Assembly Bill No. 246–Assemblywomen
Bustamante Adams and Diaz

CHAPTER.....

AN ACT relating to cosmetology; revising provisions governing advertising of services relating to the practice of cosmetology; establishing the procedures for the registration and training of apprentices for aestheticians, hair designers and nail technologists; establishing the procedures for the registration of shampoo technologists; providing a fee for the registration of such apprentices and shampoo technologists; revising provisions relating to the licensure of various cosmetology professionals, cosmetological establishments and schools of cosmetology; revising provisions concerning service animals and service animals in training that are on the premises of a licensed establishment for hair braiding or cosmetological establishment; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Cosmetology to determine the qualification of applicants for various licenses in cosmetology, requires the Board to license schools of cosmetology and authorizes the Board to adopt regulations governing the sanitary conditions in cosmetological establishments, schools of cosmetology and in the practice of cosmetology. (NRS 644.090, 644.120)

Sections 3 and 17 of this bill make it unlawful to advertise in any manner that is misleading or inaccurate with respect to the provision of any services relating to the practice of cosmetology. Under existing law, a violation of any provision of the chapter governing cosmetology is punishable as a misdemeanor. (NRS 644.480) **Section 60** of this bill provides that advertising in violation of **section 17** is also a ground for disciplinary action by the Board.

Sections 5, 7, 8, 12-14, 29 and 39 of this bill establish the procedures for the registration, training and practice of apprentices for aestheticians, hair designers and nail technologists. **Sections 10, 15 and 16** of this bill establish a new certificate of registration as a shampoo technologist and set forth the requirements, including passing certain examinations, that must be met before the Board may issue such a certificate of registration to a person. **Section 60** provides that failure of a shampoo technologist, aesthetician's apprentice, hair designer's apprentice or nail technologist's apprentice to comply with the requirements relating to those professions is a ground for disciplinary action by the Board.

Existing law excludes a licensed barbershop in which one or more licensed nail technologists practice from the definition of "cosmetological establishment." (NRS 644.0225) **Section 20** of this bill removes that exception, thus subjecting a nail technologist who practices in a licensed barbershop to the same requirements as a nail technologist who practices in a cosmetological establishment.

Existing law requires the Board to approve the use of any device used in the practice of cosmetology. (NRS 644.095) **Section 25** of this bill authorizes the Board to adopt regulations that ban the use of any device in the practice of cosmetology for good cause or if the device facilitates services outside the scope of the practice of cosmetology.

Sections 27 and 28 of this bill revise the duties of the Board concerning: (1) records of licensees; and (2) depositing fees collected on behalf of the Board.

Section 30 of this bill changes the requirements for admission to examination for a license as a cosmetologist by: (1) reducing the amount of training in a school of cosmetology from 1,800 to 1,600 hours for certain applicants; and (2) increasing the amount of specialized training from 400 to 600 hours for applicants who are barbers. **Section 31** of this bill eliminates the requirement that a barber must have 400 hours of specialized training before the Board will admit the barber to examination for a license as a hair designer.

Sections 34, 35 and 41 of this bill revise the requirements for obtaining a license as a hair braider by: (1) eliminating a voter registration card as a document that can be used as proof of the age of an applicant for a license as a hair braider; and (2) adding additional tests or examinations that the Board deems necessary to the requirements for the examination for licensure as a hair braider.

Section 43 of this bill requires every holder of a license or certificate of registration, as applicable, as a cosmetologist, aesthetician, electrologist, hair designer, shampoo technologist, hair braider, nail technologist or demonstrator of cosmetics to notify the Board within 30 days after a change in his or her personal mailing address.

Section 44 of this bill expands the applicability and revises the period of validity of a limited license to practice cosmetology in a resort hotel and in other types of locations designated by the Board to include: (1) persons currently licensed in this State as a cosmetologist and (2) persons currently licensed in this State or certain other jurisdictions as a hair designer, nail technologist or aesthetician.

Sections 45, 46, 49, 51, 55, 57 and 58 of this bill provide the holder of a license or certificate of registration, as applicable, as a cosmetologist, aesthetician, electrologist, hair designer, shampoo technologist, hair braider, nail technologist, demonstrator of cosmetics or instructor and the holder of a license for a cosmetological establishment, establishment for hair braiding or school of cosmetology with the option of having a license period of either 2 or 4 years and set forth the specific fee or range of fees, as applicable, for those periods.

Existing law provides a range of fees that the Board may charge for examination for licensure or registration as a cosmetologist, electrologist, hair designer, hair braider, nail technologist, aesthetician and as an instructor of aestheticians, hair designers, cosmetology or nail technology. (NRS 644.220) **Section 45** adds shampoo technologists and sets forth fees for the issuance of an initial license or certificate of registration for a period of either 2 or 4 years to practice in each of those branches of cosmetology and for an instructor of aestheticians, hair designers, cosmetology or nail technology.

Existing law prohibits the Board from charging a fee for registering: (1) a person who engages in the practice of threading; or (2) an owner or operator of a kiosk or other stand-alone facility in which threading is practiced. (NRS 644.331) **Section 48** of this bill: (1) requires a fee of not more than $25 for registration of such a natural person, owner or operator; and (2) requires, rather than authorizes, the Board to inspect any facility in this State in which threading is conducted.

Sections 52 and 54 of this bill require a cosmetological establishment to be under the immediate supervision of a person who is licensed in the branch of cosmetology or a combination of branches of cosmetology of the services relating to the practice of cosmetology provided at the cosmetological establishment at the time the services are provided. Those supervision requirements similarly apply to lessees of space at a cosmetological establishment.

Section 58 of this bill requires the Board to adopt regulations which prescribe the minimum enrollment of students and the amount of floor space required for a proposed school of cosmetology.

The United States District Court for the District of Nevada recently held that certain provisions of Nevada Revised Statutes governing the supervision, instructors and courses given at schools of cosmetology were unconstitutional as applied to makeup artistry schools. (*Waugh v. Nev. State Bd. of Cosmetology*, 2014 U.S. Dist. LEXIS 108223 (D. Nev. August 6, 2014)) **Section 59** of this bill amends those provisions to: (1) require instructors who supervise a school of cosmetology to have experience in a majority of branches of cosmetology taught at the school of cosmetology instead of experience in a majority of the branches of cosmetology; (2) require a school of cosmetology to either prepare students for an examination for a license in each branch of cosmetology taught at the school of cosmetology or provide a disclaimer to its students indicating that the school does not qualify the student for a license or prepare the student for an examination in any branch of cosmetology; and (3) eliminate the requirement relating to the length of the school term at a school of cosmetology.

Existing law provides, with limited exceptions, that it is unlawful for any animal to be on the premises of a licensed establishment for hair braiding or cosmetological establishment. (NRS 644.472) **Section 63** of this bill expands those exceptions to allow in such an establishment dogs and miniature horses that are trained or being trained for the purposes of certain federal laws governing public accommodations.

Existing law also provides, in relevant part, that it is unlawful for a place of public accommodation, including, without limitation, a beauty shop, to refuse: (1) admittance or service to a person with a disability because the person is accompanied by a service animal; (2) admittance or service to a person training a service animal; (3) to permit an employee who is training a service animal to bring the service animal into the place of public accommodation; and (4) admittance or service to a person because the person is accompanied by a police dog. (NRS 651.050, 651.075) The definition of "service animal" for the purposes of state law governing public accommodations is broader than the types of service animals that are covered under federal law governing public accommodations which covers only dogs and miniature horses. (28 C.F.R. §§ 35.104, 36.302) **Section 64** of this bill provides an exception that is consistent with the provisions of **section 63** to the existing state law governing public accommodations. Thus, a licensed establishment for hair braiding or cosmetological establishment in this State will be required to admit only dogs and miniature horses trained or being trained as service animals under federal law, while other places of public accommodation in this State will be required to admit service animals, service animals in training and police dogs as those terms are defined under the broader definitions of service animal and service animal in training which include additional animals. For example, a helper monkey would be included under those broader definitions.

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

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

Section 1. NRS 640C.100 is hereby amended to read as follows:

640C.100 1. The provisions of this chapter do not apply to:

(a) A person licensed pursuant to chapter 630, 630A, 631, 632, 633, 634, 634A, 635, 640, 640A or 640B of NRS if the massage therapy is performed in the course of the practice for which the person is licensed.

(b) A person licensed as a barber or apprentice pursuant to chapter 643 of NRS if the person is massaging, cleansing or stimulating the scalp, face, neck or skin within the permissible scope of practice for a barber or apprentice pursuant to that chapter.

