

Amendment No. 420

Senate Amendment to Senate Bill No. 335	(BDR 54-186)
<b>Proposed by:</b> Senate Committee on Commerce and Labor	
<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 newly added language; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) ~~fuchsia double strikethrough~~ is new language in the bill proposed to be deleted in this amendment; (6) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment.

**SHORT FORM AMENDMENT**

Sections 7, 9, 13, 16, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 312, 314 and 315 of this act are the only sections affected by this amendment.

SJQ/AAK



Date: 4/17/2021

S.B. No. 335—Revises provisions relating to professional and occupational licensing. (BDR 54-186)





**If this amendment is adopted, the Legislative Counsel's Digest will be changed as follows:**

**Legislative Counsel's Digest:**

Existing law provides for the regulation of certain occupations and professions in this State by various boards and commissions created for that purpose. (Title 54 of NRS) **Sections 7 and 306** of this bill create the Division of Occupational Licensing within the Department of Business and Industry. **Sections 7 and 307** of this bill create the position of Administrator of the Division and require the Director of the Department to appoint the Administrator. **Section 8** of this bill authorizes the Administrator to appoint deputy administrators and other employees as necessary.

**Section 9** of this bill ~~authorizes~~ requires the Administrator to appoint ~~any~~ one or more advisory boards to assist the Administrator ~~determines are necessary to carry~~ in carrying out his or her duties ~~relating to the regulation of professions and occupations regulated by the Division for the protection of the public health and safety and the general welfare of the people of this State.~~ **Section 9** generally authorizes the Administrator to determine the number of members of such an advisory board and the qualifications of the members. However, if an advisory board is called upon to provide advice to the Administrator or perform any other duties relating to the regulation of a profession or occupation regulated by the Division, **section 9** requires ~~at least one member~~ a majority of the members of the advisory board to hold a license to engage in that profession or occupation.

**Section 10** of this bill authorizes the Division to take certain actions with respect to the issuance of licenses to persons engaged in professions or occupations regulated by the Division. **Section 11** of this bill authorizes the Division to take certain actions with respect to disciplinary action against such licensees.

**Section 12** of this bill authorizes the Division to conduct a review of any board that regulates an occupation or profession under existing law to determine whether the board should be abolished and its powers and duties transferred to the Division. **Section 13** of this bill authorizes the Division to develop and make recommendations to the Legislature regarding the abolishment of any such board and regarding certain other matters. **Section 14** of this bill creates the Occupational Licensing Account and requires the money in the Account to be expended only for the purposes of carrying out the duties of the Division. **Section 16** of this bill authorizes the Administrator to adopt certain regulations. Sections 13 and 16 require the Division to consider input from licensees when developing and making certain recommendations and adopting regulations. **Sections 3-6** of this bill define words and terms for the purposes of **sections 2-16** of this bill.

Existing law requires a regulatory body to follow certain procedures in taking disciplinary action against a licensee. (Chapter 622A of NRS) **Section 17** of this bill exempts the Division from such requirements.

Existing law creates the: (1) Nevada Board of Homeopathic Medical Examiners; (2) Board of Dental Examiners of Nevada; (2) State Board of Oriental Medicine; (3) Board of Athletic Trainers; and (4) Board of Massage Therapy. ~~and (5) State Barbers' Health and Sanitation Board.~~ (Chapters 630A, 631, 634A, 640B, and 640C ~~and 643~~ of NRS) **Sections 26-144, 154-176, 192-253** ~~262-301~~ and **314** of this bill abolish those boards and transfer the powers and duties relating to the regulation of the professions and occupations regulated by those boards to the Division of Occupational Licensing. **Sections 18-21, 305 and 308-310** of this bill make conforming changes to the account for the abolishment of those boards and the transfer of their powers and duties to the Division. **Section 312** of this bill provides that any person who, on December 31, 2021, is a member of a board abolished under the provisions of this bill is deemed to be a member of an advisory board appointed by the Administrator pursuant to **section 9** on January 1, 2022.

48 Existing law creates various boards to regulate providers of health care. (Chapters 630,  
49 630A, 631, 632, 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640B, 640C, 641,  
50 641A, 641B and 641C of NRS) **Section 15** of this bill requires the Division to adopt  
51 regulations establishing: (1) certain requirements for the creation, retention and public  
52 disclosure of records of those boards which have not been abolished pursuant to the provisions  
53 of this bill; and (2) penalties for such a board that fails to comply with such requirements.  
54 **Sections 22, 145, 147, 152, 177, 179, 181, 183, 185, 188, 190, 254, 256, 258 and 260** of this  
55 bill require each such board to comply with: (1) all applicable provisions of existing law  
56 governing public records and meetings of public bodies; and (2) any requirements concerning  
57 the creation, retention and public disclosure of records of the activities of the board  
58 established by regulation of the Division. **Sections 25, 146, 150, 153, 178, 180, 182, 184, 186,**  
59 **189, 191, 255, 257, 259 and 261** of this bill require 5 percent of the fees received by each  
60 such board to be deposited in the Occupational Licensing Account.

61 Existing law creates the Board of Medical Examiners, consisting of nine members  
62 appointed by the Governor. (NRS 630.050) **Sections 23 and 24** of this bill add a member to  
63 the Board who is required to be a licensed physician assistant.

