

ASSEMBLY BILL NO. 351—ASSEMBLYMEN KRASNER,  
YEAGER; HARDY, ROBERTS AND WHEELER

MARCH 19, 2019

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to shampoo  
technologists. (BDR 54-174)

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

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

AN ACT relating to cosmetology; revising provisions governing the  
registration of shampoo technologists; and providing  
other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law establishes a certificate of registration as a shampoo technologist and sets forth the requirements, including passing certain examinations, that must be met before the State Board of Cosmetology may issue a certificate of registration to a person. (NRS 644A.375, 644A.380, 644A.490) Existing law also requires a shampoo technologist to: (1) renew his or her certificate of registration every 2 years; and (2) notify the Board if he or she changes his or her place of business or personal mailing address. (NRS 644A.375, 644A.510) Finally, existing law authorizes the Board to take disciplinary action against a shampoo technologist for failure to comply with the requirements of existing law or the applicable regulations adopted by the Board relating to shampoo technologists. (NRS 644A.850)

**Section 11** of this bill eliminates the requirements in existing law that must be met before the Board may issue a certificate of registration as a shampoo technologist, including a requirement that an applicant submit to an examination for a certificate of registration. **Section 11** also eliminates the requirement that a shampoo technologist renew his or her certificate of registration every 2 years. **Sections 3-6** of this bill make conforming changes to account for the removal of the requirement that a shampoo technologist submit to an examination to qualify for a certificate of registration. **Sections 8-10** of this bill make conforming changes to account for the removal of the requirement that a certificate of registration as a shampoo technologist requires renewal.

**Section 1** of this bill requires a shampoo technologist who engages in the practice of shampoo technology in a licensed cosmetological establishment to register online on the website of the Board on a form prescribed by the Board. **Section 1** also requires the Board to adopt regulations: (1) prescribing the



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requirements for a person to register online as a shampoo technologist; (2) allowing a person to satisfy any such requirement online; (3) providing for online proof of registration; and (4) prescribing the fee for registration. **Section 7** of this bill removes the requirement that a shampoo technologist notify the Board if he or she changes his or her place of business or personal mailing address.

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

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

*1. Each shampoo technologist who engages in the practice of shampoo technology in a licensed cosmetological establishment shall register online on the Internet website of the Board on a form prescribed by the Board.*

*2. The Board shall adopt regulations:*

*(a) Prescribing the requirements for a person to register as a shampoo technologist, which must include, without limitation, a requirement that a person complete 3 hours of instruction relating to shampooing and rinsing the hair and infection control and prevention;*

*(b) Allowing a person to satisfy any requirement prescribed by the Board pursuant to paragraph (a) online;*

*(c) Providing for online proof of registration as a shampoo technologist; and*

*(d) Prescribing a fee for registration as a shampoo technologist of not more than \$100.*

*3. A person shall not practice shampoo technology in a licensed cosmetological establishment without first obtaining a certificate of registration as a shampoo technologist pursuant to this section.*

*4. A person who holds a certificate of registration as a shampoo technologist is not required to renew the registration.*

**Sec. 2.** NRS 644A.260 is hereby amended to read as follows:

644A.260 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, esthetician, hair designer, ~~[shampoo technologist,]~~ hair braider, demonstrator of cosmetics, makeup artist registered pursuant to NRS 644A.395, *shampoo technologist registered pursuant to section 1 of this act*, 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



1 must also contain the facts which the applicants claimed in their  
2 applications to justify their licensure or registration.

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

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

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

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

11 644A.450 1. An application for admission to examination or  
12 for a license in any branch of cosmetology, or for a certificate of  
13 registration as ~~an~~ **an** esthetician's apprentice,  
14 cosmetologist's apprentice, hair designer's apprentice or nail  
15 technologist's apprentice must be made in writing on forms  
16 furnished by the Board and must be submitted within the period  
17 designated by the Board. The Board shall charge a fee of \$15 for  
18 furnishing the forms.

19 2. An application must contain proof of the qualifications of  
20 the applicant for examination, licensure or registration. The  
21 applicant must certify that all the information contained in the  
22 application is truthful and accurate.

23 **Sec. 4.** NRS 644A.470 is hereby amended to read as follows:

24 644A.470 1. In addition to the fee for an application, the fees  
25 for examination are:

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

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

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

32 ~~(d) For examination as a shampoo technologist, not less than~~  
33 ~~\$50 and not more than \$100.~~

34 ~~—(e) For examination as a hair braider, \$110.~~

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

37 ~~[(g)]~~ (f) For examination as an esthetician, not less than \$75 and  
38 not more than \$200.

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

42 2. Except as otherwise provided in this subsection, the fee for  
43 each reexamination is not less than \$75 and not more than \$200. The  
44 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. 5.** NRS 644A.480 is hereby amended to read as follows:  
644A.480 1. The Board:

(a) Shall provide examinations for licensure or registration as a cosmetologist, esthetician, hair designer, ~~shampoo-technologist,~~ hair braider, nail technologist or demonstrator of cosmetics in English and, upon the request of an applicant for licensure or registration as a cosmetologist, esthetician, hair designer, ~~shampoo-technologist,~~ hair braider, nail technologist or demonstrator of cosmetics, in Spanish; and

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

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

3. The Board shall impose a fee upon the applicants who file requests for an examination for licensure or registration as a cosmetologist, esthetician, hair designer, ~~shampoo-technologist,~~ hair braider, nail technologist or demonstrator of cosmetics to be translated into a language other than English or Spanish. The fee must be sufficient to ensure that the applicants bear the full cost for the development, preparation, administration, grading and evaluation of the translated examination. The fee is in addition to all other fees that must be paid by applicants for the examination for licensure or registration as a cosmetologist, esthetician, hair designer, ~~shampoo-technologist,~~ hair braider, nail technologist or demonstrator of cosmetics.

