
ASSEMBLY BILL NO. 371—ASSEMBLYMEMBER TORRES-FOSSETT

MARCH 6, 2025

Referred to Committee on Commerce and Labor

SUMMARY—Enacts the Cosmetology Licensure Compact.
(BDR 54-835)

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

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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; enacting the Cosmetology Licensure Compact; providing cosmetologists practicing in this State under the Compact with the same legal status as persons who are licensed cosmetologists in this State; authorizing the sharing of certain information with a data system created by the Compact; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides for the licensure and regulation of cosmetologists in this
2 State by the State Board of Cosmetology. (Chapter 644A of NRS) **Section 1** of this
3 bill enacts the Cosmetology Licensure Compact, which allows a person who is
4 licensed as a cosmetologist in a state which is a member of the Compact to obtain a
5 multistate license which authorizes the person to practice in other states that are
6 members of the Compact.

7 In order to obtain a multistate license authorizing a person to practice as a
8 cosmetologist under the Compact, the Compact requires a person to: (1) hold an
9 unencumbered license in a State that is a member of the Compact and which is the
10 primary residence of the person; (2) submit to an application process and pay any
11 applicable fees; (3) agree to abide by the rules of the State Board of Cosmetology
12 or other licensing authority in each state in which he or she seeks to practice; (4)
13 function within the scope of practice authorized by each state in which he or she
14 seeks to practice; and (5) meet certain other requirements for eligibility.

15 The Compact requires member states to create a joint government agency
16 called the Cosmetology Licensure Compact Commission. The Compact sets forth
17 the powers of the Commission which include, among other powers, the power to
18 adopt rules and bylaws and to hold meetings, which may be closed under certain
19 circumstances. The Compact additionally authorizes the Commission to levy and
20 collect an annual assessment from member states and impose fees upon persons
21 seeking to practice under the Compact to cover the cost of its operations.



22 The Compact requires the Commission to create a data system to facilitate the
23 sharing of information among member states. **Section 2** of this bill, in general,
24 authorizes the State Board of Cosmetology to disclose information to that data
25 system when required by the Compact. **Section 4** of this bill provides for the
26 confidentiality of certain information disclosed through the data system.

27 The Compact provides additional provisions to carry out the Compact,
28 including providing procedures for the taking of adverse actions against licensees,
29 provisions for rulemaking by the Commission, procedures for oversight, dispute
30 resolution and enforcement and procedures for amendments and withdrawals.

31 **Section 3** of this bill deems practicing as a cosmetologist under the Compact to
32 be equivalent to practicing under a license issued by the State Board of
33 Cosmetology, thereby providing such persons with the same authority, duties and
34 legal protections as a licensee.

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

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

3 *The Cosmetology Licensure Compact is hereby ratified and*
4 *entered into with all other jurisdictions legally joining the*
5 *Compact, in substantially the form set forth in this section:*

6 **COSMETOLOGY LICENSURE COMPACT**

7 **ARTICLE I. PURPOSE**

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10
11 *The purpose of this Compact is to facilitate the interstate*
12 *practice and regulation of Cosmetology with the goal of improving*
13 *public access to, and the safety of, Cosmetology Services and*
14 *reducing unnecessary burdens related to Cosmetology licensure.*
15 *Through this Compact, the Member States seek to establish a*
16 *regulatory framework which provides for a new multistate*
17 *licensing program. Through this new licensing program, the*
18 *Member States seek to provide increased value and mobility to*
19 *licensed Cosmetologists in the Member States, while ensuring the*
20 *provision of safe, effective, and reliable services to the public.*

21 *This Compact is designed to achieve the following objectives,*
22 *and the Member States hereby ratify the same intentions by*
23 *subscribing hereto:*

24 *A. Provide opportunities for interstate practice by*
25 *Cosmetologists who meet uniform requirements for multistate*
26 *licensure;*

27 *B. Enhance the abilities of Member States to protect public*
28 *health and safety, and prevent fraud and unlicensed activity within*
29 *the profession;*



1 C. Ensure and encourage cooperation between Member
2 States in the licensure and regulation of the Practice of
3 Cosmetology;

4 D. Support relocating military members and their spouses;

5 E. Facilitate the exchange of information between Member
6 States related to the licensure, investigation, and discipline of the
7 Practice of Cosmetology; and

8 F. Provide for the licensure and mobility of the workforce in
9 the profession, while addressing the shortage of workers and
10 lessening the associated burdens on the Member States.

11
12 **ARTICLE 2. DEFINITIONS**

13
14 As used in this Compact, and except as otherwise provided, the
15 following definitions shall govern the terms herein:

16 A. "Active Military Member" means any person with full-
17 time duty status in the armed forces of the United States, including
18 members of the National Guard and Reserve.

19 B. "Adverse Action" means any administrative, civil,
20 equitable, or criminal action permitted by a Member State's laws
21 which is imposed by a State Licensing Authority or other
22 regulatory body against a Cosmetologist, including actions against
23 an individual's license or Authorization to Practice such as
24 revocation, suspension, probation, monitoring of the Licensee,
25 limitation of the Licensee's practice, or any other Encumbrance
26 on a license affecting an individual's ability to participate in the
27 Cosmetology industry, including the issuance of a cease and desist
28 order.

29 C. "Authorization to Practice" means a legal authorization
30 associated with a Multistate License permitting the Practice of
31 Cosmetology in that Remote State, which shall be subject to the
32 enforcement jurisdiction of the State Licensing Authority in that
33 Remote State.

34 D. "Alternative Program" means a non-disciplinary
35 monitoring or prosecutorial diversion program approved by a
36 Member State's State Licensing Authority.

37 E. "Background Check" means the submission of
38 information for an applicant for the purpose of obtaining that
39 applicant's criminal history record information, as further defined
40 in 28 C.F.R. § 20.3(d), from the Federal Bureau of Investigation
41 and the agency responsible for retaining State criminal or
42 disciplinary history in the applicant's Home State.

43 F. "Charter Member State" means Member States who have
44 enacted legislation to adopt this Compact where such legislation
45 predates the effective date of this Compact as defined in Article 13.



1 G. "Commission" means the government agency whose
2 membership consists of all States that have enacted this Compact,
3 which is known as the Cosmetology Licensure Compact
4 Commission, as defined in Article 9, and which shall operate as an
5 instrumentality of the Member States.

6 H. "Cosmetologist" means an individual licensed in their
7 Home State to practice Cosmetology.

8 I. "Cosmetology", "Cosmetology Services", and the "Practice
9 of Cosmetology" mean the care and services provided by a
10 Cosmetologist as set forth in the Member State's statutes and
11 regulations in the State where the services are being provided.

12 J. "Current Significant Investigative Information" means:

13 1. Investigative Information that a State Licensing
14 Authority, after an inquiry or investigation that complies with a
15 Member State's due process requirements, has reason to believe is
16 not groundless and, if proved true, would indicate a violation of
17 that State's laws regarding fraud or the Practice of Cosmetology;
18 or

19 2. Investigative Information that indicates that a Licensee
20 has engaged in fraud or represents an immediate threat to public
21 health and safety, regardless of whether the Licensee has been
22 notified and had an opportunity to respond.

23 K. "Data System" means a repository of information about
24 Licensees, including, but not limited to, license status,
25 Investigative Information, and Adverse Actions.

26 L. "Disqualifying Event" means any event which shall
27 disqualify an individual from holding a Multistate License under
28 this Compact, which the Commission may by Rule or order
29 specify.

30 M. "Encumbered License" means a license in which an
31 Adverse Action restricts the Practice of Cosmetology by a
32 Licensee, or where said Adverse Action has been reported to the
33 Commission.

34 N. "Encumbrance" means a revocation or suspension of, or
35 any limitation on, the full and unrestricted Practice of
36 Cosmetology by a State Licensing Authority.

