

Amendment No. 148

Senate Amendment to Senate Bill No. 206	(BDR 54-535)
<b>Proposed by:</b> Senate Committee on Commerce, Labor and Energy	
<b>Amendment Box:</b> Replaces Amendment No. 99.	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

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

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





SENATE BILL NO. 206—SENATORS ATKINSON, SPEARMAN; CANCELA, CANNIZZARO,  
FARLEY, GOICOECHEA, MANENDO, SEGERBLOM AND SETTELMAYER

FEBRUARY 22, 2017

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions relating to barbering. (BDR 54-535)

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 barbering; revising provisions governing the terms of appointed members of the State Barbers' Health and Sanitation Board; requiring the Board to post certain financial information and examination dates on the Internet website maintained by the Board; revising the qualifications for a license as an instructor in a barber school; revising requirements for the operation of a barber school; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law creates the State Barbers' Health and Sanitation Board, consisting of the Chief Medical Officer or his or her designee, and three members who are licensed barbers appointed by the Governor. (NRS 643.020) Under existing law, the appointed members of the Board serve terms of 3 years. (NRS 232A.020) **Section 1** of this bill: (1) increases to 4 years the length of the term of appointed members of the Board; and (2) prohibits an appointed member of the Board from serving more than ~~four~~ **three** terms. Under **section 8** of this bill, ~~any term~~ **only terms** commencing ~~before July 1, 2017, does not~~ **on or after January 3, 2011** count toward the limitation on the number of terms that may be served.

**Section 2** of this bill requires the Board to place on its Internet website the Board's budget and any financial reports prepared by the Board.

Existing law requires the Board to conduct examinations relating to licensing not less than three times each year. (NRS 643.100) **Section 3** of this bill requires the Board to post such examination dates on its Internet website not less than 60 days before the date of the examination.

Existing law requires an applicant for a license as an instructor at a barber school to have practiced not less than 5 years as a full-time licensed barber. (NRS 643.1775) **Section 4** of this bill changes this requirement to not less than 3 years.

Existing law establishes the requirements for a licensed barber school. (NRS 643.174) Senate Bill No. 370 of the 2015 Legislative Session added the requirement that, after July 1, 2017, a barber school be owned and operated by at least two instructors. (Sections 2.5 and 5.5 of chapter 424, Statutes of Nevada 2015, pp. 2441-42) **Sections 5-7** of this bill prevent this requirement from taking effect and instead require a barber school, after July 1, 2018, to have at least two instructors who provide instruction at the school.

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

**Section 1.** NRS 643.020 is hereby amended to read as follows:

643.020 1. The State Barbers' Health and Sanitation Board, consisting of four members, is hereby created.

2. The Board consists of the Chief Medical Officer, or a member of his or her staff designated by the Chief Medical Officer, and three members who are licensed barbers appointed by the Governor ~~H~~ *for terms of 4 years*. Of the barbers, one barber must be from Clark County, one barber must be from Washoe County and one barber must be from any county in the State. Each of the barbers must have been a resident of this State and a practicing licensed barber for at least 5 years immediately before his or her appointment. ~~HH~~ *An appointed member of the Board shall not serve more than ~~four~~ three terms.*

3. The Governor may remove a member of the Board for cause.

**Sec. 2.** NRS 643.050 is hereby amended to read as follows:

643.050 1. The Board may:

(a) Maintain offices in as many locations in this State as it finds necessary to carry out the provisions of this chapter.

(b) Employ attorneys, investigators and other professional consultants and clerical personnel necessary to the discharge of its duties.

(c) Adopt regulations necessary to carry out the provisions of this chapter.

2. The Board shall prescribe, by regulation, sanitary requirements for barbershops and barber schools.

3. Any member of the Board or its agents or assistants may enter and inspect any barbershop or barber school at any time during business hours or at any time when the practice of barbering or instruction in that practice is being carried on.

4. The Board shall keep a record of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of licenses. The record must contain the name, place of business and residence of each licensed barber, licensed apprentice and instructor, and the date and number of the license. The record must be open to public inspection at all reasonable times.

