

ASSEMBLY BILL NO. 496—COMMITTEE ON COMMERCE AND LABOR

MARCH 28, 2005

Referred to Committee on Commerce and Labor

SUMMARY—Revises certain provisions governing licensing and regulation of cosmetology. (BDR 54-1182)

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

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

AN ACT relating to cosmetology; requiring the State Board of Cosmetology to establish a procedure designed to streamline and reduce the duplication of requirements for certain persons to obtain a license as a cosmetologist or aesthetician; providing for the issuance of a license to practice cosmetology on a temporary basis under certain circumstances; authorizing the Board to set certain fees by regulation; and providing other matters properly relating thereto.

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

Section 1. Chapter 644 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *The Board shall, by regulation, establish a procedure pursuant to which a person who holds a license issued by a local governmental entity to practice massage therapy, or who is taking any action required to become licensed to practice massage therapy, may also obtain a license pursuant to this chapter as a cosmetologist or aesthetician. To the greatest extent practicable, the procedure must be designed to streamline and reduce the duplication of requirements for the person to obtain the license.*

Sec. 3. 1. *Upon application to the Board, the Board may, without examination, issue a license to a person currently licensed as a cosmetologist in another state or territory of the United States*



1 *or the District of Columbia who wishes to work on a temporary*
2 *basis in a resort hotel.*

3 2. *An application for a license to work as a cosmetologist on*
4 *a temporary basis must be accompanied by the fees set by the*
5 *Board by regulation for the license and include:*

6 (a) *The name and license number of the applicant;*

7 (b) *The name and address of the resort hotel at which the*
8 *applicant will be practicing cosmetology;*

9 (c) *The specific dates on which the applicant desires to*
10 *practice cosmetology in this State on a temporary basis; and*

11 (d) *Any other information required by the Board.*

12 3. *A license to work as a cosmetologist on a temporary basis*
13 *issued by the Board pursuant to this section must include the*
14 *name of the cosmetologist, the name of the resort hotel at which*
15 *the cosmetologist may temporarily practice cosmetology and the*
16 *period during which the cosmetologist may engage in that*
17 *practice.*

18 4. *The Board shall not issue a license to work on a temporary*
19 *basis to a cosmetologist pursuant to this section more than five*
20 *times during any calendar year.*

21 5. *As used in this section:*

22 (a) *“Resort hotel” has the meaning ascribed to it in*
23 *NRS 463.01865.*

24 (b) *“Temporary basis” means for a specified period of not*
25 *more than 7 calendar days.*

26 **Sec. 4.** NRS 644.212 is hereby amended to read as follows:

27 644.212 An application for the issuance of a license or
28 evidence of registration issued pursuant to NRS 644.190 to 644.330,
29 inclusive, *and sections 2 and 3 of this act* must include the social
30 security number of the applicant.

31 **Sec. 5.** NRS 644.214 is hereby amended to read as follows:

32 644.214 1. An applicant for the issuance or renewal of a
33 license or evidence of registration issued pursuant to NRS 644.190
34 to 644.330, inclusive, *and sections 2 and 3 of this act* shall submit
35 to the Board the statement prescribed by the Welfare Division of the
36 Department of Human Resources pursuant to NRS 425.520. The
37 statement must be completed and signed by the applicant.

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

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

43 (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 2 and 3 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 he 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 he 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. 6. 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 2 and 3 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 2 and 3 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. 7. 1. This act becomes effective on October 1, 2005.

2. Sections 4, 5 and 6 of this act expire by limitation on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to



- 1 withhold or suspend, or to restrict the use of professional,
2 occupational and recreational licenses of persons who:
3 (a) Have failed to comply with a subpoena or warrant relating to
4 a proceeding to determine the paternity of a child or to establish or
5 enforce an obligation for the support of a child; or
6 (b) Are in arrears in the payment for the support of one or more
7 children,
8 ➔ are repealed by the Congress of the United States.