37 O. "Executive Committee" means a group of delegates
38 elected or appointed to act on behalf of, and within the powers
39 granted to them by, the Commission.

40 P. "Home State" means the Member State which is a
41 Licensee's primary State of residence, and where that Licensee
42 holds an active and unencumbered license to practice
43 Cosmetology.



1 *Q. "Investigative Information" means information, records,*
2 *or documents received or generated by a State Licensing Authority*
3 *pursuant to an investigation or other inquiry.*

4 *R. "Jurisprudence Requirement" means the assessment of an*
5 *individual's knowledge of the laws and rules governing the*
6 *Practice of Cosmetology in a State.*

7 *S. "Licensee" means an individual who currently holds a*
8 *license from a Member State to practice as a Cosmetologist.*

9 *T. "Member State" means any State that has adopted this*
10 *Compact.*

11 *U. "Multistate License" means a license issued by and*
12 *subject to the enforcement jurisdiction of the State Licensing*
13 *Authority in a Licensee's Home State, which authorizes the*
14 *Practice of Cosmetology in Member States and includes*
15 *Authorizations to Practice Cosmetology in all Remote States*
16 *pursuant to this Compact.*

17 *V. "Remote State" means any Member State, other than the*
18 *Licensee's Home State.*

19 *W. "Rule" means any rule or regulation promulgated by the*
20 *Commission under this Compact which has the force of law.*

21 *X. "Single-State License" means a Cosmetology license*
22 *issued by a Member State that authorizes practice of Cosmetology*
23 *only within the issuing State and does not include any*
24 *authorization outside of the issuing State.*

25 *Y. "State" means a State, territory, or possession of the*
26 *United States and the District of Columbia.*

27 *Z. "State Licensing Authority" means a Member State's*
28 *regulatory body responsible for issuing Cosmetology licenses or*
29 *otherwise overseeing the Practice of Cosmetology in that State.*

30
31 **ARTICLE 3. MEMBER STATE REQUIREMENTS**

32
33 *A. To be eligible to join this Compact, and to maintain*
34 *eligibility as a Member State, a State must:*

- 35 *1. License and regulate Cosmetology;*
36 *2. Have a mechanism or entity in place to receive and*
37 *investigate complaints about Licensees practicing in that State;*
38 *3. Require that Licensees within the State pass a*
39 *Cosmetology competency examination prior to being licensed to*
40 *provide Cosmetology Services to the public in that State;*
41 *4. Require that Licensees satisfy educational or training*
42 *requirements in Cosmetology prior to being licensed to provide*
43 *Cosmetology Services to the public in that State;*
44 *5. Implement procedures for considering one or more of*
45 *the following categories of information from applicants for*



1 *licensure: criminal history; disciplinary history; or Background*
2 *Check. Such procedures may include the submission of*
3 *information by applicants for the purpose of obtaining an*
4 *applicant's Background Check as defined herein;*

5 *6. Participate in the Data System, including through the*
6 *use of unique identifying numbers;*

7 *7. Share information related to Adverse Actions with the*
8 *Commission and other Member States, both through the Data*
9 *System and otherwise;*

10 *8. Notify the Commission and other Member States, in*
11 *compliance with the terms of the Compact and Rules of the*
12 *Commission, of the existence of Investigative Information or*
13 *Current Significant Investigative Information in the State's*
14 *possession regarding a Licensee practicing in that State;*

15 *9. Comply with such Rules as may be enacted by the*
16 *Commission to administer the Compact; and*

17 *10. Accept Licensees from other Member States as*
18 *established herein.*

19 *B. Member States may charge a fee for granting a license to*
20 *practice Cosmetology.*

21 *C. Individuals not residing in a Member State shall continue*
22 *to be able to apply for a Member State's Single-State License as*
23 *provided under the laws of each Member State. However, the*
24 *Single-State License granted to these individuals shall not be*
25 *recognized as granting a Multistate License to provide services in*
26 *any other Member State.*

27 *D. Nothing in this Compact shall affect the requirements*
28 *established by a Member State for the issuance of a Single-State*
29 *License.*

30 *E. A Multistate License issued to a Licensee by a Home State*
31 *to a resident of that State shall be recognized by each Member*
32 *State as authorizing a Licensee to practice Cosmetology in each*
33 *Member State.*

34 *F. At no point shall the Commission have the power to define*
35 *the educational or professional requirements for a license to*
36 *practice Cosmetology. The Member States shall retain sole*
37 *jurisdiction over the provision of these requirements.*

38
39 **ARTICLE 4. MULTISTATE LICENSE**

40
41 *A. To be eligible to apply to their Home State's State*
42 *Licensing Authority for an initial Multistate License under this*
43 *Compact, a Licensee must hold an active and unencumbered*
44 *Single-State License to practice Cosmetology in their Home State.*



1 *B. Upon the receipt of an application for a Multistate*
2 *License, according to the Rules of the Commission, a Member*
3 *State's State Licensing Authority shall ascertain whether the*
4 *applicant meets the requirements for a Multistate License under*
5 *this Compact.*

6 *C. If an applicant meets the requirements for a Multistate*
7 *License under this Compact and any applicable Rules of the*
8 *Commission, the State Licensing Authority in receipt of the*
9 *application shall, within a reasonable time, grant a Multistate*
10 *License to that applicant, and inform all Member States of the*
11 *grant of said Multistate License.*

12 *D. A Multistate License to practice Cosmetology issued by a*
13 *Member State's State Licensing Authority shall be recognized by*
14 *each Member State as authorizing the practice thereof as though*
15 *that Licensee held a Single-State License to do so in each Member*
16 *State, subject to the restrictions herein.*

17 *E. A Multistate License granted pursuant to this Compact*
18 *may be effective for a definite period of time, concurrent with the*
19 *license renewal period in the Home State.*

20 *F. To maintain a Multistate License under this Compact, a*
21 *Licensee must:*

22 *1. Agree to abide by the rules of the State Licensing*
23 *Authority, and the State scope of practice laws governing the*
24 *Practice of Cosmetology, of any Member State in which the*
25 *Licensee provides services;*

26 *2. Pay all required fees related to the application and*
27 *process, and any other fees which the Commission may by Rule*
28 *require; and*

29 *3. Comply with any and all other requirements regarding*
30 *Multistate Licenses which the Commission may by Rule provide.*

31 *G. A Licensee practicing in a Member State is subject to all*
32 *scope of practice laws governing Cosmetology Services in that*
33 *State.*

34 *H. The Practice of Cosmetology under a Multistate License*
35 *granted pursuant to this Compact will subject the Licensee to the*
36 *jurisdiction of the State Licensing Authority, the courts, and the*
37 *laws of the Member State in which the Cosmetology Services are*
38 *provided.*

39
40 **ARTICLE 5. REISSUANCE OF A MULTISTATE**
41 **LICENSE BY A NEW HOME STATE**
42

43 *A. A Licensee may hold a Multistate License, issued by their*
44 *Home State, in only one Member State at any given time.*



1 *B. If a Licensee changes their Home State by moving*
2 *between two Member States:*

3 *1. The Licensee shall immediately apply for the reissuance*
4 *of their Multistate License in their new Home State. The Licensee*
5 *shall pay all applicable fees and notify the prior Home State in*
6 *accordance with the Rules of the Commission.*

7 *2. Upon receipt of an application to reissue a Multistate*
8 *License, the new Home State shall verify that the Multistate*
9 *License is active, unencumbered and eligible for reissuance under*
10 *the terms of the Compact and the Rules of the Commission. The*
11 *Multistate License issued by the prior Home State will be*
12 *deactivated and all Member States notified in accordance with the*
13 *applicable Rules adopted by the Commission.*