64 Existing law creates the State Board of Osteopathic Medicine, consisting of seven  
65 members appointed by the Governor. (NRS 633.181) **Sections 148 and 149** of this bill add a  
66 member to the Board who is required to be a licensed physician assistant.

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**Section 7 of Senate Bill No. 335 is hereby amended as follows:**

1 **Sec. 7. 1. The Division of Occupational Licensing is hereby created**  
2 **within the Department of Business and Industry. The Director of the Department**  
3 **of Business and Industry shall appoint an Administrator of the Division who**  
4 **shall administer all activities and services of the Division.**

5 **2. The Division shall administer and enforce the provisions of this chapter**  
6 **and chapters 630A, 631, 634A, 640B ~~and~~ and 640C ~~and 643~~ of NRS.**

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**Section 9 of Senate Bill No. 335 is hereby amended as follows:**

7 **Sec. 9. 1. The Administrator ~~may~~ shall appoint ~~any~~ one or more**  
8 **advisory boards ~~the Administrator determines are necessary~~ to ~~carry~~ assist the**  
9 **Administrator in carrying out his or her duties ~~relating to the regulation of~~**  
10 **professions and occupations regulated by the Division for the protection of the**  
11 **public health and safety and the general welfare of the people in this State.**

12 **2. Except as otherwise provided in subsection 4, the Administrator may**  
13 **determine the number of members and the qualifications of the members of an**  
14 **advisory board appointed pursuant to this section. The members of an advisory**  
15 **board serve at the pleasure of the Administrator.**

16 **3. An advisory board appointed pursuant to this section shall:**

17 **(a) Meet at the times and places specified by the Administrator;**

18 **(b) Provide such advice to the Administrator as he or she requires; ~~and~~**

19 **(c) Assist the Administrator in reviewing and administering examinations**  
20 **required for the issuance of licenses;**

21 **(d) Review industry standards and make recommendations to the**  
22 **Administrator for regulatory changes;**

1 (e) Assist the Administrator in investigating possible violations of applicable  
 2 laws by licensees and make recommendations to the Administrator regarding any  
 3 proposed action to be taken in response to such violations; and

4 (f) Perform any other duties as the Administrator may assign.  
 5 4. If an advisory board is called upon to provide advice to the Administrator  
 6 or perform any other duties relating to the regulation of a profession or  
 7 occupation regulated by the Division, ~~at least one member~~ a majority of the  
 8 members of the advisory board must hold a license to engage in that profession or  
 9 occupation.

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Section 13 of Senate Bill No. 335 is hereby amended as follows:

10 Sec. 13. 1. The Division may develop and make recommendations to the  
 11 Legislature concerning:

12 ~~1. (a)~~ (a) The abolition of any board that regulates a profession or  
 13 occupation pursuant to this title and the transfer of the powers and duties of that  
 14 board to the Division based on a review conducted pursuant to section 12 of this  
 15 act;

16 ~~2. (b)~~ (b) Measures to improve and standardize the procedures for the  
 17 issuance of licenses by the Division;

18 ~~3. (c)~~ (c) Measures to improve and standardize the procedures used by the  
 19 Division for the imposition of disciplinary action against licensees; and

20 ~~4. (d)~~ (d) Any other matter concerning the licensure and regulation of  
 21 professions and occupations regulated by the Division.

22 2. In developing and making recommendations pursuant to subsection 1,  
 23 the Division shall consider input provided by licensees of the applicable board or  
 24 boards.

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Section 16 of Senate Bill No. 335 is hereby amended as follows:

25 Sec. 16. The Division may adopt regulations as necessary to carry out the  
 26 provisions of this chapter. In adopting any regulations pursuant to this section,  
 27 the Division shall consider input provided by licensees.

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Section 262 of Senate Bill No. 335 is hereby amended as follows:

28 Sec. 262. [NRS 643.010 is hereby amended to read as follows:]

29 ~~643.010 As used in this chapter, unless the context otherwise requires:~~

30 ~~1. "Barber school" includes a school of barbering, college of barbering and~~  
 31 ~~any other place or institution of instruction training persons to engage in the~~  
 32 ~~practice of barbering.~~

33 ~~2. "Barbershop" means any establishment or place of business where the~~  
 34 ~~practice of barbering is engaged in or carried on.~~

35 ~~3. ["Board" means the State Barbers' Health and Sanitation Board.]~~  
 36 ~~"Division" means the Division of Occupational Licensing of the Department of~~  
 37 ~~Business and Industry.~~

~~4. "Instructor" means any person who is licensed by the [Board] Division pursuant to the provisions of this chapter to instruct the practice of barbering in a barber school.~~

~~5. "Licensed apprentice" means a person who is licensed to engage in the practice of barbering as an apprentice pursuant to the provisions of this chapter.~~

~~6. "Licensed barber" means a person who is licensed to engage in the practice of barbering pursuant to the provisions of this chapter.~~

~~7. "Practice of barbering" means any of the following practices for cosmetic purposes:~~

~~(a) Shaving or trimming the beard, cutting or trimming the hair, or hair weaving.~~

~~(b) Giving massages of the face or scalp or treatments with oils, creams, lotions or other preparations, by hand or mechanical appliances.~~

~~(c) Singeing, shampooing or dyeing the hair, or applying hair tonics.~~

~~(d) Applying cosmetic preparations, antiseptics, powders, oils or lotions to the scalp, face or neck.~~

~~(e) Arranging, fitting, cutting, styling, cleaning, coloring or dyeing a hairpiece or wig, whether made of human hair or synthetic material. This does not restrict any establishment from setting or styling a hairpiece or wig in preparation for retail sale.~~

~~8. "Student" means a person receiving instruction in a barber school.]~~  
(Deleted by amendment.)