5. *The Board shall place on the Internet website maintained by the Board the budget of the Board and all financial reports prepared by the Board.*

6. The Board may approve and, by official order, establish the days and hours when barbershops may remain open for business whenever agreements fixing such opening and closing hours have been signed and submitted to the Board by any organized and representative group of licensed barbers of at least 70 percent of the licensed barbers of any county. The Board may investigate the reasonableness and propriety of the hours fixed by such an agreement, as is conferred by the provisions of this chapter, and the Board may fix hours for any portion of a county.

~~H~~ 7. The Board may adopt regulations governing the conduct of barber schools and the course of study of barber schools.

**Sec. 3.** NRS 643.100 is hereby amended to read as follows:

643.100 1. Not less than three times each year, at such times and places as it determines, the Board shall conduct examinations to determine the fitness of each of the following:

(a) Applicants for licenses as barbers.

(b) Applicants for licenses as apprentices.

(c) Applicants to enter barber schools.

2. The examination of applicants for licenses as barbers and apprentices must include a practical demonstration and a written and oral test that must include the subjects usually taught in barber schools approved by the Board.

*3. Not less than 60 days before the date of an examination described in this section, the Board shall provide notice of the examination on the Internet website maintained by the Board.*

**Sec. 4.** NRS 643.1775 is hereby amended to read as follows:

643.1775 The Board shall license any person as an instructor who:

1. Has applied to the Board in writing on the form prescribed by the Board;
2. Holds a high school diploma or its equivalent;
3. Has paid the applicable fees;
4. Holds a license as a barber issued by the Board;
5. Submits all information required to complete the application;
6. Has practiced not less than ~~1 1/2~~ 3 years as a full-time licensed barber in this State, the District of Columbia or in any other state or country whose requirements for licensing barbers are substantially equivalent to those in this State;
7. Has successfully completed a training program for instructors conducted by a licensed barber school which consists of not less than 600 hours of instruction within a 6-month period; and
8. Has passed an examination for instructors administered in accordance with NRS 643.1777.

**Sec. 5.** Section 2.5 of chapter 424, Statutes of Nevada 2015, at page 2441, is hereby amended to read as follows:

Sec. 2.5. NRS 643.174 is hereby amended to read as follows:

643.174 Upon receipt of an application to operate a barber school, the Board shall require the applicant, if the applicant is a sole proprietor, or a member, partner or officer, if the applicant is a firm, partnership or corporation, to appear personally before the Board and submit information in such form as the Board may by regulation prescribe showing:

1. The location of the proposed barber school and its physical facilities and equipment;
2. The proposed maximum number of students to be trained at any one time and the number of instructors to be provided;
3. The nature and terms of the applicant's right of possession of the proposed premises, whether by lease, ownership or otherwise;
4. The financial ability of the applicant to operate the barber school in accordance with the requirements of this chapter and the regulations of the Board;
5. That the barber school will ~~be owned and operated by~~ have at least two instructors ~~who provide instruction at the school;~~ and
6. Such other information as the Board considers necessary.

**Sec. 6.** Section 5.5 of chapter 424, Statutes of Nevada 2015, at page 2442, is hereby amended to read as follows:

Sec. 5.5. The amendatory provisions of section 2.5 of this act do not apply to a barber school for which a license to operate the barber school is issued or renewed before July 1, ~~2017~~ 2018.

**Sec. 7.** Section 6 of chapter 424, Statutes of Nevada 2015, at page 2442, is hereby amended to read as follows:

Sec. 6. 1. This act becomes effective upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act.

2. This section and sections 1, 2 and 3 to 5.5, inclusive, of this act become effective on January 1, 2016, for all other purposes.

3. Section 2.5 of this act becomes effective on July 1, ~~2017~~ 2018, for all other purposes.

**Sec. 8.** 1. The amendatory provisions of section 1 of this act do not affect the current term of appointment of any person who, on June 30, 2017, is an appointed member of the State Barbers' Health and Sanitation Board.

2. Any term of appointment commencing ~~before July 1, 2017,~~ :  
(a) Before January 3, 2011, must not be counted toward the limitation set forth in NRS 634.020, as amended by section 1 of this act.

(b) On or after January 3, 2011, must be counted toward the limitation set forth in NRS 634.020, as amended by section 1 of this act.

**Sec. 9.** 1. This section and sections 5, 6 and 7 of this act become effective upon passage and approval.

2. Sections 1 to 4, inclusive, of this act become effective on July 1, 2017.