14 *3. If required for initial licensure, the new Home State may*
15 *require a Background Check as specified in the laws of that State,*
16 *or the compliance with any Jurisprudence Requirements of the*
17 *new Home State.*

18 *4. Notwithstanding any other provision of this Compact, if*
19 *a Licensee does not meet the requirements set forth in this*
20 *Compact for the reissuance of a Multistate License by the new*
21 *Home State, then the Licensee shall be subject to the new Home*
22 *State requirements for the issuance of a Single-State License in*
23 *that State.*

24 *C. If a Licensee changes their primary state of residence by*
25 *moving from a Member State to a non-Member State, or from a*
26 *non-Member State to a Member State, then the Licensee shall be*
27 *subject to the State requirements for the issuance of a Single-State*
28 *License in the new Home State.*

29 *D. Nothing in this Compact shall interfere with a Licensee's*
30 *ability to hold a Single-State License in multiple States; however,*
31 *for the purposes of this Compact, a Licensee shall have only one*
32 *Home State, and only one Multistate License.*

33 *E. Nothing in this Compact shall interfere with the*
34 *requirements established by a Member State for the issuance of a*
35 *Single-State License.*

36
37 **ARTICLE 6. AUTHORITY OF THE COMPACT COMMISSION**
38 **AND MEMBER STATE LICENSING AUTHORITIES**

39
40 *A. Nothing in this Compact, nor any Rule or regulation of*
41 *the Commission, shall be construed to limit, restrict, or in any way*
42 *reduce the ability of a Member State to enact and enforce laws,*
43 *regulations, or other rules related to the Practice of Cosmetology*
44 *in that State, where those laws, regulations, or other rules are not*
45 *inconsistent with the provisions of this Compact.*



1 *B. Insofar as practical, a Member State's State Licensing*
2 *Authority shall cooperate with the Commission and with each*
3 *entity exercising independent regulatory authority over the*
4 *Practice of Cosmetology according to the provisions of this*
5 *Compact.*

6 *C. Discipline shall be the sole responsibility of the State in*
7 *which Cosmetology Services are provided. Accordingly, each*
8 *Member State's State Licensing Authority shall be responsible for*
9 *receiving complaints about individuals practicing Cosmetology in*
10 *that State, and for communicating all relevant Investigative*
11 *Information about any such Adverse Action to the other Member*
12 *States through the Data System in addition to any other methods*
13 *the Commission may by Rule require.*

14
15 **ARTICLE 7. ADVERSE ACTIONS**
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17 *A. A Licensee's Home State shall have exclusive power to*
18 *impose an Adverse Action against a Licensee's Multistate License*
19 *issued by the Home State.*

20 *B. A Home State may take Adverse Action on a Multistate*
21 *License based on the Investigative Information, Current*
22 *Significant Investigative Information, or Adverse Action of a*
23 *Remote State.*

24 *C. In addition to the powers conferred by State law, each*
25 *Remote State's State Licensing Authority shall have the power to:*

26 *1. Take Adverse Action against a Licensee's Authorization*
27 *to Practice Cosmetology through the Multistate License in that*
28 *Member State, provided that:*

29 *a. Only the Licensee's Home State shall have the power*
30 *to take Adverse Action against the Multistate License issued by the*
31 *Home State; and*

32 *b. For the purposes of taking Adverse Action, the Home*
33 *State's State Licensing Authority shall give the same priority and*
34 *effect to reported conduct received from a Remote State as it*
35 *would if such conduct had occurred within the Home State. In so*
36 *doing, the Home State shall apply its own State laws to determine*
37 *the appropriate action.*

38 *2. Issue cease and desist orders or impose an Encumbrance*
39 *on a Licensee's Authorization to Practice within that Member*
40 *State.*

41 *3. Complete any pending investigations of a Licensee who*
42 *changes their primary state of residence during the course of such*
43 *an investigation. The State Licensing Authority shall also be*
44 *empowered to report the results of such an investigation to the*
45 *Commission through the Data System as described herein.*



1 4. *Issue subpoenas for both hearings and investigations*
2 *that require the attendance and testimony of witnesses, as well as*
3 *the production of evidence. Subpoenas issued by a State Licensing*
4 *Authority in a Member State for the attendance and testimony of*
5 *witnesses or the production of evidence from another Member*
6 *State shall be enforced in the latter State by any court of*
7 *competent jurisdiction, according to the practice and procedure of*
8 *that court applicable to subpoenas issued in proceedings before it.*
9 *The issuing State Licensing Authority shall pay any witness fees,*
10 *travel expenses, mileage, and other fees required by the service*
11 *statutes of the State in which the witnesses or evidence are located.*

12 5. *If otherwise permitted by State law, recover from the*
13 *affected Licensee the costs of investigations and disposition of*
14 *cases resulting from any Adverse Action taken against that*
15 *Licensee.*

16 6. *Take Adverse Action against the Licensee's*
17 *Authorization to Practice in that State based on the factual*
18 *findings of another Remote State.*

19 D. *A Licensee's Home State shall complete any pending*
20 *investigation(s) of a Cosmetologist who changes their primary*
21 *state of residence during the course of the investigation(s). The*
22 *Home State shall also have the authority to take appropriate*
23 *action(s) and shall promptly report the conclusions of the*
24 *investigations to the Data System.*

25 E. *If an Adverse Action is taken by the Home State against a*
26 *Licensee's Multistate License, the Licensee's Authorization to*
27 *Practice in all other Member States shall be deactivated until all*
28 *Encumbrances have been removed from the Home State license.*
29 *All Home State disciplinary orders that impose an Adverse Action*
30 *against a Licensee's Multistate License shall include a statement*
31 *that the Cosmetologist's Authorization to Practice is deactivated in*
32 *all Member States during the pendency of the order.*

33 F. *Nothing in this Compact shall override a Member State's*
34 *authority to accept a Licensee's participation in an Alternative*
35 *Program in lieu of Adverse Action. A Licensee's Multistate*
36 *License shall be suspended for the duration of the Licensee's*
37 *participation in any Alternative Program.*

38 G. *Joint Investigations*

39 1. *In addition to the authority granted to a Member State by*
40 *its respective scope of practice laws or other applicable State law, a*
41 *Member State may participate with other Member States in joint*
42 *investigations of Licensees.*

43 2. *Member States shall share any investigative, litigation, or*
44 *compliance materials in furtherance of any joint or individual*
45 *investigation initiated under the Compact.*



1 **ARTICLE 8. ACTIVE MILITARY MEMBERS**
2 **AND THEIR SPOUSES**

3
4 *Active Military Members, or their spouses, shall designate a*
5 *Home State where the individual has a current license to practice*
6 *Cosmetology in good standing. The individual may retain their*
7 *Home State designation during any period of service when that*
8 *individual or their spouse is on active duty assignment.*
9

10 **ARTICLE 9. ESTABLISHMENT AND OPERATION OF THE**
11 **COSMETOLOGY LICENSURE COMPACT COMMISSION**

12
13 **A. The Compact Member States hereby create and establish a**
14 *joint government agency whose membership consists of all*
15 *Member States that have enacted the Compact known as the*
16 *Cosmetology Licensure Compact Commission. The Commission is*
17 *an instrumentality of the Compact Member States acting jointly*
18 *and not an instrumentality of any one State. The Commission*
19 *shall come into existence on or after the effective date of the*
20 *Compact as set forth in Article 13.*

21 **B. Membership, Voting, and Meetings**

22 **1. Each Member State shall have and be limited to one (1)**
23 *delegate selected by that Member State's State Licensing*
24 *Authority.*

25 **2. The delegate shall be an administrator of the State**
26 *Licensing Authority of the Member State or their designee.*

27 **3. The Commission shall by Rule or bylaw establish a term**
28 *of office for delegates and may by Rule or bylaw establish term*
29 *limits.*