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**Section 263 of Senate Bill No. 335 is hereby amended as follows:**

**Sec. 263.** ~~[NRS 643.050 is hereby amended to read as follows:~~

~~643.050 1. The [Board] Division 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 [.] under this chapter.~~

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

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

~~3. Any [member of the Board or its agents or assistants] *agent or employee of the Division* 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] Division shall keep [a record of its proceedings] *records* relating to the issuance, refusal, renewal, suspension and revocation of licenses. [The record] *Such records* 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] Division 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] Division by any organized and representative group of licensed barbers of at least 70 percent of the licensed barbers of any county. The [Board] Division may~~

1 ~~investigate the reasonableness and propriety of the hours fixed by such an~~  
 2 ~~agreement, as is conferred by the provisions of this chapter, and the [Board]~~  
 3 ~~Division may fix hours for any portion of a county.~~  
 4 ~~[7.] 6. The [Board] Division may adopt regulations governing the conduct of~~  
 5 ~~barber schools and the course of study of barber schools.] (Deleted by~~  
 6 ~~amendment.)~~

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**Section 264 of Senate Bill No. 335 is hereby amended as follows:**

7 **Sec. 264.** ~~[NRS 643.060 is hereby amended to read as follows:~~  
 8 ~~— 643.060 [1. Except as otherwise provided in subsection 3,] All money~~  
 9 ~~received by the [Board] Division under this chapter must be [paid to the Secretary-~~  
 10 ~~Treasurer of the Board, who shall deposit the money in banks, credit unions,~~  
 11 ~~savings and loan associations or savings banks in the State of Nevada and give a~~  
 12 ~~receipt for it.~~  
 13 ~~— 2. The money must be expended in accordance with the provisions of this~~  
 14 ~~chapter for all necessary and proper expenses in carrying out the provisions of this~~  
 15 ~~chapter and upon proper claims approved by the Board.~~  
 16 ~~— 3. The Board shall deposit the money collected from the imposition of fines~~  
 17 ~~with the State Treasurer for credit to the State General Fund, and may present a~~  
 18 ~~claim to the State Board of Examiners for recommendation to the Interim Finance~~  
 19 ~~Committee if money is needed to pay an attorney's fees or the costs of an~~  
 20 ~~investigation, or both.] deposited with the State Treasurer for credit to the~~  
 21 ~~Occupational Licensing Account created by section 14 of this act.] (Deleted by~~  
 22 ~~amendment.)~~

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**Section 265 of Senate Bill No. 335 is hereby amended as follows:**

23 **Sec. 265.** ~~[NRS 643.070 is hereby amended to read as follows:~~  
 24 ~~— 643.070 Any person is qualified to receive a license as a barber:~~  
 25 ~~— 1. Who is qualified under the provisions of NRS 643.085.~~  
 26 ~~— 2. Who is at least 18 years of age.~~  
 27 ~~— 3. Who is of good moral character and temperate habits.~~  
 28 ~~— 4. Who has:~~  
 29 ~~(a) Practiced as a licensed apprentice for a period of 18 months under the~~  
 30 ~~immediate personal supervision of a licensed barber; or~~  
 31 ~~— (b) Complied with the requirements of NRS 643.085.~~  
 32 ~~— 5. Who has passed an examination conducted by the [Board] Division to~~  
 33 ~~determine his or her fitness to practice as a licensed barber.~~  
 34 ~~— 6. Who has had a chest X ray, the results of which indicate he or she is not~~  
 35 ~~tuberculous, and a blood test, the results of which indicate he or she is not a carrier~~  
 36 ~~of communicable diseases.] (Deleted by amendment.)~~

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**Section 266 of Senate Bill No. 335 is hereby amended as follows:**

1        **Sec. 266.** ~~[NRS 643.080 is hereby amended to read as follows:~~

2        ~~643.080 Any person is qualified to receive a license as an apprentice:~~

3        ~~1. Who is at least 16 1/2 years of age.~~

4        ~~2. Who is of good moral character and temperate habits.~~

5        ~~3. Who has graduated from a school of barbering approved by the [Board.]~~

6        ~~**Division.**~~

7        ~~4. Who has passed an examination conducted by the [Board.] **Division** to~~  
8        ~~determine his or her fitness to practice as a licensed apprentice.~~

9        ~~5. Who has had a chest X-ray, the results of which indicate he or she is not~~  
10       ~~tuberculous, and a blood test, the results of which indicate he or she is not a carrier~~  
11       ~~of communicable diseases.] **(Deleted by amendment.)**~~

