological establishment may lease
14 space at the cosmetological establishment to a provider of health
15 care for the purpose of providing health care within the scope of his
16 or her practice. ~~[The]~~ *Except as otherwise provided in subsection 4,*
17 *the* provider of health care shall not use the leased space to provide
18 such health care at the same time a cosmetologist uses that space to
19 engage in the practice of cosmetology. A provider of health care
20 who leases space at a cosmetological establishment pursuant to this
21 subsection remains under the jurisdiction of the regulatory body
22 which governs his or her business or profession and remains subject
23 to the laws and regulations of this State applicable to such business
24 or profession.

25 4. *A provider of health care who is a health care professional*
26 *may use leased space at a cosmetological establishment to provide*
27 *health care associated with the supervision of an advanced*
28 *esthetician pursuant to NRS 644A.545 at the same time as a*
29 *cosmetologist uses that space to engage in the practice of*
30 *cosmetology.*

31 5. As used in this section:

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

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

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

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

41 644A.620 Cosmetology and threading may be practiced in a
42 cosmetological establishment by licensed or registered, as
43 applicable, cosmetologists, estheticians, advanced estheticians,
44 electrologists, hair designers, shampoo technologists, hair braiders,



1 ~~{demonstrators of cosmetics,}~~ nail technologists and natural persons
2 who engage in the practice of threading, as appropriate, who are:

- 3 1. Employees of the owner of the enterprise; or
- 4 2. Lessees of space from the owner of the enterprise.

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

6 644A.625 1. A cosmetological establishment must, at all
7 times, be under the immediate supervision of a person who is
8 licensed in the branch of cosmetology or a combination of branches
9 of cosmetology of any service relating to the practice of
10 cosmetology provided at the cosmetological establishment at the
11 time the service is provided.

12 2. If the operator of a cosmetological establishment leases
13 space to a licensed or registered, as applicable, nail technologist,
14 electrologist, esthetician, advanced esthetician, hair designer,
15 shampoo technologist, hair braider ~~{, demonstrator of cosmetics}~~ or
16 cosmetologist pursuant to NRS 644A.615, the lessee must provide
17 supervision for that branch of cosmetology in the manner required
18 by subsection 1.

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

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

27 644A.740 1. A school of cosmetology must at all times be
28 under the immediate supervision of a licensed instructor . ~~{who has~~
29 ~~had practical experience in an established place of business for at~~
30 ~~least 1 year in the practice of a majority of the branches of~~
31 ~~cosmetology taught at the school of cosmetology.}~~

32 2. A school of cosmetology shall:

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

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

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



1 (d) Include in its curriculum a course of deportment consisting
2 of instruction in courtesy, neatness and professional attitude in
3 meeting the public.

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

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

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

10 *(1) Forty hours in each week; or*

11 *(2) Ten hours in any day.*

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

16 ~~—(h) either through in-person instruction or, subject to~~
17 ~~paragraph (i), through an alternative form of instruction that has~~
18 ~~been approved by the Board, including, without limitation,~~
19 ~~instruction that is provided through distance education.~~

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

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

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

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

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

37 (b) With regard to that portion of the premises where the school
38 of cosmetology offers courses included in the cosmetological
39 curriculum, the school of cosmetology continues to comply with the
40 provisions of this chapter and any regulations adopted pursuant
41 thereto.

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



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

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

7 6. A school of cosmetology is not required to maintain courses
8 of practical training and technical instruction equal to the
9 requirements for examination for a license or certificate of
10 registration in any branch of cosmetology if the school of
11 cosmetology provides its students with a disclaimer, in at least 14-
12 point bold type, indicating that completion of the instruction
13 provided at the school of cosmetology does not:

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

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

18 *7. As used in this section, "distance education" means*
19 *instruction delivered by means of video, computer, television, or*
20 *the Internet or other electronic means of communication, or any*
21 *combination thereof, in such a manner that the person supervising*
22 *or providing the instruction and the student receiving the*
23 *instruction are separated geographically.*

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

25 644A.750 No school of cosmetology *or student of*
26 *cosmetology* may advertise student work to the public for pay
27 through any medium, including radio, unless the work advertised is
28 ~~[expressly]~~ :

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

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

31 3. *Performed under the supervision of a licensed instructor of*
32 *the school of cosmetology.*

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

34 644A.800 1. Except as otherwise provided in subsection 2,
35 an advertisement for services relating to the practice of cosmetology
36 must list:

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

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

43 2. An advertisement for services relating to the practice of
44 cosmetology to be provided at a school of cosmetology must list the



1 name, as it appears on the license, and license number of the school
2 of cosmetology where the services will be provided.