30 **4. The Commission may recommend removal or suspension**
31 *of any delegate from office.*

32 **5. A Member State's State Licensing Authority shall fill any**
33 *vacancy of its delegate occurring on the Commission within 60*
34 *days of the vacancy.*

35 **6. Each delegate shall be entitled to one vote on all matters**
36 *that are voted on by the Commission.*

37 **7. The Commission shall meet at least once during each**
38 *calendar year. Additional meetings may be held as set forth in the*
39 *bylaws. The Commission may meet by telecommunication, video*
40 *conference or other similar electronic means.*

41 **C. The Commission shall have the following powers:**

42 **1. Establish the fiscal year of the Commission;**

43 **2. Establish code of conduct and conflict of interest**
44 *policies;*

45 **3. Adopt Rules and bylaws;**



1 4. *Maintain its financial records in accordance with the*
2 *bylaws;*

3 5. *Meet and take such actions as are consistent with the*
4 *provisions of this Compact, the Commission's Rules, and the*
5 *bylaws;*

6 6. *Initiate and conclude legal proceedings or actions in the*
7 *name of the Commission, provided that the standing of any State*
8 *Licensing Authority to sue or be sued under applicable law shall*
9 *not be affected;*

10 7. *Maintain and certify records and information provided to*
11 *a Member State as the authenticated business records of the*
12 *Commission, and designate an agent to do so on the Commission's*
13 *behalf;*

14 8. *Purchase and maintain insurance and bonds;*

15 9. *Borrow, accept, or contract for services of personnel,*
16 *including, but not limited to, employees of a Member State;*

17 10. *Conduct an annual financial review;*

18 11. *Hire employees, elect or appoint officers, fix*
19 *compensation, define duties, grant such individuals appropriate*
20 *authority to carry out the purposes of the Compact, and establish*
21 *the Commission's personnel policies and programs relating to*
22 *conflicts of interest, qualifications of personnel, and other related*
23 *personnel matters;*

24 12. *As set forth in the Commission Rules, charge a fee to a*
25 *Licensee for the grant of a Multistate License and thereafter, as*
26 *may be established by Commission Rule, charge the Licensee a*
27 *Multistate License renewal fee for each renewal period. Nothing*
28 *herein shall be construed to prevent a Home State from charging*
29 *a Licensee a fee for a Multistate License or renewals of a*
30 *Multistate License, or a fee for the jurisprudence requirement if*
31 *the Member State imposes such a requirement for the grant of a*
32 *Multistate License;*

33 13. *Assess and collect fees;*

34 14. *Accept any and all appropriate gifts, donations, grants*
35 *of money, other sources of revenue, equipment, supplies,*
36 *materials, and services, and receive, utilize, and dispose of the*
37 *same; provided that at all times the Commission shall avoid any*
38 *appearance of impropriety or conflict of interest;*

39 15. *Lease, purchase, retain, own, hold, improve, or use any*
40 *property, real, personal, or mixed, or any undivided interest*
41 *therein;*

42 16. *Sell, convey, mortgage, pledge, lease, exchange,*
43 *abandon, or otherwise dispose of any property real, personal, or*
44 *mixed;*

45 17. *Establish a budget and make expenditures;*



1 18. *Borrow money;*

2 19. *Appoint committees, including standing committees,*
3 *composed of members, State regulators, State legislators or their*
4 *representatives, and consumer representatives, and such other*
5 *interested persons as may be designated in this Compact and the*
6 *bylaws;*

7 20. *Provide and receive information from, and cooperate*
8 *with, law enforcement agencies;*

9 21. *Elect a Chair, Vice Chair, Secretary and Treasurer and*
10 *such other officers of the Commission as provided in the*
11 *Commission's bylaws;*

12 22. *Establish and elect an Executive Committee, including*
13 *a chair and a vice chair;*

14 23. *Adopt and provide to the Member States an annual*
15 *report;*

16 24. *Determine whether a State's adopted language is*
17 *materially different from the model Compact language such that*
18 *the State would not qualify for participation in the Compact; and*

19 25. *Perform such other functions as may be necessary or*
20 *appropriate to achieve the purposes of this Compact.*

21 D. *The Executive Committee*

22 1. *The Executive Committee shall have the power to act on*
23 *behalf of the Commission according to the terms of this Compact.*
24 *The powers, duties, and responsibilities of the Executive*
25 *Committee shall include:*

26 a. *Overseeing the day-to-day activities of the*
27 *administration of the Compact including compliance with the*
28 *provisions of the Compact, the Commission's Rules and bylaws,*
29 *and other such duties as deemed necessary;*

30 b. *Recommending to the Commission changes to the*
31 *Rules or bylaws, changes to this Compact legislation, fees charged*
32 *to Compact Member States, fees charged to Licensees, and other*
33 *fees;*

34 c. *Ensuring Compact administration services are*
35 *appropriately provided, including by contract;*

36 d. *Preparing and recommending the budget;*

37 e. *Maintaining financial records on behalf of the*
38 *Commission;*

39 f. *Monitoring Compact compliance of Member States*
40 *and providing compliance reports to the Commission;*

41 g. *Establishing additional committees as necessary;*

42 h. *Exercising the powers and duties of the Commission*
43 *during the interim between Commission meetings, except for*
44 *adopting or amending Rules, adopting or amending bylaws, and*



1 *exercising any other powers and duties expressly reserved to the*
2 *Commission by Rule or bylaw; and*

3 *i. Other duties as provided in the Rules or bylaws of the*
4 *Commission.*

5 *2. The Executive Committee shall be composed of up to*
6 *seven voting members:*

7 *a. The chair and vice chair of the Commission and any*
8 *other members of the Commission who serve on the Executive*
9 *Committee shall be voting members of the Executive Committee;*

10 *b. Other than the chair, vice-chair, secretary and*
11 *treasurer, the Commission shall elect three voting members from*
12 *the current membership of the Commission; and*

13 *c. The Commission may elect ex-officio, nonvoting*
14 *members from a recognized national Cosmetology professional*
15 *association as approved by the Commission. The Commission's*
16 *bylaws shall identify qualifying organizations and the manner of*
17 *appointment if the number of organizations seeking to appoint an*
18 *ex officio member exceeds the number of members specified in*
19 *this Article.*

20 *3. The Commission may remove any member of the*
21 *Executive Committee as provided in the Commission's bylaws.*

22 *4. The Executive Committee shall meet at least annually.*

23 *a. Annual Executive Committee meetings, as well as any*
24 *Executive Committee meeting at which it does not take or intend*
25 *to take formal action on a matter for which a Commission vote*
26 *would otherwise be required, shall be open to the public, except*
27 *that the Executive Committee may meet in a closed, non-public*
28 *session of a public meeting when dealing with any of the matters*
29 *covered under Article 9.F.4.*

30 *b. The Executive Committee shall give five business*
31 *days advance notice of its public meetings, posted on its website*
32 *and as determined to provide notice to persons with an interest in*
33 *the public matters the Executive Committee intends to address at*
34 *those meetings.*

35 *5. The Executive Committee may hold an emergency*
36 *meeting when acting for the Commission to:*

37 *a. Meet an imminent threat to public health, safety, or*
38 *welfare;*

39 *b. Prevent a loss of Commission or Member State funds;*
40 *or*

41 *c. Protect public health and safety.*

42 *E. The Commission shall adopt and provide to the Member*
43 *States an annual report.*

44 *F. Meetings of the Commission*



1 1. All meetings of the Commission that are not closed
2 pursuant to Article 9.F.4 shall be open to the public. Notice of
3 public meetings shall be posted on the Commission's website at
4 least thirty (30) days prior to the public meeting.