(c) A person licensed or registered as ~~[an]~~ ***a nail technologist, nail technologist's apprentice,*** aesthetician, ***aesthetician's apprentice,*** hair designer, ***hair designer's apprentice,*** hair braider, ***shampoo technologist,*** cosmetologist or cosmetologist's apprentice pursuant to chapter 644 of NRS if the person is massaging, cleansing or stimulating the scalp, face, neck or skin within the permissible scope of practice for ~~[an]~~ ***a nail technologist, nail technologist's apprentice,*** aesthetician, ***aesthetician's apprentice,*** hair designer, ***hair designer's apprentice,*** hair braider, ***shampoo technologist,*** cosmetologist or cosmetologist's apprentice pursuant to that chapter.

(d) A person who is an employee of an athletic department of any high school, college or university in this State and who, within the scope of that employment, practices massage therapy on athletes.

(e) Students enrolled in a school of massage therapy recognized by the Board.

(f) A person who practices massage therapy solely on members of his or her immediate family.

(g) A person who performs any activity in a licensed brothel.

2. Except as otherwise provided in subsection 3, the provisions of this chapter preempt the licensure and regulation of a massage therapist by a county, city or town, including, without limitation, conducting a criminal background investigation and examination of a massage therapist or applicant for a license to practice massage therapy.

3. The provisions of this chapter do not prohibit a county, city or town from requiring a massage therapist to obtain a license or permit to transact business within the jurisdiction of the county, city or town, if the license or permit is required of other persons, regardless of occupation or profession, who transact business within the jurisdiction of the county, city or town.

4. As used in this section, "immediate family" means persons who are related by blood, adoption or marriage, within the second degree of consanguinity or affinity.

Sec. 2. Chapter 644 of NRS is hereby amended by adding thereto the provisions set forth as sections 3 to 17, inclusive, of this act.

Sec. 3. ***"Advertise" and "advertising" mean an attempt by written, electronic or graphic representation to elicit enrollment or the sale of goods or services. The terms include, without limitation, such representations made:***

1. On signs, displays, circulars, brochures, menus of services and recruitment materials; and

2. On the Internet, through the press, radio or television, or by use of any other medium.

Sec. 4. ***1. "Aesthetics" means the practices of:***

(a) Beautifying, massaging, cleansing or stimulating the skin of the human body by the use of cosmetic preparations, antiseptics, tonics, lotions or creams, or any device, electrical or otherwise, for the care of the skin;

(b) Applying cosmetics or eyelashes to any person, tinting eyelashes and eyebrows, and lightening hair on the body; and

(c) Removing superfluous hair from the body of any person by the use of depilatories, waxing, tweezers or sugaring,

➥ but does not include the branches of cosmetology of a cosmetologist, hair designer, shampoo technologist, hair braider, electrologist or nail technologist.

2. As used in this section, "depilatories" does not include the practice of threading.

Sec. 5. ***"Aesthetician's apprentice" means a person who is engaged in learning the occupation of an aesthetician in a cosmetological establishment and who is registered with the Board to practice aesthetics as an aesthetician's apprentice.***

Sec. 6. ***"Hair design" means the practices of:***

1. Cleansing, stimulating or massaging the scalp, or cleansing or beautifying the hair by the use of cosmetic preparations, antiseptics, tonics, lotions or creams.

2. Cutting, trimming or shaping the hair.

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

Sec. 7. *"Hair designer's apprentice" means a person who is engaged in learning the occupation of a hair designer in a cosmetological establishment and who is registered with the Board to practice hair design as a hair designer's apprentice.*

Sec. 8. *"Nail technologist's apprentice" means a person who is engaged in learning the occupation of a nail technologist in a cosmetological establishment and who is registered with the Board to practice nail technology as a nail technologist's apprentice.*

Sec. 9. *"Nail technology" means the practices of:*

1. Care of another's fingernails or toenails.

2. Beautification of another's nails.

3. Extension of another's nails.

4. Massaging of another's hands, forearms, feet or lower legs.

Sec. 10. *"Shampoo technologist" means any person who, for compensation or by demonstration, engages in shampoo technology under the immediate supervision of a licensed cosmetologist or hair designer.*

Sec. 11. *1. "Shampoo technology" means the practices of:*

(a) Cleansing of the hair or scalp, including, without limitation:

(1) Brushing and combing the hair;

(2) Applying shampoo and conditioner to the hair; and

(3) Rinsing the hair, including, without limitation, rinsing the hair to remove shampoos, conditioners, tints, relaxers and other solutions.

(b) Removing rollers, permanent rods, hairpins, clips or similar hair fasteners from the hair.

(c) Cleaning and disinfecting the shampoo bowl.

2. The term does not include any other activity set forth in the definition of "cosmetologist" pursuant to NRS 644.023 or the definition of "hair design" pursuant to section 6 of this act other than the activities expressly set forth in subsection 1.

Sec. 12. *1. The Board may issue a certificate of registration as an aesthetician's apprentice to a person if:*

(a) The person is required to travel more than 60 miles from his or her place of residence to attend a licensed school of cosmetology; and

(b) The training of the person as an aesthetician's apprentice will be conducted at a licensed cosmetological establishment that is located 60 miles or more from a licensed school of cosmetology.

2. The Board may, for good cause shown, waive the requirements of subsection 1 for a particular applicant.

3. An applicant for a certificate of registration as an aesthetician's apprentice must submit an application to the Board on a form prescribed by the Board. The application must be accompanied by a fee of $100 and must include:

(a) A statement signed by the licensed aesthetician or licensed cosmetologist who will be supervising and training the aesthetician's apprentice which states that the licensed aesthetician or licensed cosmetologist has been licensed by the Board to practice aesthetics in this State for not less than 3 years immediately preceding the date of the application and that his or her license has been in good standing during that period;

(b) A statement signed by the owner of the licensed cosmetological establishment where the applicant will be trained which states that the owner will permit the applicant to be trained as an aesthetician's apprentice at the cosmetological establishment; and

(c) Such other information as the Board may require by regulation.

4. A certificate of registration as an aesthetician's apprentice is valid for 12 months after the date on which it is issued and may be renewed by the Board upon good cause shown.

Sec. 13. *1. The Board may issue a certificate of registration as a hair designer's apprentice to a person if:*

(a) The person is required to travel more than 60 miles from his or her place of residence to attend a licensed school of cosmetology; and

(b) The training of the person as a hair designer's apprentice will be conducted at a licensed cosmetological establishment that is located 60 miles or more from a licensed school of cosmetology.

2. The Board may, for good cause shown, waive the requirements of subsection 1 for a particular applicant.

3. An applicant for a certificate of registration as a hair designer's apprentice must submit an application to the Board on a form prescribed by the Board. The application must be accompanied by a fee of $100 and must include:

(a) A statement signed by the licensed hair designer or licensed cosmetologist who will be supervising and training the hair designer's apprentice which states that the licensed hair designer or licensed cosmetologist has been licensed by the Board to practice hair design in this State for not less than 3 years immediately preceding the date of the application and that his or her license has been in good standing during that period;

(b) A statement signed by the owner of the licensed cosmetological establishment where the applicant will be trained which states that the owner will permit the applicant to be trained as a hair designer's apprentice at the cosmetological establishment; and

(c) Such other information as the Board may require by regulation.

4. A certificate of registration as a hair designer's apprentice is valid for 19 months after the date on which it is issued and may be renewed by the Board upon good cause shown.

Sec. 14. *1. The Board may issue a certificate of registration as a nail technologist's apprentice to a person if:*

(a) The person is required to travel more than 60 miles from his or her place of residence to attend a licensed school of cosmetology; and

(b) The training of the person as a nail technologist's apprentice will be conducted at a licensed cosmetological establishment that is located 60 miles or more from a licensed school of cosmetology.

2. The Board may, for good cause shown, waive the requirements of subsection 1 for a particular applicant.

3. An applicant for a certificate of registration as a nail technologist's apprentice must submit an application to the Board on a form prescribed by the Board. The application must be accompanied by a fee of $100 and must include:

(a) A statement signed by the licensed nail technologist or licensed cosmetologist who will be supervising and training the nail technologist's apprentice which states that the licensed nail technologist or licensed cosmetologist has been licensed by the Board to practice nail technology in this State for not less than 3 years immediately preceding the date of the application and that his or her license has been in good standing during that period;

(b) A statement signed by the owner of the licensed cosmetological establishment where the applicant will be trained which states that the owner will permit the applicant to be trained

as a nail technologist's apprentice at the cosmetological establishment; and

(c) Such other information as the Board may require by regulation.