3 **Sec. 54.** NRS 644A.850 is hereby amended to read as follows:
4 644A.850 1. The following are grounds for disciplinary
5 action by the Board:

6 (a) Failure of an owner of ~~[an establishment for hair braiding,]~~ a
7 cosmetological establishment, a licensed or registered, as applicable,
8 esthetician, advanced esthetician, cosmetologist, hair designer,
9 shampoo technologist, hair braider, electrologist, instructor, nail
10 technologist, ~~[demonstrator of cosmetics,]~~ makeup artist or school
11 of cosmetology to comply with the requirements of this chapter or
12 the applicable regulations adopted by the Board.

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

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

19 (d) Gross malpractice.

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

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

25 (g) Advertising in violation of any of the provisions of NRS
26 644A.800 or 644A.935.

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

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

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

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

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

40 (m) Engaging in prostitution or solicitation for prostitution in
41 violation of NRS 201.353 or 201.354 by the owner of a
42 cosmetological establishment ~~[-, an establishment for hair braiding]~~
43 or a facility in which threading is conducted, a licensee or a holder
44 of a certificate of registration.



1 (n) Failure to comply with the provisions of NRS 454.217 or
2 629.086.

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

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

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

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

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

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

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

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

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

18 644A.855 1. If the holder of a license or certificate of
19 registration to operate a cosmetological establishment [~~an~~
20 ~~establishment for hair braiding~~] or a facility in which threading is
21 conducted or any other licensee or a holder of a certificate of
22 registration issued pursuant to this chapter is charged with or cited
23 for prostitution in violation of NRS 201.353 or 201.354 or any other
24 sexual offense, the appropriate law enforcement agency shall report
25 the charge or citation to the Executive Director of the Board. Upon
26 receiving such a report, the Executive Director shall immediately
27 forward the report to the Board or the Chair of the Board. The Board
28 must meet as soon as practicable to consider the report. If the Board
29 finds that the health, safety or welfare of the public imperatively
30 require emergency action and issues a cease and desist order, the
31 Executive Director shall immediately send the cease and desist order
32 by certified mail to the licensee or holder of the certificate of
33 registration. The temporary suspension of the license or certificate
34 of registration is effective immediately after the licensee or holder
35 of the certificate of registration receives notice of the cease and
36 desist order and must not exceed 15 business days. The licensee or
37 holder of the certificate of registration may file a written request for
38 a hearing to challenge the necessity of the temporary suspension.
39 The written request must be filed not later than 10 business days
40 after the date on which the Executive Director mails the cease and
41 desist order. If the licensee or holder of the certificate of
42 registration:

43 (a) Files a timely written request for a hearing, the Board shall
44 extend the temporary suspension until a hearing is held. The Board
45 shall hold a hearing and render a final decision regarding the



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

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

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

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

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

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

30 644A.870 1. Except as otherwise provided in this section and
31 NRS 239.0115, a complaint filed with the Board, all documents and
32 other information filed with the complaint and all documents
33 and other information compiled as a result of an investigation
34 conducted to determine whether to initiate disciplinary action
35 against a person are confidential . ~~[unless the person submits a
36 written statement to the Board requesting that such documents and
37 information be made public records.]~~

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

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



1 **Sec. 57.** NRS 644A.900 is hereby amended to read as follows:
2 644A.900 1. It is unlawful for any person to conduct or
3 operate a cosmetological establishment, ~~an establishment for hair~~
4 ~~braiding,~~ a school of cosmetology or any other place of business in
5 which any one or any combination of the occupations of
6 cosmetology are taught or practiced unless the person is licensed in
7 accordance with the provisions of this chapter.

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

13 3. This chapter does not prohibit:

14 (a) Any student in any school of cosmetology established
15 pursuant to the provisions of this chapter from engaging, in the
16 school and as a student, in work connected with any branch or any
17 combination of branches of cosmetology in the school.