5 2. Notwithstanding Article 9.F.1, the Commission may
6 convene an emergency public meeting by providing at least
7 twenty-four (24) hours prior notice on the Commission's website,
8 and any other means as provided in the Commission's Rules, for
9 any of the reasons it may dispense with notice of proposed
10 rulemaking under Article 11.L. The Commission's legal counsel
11 shall certify that one of the reasons justifying an emergency public
12 meeting has been met.

13 3. Notice of all Commission meetings shall provide the
14 time, date, and location of the meeting, and if the meeting is to be
15 held or accessible via telecommunication, video conference, or
16 other electronic means, the notice shall include the mechanism for
17 access to the meeting.

18 4. The Commission may convene in a closed, non-public
19 meeting for the Commission to discuss:

20 a. Non-compliance of a Member State with its
21 obligations under the Compact;

22 b. The employment, compensation, discipline or other
23 matters, practices or procedures related to specific employees or
24 other matters related to the Commission's internal personnel
25 practices and procedures;

26 c. Current or threatened discipline of a Licensee by the
27 Commission or by a Member State's Licensing Authority;

28 d. Current, threatened, or reasonably anticipated
29 litigation;

30 e. Negotiation of contracts for the purchase, lease, or
31 sale of goods, services, or real estate;

32 f. Accusing any person of a crime or formally censuring
33 any person;

34 g. Trade secrets or commercial or financial information
35 that is privileged or confidential;

36 h. Information of a personal nature where disclosure
37 would constitute a clearly unwarranted invasion of personal
38 privacy;

39 i. Investigative records compiled for law enforcement
40 purposes;

41 j. Information related to any investigative reports
42 prepared by or on behalf of or for use of the Commission or other
43 committee charged with responsibility of investigation or
44 determination of compliance issues pursuant to the Compact;

45 k. Legal advice;



1 *l. Matters specifically exempted from disclosure to the*
2 *public by federal or Member State law; or*

3 *m. Other matters as promulgated by the Commission by*
4 *Rule.*

5 *5. If a meeting, or portion of a meeting, is closed, the*
6 *presiding officer shall state that the meeting will be closed and*
7 *reference each relevant exempting provision, and such reference*
8 *shall be recorded in the minutes.*

9 *6. The Commission shall keep minutes that fully and*
10 *clearly describe all matters discussed in a meeting and shall*
11 *provide a full and accurate summary of actions taken, and the*
12 *reasons therefore, including a description of the views expressed.*
13 *All documents considered in connection with an action shall be*
14 *identified in such minutes. All minutes and documents of a closed*
15 *meeting shall remain under seal, subject to release only by a*
16 *majority vote of the Commission or order of a court of competent*
17 *jurisdiction.*

18 *G. Financing of the Commission*

19 *1. The Commission shall pay, or provide for the payment*
20 *of, the reasonable expenses of its establishment, organization, and*
21 *ongoing activities.*

22 *2. The Commission may accept any and all appropriate*
23 *sources of revenue, donations, and grants of money, equipment,*
24 *supplies, materials, and services.*

25 *3. The Commission may levy on and collect an annual*
26 *assessment from each Member State and impose fees on Licensees*
27 *of Member States to whom it grants a Multistate License to cover*
28 *the cost of the operations and activities of the Commission and its*
29 *staff, which must be in a total amount sufficient to cover its*
30 *annual budget as approved each year for which revenue is not*
31 *provided by other sources. The aggregate annual assessment*
32 *amount for Member States shall be allocated based upon a*
33 *formula that the Commission shall promulgate by Rule.*

34 *4. The Commission shall not incur obligations of any kind*
35 *prior to securing the funds adequate to meet the same; nor shall*
36 *the Commission pledge the credit of any Member States, except by*
37 *and with the authority of the Member State.*

38 *5. The Commission shall keep accurate accounts of all*
39 *receipts and disbursements. The receipts and disbursements of the*
40 *Commission shall be subject to the financial review and*
41 *accounting procedures established under its bylaws. All receipts*
42 *and disbursements of funds handled by the Commission shall be*
43 *subject to an annual financial review by a certified or licensed*
44 *public accountant, and the report of the financial review shall be*



1 included in and become part of the annual report of the
2 Commission.

3 *H. Qualified Immunity, Defense, and Indemnification*

4 *1. The members, officers, executive director, employees and*
5 *representatives of the Commission shall be immune from suit and*
6 *liability, both personally and in their official capacity, for any*
7 *claim for damage to or loss of property or personal injury or other*
8 *civil liability caused by or arising out of any actual or alleged act,*
9 *error, or omission that occurred, or that the person against whom*
10 *the claim is made had a reasonable basis for believing occurred*
11 *within the scope of Commission employment, duties or*
12 *responsibilities; provided that nothing in this paragraph shall be*
13 *construed to protect any such person from suit or liability for any*
14 *damage, loss, injury, or liability caused by the intentional or*
15 *willful or wanton misconduct of that person. The procurement of*
16 *insurance of any type by the Commission shall not in any way*
17 *compromise or limit the immunity granted hereunder.*

18 *2. The Commission shall defend any member, officer,*
19 *executive director, employee, and representative of the*
20 *Commission in any civil action seeking to impose liability arising*
21 *out of any actual or alleged act, error, or omission that occurred*
22 *within the scope of Commission employment, duties, or*
23 *responsibilities, or as determined by the Commission that the*
24 *person against whom the claim is made had a reasonable basis for*
25 *believing occurred within the scope of Commission employment,*
26 *duties, or responsibilities; provided that nothing herein shall be*
27 *construed to prohibit that person from retaining their own counsel*
28 *at their own expense; and provided further, that the actual or*
29 *alleged act, error, or omission did not result from that person's*
30 *intentional or willful or wanton misconduct.*

31 *3. The Commission shall indemnify and hold harmless any*
32 *member, officer, executive director, employee, and representative*
33 *of the Commission for the amount of any settlement or judgment*
34 *obtained against that person arising out of any actual or alleged*
35 *act, error, or omission that occurred within the scope of*
36 *Commission employment, duties, or responsibilities, or that such*
37 *person had a reasonable basis for believing occurred within the*
38 *scope of Commission employment, duties, or responsibilities,*
39 *provided that the actual or alleged act, error, or omission did not*
40 *result from the intentional or willful or wanton misconduct of that*
41 *person.*

42 *4. Nothing herein shall be construed as a limitation on the*
43 *liability of any Licensee for professional malpractice or*
44 *misconduct, which shall be governed solely by any other*
45 *applicable State laws.*



1 *E. The existence of Current Significant Investigative*
2 *Information and the existence of Investigative Information*
3 *pertaining to a Licensee in any Member State will only be*
4 *available to other Member States.*

5 *F. It is the responsibility of the Member States to monitor the*
6 *database to determine whether Adverse Action has been taken*
7 *against such a Licensee or License applicant. Adverse Action*
8 *information pertaining to a Licensee or License applicant in any*
9 *Member State will be available to any other Member State.*

10 *G. Member States contributing information to the Data*
11 *System may designate information that may not be shared with the*
12 *public without the express permission of the contributing State.*

13 *H. Any information submitted to the Data System that is*
14 *subsequently expunged pursuant to federal law or the laws of the*
15 *Member State contributing the information shall be removed from*
16 *the Data System.*

17
18 **ARTICLE 11. RULEMAKING**

19
20 *A. The Commission shall promulgate reasonable Rules in*
21 *order to effectively and efficiently implement and administer the*
22 *purposes and provisions of the Compact. A Rule shall be invalid*
23 *and have no force or effect only if a court of competent*
24 *jurisdiction holds that the Rule is invalid because the Commission*
25 *exercised its rulemaking authority in a manner that is beyond the*
26 *scope and purposes of the Compact, or the powers granted*
27 *hereunder, or based upon another applicable standard of review.*