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**Section 267 of Senate Bill No. 335 is hereby amended as follows:**

12       **Sec. 267.** ~~[NRS 643.085 is hereby amended to read as follows:~~

13       ~~643.085 A person who:~~

14       ~~1. Is licensed pursuant to the provisions of chapter 644A of NRS; and~~

15       ~~2. Has completed 400 hours of specialized training at a barber school~~  
16       ~~approved by the [Board.] **Division,**~~

17       ~~may take the examination for a license as a barber without being licensed as an~~  
18       ~~apprentice.] **(Deleted by amendment.)**~~

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**Section 268 of Senate Bill No. 335 is hereby amended as follows:**

19       **Sec. 268.** ~~[NRS 643.090 is hereby amended to read as follows:~~

20       ~~643.090 1. Each applicant for a license as a barber or an apprentice must~~  
21       ~~file an application verified by him or her for an examination before the [Board.]~~

22       ~~**Division.**~~

23       ~~2. The application must be in a form prescribed by the [Board.] **Division.**~~

24       ~~3. Each application must be accompanied by the fees prescribed by subsection~~

25       ~~4.~~

26       ~~4. The Board shall annually fix the examination fees, which must not be more~~  
27       ~~than \$100.~~

28       ~~5. Each applicant must, at the time of filing the application, file a certificate~~  
29       ~~signed by a licensed physician certifying that the applicant is free from tuberculosis~~  
30       ~~and other communicable diseases.~~

31       ~~6. Each applicant must submit all information required to complete the~~  
32       ~~application.] **(Deleted by amendment.)**~~

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**Section 269 of Senate Bill No. 335 is hereby amended as follows:**

**Sec. 269.** ~~[NRS 643.095 is hereby amended to read as follows:~~

~~643.095 1. In addition to any other requirements set forth in this chapter:~~

~~(a) An applicant for the issuance of a license as a barber, an apprentice or an instructor shall include the social security number of the applicant in the application submitted to the [Board.] *Division*.~~

~~(b) An applicant for the issuance or renewal of a license as a barber, an apprentice or an instructor must submit to the [Board] *Division of Occupational Licensing* 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] *Division of Occupational Licensing* 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~~

~~(b) A separate form prescribed by the [Board.] *Division*.~~

~~3. A license as a barber, an apprentice or an instructor may not be issued or renewed by the [Board] *Division* 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] *Division* 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. **(Deleted by amendment.)**~~

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**Section 270 of Senate Bill No. 335 is hereby amended as follows:**

**Sec. 270.** ~~[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] *Division* 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.] *Division*.~~

~~3. Not less than 60 days before the date of an examination described in this section, the [Board] *Division* shall provide notice of the examination on the Internet website maintained by the [Board.] *Division*. **(Deleted by amendment.)**~~

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**Section 271 of Senate Bill No. 335 is hereby amended as follows:**

1        **Sec. 271.** ~~[NRS 643.105 is hereby amended to read as follows:~~

2        ~~643.105 1. An applicant for a license pursuant to the provisions of this~~  
3 ~~chapter who, without good cause, fails to appear for an examination of the [Board]~~  
4 ~~Division after notification by the [Board] Division of eligibility to take the~~  
5 ~~examination;~~

6        ~~(a) Is not entitled to receive a refund of the fee for that examination; and~~

7        ~~(b) Must reapply to take the examination by filing a new application and~~  
8 ~~paying the fee for the examination.~~

9        ~~2. The [Board] Division shall, by regulation, define "good cause" for the~~  
10 ~~purposes of this section.] (Deleted by amendment.)~~

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**Section 272 of Senate Bill No. 335 is hereby amended as follows:**

11        **Sec. 272.** ~~[NRS 643.110 is hereby amended to read as follows:~~

12        ~~643.110 1. Except as otherwise provided in subsection 2, an applicant for a~~  
13 ~~license as a barber who fails to pass the examination conducted by the [Board]~~  
14 ~~Division must continue to practice as a licensed apprentice for an additional 3~~  
15 ~~months before he or she may retake the examination for a license as a barber.~~

16        ~~2. An applicant for a license as a barber who is a cosmetologist licensed~~  
17 ~~pursuant to the provisions of chapter 644A of NRS and who fails to pass the~~  
18 ~~examination conducted by the [Board] Division must complete further study as~~  
19 ~~prescribed by the [Board,] Division, not exceeding 250 hours, in a barber school~~  
20 ~~approved by the [Board] Division before he or she may retake the examination for a~~  
21 ~~license as a barber.~~

22        ~~3. An applicant for a license as an apprentice who fails to pass the~~  
23 ~~examination provided for in NRS 643.080 must complete further study as~~  
24 ~~prescribed by the [Board] Division in a barber school approved by the [Board]~~  
25 ~~Division before he or she may retake the examination for a license as an apprentice.~~

26        ~~4. An applicant for a license as an instructor who fails to pass the examination~~  
27 ~~provided for in NRS 643.1775 may retake the examination for a license as an~~  
28 ~~instructor. If the applicant retakes the examination:~~