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

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

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

28 (e) A registered cosmetologist's apprentice from engaging in the
29 practice of cosmetology under the immediate supervision of a
30 licensed cosmetologist ~~who is approved to supervise the~~
31 ~~apprentice.~~

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

35 (g) A registered esthetician's apprentice from engaging in the
36 practice of esthetics under the immediate supervision of a licensed
37 esthetician or licensed cosmetologist ~~who is approved to~~
38 ~~supervise the apprentice.~~

39 (h) A registered hair designer's apprentice from engaging in the
40 practice of hair design under the immediate supervision of a
41 licensed hair designer or licensed cosmetologist ~~who is approved~~
42 ~~to supervise the apprentice.~~

43 (i) A registered nail technologist's apprentice from engaging in
44 the practice of nail technology under the immediate supervision of a



1 licensed nail technologist or licensed cosmetologist ~~[-]~~ *who is*
2 *approved to supervise the apprentice.*

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

6 4. A person employed to render services relating to the practice
7 of cosmetology in the course of and incidental to the production of a
8 motion picture, television program, commercial or advertisement is
9 exempt from the licensing or registration requirements of this
10 chapter if he or she renders those services only to persons who will
11 appear in that motion picture, television program, commercial or
12 advertisement.

13 5. A person practicing hair braiding is exempt from the
14 licensing requirements of this chapter applicable to hair braiding if
15 the hair braiding is practiced on a person who is related within the
16 sixth degree of consanguinity and the person does not accept
17 compensation for the hair braiding.

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

19 644A.925 Nothing in this chapter ~~[-]~~ *permits:*

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

22 ~~—2. Permits the] The local application of [earbolic acid or~~
23 ~~corrosive sublimes or their derivatives or compounds, salicylic~~
24 ~~acid, resoreinol, or] any [other corrosive] substance for the purpose
25 of peeling skin ~~[-Any] that is not intended for use by:~~~~

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

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

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

32 ↪ A violation of the provisions of this section constitutes a
33 misdemeanor.

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

35 644A.930 1. It is unlawful for a person to alter a license or
36 certificate of registration issued pursuant to this chapter.

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



1 **Sec. 60.** NRS 644A.935 is hereby amended to read as follows:
2 644A.935 With regard to advertising relating to the education,
3 licensing, registration or practice of cosmetology or threading:

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

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

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

13 644A.940 1. Except as otherwise provided in subsection 2, it
14 is unlawful for any animal to be on the premises of a licensed
15 ~~establishment for hair braiding or~~ cosmetological establishment.

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

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

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

20 3. As used in this section:

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

25 (b) "Service animal in training" includes only a dog or miniature
26 horse that is being trained for the purposes of 28 C.F.R. § 36.104 or
27 36.302, as applicable.

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

29 644A.955 1. In addition to any other penalty ~~f~~

30 ~~—(a) The~~, ~~the~~ Board may issue a citation to ~~fa~~:

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

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

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

40 (a) *An order to cease and desist ~~f~~, if appropriate; and*

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

43 3. *If the citation is issued to a licensee or registrant and*
44 *includes an order to pay an administrative fine for one or more*
45 *violations of the provisions of NRS 644A.850, the amount of the*



1 *administrative fine must not exceed the maximum amount*
2 *authorized by NRS 644A.850.*

3 *4. If the citation is issued to a person and includes an order to*
4 *pay an administrative fine for one or more violations of the*
5 *provisions of NRS 644A.900, the ~~[Board shall assess an~~*
6 *~~administrative fine of:] amount of the administrative fine must be:~~*

- 7 (1) For ~~[the]~~ a first violation, \$1,000.
- 8 (2) For ~~[the]~~ a second violation, \$1,500.
- 9 (3) For ~~[the]~~ a third or subsequent violation, \$2,000.

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

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

17 **Sec. 63.** A person who, on October 1, 2023, is the holder of a
18 valid license to operate an establishment for hair braiding issued
19 pursuant to NRS 644A.650 and who is otherwise qualified to hold
20 such a license on that date shall be deemed to hold a license to
21 operate a cosmetological establishment issued pursuant to NRS
22 644A.600, as amended by section 46 of this act.

23 **Sec. 64.** NRS 644A.045, 644A.060, 644A.365, 644A.385,
24 644A.390, 644A.423, 644A.425, 644A.430, 644A.650, 644A.655,
25 644A.660, 644A.665, 644A.670, 644A.675, 644A.680 and
26 644A.720 are hereby repealed.

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

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

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

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

LEADLINES OF REPEALED SECTIONS

- 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.