28 *B. The Rules of the Commission shall have the force of law*
29 *in each Member State, provided however that where the Rules of*
30 *the Commission conflict with the laws of the Member State that*
31 *establish the Member State's scope of practice laws governing the*
32 *Practice of Cosmetology as held by a court of competent*
33 *jurisdiction, the Rules of the Commission shall be ineffective in*
34 *that State to the extent of the conflict.*

35 *C. The Commission shall exercise its rulemaking powers*
36 *pursuant to the criteria set forth in this Article and the Rules*
37 *adopted thereunder. Rules shall become binding as of the date*
38 *specified by the Commission for each Rule.*

39 *D. If a majority of the legislatures of the Member States*
40 *rejects a Rule or portion of a Rule, by enactment of a statute or*
41 *resolution in the same manner used to adopt the Compact within*
42 *four (4) years of the date of adoption of the Rule, then such Rule*
43 *shall have no further force and effect in any Member State or to*
44 *any State applying to participate in the Compact.*



1 *E. Rules shall be adopted at a regular or special meeting of*
2 *the Commission.*

3 *F. Prior to adoption of a proposed Rule, the Commission*
4 *shall hold a public hearing and allow persons to provide oral and*
5 *written comments, data, facts, opinions, and arguments.*

6 *G. Prior to adoption of a proposed Rule by the Commission,*
7 *and at least thirty (30) days in advance of the meeting at which the*
8 *Commission will hold a public hearing on the proposed Rule, the*
9 *Commission shall provide a notice of proposed rulemaking:*

10 *1. On the website of the Commission or other publicly*
11 *accessible platform;*

12 *2. To persons who have requested notice of the*
13 *Commission's notices of proposed rulemaking; and*

14 *3. In such other way(s) as the Commission may by Rule*
15 *specify.*

16 *H. The notice of proposed rulemaking shall include:*

17 *1. The time, date, and location of the public hearing at*
18 *which the Commission will hear public comments on the proposed*
19 *Rule and, if different, the time, date, and location of the meeting*
20 *where the Commission will consider and vote on the proposed*
21 *Rule;*

22 *2. If the hearing is held via telecommunication, video*
23 *conference, or other electronic means, the Commission shall*
24 *include the mechanism for access to the hearing in the notice of*
25 *proposed rulemaking;*

26 *3. The text of the proposed Rule and the reason therefor;*

27 *4. A request for comments on the proposed Rule from any*
28 *interested person; and*

29 *5. The manner in which interested persons may submit*
30 *written comments.*

31 *I. All hearings will be recorded. A copy of the recording and*
32 *all written comments and documents received by the Commission*
33 *in response to the proposed Rule shall be available to the public.*

34 *J. Nothing in this Article shall be construed as requiring a*
35 *separate hearing on each Rule. Rules may be grouped for the*
36 *convenience of the Commission at hearings required by this*
37 *Article.*

38 *K. The Commission shall, by majority vote of all members,*
39 *take final action on the proposed Rule based on the rulemaking*
40 *record and the full text of the Rule.*

41 *1. The Commission may adopt changes to the proposed*
42 *Rule provided the changes do not enlarge the original purpose of*
43 *the proposed Rule.*

44 *2. The Commission shall provide an explanation of the*
45 *reasons for substantive changes made to the proposed Rule as well*



1 as reasons for substantive changes not made that were
2 recommended by commenters.

3 3. The Commission shall determine a reasonable effective
4 date for the Rule. Except for an emergency as provided in Article
5 II.L, the effective date of the Rule shall be no sooner than forty-
6 five (45) days after the Commission issuing the notice that it
7 adopted or amended the Rule.

8 L. Upon determination that an emergency exists, the
9 Commission may consider and adopt an emergency Rule with five
10 (5) days' notice, with opportunity to comment, provided that the
11 usual rulemaking procedures provided in the Compact and in this
12 Article shall be retroactively applied to the Rule as soon as
13 reasonably possible, in no event later than ninety (90) days after
14 the effective date of the Rule. For the purposes of this provision,
15 an emergency Rule is one that must be adopted immediately to:

16 1. Meet an imminent threat to public health, safety, or
17 welfare;

18 2. Prevent a loss of Commission or Member State funds;

19 3. Meet a deadline for the promulgation of a Rule that is
20 established by federal law or rule; or

21 4. Protect public health and safety.

22 M. The Commission or an authorized committee of the
23 Commission may direct revisions to a previously adopted Rule for
24 purposes of correcting typographical errors, errors in format,
25 errors in consistency, or grammatical errors. Public notice of any
26 revisions shall be posted on the website of the Commission. The
27 revision shall be subject to challenge by any person for a period of
28 thirty (30) days after posting. The revision may be challenged only
29 on grounds that the revision results in a material change to a
30 Rule. A challenge shall be made in writing and delivered to the
31 Commission prior to the end of the notice period. If no challenge
32 is made, the revision will take effect without further action. If the
33 revision is challenged, the revision may not take effect without the
34 approval of the Commission.

35 N. No Member State's rulemaking requirements shall apply
36 under this Compact.

37
38 **ARTICLE 12. OVERSIGHT, DISPUTE RESOLUTION,**
39 **AND ENFORCEMENT**

40
41 **A. Oversight**

42 1. The executive and judicial branches of State government
43 in each Member State shall enforce this Compact and take all
44 actions necessary and appropriate to implement the Compact.



1 2. *Venue is proper and judicial proceedings by or against*
2 *the Commission shall be brought solely and exclusively in a court*
3 *of competent jurisdiction where the principal office of the*
4 *Commission is located. The Commission may waive venue and*
5 *jurisdictional defenses to the extent it adopts or consents to*
6 *participate in alternative dispute resolution proceedings. Nothing*
7 *herein shall affect or limit the selection or propriety of venue in*
8 *any action against a Licensee for professional malpractice,*
9 *misconduct or any such similar matter.*

10 3. *The Commission shall be entitled to receive service of*
11 *process in any proceeding regarding the enforcement or*
12 *interpretation of the Compact and shall have standing to intervene*
13 *in such a proceeding for all purposes. Failure to provide the*
14 *Commission service of process shall render a judgment or order*
15 *void as to the Commission, this Compact, or promulgated Rules.*

16 B. *Default, Technical Assistance, and Termination*

17 1. *If the Commission determines that a Member State has*
18 *defaulted in the performance of its obligations or responsibilities*
19 *under this Compact or the promulgated Rules, the Commission*
20 *shall provide written notice to the defaulting State. The notice of*
21 *default shall describe the default, the proposed means of curing*
22 *the default, and any other action that the Commission may take,*
23 *and shall offer training and specific technical assistance*
24 *regarding the default.*

25 2. *The Commission shall provide a copy of the notice of*
26 *default to the other Member States.*

27 3. *If a State in default fails to cure the default, the*
28 *defaulting State may be terminated from the Compact upon an*
29 *affirmative vote of a majority of the delegates of the Member*
30 *States, and all rights, privileges and benefits conferred on that*
31 *State by this Compact may be terminated on the effective date of*
32 *termination. A cure of the default does not relieve the offending*
33 *State of obligations or liabilities incurred during the period of*
34 *default.*

35 4. *Termination of membership in the Compact shall be*
36 *imposed only after all other means of securing compliance have*
37 *been exhausted. Notice of intent to suspend or terminate shall be*
38 *given by the Commission to the governor, the majority and*
39 *minority leaders of the defaulting State's legislature, the*
40 *defaulting State's State Licensing Authority and each of the*
41 *Member States' State Licensing Authority.*

42 5. *A State that has been terminated is responsible for all*
43 *assessments, obligations, and liabilities incurred through the*
44 *effective date of termination, including obligations that extend*
45 *beyond the effective date of termination.*



1 6. Upon the termination of a State's membership from this
2 Compact, that State shall immediately provide notice to all
3 Licensees who hold a Multistate License within that State of such
4 termination. The terminated State shall continue to recognize all
5 licenses granted pursuant to this Compact for a minimum of one
6 hundred eighty (180) days after the date of said notice of
7 termination.