4. A certificate of registration as a nail technologist's apprentice is valid for 10 months after the date on which it is issued and may be renewed by the Board upon good cause shown.

Sec. 15. *1. The Board shall admit to examination for a certificate of registration as a shampoo technologist, any person who has applied to the Board in proper form and paid the fee, and who:*

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

(b) Is of good moral character.

(c) Is a citizen of the United States or is lawfully entitled to remain and work in the United States.

(d) Has successfully completed the 10th grade in school or its equivalent.

(e) Satisfies at least one of the following:

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

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

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

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

2. The Board may charge a fee of not more than $50 to administer the training described in subparagraph (3) of paragraph (e) 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. 16. *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. Such other demonstrations and tests as the Board requires.

Sec. 17. ***With regard to advertising relating to the education, licensing or practice of cosmetology or threading:***

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

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

3. Except as otherwise provided in subsection 4, an advertisement for services relating to the practice of cosmetology must list:

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

(b) The name and license number of any licensee mentioned in the advertisement.

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

Sec. 18. NRS 644.020 is hereby amended to read as follows:

644.020 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 644.0205 to 644.0295, inclusive, ***and sections 3 to 11, inclusive of this act*** have the meanings ascribed to them in those sections.

Sec. 19. NRS 644.0205 is hereby amended to read as follows:

644.0205 ~~[1.]~~ "Aesthetician" means any person who engages in the ~~[practices of:~~

~~(a) Beautifying, massaging, cleansing or stimulating the skin of the human body by the use of cosmetic preparations, antiseptics, tonics, lotions or creams, or any device, electrical or otherwise, for the care of the skin;~~

~~(b) Applying cosmetics or eyelashes to any person, tinting eyelashes and eyebrows, and lightening hair on the body; and~~

~~(c) Removing superfluous hair from the body of any person by the use of depilatories, waxing, tweezers or sugaring,~~

~~→ but does not include the branches of cosmetology of a cosmetologist, hair designer, hair braider, electrologist or nail technologist.~~

~~2. As used in this section, "depilatories" does not include the practice of threading.]~~ ***practice of aesthetics.***

Sec. 20. NRS 644.0225 is hereby amended to read as follows:

644.0225 "Cosmetological establishment" means any premises, mobile unit, building or part of a building where cosmetology is practiced **.** ~~[, other than a licensed barbershop in which one or more licensed nail technologists practice.]~~

Sec. 21. NRS 644.024 is hereby amended to read as follows:

644.024 "Cosmetology" includes the occupations of a cosmetologist, aesthetician, electrologist, hair designer, ***shampoo technologist,*** hair braider, demonstrator of cosmetics and nail technologist.

Sec. 22. NRS 644.0277 is hereby amended to read as follows:

644.0277 "Hair designer" means any person who engages in the ~~[practices of:~~

~~1. Cleansing, stimulating or massaging the scalp, or cleansing or beautifying the hair by the use of cosmetic preparations, antiseptics, tonics, lotions or creams.~~

~~2. Cutting, trimming or shaping the hair.~~

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

Sec. 23. NRS 644.029 is hereby amended to read as follows:

644.029 "Nail technologist" means any person who, for compensation or by demonstration, engages in the ~~[practices of:~~

~~1. Care of another's fingernails or toenails.~~

~~2. Beautification of another's nails.~~

~~3. Extension of another's nails.~~

~~4. Massaging of another's hands, forearms, feet or lower legs.]~~ ***practice of nail technology.***

Sec. 24. NRS 644.090 is hereby amended to read as follows:

644.090 The Board shall:

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

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

3. License establishments for hair braiding, cosmetological establishments and schools of cosmetology.

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

5. Inspect schools of cosmetology, establishments for hair braiding **,** ~~[and]~~ cosmetological establishments ***and any facility in***

this State in which threading is conducted to ensure compliance with the statutory requirements and adopted regulations of the Board. This authority extends to any member of the Board or its authorized employees.

Sec. 25. NRS 644.095 is hereby amended to read as follows:

644.095 ~~[Any]~~

1. The Board may, by regulation, ban the use of any device ~~[used]~~ in the practice of cosmetology ~~[must be approved by the Board.]~~ ***for good cause or if the device facilitates services outside the scope of the practice of cosmetology.***

2. Except as otherwise provided in this subsection, a device the use of which has been banned by the Board pursuant to subsection 1 must not be located within a cosmetological establishment. Such a device may be located within an area of a cosmetological establishment used for selling products at retail.

Sec. 26. NRS 644.120 is hereby amended to read as follows:

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

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

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

Sec. 27. NRS 644.130 is hereby amended to read as follows:

644.130 1. The Board shall keep a record containing the name, known place ***or places*** of business, ***electronic mail address, personal mailing address, telephone number*** and the date and number of the license ***or certificate of registration, as applicable,*** of every nail technologist, electrologist, aesthetician, hair designer, ***shampoo technologist,*** hair braider, demonstrator of cosmetics and cosmetologist, together with the names and addresses of all establishments for hair braiding, cosmetological establishments and schools of cosmetology licensed pursuant to this chapter. The record

must also contain the facts which the applicants claimed in their applications to justify their licensure ~~[.]~~ ***or registration.***

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

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

(b) A member of the general public, except information concerning the ~~[home and]~~ ***personal mailing address,*** work address ***, electronic mail address*** and telephone number of a licensee ~~[.]~~ ***or registrant.***

Sec. 28. NRS 644.170 is hereby amended to read as follows:

644.170 1. All fees collected on behalf of the Board and all receipts of every kind and nature must be reported at the beginning of each month, for the month preceding, to the Board. At the same time, the entire amount of collections, except as otherwise provided in subsection 5, must be paid to the ~~[Treasurer of the]~~ Board, who shall deposit them in banks, credit unions or savings and loan associations in the State of Nevada.

2. The receipts must be for the uses of the Board and out of them must be paid all salaries and all other expenses necessarily incurred in carrying into effect the provisions of this chapter.

3. All orders for payment of money must be drawn on the Treasurer of the Board and countersigned by the President and the Secretary of the Board.

4. In a manner consistent with the provisions of chapter 622A of NRS, the Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines therefor and deposit the money therefrom in banks, credit unions or savings and loan associations in this State.

5. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 4 and the Board deposits the money collected from the imposition of fines with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.

Sec. 29. NRS 644.190 is hereby amended to read as follows:

644.190 1. It is unlawful for any person to conduct or operate a cosmetological establishment, an establishment for hair braiding, a school of cosmetology or any other place of business in which any one or any combination of the occupations of cosmetology are taught or practiced unless the person is licensed in accordance with the provisions of this chapter.

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

3. This chapter does not prohibit:

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

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

(c) A person issued a provisional license as an instructor pursuant to NRS 644.193 from acting as an instructor and accepting compensation therefor while accumulating the hours of training as a teacher required for an instructor's license.

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

(e) A registered cosmetologist's apprentice from engaging in the practice of cosmetology under the immediate supervision of a licensed cosmetologist.

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

(g) A registered aesthetician's apprentice from engaging in the practice of aesthetics under the immediate supervision of a licensed aesthetician or licensed cosmetologist.

(h) A registered hair designer's apprentice from engaging in the practice of hair design under the immediate supervision of a licensed hair designer or licensed cosmetologist.

(i) A registered nail technologist's apprentice from engaging in the practice of nail technology under the immediate supervision of a licensed nail technologist or licensed cosmetologist.

4. A person employed to render ~~[cosmetological]~~ services ***relating to the practice of cosmetology*** in the course of and incidental to the production of a motion picture, television program, commercial or advertisement is exempt from the licensing requirements of this chapter if he or she renders ~~[cosmetological]~~ ***those*** services only to persons who will appear in that motion picture, television program, commercial or advertisement.

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

Sec. 30. NRS 644.200 is hereby amended to read as follows:

644.200 The Board shall admit to examination for a license as a cosmetologist, at any meeting of the Board held to conduct examinations, any person who has made application to the Board in proper form and 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. Is a citizen of the United States or is lawfully entitled to remain and work in the United States.
4. Has successfully completed the 10th grade in school or its equivalent. Testing for equivalency must be pursuant to applicable state or federal requirements.
5. Has had any one of the following:

(a) Training of at least ~~[1,800]~~ ***1,600*** hours, extending over a school term of 10 months, in a school of cosmetology approved by the Board.