29        ~~(a) Not later than 1 year after taking the initial examination, the applicant is not~~  
30 ~~required to complete further study in a barber school before he or she may retake~~  
31 ~~the examination; and~~

32        ~~(b) Later than 1 year after taking the initial examination, the applicant must~~  
33 ~~complete 250 hours of further study in a barber school approved by the [Board]~~  
34 ~~Division each time before he or she may retake the examination for a license as an~~  
35 ~~instructor.] (Deleted by amendment.)~~

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**Section 273 of Senate Bill No. 335 is hereby amended as follows:**

36        **Sec. 273.** ~~[NRS 643.120 is hereby amended to read as follows:~~

37        ~~643.120 Except as otherwise provided in NRS 643.130, any person who has a~~  
38 ~~license or certificate as a barber or an apprentice from another state, the District of~~  
39 ~~Columbia or a country which has substantially the same requirements for licensing~~  
40 ~~barbers and apprentices as are required by the provisions of this chapter must be~~

1 ~~admitted to practice as a licensed barber or apprentice pursuant to the regulations~~  
 2 ~~adopted by the [Board] Division.] (Deleted by amendment.)~~

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**Section 274 of Senate Bill No. 335 is hereby amended as follows:**

3 **Sec. 274.** ~~[NRS 643.130 is hereby amended to read as follows:~~

4 ~~— 643.130 1. A license as a barber or an apprentice must be issued by the~~  
 5 ~~[Board] Division to any applicant who:~~

6 ~~— (a) Passes an examination as provided for in NRS 643.070 and 643.080;~~

7 ~~— (b) Possesses the other qualifications required by the provisions of this chapter;~~

8 ~~— (c) Complies with the requirements set forth in the regulations of the [Board];~~  
 9 ~~Division; and~~

10 ~~— (d) Submits all information required to complete an application for a license.~~

11 ~~— 2. A person who has a license or certificate as a barber from another state or~~  
 12 ~~the District of Columbia, who has applied for an examination before the [Board]~~  
 13 ~~Division and who meets the qualifications set forth in NRS 643.070, except~~  
 14 ~~subsection 5 thereof, is temporarily exempt from licensure and may engage in the~~  
 15 ~~practice of barbering during the period of the temporary exemption if:~~

16 ~~— (a) The person has submitted a completed application for licensure for the first~~  
 17 ~~time and the application has been approved by the [Board];~~  
 18 ~~Division;~~

19 ~~— (b) The [Board] Division has approved the person to sit for the examination~~  
 20 ~~required pursuant to NRS 643.100;~~

21 ~~— (c) The person has not previously failed an examination for licensure as a~~  
 22 ~~barber;~~

23 ~~— (d) The person engages in the practice of barbering under the supervision of a~~  
 24 ~~barber licensed pursuant to this chapter and in accordance with the provisions of~~  
 25 ~~this chapter and the regulations of the [Board];~~  
 26 ~~Division; and~~

27 ~~— (e) The person complies with any other requirements of the [Board] Division to~~  
 28 ~~engage in the practice of barbering during the period of the temporary exemption.~~

29 ~~— 3. The temporary exemption authorized pursuant to subsection 2 begins on~~  
 30 ~~the date on which the [Board] Division notifies the person that he or she may~~  
 31 ~~engage in the practice of barbering under the temporary exemption and continues~~  
 32 ~~until the date of the examination if the person does not take the examination or until~~  
 33 ~~the date on which the [Board] Division notifies the person of the results of the~~  
 34 ~~examination. During the period of the temporary exemption, the person is subject to~~  
 the regulatory and disciplinary authority of the [Board] Division to the same extent  
 as a licensed barber.] (Deleted by amendment.)

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**Section 275 of Senate Bill No. 335 is hereby amended as follows:**

35 **Sec. 275.** ~~[NRS 643.140 is hereby amended to read as follows:~~

36 ~~— 643.140 1. Each licensed barber and each licensed apprentice who~~  
 37 ~~continues in active practice or service shall biennially, on or before April 1 of each~~  
 38 ~~even numbered year, renew the license and pay the required fee. The [Board]~~  
 39 ~~Division shall fix the fee for renewal of a license, which must not be more than \$60.~~  
 40 ~~All information required to complete the renewal must be submitted with the fee.~~  
 41 ~~Every license which has not been renewed before May 1 of an even numbered year~~  
 42 ~~expires on that date.~~

~~2. A licensed barber or a licensed apprentice whose license has expired may have the license restored immediately upon payment of the required restoration fee and submission of all required information at any time within 2 years after the expiration of the license. The [Board] Division shall fix the restoration fee, which must not be more than \$120.~~ **(Deleted by amendment.)**

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**Section 276 of Senate Bill No. 335 is hereby amended as follows:**

**Sec. 276.** ~~[NRS 643.150 is hereby amended to read as follows:  
643.150 1. Each licensed barber and licensed apprentice shall display the license in a conspicuous place adjacent to or near his or her work chair.  
2. A copy of the regulations adopted by the [Board] Division must be:  
(a) Provided to the owner or manager of each barbershop or barber school; and  
(b) Displayed in a conspicuous place in the barbershop or barber school.]~~ **(Deleted by amendment.)**

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**Section 277 of Senate Bill No. 335 is hereby amended as follows:**