8 7. The Commission shall not bear any costs related to a
9 State that is found to be in default or that has been terminated
10 from the Compact, unless agreed upon in writing between the
11 Commission and the defaulting State.

12 8. The defaulting State may appeal the action of the
13 Commission by petitioning the United States District Court for the
14 District of Columbia or the federal district where the Commission
15 has its principal offices. The prevailing party shall be awarded all
16 costs of such litigation, including reasonable attorney's fees.

17 C. Dispute Resolution

18 1. Upon request by a Member State, the Commission shall
19 attempt to resolve disputes related to the Compact that arise
20 among Member States and between Member and non-Member
21 States.

22 2. The Commission shall promulgate a Rule providing for
23 both mediation and binding dispute resolution for disputes as
24 appropriate.

25 D. Enforcement

26 1. The Commission, in the reasonable exercise of its
27 discretion, shall enforce the provisions of this Compact and the
28 Commission's Rules.

29 2. By majority vote as provided by Commission Rule, the
30 Commission may initiate legal action against a Member State in
31 default in the United States District Court for the District of
32 Columbia or the federal district where the Commission has its
33 principal offices to enforce compliance with the provisions of the
34 Compact and its promulgated Rules. The relief sought may
35 include both injunctive relief and damages. In the event judicial
36 enforcement is necessary, the prevailing party shall be awarded all
37 costs of such litigation, including reasonable attorney's fees. The
38 remedies herein shall not be the exclusive remedies of the
39 Commission. The Commission may pursue any other remedies
40 available under federal or the defaulting Member State's law.

41 3. A Member State may initiate legal action against the
42 Commission in the United States District Court for the District of
43 Columbia or the federal district where the Commission has its
44 principal offices to enforce compliance with the provisions of the
45 Compact and its promulgated Rules. The relief sought may



1 *include both injunctive relief and damages. In the event judicial*
2 *enforcement is necessary, the prevailing party shall be awarded all*
3 *costs of such litigation, including reasonable attorney's fees.*

4 *4. No individual or entity other than a Member State may*
5 *enforce this Compact against the Commission.*

6
7 **ARTICLE 13. EFFECTIVE DATE, WITHDRAWAL,**
8 **AND AMENDMENT**
9

10 *A. The Compact shall come into effect on the date on which*
11 *the Compact statute is enacted into law in the seventh Member*
12 *State.*

13 *1. On or after the effective date of the Compact, the*
14 *Commission shall convene and review the enactment of each of*
15 *the Charter Member States to determine if the statute enacted by*
16 *each such Charter Member State is materially different than the*
17 *model Compact statute.*

18 *a. A Charter Member State whose enactment is found to*
19 *be materially different from the model Compact statute shall be*
20 *entitled to the default process set forth in Article 12.*

21 *b. If any Member State is later found to be in default, or*
22 *is terminated or withdraws from the Compact, the Commission*
23 *shall remain in existence and the Compact shall remain in effect*
24 *even if the number of Member States should be less than*
25 *seven (7).*

26 *2. Member States enacting the Compact subsequent to the*
27 *Charter Member States shall be subject to the process set forth in*
28 *Article 9.C.24 to determine if their enactments are materially*
29 *different from the model Compact statute and whether they qualify*
30 *for participation in the Compact.*

31 *3. All actions taken for the benefit of the Commission or in*
32 *furtherance of the purposes of the administration of the Compact*
33 *prior to the effective date of the Compact or the Commission*
34 *coming into existence shall be considered to be actions of the*
35 *Commission unless specifically repudiated by the Commission.*

36 *4. Any State that joins the Compact shall be subject to the*
37 *Commission's Rules and bylaws as they exist on the date on which*
38 *the Compact becomes law in that State. Any Rule that has been*
39 *previously adopted by the Commission shall have the full force*
40 *and effect of law on the day the Compact becomes law in that*
41 *State.*

42 *B. Any Member State may withdraw from this Compact by*
43 *enacting a statute repealing that State's enactment of the*
44 *Compact.*



1 1. *A Member State's withdrawal shall not take effect until*
2 *one hundred eighty (180) days after enactment of the repealing*
3 *statute.*

4 2. *Withdrawal shall not affect the continuing requirement*
5 *of the withdrawing State's State Licensing Authority to comply*
6 *with the investigative and Adverse Action reporting requirements*
7 *of this Compact prior to the effective date of withdrawal.*

8 3. *Upon the enactment of a statute withdrawing from this*
9 *Compact, a State shall immediately provide notice of such*
10 *withdrawal to all Licensees within that State. Notwithstanding any*
11 *subsequent statutory enactment to the contrary, such withdrawing*
12 *State shall continue to recognize all licenses granted pursuant to*
13 *this Compact for a minimum of one hundred eighty (180) days*
14 *after the date of such notice of withdrawal.*

15 C. *Nothing contained in this Compact shall be construed to*
16 *invalidate or prevent any licensure agreement or other cooperative*
17 *arrangement between a Member State and a non-Member State*
18 *that does not conflict with the provisions of this Compact.*

19 D. *This Compact may be amended by the Member States. No*
20 *amendment to this Compact shall become effective and binding*
21 *upon any Member State until it is enacted into the laws of all*
22 *Member States.*

23
24 **ARTICLE 14. CONSTRUCTION AND SEVERABILITY**

25
26 A. *This Compact and the Commission's rulemaking authority*
27 *shall be liberally construed so as to effectuate the purposes, and*
28 *the implementation and administration of the Compact. Provisions*
29 *of the Compact expressly authorizing or requiring the*
30 *promulgation of Rules shall not be construed to limit the*
31 *Commission's rulemaking authority solely for those purposes.*

32 B. *The provisions of this Compact shall be severable and if*
33 *any phrase, clause, sentence or provision of this Compact is held*
34 *by a court of competent jurisdiction to be contrary to the*
35 *constitution of any Member State, a State seeking participation in*
36 *the Compact, or of the United States, or the applicability thereof to*
37 *any government, agency, person or circumstance is held to be*
38 *unconstitutional by a court of competent jurisdiction, the validity*
39 *of the remainder of this Compact and the applicability thereof to*
40 *any other government, agency, person or circumstance shall not*
41 *be affected thereby.*

42 C. *Notwithstanding Article 14.B, the Commission may deny a*
43 *State's participation in the Compact or, in accordance with the*
44 *requirements of Article 12, terminate a Member State's*
45 *participation in the Compact, if it determines that a constitutional*



1 *requirement of a Member State is a material departure from the*
2 *Compact. Otherwise, if this Compact shall be held to be contrary*
3 *to the constitution of any Member State, the Compact shall remain*
4 *in full force and effect as to the remaining Member States and in*
5 *full force and effect as to the Member State affected as to all*
6 *severable matters.*

7
8 **ARTICLE 15. CONSISTENT EFFECT AND**
9 **CONFLICT WITH OTHER STATE LAWS**

10
11 **A.** *Nothing herein shall prevent or inhibit the enforcement of*
12 *any other law of a Member State that is not inconsistent with the*
13 *Compact.*

14 **B.** *Any laws, statutes, regulations, or other legal requirements*
15 *in a Member State in conflict with the Compact are superseded to*
16 *the extent of the conflict.*

17 **C.** *All permissible agreements between the Commission and*
18 *the Member States are binding in accordance with their terms.*

19 **Sec. 2.** NRS 644A.870 is hereby amended to read as follows:

20 644A.870 1. Except as otherwise provided in this section and
21 NRS 239.0115, *and section 1 of this act*, a complaint filed with the
22 Board, all documents and other information filed with the complaint
23 and all documents and other information compiled as a result of an
24 investigation conducted to determine whether to initiate disciplinary
25 action against a person are confidential.