(b) Practice of the occupation of a cosmetologist for a period of 4 years outside this State.

(c) If the applicant is a barber registered pursuant to chapter 643 of NRS, ~~[400]~~ ***600*** hours of specialized training approved by the Board.

(d) ~~[Completion of at]~~ ***At*** least 3,600 hours of service as a cosmetologist's apprentice in a licensed cosmetological establishment in which all of the occupations of cosmetology are practiced. The required hours must have been completed during the period of validity of the certificate of registration as a cosmetologist's apprentice issued to the person pursuant to NRS 644.217.

Sec. 31. NRS 644.204 is hereby amended to read as follows:

644.204 The Board shall admit to examination for a license as a hair designer, at any meeting of the Board held to conduct examinations, each person who has applied to the Board in proper form and paid the fee, and who:

1. Is not less than 18 years of age.
2. Is of good moral character.
3. Is a citizen of the United States or is lawfully entitled to remain and work in the United States.

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

5. ~~[Has had]~~ ***Satisfies*** at least one of the following:

(a) ~~[Training]~~ ***Is a barber registered pursuant to chapter 643 of NRS.***

(b) Has had training of at least 1,200 hours, extending over a period of 7 consecutive months, in a school of cosmetology approved by the Board.

~~[(b) Practice]~~

(c) Has had practice of the occupation of hair designing for at least 4 years outside this State.

~~[(c) If the applicant is a barber registered pursuant to chapter 643 of NRS, 400 hours of specialized training approved by the Board.]~~

(d) Has had at least 2,400 hours of service as a hair designer's apprentice in a licensed cosmetological establishment in which hair design is practiced. The required hours must have been completed during the period of validity of the certificate of registration as a hair designer's apprentice issued to the person pursuant to section 13 of this act.

Sec. 32. NRS 644.205 is hereby amended to read as follows:

644.205 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. Is a citizen of the United States or is lawfully entitled to remain and work in the United States.

4. Has successfully completed the 10th grade in school or its equivalent.

5. 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 outside the State of Nevada.

(c) At least 1,200 hours of service as a nail technologist's apprentice in a licensed cosmetological establishment in which nail technology is practiced. The required hours must have been completed during the period of validity of the certificate of

registration as a nail technologist's apprentice issued to the person pursuant to section 14 of this act.

Sec. 33. NRS 644.207 is hereby amended to read as follows:

644.207 The Board shall admit to examination for a license as an aesthetician 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. Is a citizen of the United States or is lawfully entitled to remain and work in the United States;
4. Has successfully completed the 10th grade in school or its equivalent; and
5. Has ~~[received a]~~ ***had any one of the following:***

(a) A minimum of 900 hours of training, which includes theory, modeling and practice, in a licensed school of cosmetology **.** ~~[or who has practiced]~~

(b) Practice as a full-time licensed aesthetician for at least 1 year.

(c) At least 1,800 hours of service as an aesthetician's apprentice in a licensed cosmetological establishment in which aesthetics is practiced. The required hours must have been completed during the period of validity of the certificate of registration as an aesthetician's apprentice issued to the person pursuant to section 12 of this act.

Sec. 34. NRS 644.208 is hereby amended to read as follows:

644.208 1. The Board shall admit to examination as a hair braider, at any meeting of the Board held to conduct examinations, each person who has applied to the Board in proper form and paid the fee, and who:

(a) Is not less than 18 years of age.

(b) Is of good moral character.

(c) Is a citizen of the United States or is lawfully entitled to remain and work in the United States.

(d) Has successfully completed the 10th grade in school or its equivalent and has submitted to the Board a notarized affidavit establishing the successful completion by the applicant of the 10th grade or its equivalent. Testing for equivalency must be pursuant to state or federal requirements.

(e) If the person has not practiced hair braiding previously:

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

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

(II) Seventy-five hours concerning infection control ***and prevention*** and sanitation;

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

(IV) Fifty hours of clinical practice; and

(2) Has passed the practical demonstration in hair braiding and written tests described in NRS 644.248.

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

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

(2) Has passed the practical demonstration in hair braiding and written tests described in NRS 644.248.

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

(a) Two current photographs of the applicant which are ~~[1 1/2 by 1 1/2]~~ ***2 by 2*** inches. The name and address of the applicant must be written on the back of each photograph.

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

(1) A driver's license or identification card issued to the applicant by this State or another state, the District of Columbia or any territory of the United States;

(2) The birth certificate of the applicant; ***or***

(3) The current passport issued to the applicant**.** ~~[; or~~

~~(4) A voter registration card issued to the applicant pursuant to NRS 293.517.]~~

Sec. 35. NRS 644.209 is hereby amended to read as follows:

644.209 1. The Board shall admit to examination as a hair braider, at any meeting of the Board held to conduct examinations, each person who has practiced hair braiding in another state, has applied to the Board in proper form and paid a fee of $200, and who:

(a) Is not less than 18 years of age.

(b) Is of good moral character.

(c) Is a citizen of the United States or is lawfully entitled to remain and work in the United States.

(d) Has successfully completed the 10th grade in school or its equivalent and has submitted to the Board a notarized affidavit establishing the successful completion by the applicant of the 10th

grade or its equivalent. Testing for equivalency must be pursuant to state or federal requirements.

(e) If the person has practiced hair braiding in another state in accordance with a license issued in that other state:

(1) Has submitted to the Board proof of the license; and

(2) Has passed the written tests described in NRS 644.248.

(f) If the person has practiced hair braiding in another state without a license and it is legal in that state to practice hair braiding without a license:

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

(2) Has passed the practical demonstration in hair braiding and written tests described in NRS 644.248.

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

(a) Two current photographs of the applicant which are ~~[1 1/2 by 1 1/2]~~ ***2 by 2*** inches. The name and address of the applicant must be written on the back of each photograph.

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

(1) A driver's license or identification card issued to the applicant by this State or another state, the District of Columbia or any territory of the United States;

(2) The birth certificate of the applicant; ***or***

(3) The current passport issued to the applicant***.*** ~~[; or~~

~~(4) A voter registration card issued to the applicant pursuant to NRS 293.517.]~~

Sec. 36. NRS 644.210 is hereby amended to read as follows:

644.210 1. An application for admission to examination or for a license in any branch of cosmetology, or for a certificate of registration as a ***shampoo technologist, aesthetician's apprentice,*** cosmetologist's apprentice, ***hair designer's apprentice or nail technologist's apprentice*** must be made in writing on forms furnished by the Board and must be submitted within the period designated by the Board. The Board shall charge a fee of $15 for furnishing the forms.

2. An application must contain proof of the qualifications of the applicant for examination***,*** ~~[or]~~ licensure ~~[.]~~ ***or registration.*** The application must be verified by the oath of the applicant.

Sec. 37. NRS 644.214 is hereby amended to read as follows:

644.214 1. In addition to any other requirements set forth in this chapter:

(a) An applicant for the issuance of a license or evidence of registration issued pursuant to NRS 644.190 to 644.330, inclusive, ***and sections 12 to 16, inclusive, of this act*** shall include the social security number of the applicant in the application submitted to the Board.

(b) An applicant for the issuance or renewal of a license or evidence of registration issued pursuant to NRS 644.190 to 644.330, inclusive, ***and sections 12 to 16, inclusive, of this act*** shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license or evidence of registration; or

(b) A separate form prescribed by the Board.

3. A license or evidence of registration may not be issued or renewed by the Board pursuant to NRS 644.190 to 644.330, inclusive, ***and sections 12 to 16, inclusive, of this act*** if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

Sec. 38. NRS 644.217 is hereby amended to read as follows:

644.217 1. The Board may issue a certificate of registration as a cosmetologist's apprentice to a person if:

(a) The person is required to travel more than 60 miles from his or her place of residence to attend a licensed school of cosmetology; and

(b) The training of the person as a cosmetologist's apprentice will be conducted at a licensed cosmetological establishment that is located 60 miles or more from a licensed school of cosmetology.

2. The Board may, for good cause shown, waive the requirements of subsection 1 for a particular applicant.

3. An applicant for a certificate of registration as a cosmetologist's apprentice must submit an application to the Board on a form prescribed by the Board. The application must be accompanied by a fee of $100 and must include:

(a) A statement signed by the licensed cosmetologist who will be supervising and training the cosmetologist's apprentice which states that the licensed cosmetologist has been licensed by the Board to practice cosmetology in this State for not less than 3 years immediately preceding the date of the application and that his or her license has been in good standing during that period;

(b) A statement signed by the owner of the licensed cosmetological establishment where the applicant will be trained which states that the owner will permit the applicant to be trained as a cosmetologist's apprentice at the cosmetological establishment; and

(c) Such other information as the Board may require by regulation.