**Sec. 277.** ~~[NRS 643.170 is hereby amended to read as follows:  
643.170 1. The [Board] Division shall not refuse to issue or renew any license, unless:  
(a) Before taking that action the [Board] Division gives written notice thereof to the accused stating the specific reason for its adverse action; and  
(b) The accused is granted the opportunity to appear before the [Board] Division for a hearing within 20 days after the date of the notice.  
2. The [Board] Division may:  
(a) Summon witnesses.  
(b) Require the production of books, records and papers for the hearing.  
3. Subpoenas must be issued by the [Secretary Treasurer of the Board] Division directed to the sheriff of the proper county to be served and returned in the same manner as subpoenas in criminal cases. The fees and mileage of the sheriff and witnesses must be the same as is allowed in criminal cases and must be paid from the money of the [Board] Division as other expenses of the [Board] Division are paid.  
4. If the accused prevails at the hearing, the [Board] Division shall grant him or her the proper relief without delay.  
5. Any investigation, inquiry or hearing thus authorized may be entertained or held by or before a member or members of the Board, and the finding or order of the member or members, when approved and confirmed by the Board, shall be deemed the finding or order of the Board.]~~ **(Deleted by amendment.)**

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**Section 278 of Senate Bill No. 335 is hereby amended as follows:**

**Sec. 278.** ~~[NRS 643.171 is hereby amended to read as follows:  
643.171 No person may operate a barbershop unless the [Board] Division has issued a license to operate a barbershop to that person.]~~ **(Deleted by amendment.)**

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**Section 279 of Senate Bill No. 335 is hereby amended as follows:**

1        **Sec. 279.** ~~[NRS 643.1711 is hereby amended to read as follows:~~  
2        ~~643.1711 An applicant for a license to operate a barbershop shall file an~~  
3        ~~application with the [Board] Division on forms prescribed by the [Board] Division~~  
4        ~~accompanied by the fee specified in NRS 643.1714.] (Deleted by amendment.)~~

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**Section 280 of Senate Bill No. 335 is hereby amended as follows:**

5        **Sec. 280.** ~~[NRS 643.1712 is hereby amended to read as follows:~~  
6        ~~643.1712 The [Board] Division shall issue a license to operate an existing~~  
7        ~~barbershop upon receipt of such application and fee if the applicant complies with~~  
8        ~~the applicable provisions of this chapter.] (Deleted by amendment.)~~

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**Section 281 of Senate Bill No. 335 is hereby amended as follows:**

9        **Sec. 281.** ~~[NRS 643.1713 is hereby amended to read as follows:~~  
10        ~~643.1713 1. An applicant for a license to operate a new barbershop shall~~  
11        ~~submit an application and an inspection fee to the [Secretary of the Board,]~~  
12        ~~Division.~~  
13        ~~2. [A member of the Board] The Division shall then, within 6 days, inspect~~  
14        ~~such shop and issue a temporary license to the applicant which is valid for 20 days~~  
15        ~~if such applicant complies with the applicable provisions of this chapter and the~~  
16        ~~regulations adopted by the [Board,] Division.~~  
17        ~~3. The [Board] Division shall issue a regular license to the applicant before~~  
18        ~~the expiration of such 20 day period.] (Deleted by amendment.)~~

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**Section 282 of Senate Bill No. 335 is hereby amended as follows:**

19        **Sec. 282.** ~~[NRS 643.1714 is hereby amended to read as follows:~~  
20        ~~643.1714 1. The [Board] Division shall establish the fee for an inspection,~~  
21        ~~which must not be more than \$50. The fee for a license to operate a barbershop or~~  
22        ~~for the renewal of the license must not be more than \$50.~~  
23        ~~2. Each license to operate a barbershop must be renewed biennially, during~~  
24        ~~April of each odd numbered year. Each licensee shall pay the biennial fee for~~  
25        ~~registration which must be prorated for the period from the date the license is issued~~  
26        ~~to the end of the biennium. Each such license which has not been renewed in April~~  
27        ~~of an odd numbered year expires on May 1 of that year. An expired license may be~~  
28        ~~restored upon payment of:~~  
29        ~~(a) The license fee; and~~  
30        ~~(b) A restoration fee established by the [Board,] Division, which must not be~~  
31        ~~more than \$50.] (Deleted by amendment.)~~

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**Section 283 of Senate Bill No. 335 is hereby amended as follows:**

1        **Sec. 283.** ~~[NRS 643.1716 is hereby amended to read as follows:~~  
2        ~~643.1716 A person may not operate any barbershop unless he or she complies~~  
3        ~~with all the applicable requirements of NRS 643.200 and the regulations adopted by~~  
4        ~~the [Board.] Division.] (Deleted by amendment.)~~

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**Section 284 of Senate Bill No. 335 is hereby amended as follows:**