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

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

34 **Sec. 3.** The preliminary chapter of NRS is hereby amended by
35 adding thereto a new section to read as follows:

36 *Except as otherwise expressly provided in a particular statute*
37 *or required by the context, authorization to practice as a*
38 *cosmetologist in this State under a multistate license issued under*
39 *the Cosmetology Licensure Compact ratified and entered into in*
40 *section 1 of this act shall be deemed to be equivalent to the*
41 *corresponding license.*

42 **Sec. 4.** NRS 239.010 is hereby amended to read as follows:

43 239.010 1. Except as otherwise provided in this section and
44 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095,
45 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030,



1 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152,
2 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,
3 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,
4 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,
5 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,
6 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640,
7 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730,
8 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312,
9 130.712, 136.050, 159.044, 159A.044, 164.041, 172.075, 172.245,
10 176.01334, 176.01385, 176.015, 176.0625, 176.09129, 176.156,
11 176A.630, 178.39801, 178.4715, 178.5691, 178.5717, 179.495,
12 179A.070, 179A.165, 179D.160, 180.600, 200.3771, 200.3772,
13 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3923,
14 209.3925, 209.419, 209.429, 209.521, 211A.140, 213.010, 213.040,
15 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350,
16 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 218G.615,
17 224.240, 226.462, 226.796, 228.270, 228.450, 228.495, 228.570,
18 231.069, 231.1285, 231.1473, 232.1369, 233.190, 237.300,
19 239.0105, 239.0113, 239.014, 239B.026, 239B.030, 239B.040,
20 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270,
21 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264,
22 244.335, 247.540, 247.545, 247.550, 247.560, 250.087, 250.130,
23 250.140, 250.145, 250.150, 268.095, 268.0978, 268.490, 268.910,
24 269.174, 271A.105, 281.195, 281.805, 281A.350, 281A.680,
25 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 284.4086,
26 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830,
27 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870,
28 293.906, 293.908, 293.909, 293.910, 293B.135, 293D.510, 331.110,
29 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593,
30 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205,
31 353A.049, 353A.085, 353A.100, 353C.240, 353D.250, 360.240,
32 360.247, 360.255, 360.755, 361.044, 361.2242, 361.610, 365.138,
33 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300,
34 379.0075, 379.008, 379.1495, 385A.830, 385B.100, 387.626,
35 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750,
36 388A.247, 388A.249, 391.033, 391.035, 391.0365, 391.120,
37 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317,
38 392.325, 392.327, 392.335, 392.850, 393.045, 394.167, 394.16975,
39 394.1698, 394.447, 394.460, 394.465, 396.1415, 396.1425, 396.143,
40 396.159, 396.3295, 396.405, 396.525, 396.535, 396.9685,
41 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153,
42 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350,
43 425.400, 427A.1236, 427A.872, 427A.940, 432.028, 432.205,
44 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407, 432B.430,
45 432B.560, 432B.5902, 432C.140, 432C.150, 433.534, 433A.360,



1 439.4941, 439.4988, 439.5282, 439.840, 439.914, 439A.116,
2 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170,
3 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
4 442.774, 445A.665, 445B.570, 445B.7773, 449.209, 449.245,
5 449.4315, 449A.112, 450.140, 450B.188, 450B.805, 453.164,
6 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056,
7 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407,
8 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940, 481.063,
9 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340, 483.363,
10 483.575, 483.659, 483.800, 484A.469, 484B.830, 484B.833,
11 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285,
12 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110,
13 598A.420, 599B.090, 603.070, 603A.210, 604A.303, 604A.710,
14 604D.500, 604D.600, 612.265, 616B.012, 616B.015, 616B.315,
15 616B.350, 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137,
16 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,
17 628B.760, 629.043, 629.047, 629.069, 630.133, 630.2671,
18 630.2672, 630.2673, 630.2687, 630.30665, 630.336, 630A.327,
19 630A.555, 631.332, 631.368, 632.121, 632.125, 632.3415,
20 632.3423, 632.405, 633.283, 633.301, 633.427, 633.4715, 633.4716,
21 633.4717, 633.524, 634.055, 634.1303, 634.214, 634A.169,
22 634A.185, 634B.730, 635.111, 635.158, 636.262, 636.342, 637.085,
23 637.145, 637B.192, 637B.288, 638.087, 638.089, 639.183,
24 639.2485, 639.570, 640.075, 640.152, 640A.185, 640A.220,
25 640B.405, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745,
26 640C.760, 640D.135, 640D.190, 640E.225, 640E.340, 641.090,
27 641.221, 641.2215, 641A.191, 641A.217, 641A.262, 641B.170,
28 641B.281, 641B.282, 641C.455, 641C.760, 641D.260, 641D.320,
29 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050,
30 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130,
31 645D.135, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947,
32 648.033, 648.197, 649.065, 649.067, 652.126, 652.228, 653.900,
33 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133, 669.275,
34 669.285, 669A.310, 670B.680, 671.365, 671.415, 673.450, 673.480,
35 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,
36 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,
37 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,
38 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,
39 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,
40 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,
41 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,
42 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,
43 711.600, *and section 1 of this act*, sections 35, 38 and 41 of chapter
44 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes
45 of Nevada 2013 and unless otherwise declared by law to be



1 confidential, all public books and public records of a governmental
2 entity must be open at all times during office hours to inspection by
3 any person, and may be fully copied or an abstract or memorandum
4 may be prepared from those public books and public records. Any
5 such copies, abstracts or memoranda may be used to supply the
6 general public with copies, abstracts or memoranda of the records or
7 may be used in any other way to the advantage of the governmental
8 entity or of the general public. This section does not supersede or in
9 any manner affect the federal laws governing copyrights or enlarge,
10 diminish or affect in any other manner the rights of a person in any
11 written book or record which is copyrighted pursuant to federal law.

12 2. A governmental entity may not reject a book or record
13 which is copyrighted solely because it is copyrighted.

14 3. A governmental entity that has legal custody or control of a
15 public book or record shall not deny a request made pursuant to
16 subsection 1 to inspect or copy or receive a copy of a public book or
17 record on the basis that the requested public book or record contains
18 information that is confidential if the governmental entity can
19 redact, delete, conceal or separate, including, without limitation,
20 electronically, the confidential information from the information
21 included in the public book or record that is not otherwise
22 confidential.

23 4. If requested, a governmental entity shall provide a copy of a
24 public record in an electronic format by means of an electronic
25 medium. Nothing in this subsection requires a governmental entity
26 to provide a copy of a public record in an electronic format or by
27 means of an electronic medium if:

- 28 (a) The public record:
29 (1) Was not created or prepared in an electronic format; and
30 (2) Is not available in an electronic format; or

31 (b) Providing the public record in an electronic format or by
32 means of an electronic medium would:

- 33 (1) Give access to proprietary software; or
34 (2) Require the production of information that is confidential
35 and that cannot be redacted, deleted, concealed or separated from
36 information that is not otherwise confidential.

37 5. An officer, employee or agent of a governmental entity who
38 has legal custody or control of a public record:

39 (a) Shall not refuse to provide a copy of that public record in the
40 medium that is requested because the officer, employee or agent has
41 already prepared or would prefer to provide the copy in a different
42 medium.

43 (b) Except as otherwise provided in NRS 239.030, shall, upon
44 request, prepare the copy of the public record and shall not require



1 the person who has requested the copy to prepare the copy himself
2 or herself.

3 **Sec. 5.** 1. This section becomes effective upon passage and
4 approval.

5 2. Sections 1 to 4, inclusive, of this act become effective:

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

9 (b) On October 1, 2025, for all other purposes.

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