4. A certificate of registration as a cosmetologist's apprentice is valid for ~~[2 years]~~ ***24 months*** after the date on which it is issued and may be renewed by the Board upon good cause shown.

Sec. 39. NRS 644.2175 is hereby amended to read as follows:

644.2175 1. A ***holder of a certificate of registration as a*** cosmetologist's apprentice ***or apprentice of a single branch of cosmetology*** shall display the certificate of registration issued to him or her by the Board or a duplicate of the certificate of registration in plain view of the public at the position where the ~~[cosmetologist's]~~ apprentice is being trained. ~~[The]~~

2. If the apprentice is:

(a) A cosmetologist's apprentice, ***the cosmetologist's apprentice,*** the licensed cosmetologist supervising and training the cosmetologist's apprentice, and the owner of the cosmetological establishment where the cosmetologist's apprentice is being trained shall not advertise or hold the cosmetologist's apprentice out as being a licensed cosmetologist, or use any title or abbreviation that would indicate that the cosmetologist's apprentice is a licensed cosmetologist.

~~[2.]~~ ***(b) An apprentice of a single branch of cosmetology, the licensed cosmetologist, aesthetician, electrologist, hair designer or***

nail technologist supervising and training the apprentice, and the owner of the cosmetological establishment where the apprentice is being trained shall not advertise or hold the apprentice out as being a licensed cosmetologist, aesthetician, electrologist, hair designer or nail technologist or use any title or abbreviation that would indicate that the apprentice is a licensed cosmetologist, aesthetician, electrologist, hair designer or nail technologist.

3. To receive credit for an apprenticeship ~~[, a]~~ ***:***

(a) A cosmetologist's apprentice must be regularly employed during his or her training by:

~~[(a)]~~ ***(1)*** The cosmetological establishment where the cosmetologist's apprentice is being trained; or

~~[(b)]~~ ***(2)*** If the cosmetologist's apprentice is being supervised and trained by a licensed cosmetologist who is leasing space in a cosmetological establishment, the licensed cosmetologist.

~~[3.]~~ ***(b) An apprentice of a single branch of cosmetology must be regularly employed during his or her training by:***

(1) The cosmetological establishment where the apprentice is being trained; or

(2) If the apprentice is being supervised and trained by a licensed cosmetologist, aesthetician, electrologist, hair designer or nail technologist who is leasing space in a cosmetological establishment, the licensed cosmetologist, aesthetician, electrologist, hair designer or nail technologist.

4. Not more than one cosmetologist's apprentice ***or apprentice of a single branch of cosmetology*** may be employed at any time at a licensed cosmetological establishment.

~~[4.]~~ ***5.*** A licensed ~~[cosmetologist]~~ ***:***

(a) Cosmetologist who is supervising and training a cosmetologist's apprentice shall:

~~[(a)]~~ ***(1)*** Supervise all work done by the cosmetologist's apprentice; and

~~[(b)]~~ ***(2)*** Be in attendance at all times that the cosmetologist's apprentice is engaged in the practice of cosmetology.

~~[5.]~~ ***(b) Cosmetologist, aesthetician, electrologist, hair designer or nail technologist who is supervising and training an apprentice of a single branch of cosmetology shall:***

(1) Supervise all work done by the apprentice; and

(2) Be in attendance at all times that the apprentice is engaged in the practice of the branch of cosmetology for which the apprentice holds a certificate of registration.

6. A licensed ~~[cosmetologist]~~ ***:***

(a) Cosmetologist who is supervising and training a cosmetologist's apprentice shall keep a daily record of the training that is provided to the cosmetologist's apprentice. The licensed cosmetologist shall:

~~[(a)]~~ ***(1)*** Keep the daily records at the cosmetological establishment where the cosmetologist's apprentice is being trained and, upon the request of the Board, make the daily records available to the Board; and

~~[(b)]~~ ***(2)*** Submit a copy of the records to the Board at such regular intervals as the Board may require by regulation.

~~[6.]~~ ***(b) Cosmetologist, aesthetician, electrologist, hair designer or nail technologist who is supervising and training an apprentice of a single branch of cosmetology shall keep a daily record of the training that is provided to the apprentice. The licensed cosmetologist, aesthetician, electrologist, hair designer or nail technologist shall:***

(1) Keep the daily records at the cosmetological establishment where the apprentice is being trained and, upon the request of the Board, make the daily records available to the Board; and

(2) Submit a copy of the records to the Board at such regular intervals as the Board may require by regulation.

7. For the purposes of this chapter:

(a) A licensed cosmetologist is not required to obtain a license from the Board as an instructor to train a cosmetologist's apprentice pursuant to this section and NRS 644.217, and the licensed cosmetologist is not subject to regulation as an instructor because he or she provides such training.

(b) ***A licensed cosmetologist, aesthetician, electrologist, hair designer or nail technologist is not required to obtain a license from the Board as an instructor to train an apprentice of a single branch of cosmetology pursuant to this section and NRS 644.215 or section 12, 13 or 14 of this act, and the licensed cosmetologist, aesthetician, electrologist, hair designer or nail technologist is not subject to regulation as an instructor because he or she provides such training.***

(c) A licensed cosmetological establishment which employs a cosmetologist's apprentice ***or apprentice of a single branch of cosmetology*** or at which a cosmetologist's apprentice ***or apprentice of a single branch of cosmetology*** is being trained is not subject to regulation as a school of cosmetology because the cosmetologist's apprentice ***or apprentice of a single branch of cosmetology*** is being trained at the cosmetological establishment.

~~[7.]~~ ***8.*** The Board may adopt:

(a) Regulations relating to the qualifications of a licensed ~~[cosmetologist]~~ ***:***

(1) Cosmetologist to supervise and train a cosmetologist's apprentice; ***and***

(2) Cosmetologist, aesthetician, electrologist, hair designer or nail technologist to supervise and train an apprentice of a single branch of cosmetology;

(b) Regulations relating to the procedures and subject matter that must be included in the training of a cosmetologist's apprentice ~~[;]~~ ***or an apprentice of a single branch of cosmetology;***

(c) Regulations relating to the training of a cosmetologist's apprentice ***or apprentice of a single branch of cosmetology*** to verify the number of hours of training received by the cosmetologist's apprentice ~~[;]~~ ***or apprentice of a single branch of cosmetology;*** and

(d) Such other regulations as the Board determines necessary to carry out the provisions of this section and NRS ***644.215 and*** 644.217 ~~[.]~~ ***and sections 12, 13 and 14 of this act.***

9. As used in this section, "apprentice of a single branch of cosmetology" means a person engaged in learning the occupation of aesthetician, electrologist, hair designer or nail technologist.

Sec. 40. NRS 644.220 is hereby amended to read as follows:

644.220 1. In addition to the fee for an application, the fees for examination are:

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

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

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

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

(e) For examination as a hair braider, $110.

~~[(e)]~~ ***(f)*** For examination as a nail technologist, not less than $75 and not more than $200.

~~[(f)]~~ ***(g)*** For examination as an aesthetician, not less than $75 and not more than $200.

~~[(g)]~~ ***(h)*** For examination as an instructor of aestheticians, hair designers, cosmetology or nail technology, not less than $75 and not more than $200.

2. Except as otherwise provided in this subsection, the fee for each reexamination is not less than $75 and not more than $200. The fee for reexamination as a hair braider is $110.

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

4. Each applicant referred to in subsections 1 and 3 shall, in addition to the fees specified therein, pay the reasonable value of all supplies necessary to be used in the examination.

Sec. 41. NRS 644.248 is hereby amended to read as follows:

644.248 1. The examination for licensure as a hair braider pursuant to paragraph (e) of subsection 1 of NRS 644.209 must include:

(a) A written test on antisepsis, sterilization and sanitation; ~~[and]~~

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

(c) Such other tests or examinations as the Board deems necessary.

2. The examination for licensure as a hair braider pursuant to NRS 644.208 or paragraph (f) of subsection 1 of NRS 644.209 must include:

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

(b) A practical demonstration in hair braiding.