5        **Sec. 284.** ~~[NRS 643.1717 is hereby amended to read as follows:~~  
6        ~~643.1717 [1.] The [Board] Division may immediately suspend a license to~~  
7        ~~operate a barbershop for violation of any of the applicable provisions of this chapter~~  
8        ~~or regulations adopted by the [Board] Division until the violation is cured.~~  
9        ~~2. [Except for immediate suspensions authorized pursuant to subsection 1, the~~  
10       ~~Board may suspend or revoke a license to operate a barbershop for a violation of~~  
11       ~~the provisions of this chapter or any regulation adopted by the Board only in a~~  
12       ~~manner consistent with the provisions of chapter 622A of NRS.~~  
13       ~~3.] When a license to operate a barbershop has been suspended or revoked for~~  
14       ~~a violation of the provisions of this chapter or the sanitary requirements of the~~  
15       ~~[Board.] Division, the [Board] Division shall post a notice on the shop stating the~~  
16       ~~fact of suspension or revocation and the reason therefor.] (Deleted by~~  
17       ~~amendment.)~~

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**Section 285 of Senate Bill No. 335 is hereby amended as follows:**

18       **Sec. 285.** ~~[NRS 643.172 is hereby amended to read as follows:~~  
19       ~~643.172 It is unlawful for any person to operate a barber school unless the~~  
20       ~~[Board] Division has issued a license to the person to operate the barber school.]~~  
21       ~~(Deleted by amendment.)~~

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**Section 286 of Senate Bill No. 335 is hereby amended as follows:**

22       **Sec. 286.** ~~[NRS 643.173 is hereby amended to read as follows:~~  
23       ~~643.173 An applicant for a license to operate a barber school shall file an~~  
24       ~~application with the [Board] Division in such form as the [Board] Division may~~  
25       ~~prescribe accompanied by the fee required by this chapter.] (Deleted by~~  
26       ~~amendment.)~~

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**Section 287 of Senate Bill No. 335 is hereby amended as follows:**

27       **Sec. 287.** ~~[NRS 643.174 is hereby amended to read as follows:~~  
28       ~~643.174 Upon receipt of an application to operate a barber school, the [Board]~~  
29       ~~Division shall require the applicant, if the applicant is a sole proprietor, or a~~  
30       ~~member, partner or officer, if the applicant is a firm, partnership or corporation, to~~

1 appear personally before the ~~[Board] Division~~ and submit information in such form  
 2 as the ~~[Board] Division~~ may by regulation prescribe showing:

3 ~~1. The location of the proposed barber school and its physical facilities and~~  
 4 ~~equipment;~~

5 ~~2. The proposed maximum number of students to be trained at any one time~~  
 6 ~~and the number of instructors to be provided;~~

7 ~~3. The nature and terms of the applicant's right of possession of the proposed~~  
 8 ~~premises, whether by lease, ownership or otherwise;~~

9 ~~4. The financial ability of the applicant to operate the barber school in~~  
 10 ~~accordance with the requirements of this chapter and the regulations of the [Board];~~  
 11 ~~Division;~~

12 ~~5. That the barber school will have at least two instructors who provide~~  
 13 ~~instruction at the school; and~~

14 ~~6. Such other information as the [Board] Division considers necessary.]~~

15 **(Deleted by amendment.)**

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**Section 288 of Senate Bill No. 335 is hereby amended as follows:**

16 **Sec. 288.** ~~[NRS 643.176 is hereby amended to read as follows:~~

17 ~~643.176 1. The [Board] Division may adopt and enforce reasonable~~  
 18 ~~regulations governing:~~

19 ~~(a) The conduct of barber schools;~~

20 ~~(b) The course of study of barber schools;~~

21 ~~(c) Except as otherwise provided in NRS 643.1777, the examination of~~  
 22 ~~instructors;~~

23 ~~(d) The fee for the examination of instructors, which may not exceed \$100; and~~

24 ~~(e) The fee for the issuance and renewal of an instructor's license, which must~~  
 25 ~~not exceed \$250.~~

26 ~~2. The [Board] Division shall require, as a prerequisite for the renewal of an~~  
 27 ~~instructor's license, continuing education in the form of seminars or other training.]~~

28 **(Deleted by amendment.)**

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**Section 289 of Senate Bill No. 335 is hereby amended as follows:**

29 **Sec. 289.** ~~[NRS 643.1775 is hereby amended to read as follows:~~

30 ~~643.1775 The [Board] Division shall license any person as an instructor who:~~

31 ~~1. Has applied to the [Board] Division in writing on the form prescribed by~~  
 32 ~~the [Board]; Division;~~

33 ~~2. Holds a high school diploma or its equivalent;~~

34 ~~3. Has paid the applicable fees;~~

35 ~~4. Holds a license as a barber issued by the [Board]; Division;~~

36 ~~5. Submits all information required to complete the application;~~

37 ~~6. Has practiced not less than 3 years as a full time licensed barber in this~~  
 38 ~~State, the District of Columbia or in any other state or country whose requirements~~  
 39 ~~for licensing barbers are substantially equivalent to those in this State;~~

40 ~~7. Has successfully completed a training program for instructors conducted by~~  
 41 ~~a licensed barber school which consists of not less than 600 hours of instruction~~  
 42 ~~within a 6 month period; and~~

~~8. Has passed an examination for instructors administered in accordance with NRS 643.1777.] (Deleted by amendment.)~~

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**Section 290 of Senate Bill No. 335 is hereby amended as follows:**