4. In determining whether it is in the best interests of the public to translate an examination for licensure or registration as a cosmetologist, esthetician, hair designer, ~~shampoo-technologist,~~ hair braider, nail technologist or demonstrator of cosmetics into a language other than English or Spanish, the Board shall consider the



percentage of the population within this State whose native language is the language for which the translated examination is sought.

**Sec. 6.** NRS 644A.490 is hereby amended to read as follows:

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

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

(b) Complies with such other requirements as are prescribed in this chapter for the issuance of the license or certificate of registration.

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

(a) For nail technologists, electrologists, estheticians, 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.

**Sec. 7.** NRS 644A.510 is hereby amended to read as follows:

644A.510 Every licensed or registered nail technologist, electrologist, esthetician, 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 Board of the new place of business or personal mailing address. Upon receipt of the notification, the Board shall make the necessary change in the records.

**Sec. 8.** NRS 644A.515 is hereby amended to read as follows:

644A.515 1. The license or certificate of registration, as applicable, of every cosmetologist, esthetician, electrologist, hair designer, ~~[shampoo-technologist,]~~ hair braider, nail technologist, demonstrator of cosmetics and instructor expires 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



1 certificate of registration, renewal of a license or certificate of  
2 registration or renewal of an expired license or certificate of  
3 registration, from the birthday of the licensee or holder nearest the  
4 date of issuance, restoration or renewal; or

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

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

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

22 **Sec. 9.** NRS 644A.520 is hereby amended to read as follows:

23 644A.520 1. An application for renewal of any license or  
24 certificate of registration issued pursuant to this chapter must be:

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

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

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

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

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

33 (a) For nail technologists, electrologists, estheticians, hair  
34 designers, ~~shampoo technologists,~~ demonstrators of cosmetics and  
35 cosmetologists:

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

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

38 (b) For hair braiders:

39 (1) For 2 years, \$70.

40 (2) For 4 years, \$140.

41 (c) For instructors:

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

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

44 (d) For cosmetological establishments:

45 (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, 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, esthetician, electrologist, nail technologist, demonstrator of cosmetics or instructor must be:

(a) Accompanied by two current photographs of the applicant which are 2 by 2 inches and have the name of the applicant 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.]~~ 4. Before a person applies for the renewal of a license or certificate of registration, as applicable, as a cosmetologist, hair designer, ~~[shampoo—technologist,]~~ hair braider, esthetician, 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. 10.** NRS 644A.525 is hereby amended to read as follows:  
644A.525 1. A nail technologist, electrologist, esthetician, 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, esthetician, hair designer, ~~[shampoo—technologist,]~~ hair braider, cosmetologist, demonstrator of cosmetics or instructor who retires from practice for



1 more than 1 year may have his or her license or certificate of  
2 registration, as applicable, restored only upon payment of all  
3 required fees and submission of all information required to complete  
4 the restoration.

5 3. No nail technologist, electrologist, esthetician, hair designer,  
6 ~~[shampoo technologist,]~~ hair braider, cosmetologist, demonstrator of  
7 cosmetics or instructor who has retired from practice for more than  
8 4 years may have his or her license or certificate of registration, as  
9 applicable, restored without examination and must comply with any  
10 additional requirements established in regulations adopted by the  
11 Board.

12 **Sec. 11.** NRS 644A.375 and 644A.380 are hereby repealed.

13 **Sec. 12.** This act becomes effective:

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

17 (b) On January 1, 2020, for all other purposes.

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## TEXT OF REPEALED SECTIONS

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### 644A.375 Qualifications for examination; fee; expiration and renewal of certificate of registration.

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

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

22 (b) Is of good moral character.

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

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

27 (e) Satisfies at least one of the following:

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

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

33 (3) Training of at least 50 hours which is administered online  
34 by the Board in a curriculum prescribed by the Board by regulation;  
35 or  
36

37 (4) Has had practice as a full-time licensed shampoo  
38 technologist for 1 year outside this State.  
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1       2. The Board may charge a fee of not more than \$50 to  
2 administer the training described in subparagraph (3) of paragraph  
3 (e) of subsection 1.

4       3. A certificate of registration as a shampoo technologist is  
5 valid for 2 years after the date on which it is issued and may be  
6 renewed by the Board upon good cause shown.

7       **644A.380 Scope of examination.** The examination for a  
8 certificate of registration as a shampoo technologist must include:

9       1. Practical demonstrations in shampooing and rinsing the hair  
10 which are approved and conducted by the Board or a licensed school  
11 of cosmetology;

12       2. A written test on the laws of Nevada and the regulations of  
13 the Board relating to cosmetology; and

14       3. Such other demonstrations and tests as the Board requires.