Sec. 42. NRS 644.260 is hereby amended to read as follows:

644.260 The Board shall issue a license ***or certificate of registration, as applicable,*** as a cosmetologist, aesthetician, electrologist, hair designer, ***shampoo technologist,*** hair braider, nail technologist, demonstrator of cosmetics or instructor to each applicant who:

1. ~~[Passes]~~ ***Except as otherwise provided in section 16 of this act, passes*** a satisfactory examination, conducted by the Board to determine his or her fitness to practice that occupation of cosmetology; and

2. Complies with such other requirements as are prescribed in this chapter for the issuance of the license ~~[.]~~ ***or certificate of registration.***

Sec. 43. NRS 644.300 is hereby amended to read as follows:

644.300 Every licensed ***or registered*** nail technologist, electrologist, aesthetician, hair designer, ***shampoo technologist,*** hair braider, demonstrator of cosmetics or cosmetologist shall, within 30 days after changing his or her place of business ~~[,]~~ ***or personal mailing address,*** as designated in the records of the Board, notify the ~~[Secretary of the]~~ Board of the new place of business ~~[.]~~ ***or***

personal mailing address. Upon receipt of the notification, the ~~[Secretary]~~ ***Board*** shall make the necessary change in the records.

Sec. 44. NRS 644.315 is hereby amended to read as follows:

644.315 1. The Board may, without examination, issue a limited license to a person ~~[currently licensed as a cosmetologist in another state or territory of the United States or the District of Columbia]~~ who intends to practice cosmetology in this State in the ~~[limited]~~ manner set forth in this section ~~[.]~~ ***and who is currently licensed as a cosmetologist, hair designer, nail technologist or aesthetician:***

(a) Pursuant to NRS 644.200, 644.204, 644.205 or 644.207, respectively; or

(b) In another state or territory of the United States or the District of Columbia.

2. A limited license issued pursuant to this section authorizes the holder of the limited license to practice cosmetology in this State:

(a) ~~[In]~~ ***Within the branch of cosmetology or branches of cosmetology for which the person is licensed in*** a resort hotel and in other types of locations the Board designates by regulation; and

(b) For ~~[not]~~ ***:***

(1) A 1-year period; or

(2) Not more than five periods, of not more than 10 days each, during any 1-year period for which the license is issued or renewed.

3. To apply for a limited license ~~[pursuant to this section,]~~ ***for the period described in subparagraph (1) of paragraph (b) of subsection 2,*** an applicant must submit to the Board:

(a) An application which includes the name of the applicant and the number ~~[or other designation identifying]~~ ***of*** the applicant's license ~~[from the other jurisdiction;]~~ ***issued pursuant to NRS 644.200, 644.204, 644.205 or 644.207, respectively;***

(b) ***Proof of successful completion of a course provided by the Board relating to sanitation and infection control when providing services relating to the practice of cosmetology in a location other than a cosmetological establishment;***

(c) Any other information required by the Board; and

~~[(c)]~~ ***(d)*** An application fee of $100.

4. ***To apply for a limited license for the period described in subparagraph (2) of paragraph (b) of subsection 2, an applicant must submit to the Board:***

(a) An application which includes the name of the applicant and:

(1) The number of the applicant's license issued pursuant to NRS 644.200, 644.204, 644.205 or 644.207, respectively; or

(2) The number or other designation identifying the applicant's license from any other jurisdiction described in subsection 1;

(b) Any other information required by the Board; and

(c) An application fee of $100.

5. The Board may issue a limited license pursuant to this section for not more than 1 year and may renew the limited license annually. A limited license expires 1 year after its date of issuance.

~~[5.]~~ ***6.*** A holder of a limited license may renew the limited license on or before the date of its expiration. To renew the limited license, the holder must:

(a) Apply to the Board for renewal; and

(b) Submit an annual renewal fee of $100.

~~[6.]~~ ***7.*** Not less than 5 days before practicing cosmetology in this State pursuant to a limited license, the holder of a limited license shall notify the Board ***electronically or*** in writing of the holder's intention to practice cosmetology in this State ~~[.]~~ ***pursuant to the limited license.*** The notice must specify:

(a) The name and limited license number of the holder;

(b) The specific dates ***and times*** on which the holder will be practicing cosmetology in this State ~~[;]~~ ***pursuant to the limited license;*** and

(c) The name and address of the location at which the holder will be practicing cosmetology in this State ~~[.~~

~~7.]~~ ***pursuant to the limited license.***

8. A holder of a limited license may submit to the Board the notice required by subsection 7 by using the Board's online notification process, by mail or in person.

9. A holder of a limited license is subject to the regulatory and disciplinary authority of the Board to the same extent as any other licensed cosmetologist for all acts relating to the practice of cosmetology which occur in this State ~~[.~~

~~8.]~~ ***pursuant to the limited license.***

10. The Board:

(a) Shall designate by regulation the types of ~~[locations,]~~ ***:***

(1) Locations, in addition to a resort hotel, at which a holder of a limited license may practice cosmetology in this State under a limited license ~~[.]~~ ***; and***

(2) Services relating to the practice of cosmetology that a holder of a limited license may perform in this State under a limited license.

(b) May adopt any other regulations as are necessary to carry out the provisions of this section.

~~[9.]~~ ***11.*** As used in this section, "resort hotel" has the meaning ascribed to it in NRS 463.01865.

Sec. 45. NRS 644.320 is hereby amended to read as follows:

644.320 1. The license ***or certificate of registration, as applicable,*** of every cosmetologist, aesthetician, electrologist, hair designer, ***shampoo technologist,*** hair braider, nail technologist, demonstrator of cosmetics and instructor expires ~~[:~~

~~(a) If the last name of the licensee begins with the letter "A" through the letter "M," on the date of birth of the licensee in the next succeeding odd-numbered year or such other date in that year as specified by the Board.~~

~~(b) If the last name of the licensee begins with the letter "N" through the letter "Z," on the date of birth of the licensee in the next succeeding even-numbered year or such other date in that year as specified by the Board.~~

~~2. The Board shall adopt regulations governing the proration of the fee required for initial licenses, other than initial licenses as a hair braider, issued for less than 1 1/2 years.~~

~~3. Except as otherwise provided in this section, the fee for an initial license as a hair braider is $70.]~~ ***on either:***

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

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

2. The ~~[fee]~~ ***fees*** for ***issuance of*** an initial license ***or certificate of registration,*** as ~~[a hair braider issued by the Board for:~~

~~(a) At least a portion of 1 month but less than 6 months is $17.50.~~

~~(b) Six months or more but less than 12 months is $35.00.~~

~~(c) Twelve months or more but less than 18 months is $52.50.]~~ ***applicable, are:***

(a) For nail technologists, electrologists, aestheticians, hair designers, shampoo technologists, demonstrators of cosmetics and cosmetologists:

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

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

(b) For hair braiders:

(1) For 2 years, $70.

(2) For 4 years, $140.

(c) For instructors:

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

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

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

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

Sec. 46. NRS 644.325 is hereby amended to read as follows:

644.325 1. An application for renewal of any license ***or certificate of registration*** issued pursuant to this chapter must be:

(a) Made on a form prescribed and furnished by the Board;

(b) Made on or before the date for renewal specified by the Board;

(c) Accompanied by the ***applicable*** fee for renewal; and

(d) Accompanied by all information required to complete the renewal.

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

(a) For nail technologists, electrologists, aestheticians, hair designers, ***shampoo technologists,*** demonstrators of cosmetics and cosmetologists ~~[,]~~ ***:***

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

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

(b) For hair braiders ~~[,]~~ ***:***

(1) For 2 years, $70.

(2) For 4 years, $140.

(c) For instructors ~~[,]~~ ***:***

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

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

(d) For cosmetological establishments ~~[,]~~ ***:***

(1) For 2 years, not less than $100 and not more than $200.

(2) For 4 years, not less than $200 and not more than $400.

(e) For establishments for hair braiding ~~[,]~~ ***:***

(1) For 2 years, $70.

(2) For 4 years, $140.

(f) For schools of cosmetology ~~[,]~~ ***:***

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

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

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

4. An application for the renewal of a license ***or a certificate of registration, as applicable,*** as a cosmetologist, hair designer, ***shampoo technologist,*** hair braider, aesthetician, electrologist, nail technologist, demonstrator of cosmetics or instructor must be ~~[accompanied]~~ ***:***

(a) Accompanied by two current photographs of the applicant which are ~~[1 1/2 by 1 1/2]~~ ***2 by 2*** inches ~~[. The name and address]~~ ***and have the name*** of the applicant ~~[must be]~~ written on the back of each photograph ~~[.]~~ ***; or***

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

5. Before a person applies for the renewal of a license ~~[on or after January 1, 2011,]~~ ***or certificate of registration, as applicable,*** as a cosmetologist, hair designer, ***shampoo technologist,*** hair braider, aesthetician, electrologist, nail technologist or demonstrator of cosmetics, the person must complete at least 4 hours of instruction relating to infection control ***and prevention*** in a professional course or seminar approved by the Board.

Sec. 47. NRS 644.330 is hereby amended to read as follows:

644.330 1. A nail technologist, electrologist, aesthetician, hair designer, ***shampoo technologist,*** hair braider, cosmetologist,

demonstrator of cosmetics or instructor whose license ***or certificate of registration, as applicable,*** has expired may have his or her license ***or certificate of registration*** renewed only upon payment of all ***applicable*** required fees and submission of all information required to complete the renewal.

2. Any nail technologist, electrologist, aesthetician, hair designer, ***shampoo technologist,*** hair braider, cosmetologist, demonstrator of cosmetics or instructor who retires from practice for more than 1 year may have his or her license ***or certificate of registration, as applicable,*** restored only upon payment of all required fees and submission of all information required to complete the restoration.

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

Sec. 48. NRS 644.331 is hereby amended to read as follows:

644.331 1. Each natural person who engages in the practice of threading and each owner or operator of a kiosk or other stand-alone facility in which a natural person engages in the practice of threading shall, on or before January 1 of each year, register with the Board on a form prescribed by the Board. The registration must ***be accompanied by a fee of not more than $25 and must*** include:

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

(b) Any other information relating to the practice of the person or the operation of the kiosk or other facility required by the Board. ~~[The Board shall not charge a fee for registering a person, owner or operator pursuant to this subsection.]~~

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

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

Sec. 49. NRS 644.340 is hereby amended to read as follows:

644.340 1. Any person wishing to operate a cosmetological establishment in which any one or a combination of the occupations of cosmetology are practiced must apply to the Board for a license, through the owner, manager or person in charge, upon forms

prepared and furnished by the Board. Each application must contain a detailed floor plan of the proposed cosmetological establishment and proof of the particular requisites for a license provided for in this chapter, and must be verified by the oath of the maker.

2. The applicant must submit the application accompanied by the ***applicable*** required fees for inspection and licensing. After the applicant has submitted the application, the applicant must contact the Board and request a verbal review concerning the application to determine if the cosmetological establishment complies with the requirements of this chapter and the regulations adopted by the Board. If, based on the verbal review, the Board determines that the cosmetological establishment meets those requirements, the Board shall issue to the applicant the required license. Upon receipt of the license, the applicant must contact the Board to request the activation of the license. A license issued pursuant to this subsection is not valid until it is activated. The Board shall conduct an on-site inspection of the cosmetological establishment not later than 90 days after the date on which the license 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. 50. NRS 644.345 is hereby amended to read as follows:

644.345 1. The Board must be notified of any change of ownership, name, services offered or location of a cosmetological establishment. The establishment may not be operated after the change until a new license is issued. The owner of the establishment must apply to the Board for the license and pay the ***applicable*** fees established ~~[pursuant to subsection]~~ ***by subsections*** 3 ***and 4*** of NRS 644.340.

2. After a license has been issued for the operation of a cosmetological establishment, any changes in the physical structure of the establishment must be approved by the Board.

Sec. 51. NRS 644.350 is hereby amended to read as follows:

644.350 1. The license of every cosmetological establishment ~~[expires]~~ ***:***

(a) Expires 2 years after the date of issuance or renewal of ~~[the]~~ ***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.

Sec. 52. NRS 644.360 is hereby amended to read as follows:

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

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, aestheticians, hair designers, ***shampoo technologists, hair braiders,*** demonstrators of cosmetics and cosmetologists at the establishment to provide ~~[cosmetological]~~ services ~~[.]~~ ***relating to the practice of cosmetology.*** This subsection does not prohibit an operator of a cosmetological establishment from:

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

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

3. The operator of a cosmetological establishment may lease space at the cosmetological establishment to a provider of health care for the purpose of providing health care within the scope of his or her practice. The provider of health care shall not use the leased space to provide such health care at the same time a cosmetologist uses that space to engage in the practice of cosmetology. A provider of health care who leases space at a cosmetological establishment pursuant to this subsection remains under the jurisdiction of the regulatory body which governs his or her business or profession and remains subject to the laws and regulations of this State applicable to such business or profession.

4. As used in this section:

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

(b) "Space" includes, without limitation, a separate room in the cosmetological establishment.

Sec. 53. NRS 644.365 is hereby amended to read as follows:

644.365 Cosmetology ***and threading*** may be practiced in a cosmetological establishment by licensed ***or registered, as applicable,*** cosmetologists ***, aestheticians, electrologists, hair designers, shampoo technologists, hair braiders, demonstrators of cosmetics, nail technologists and natural persons who engage in the practice of threading, as appropriate,*** who are:

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

Sec. 54. NRS 644.370 is hereby amended to read as follows:

644.370 ***1.*** A cosmetological establishment must, at all times, be under the immediate supervision of a ~~[licensed nail technologist, electrologist, aesthetician, hair designer or cosmetologist.]~~ ***person who is licensed in the branch of cosmetology or a combination of branches of cosmetology of any service relating to the practice of cosmetology provided at the cosmetological establishment at the time the service is provided.***

2. If the operator of a cosmetological establishment leases space to a licensed or registered, as applicable, nail technologist, electrologist, aesthetician, hair designer, shampoo technologist, hair braider, demonstrator of cosmetics or cosmetologist pursuant to NRS 644.360, the lessee must provide supervision for that branch of cosmetology in the manner required by subsection 1.

Sec. 55. NRS 644.377 is hereby amended to read as follows:

644.377 1. Any person wishing to operate an establishment for hair braiding must apply to the Board for a license, through the owner, manager or person in charge, upon forms prepared and furnished by the Board. Each application must contain a detailed floor plan of the proposed establishment for hair braiding and proof of any particular requisites for a license provided for in this chapter, and must be verified by the oath of the maker.

2. The applicant must submit the application accompanied by the required fees for inspection and licensing. After the applicant has submitted the application, the applicant must contact the Board and request a verbal review concerning the application to determine if the establishment for hair braiding complies with the requirements of this chapter and any regulations adopted by the Board. If, based on the verbal review, the Board determines that the establishment for hair braiding meets those requirements, the Board shall issue to the applicant the required license. Upon receipt of the license, the applicant must contact the Board to request the activation of the

license. A license issued pursuant to this subsection is not valid until it is activated. The Board shall conduct an on-site inspection of the establishment for hair braiding not later than 90 days after the date on which the license is activated.

3. The fee for ***issuance of*** a license for an establishment for hair braiding 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. 56. NRS 644.3772 is hereby amended to read as follows:

644.3772 1. The Board must be notified of any change of ownership, name, services offered or location of an establishment for hair braiding. The establishment may not be operated after the change until a new license is issued. The owner of the establishment must apply to the Board for the license and pay the ***applicable*** fees established pursuant to ~~[subsection]~~ ***subsections*** 3 ***and 4*** of NRS 644.377.

2. After a license has been issued for the operation of an establishment for hair braiding, any changes in the physical structure of the establishment must be approved by the Board.

Sec. 57. NRS 644.3773 is hereby amended to read as follows:

644.3773 1. The license of an establishment for hair braiding ~~[expires]~~ ***:***

(a) Expires 2 years after the date of issuance or renewal of ~~[the]~~ ***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 the owner of an establishment for hair braiding 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.

Sec. 58. NRS 644.380 is hereby amended to read as follows:

644.380 1. Any person desiring to conduct a school of cosmetology in which any one or any combination of the occupations of cosmetology are taught must apply to the Board for a license, through the owner, manager or person in charge, upon forms prepared and furnished by the Board. Each application must contain proof of the particular requisites for a license provided for in this chapter, and must be verified by the oath of the maker. The forms must be accompanied by:

(a) A detailed floor plan of the proposed school;

(b) The name, address and number of the license of the manager or person in charge and of each instructor;

(c) Evidence of financial ability to provide the facilities and equipment required by regulations of the Board and to maintain the operation of the proposed school for 1 year;

(d) Proof that the proposed school will commence operation with an enrollment of ~~[not less than 25 bona fide students;]~~ ***a number of students acceptable to the Board;***

(e) The ~~[annual]~~ ***applicable*** fee for a license;

(f) A copy of the contract for the enrollment of a student in a program at the school of cosmetology; and

(g) The name and address of the person designated to accept service of process.

2. Upon receipt by the Board of the application, the Board shall, before issuing a license, determine whether the proposed school:

(a) Is suitably located.

(b) Contains ~~[at least 5,000 square feet of]~~ ***adequate*** floor space and adequate equipment.

(c) Has a contract for the enrollment of a student in a program at the school of cosmetology that is approved by the Board.

(d) Admits as regular students only persons who have received a certificate of graduation from high school, or the recognized equivalent of such a certificate, or who are beyond the age of compulsory school attendance.

(e) Meets all requirements established by regulations of the Board.

3. The ~~[annual]~~ fee for ***issuance of*** a license for a school of cosmetology is ***:***

(a) For 2 years, not less than $500 and not more than $800.

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

4. If the proposed school meets all requirements established by this chapter and the regulations adopted pursuant thereto, the Board shall issue a license to the proposed school. The license must contain:

(a) The name of the proposed school;

(b) A statement that the proposed school is authorized to operate educational programs beyond secondary education; and

(c) Such other information as the Board considers necessary.

5. If the ownership of the school changes or the school moves to a new location, the school may not be operated until a new license is issued by the Board.

6. ***The Board shall, by regulation, prescribe:***

(a) The minimum enrollment of students required by paragraph (d) of subsection 1; and

(b) The amount of floor space required by paragraph (b) of subsection 2.

7. After a license has been issued for the operation of a school of cosmetology, the licensee must obtain the approval of the Board before making any changes in the physical structure of the school.

Sec. 59. NRS 644.400 is hereby amended to read as follows:

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

2. A school of cosmetology shall:

(a) ~~[Maintain a school term of not less than 1,800 hours extending over a period of not more than 36 months, and maintain a course]~~ ***Except as otherwise provided in subsection 6, maintain courses*** of practical training and technical instruction equal to the requirements for examination for a license ~~[as a cosmetologist.]~~ ***or certificate of registration in each branch of cosmetology taught at the school of cosmetology.***

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 60. NRS 644.430 is hereby amended to read as follows:

644.430 1. The following are grounds for disciplinary action by the Board:

(a) Failure of an owner of an establishment for hair braiding, a cosmetological establishment, a licensed ***or registered, as***

applicable aesthetician, cosmetologist, hair designer, ***shampoo technologist,*** hair braider, electrologist, instructor, nail technologist, demonstrator of cosmetics or school of cosmetology ~~[, or a cosmetologist's apprentice]~~ to comply with the requirements of this chapter or the applicable regulations adopted by the Board.

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

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

~~[(c)]~~ ***(d)*** Gross malpractice.

~~[(d)]~~ ***(e)*** Continued practice by a person knowingly having an infectious or contagious disease.

~~[(e)]~~ ***(f)*** Drunkenness or the use or possession, or both, of a controlled substance or dangerous drug without a prescription, while engaged in the practice of cosmetology.

~~[(f) Advertisement by means of knowingly false or deceptive statements.]~~

(g) ***Advertising in violation of any of the provisions of section 17 of this act.***

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

~~[(h)]~~ ***(i)*** Failure to display the license or a duplicate of the license as provided in NRS 644.290, 644.360, 644.3774 and 644.410.

~~[(i)]~~ ***(j) Failure to display the certificate of registration or a duplicate of the certificate of registration as provided in NRS 644.2175.***

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

~~[(j)]~~ ***(l)*** Continued practice of cosmetology or operation of a cosmetological establishment or school of cosmetology after the license therefor has expired.

~~[(k)]~~ ***(m)*** Any other unfair or unjust practice, method or dealing which, in the judgment of the Board, may justify such action.

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

(a) Refuse to issue or renew a license ~~[;]~~ ***or registration;***

(b) Revoke or suspend a license ~~[;]~~ ***or registration;***

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

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

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

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

Sec. 61. NRS 644.435 is hereby amended to read as follows:

644.435 1. If the Board receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who has been issued a license or been registered pursuant to NRS 644.190 to 644.330, inclusive, ***and sections 12 to 16, inclusive, of this act,*** the Board shall deem the license or registration issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the holder of the license or registration stating that the holder of the license or registration has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Board shall reinstate a license or registration issued pursuant to NRS 644.190 to 644.330, inclusive, ***and sections 12 to 16, inclusive, of this act*** that has been suspended by a district court pursuant to NRS 425.540 if the Board receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license or registration was suspended stating that the person whose license or registration was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

Sec. 62. NRS 644.460 is hereby amended to read as follows:

644.460 1. The following persons are exempt from the provisions of this chapter:

(a) All persons authorized by the laws of this State to practice medicine, dentistry, osteopathic medicine, chiropractic or podiatry.

(b) Commissioned medical officers of the United States Army, Navy, or Marine Hospital Service when engaged in the actual performance of their official duties, and attendants attached to those services.

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

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

(2) Massaging, cleansing, stimulating, exercising or similar work upon the scalp, face or neck of any person, with the hands or

with mechanical or electrical apparatus or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams.

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

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

(2) The retailer does not advertise or provide a ~~[cosmetological]~~ service ***relating to the practice of cosmetology*** except cosmetics and fragrances.

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

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

(a) Is exempt from the requirements of paragraph (c) of subsection 2 of NRS 644.400.

(b) Notwithstanding the provisions of NRS 644.395, shall maintain a staff of at least one licensed instructor.

Sec. 63. NRS 644.472 is hereby amended to read as follows:

644.472 1. Except as otherwise provided in subsection 2, it is unlawful for any animal to be on the premises of a licensed establishment for hair braiding or cosmetological establishment.

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

(a) An aquarium ~~[may be]~~ maintained on the premises of a licensed establishment for hair braiding or cosmetological establishment ~~[.]~~ ***; or***

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

3. As used in this section:

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

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

Sec. 64. NRS 651.075 is hereby amended to read as follows:

651.075 1. ~~[It]~~ ***Except as otherwise provided in NRS 644.472, it*** is unlawful for a place of public accommodation to:

(a) Refuse admittance or service to a person with a disability because the person is accompanied by a service animal.

(b) Refuse admittance or service to a person training a service animal.

(c) Refuse to permit an employee of the place of public accommodation who is training a service animal to bring the service animal into:

(1) The place of public accommodation; or

(2) Any area within the place of public accommodation to which employees of the place of public accommodation have access, regardless of whether the area is open to the public.

(d) Refuse admittance or service to a person because the person is accompanied by a police dog.

(e) Charge an additional fee or deposit for a service animal, service animal in training or a police dog as a condition of access to the place of public accommodation.

(f) Require proof that an animal is a service animal or service animal in training.

2. A place of public accommodation may:

(a) Ask a person accompanied by an animal:

(1) If the animal is a service animal or service animal in training; and

(2) What tasks the animal is trained to perform or is being trained to perform.

(b) Ask a person to remove a service animal or service animal in training if the animal:

(1) Is out of control and the person accompanying the animal fails to take effective action to control it; or

(2) Poses a direct threat to the health or safety of others.

3. A service animal may not be presumed dangerous by reason of the fact it is not muzzled.

4. This section does not relieve:

(a) A person with a disability who is accompanied by a service animal or a person who trains a service animal from liability for damage caused by the service animal.

(b) A person who is accompanied by a police dog from liability for damage caused by the police dog.

5. Persons with disabilities who are accompanied by service animals are subject to the same conditions and limitations that apply to persons who are not so disabled and accompanied.

6. Persons who are accompanied by police dogs are subject to the same conditions and limitations that apply to persons who are not so accompanied.

7. A person who violates paragraph (e) of subsection 1 is civilly liable to the person against whom the violation was committed for:

(a) Actual damages;

(b) Such punitive damages as may be determined by a jury, or by a court sitting without a jury, which must not be more than three times the amount of actual damages, except that in no case may the punitive damages be less than $750; and

(c) Reasonable attorney's fees as determined by the court.

8. The remedies provided in this section are nonexclusive and are in addition to any other remedy provided by law, including, without limitation, any action for injunctive or other equitable relief available to the aggrieved person or brought in the name of the people of this State or the United States.

9. As used in this section:

(a) "Police dog" means a dog which is owned by a state or local governmental agency and which is used by a peace officer in performing his or her duties as a peace officer.

(b) "Service animal" has the meaning ascribed to it in NRS 426.097.

(c) "Service animal in training" has the meaning ascribed to it in NRS 426.099.

Sec. 65. This act becomes effective:

1. Upon passage and approval for the purposes of adopting regulations and performing any other preparatory tasks that are necessary to carry out the provisions of this act; and

2. On October 1, 2015, for all other purposes.