**Sec. 290.** ~~[NRS 643.1777 is hereby amended to read as follows:~~

~~643.1777 1. The examination of an applicant for a license as an instructor must include a practical demonstration and a written test that must include the subjects usually taught in barber schools approved by the [Board.] Division.~~

~~2. The [Board] Division shall oversee the examination for a license as an instructor but shall not administer any aspect of the examination, including, without limitation, the practical demonstration or written test.~~

~~3. The [Board] Division shall:~~

~~(a) Except as otherwise provided in paragraph (c), contract with the National Interstate Council of State Boards of Cosmetology, Inc., or any other national organization approved by the [Board] Division to administer the examination for a license as an instructor;~~

~~(b) Include as a term of any contract entered into pursuant to paragraph (a), a requirement that the organization provide the results of the examination to the applicant within 10 working days after the date of the examination; and~~

~~(c) Use only proctors who meet the requirements of subsection 4 to administer the practical demonstration portion of the examination for a license as an instructor.~~

~~4. To administer the practical demonstration portion of the examination for a license as an instructor, a proctor must be:~~

~~(a) An instructor; and~~

~~(b) Approved by the National Interstate Council of State Boards of Cosmetology, Inc., or any other national organization approved by the [Board] Division to administer a practical examination for persons who wish to instruct students in the practice of barbering.] (Deleted by amendment.)~~

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**Section 291 of Senate Bill No. 335 is hereby amended as follows:**

**Sec. 291.** ~~[NRS 643.179 is hereby amended to read as follows:~~

~~643.179 1. The [Board] Division shall not refuse to issue or renew any license to operate a barber school except upon 20 days' notice in writing to the interested parties.~~

~~2. The notice must contain a brief statement of the reasons for the contemplated action of the [Board] Division and shall designate a proper time and place for the hearing of all interested parties before any final action is taken.~~

~~3. Due notice, within the provisions of subsection 1, shall be deemed to have been given when the [Board] Division deposits with the United States Postal Service a copy of the notice, addressed to the designated or last known residence of the person applying for the license or to whom the license has already been issued.] (Deleted by amendment.)~~

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**Section 292 of Senate Bill No. 335 is hereby amended as follows:**

1        **Sec. 292.** ~~[NRS 643.182 is hereby amended to read as follows:~~

2        ~~643.182 1. The [Board] Division may by regulation require a licensed~~  
3 ~~barber to maintain a barbershop licensed by the [Board] Division as his or her~~  
4 ~~primary base of operation for the performance of barbering services.~~

5        ~~2. The provisions of this section do not prevent a licensed barber who~~  
6 ~~complies with regulations adopted pursuant to subsection 1 from providing~~  
7 ~~barbering services to customers away from his or her shop as a matter of~~  
8 ~~convenience to those customers.] (Deleted by amendment.)~~

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**Section 293 of Senate Bill No. 335 is hereby amended as follows:**

9        **Sec. 293.** ~~[NRS 643.184 is hereby amended to read as follows:~~

10        ~~643.184 A person who is required to display a license issued pursuant to the~~  
11 ~~provisions of this chapter shall, upon the request of an authorized representative of~~  
12 ~~the [Board.] Division, provide to that representative identification in the form of a~~  
13 ~~driver's license, identification card or permanent resident card with a photograph~~  
14 ~~that has been issued by a state, the District of Columbia or the United States or a~~  
15 ~~tribal identification card issued by a tribal government which satisfies the~~  
16 ~~requirements of subsection 2 of NRS 232.006.] (Deleted by amendment.)~~

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**Section 294 of Senate Bill No. 335 is hereby amended as follows:**

17        **Sec. 294.** ~~[NRS 643.185 is hereby amended to read as follows:~~

18        ~~643.185 1. The following are grounds for disciplinary action by the [Board.]~~  
19 ~~Division:~~

20        ~~(a) Violation by any person licensed pursuant to the provisions of this chapter~~  
21 ~~of any provision of this chapter or the regulations adopted by the [Board.] Division.~~

22        ~~(b) Conviction of a felony relating to the practice of barbers.~~

23        ~~(c) Malpractice or incompetency.~~

24        ~~(d) Continued practice by a person knowingly having an infectious or~~  
25 ~~contagious disease.~~

26        ~~(e) Advertising, practicing or attempting to practice under another's name or~~  
27 ~~trade name.~~

28        ~~(f) Having an alcohol or other substance use disorder.~~

29        ~~2. If the [Board] Division determines that a violation of this section has~~  
30 ~~occurred, it may:~~

31        ~~(a) Refuse to issue or renew a license;~~

32        ~~(b) Revoke or suspend a license; and~~

33        ~~(c) Impose a fine of not more than \$1,000.~~

34        ~~3. An order that imposes discipline and the findings of fact and conclusions of~~  
35 ~~law supporting that order are public records.] (Deleted by amendment.)~~

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**Section 295 of Senate Bill No. 335 is hereby amended as follows:**

1        **Sec. 295.** ~~[NRS 643.188 is hereby amended to read as follows:~~

2        ~~643.188 1. If the [Board] Division receives a copy of a court order issued~~  
3 ~~pursuant to NRS 425.540 that provides for the suspension of all professional,~~  
4 ~~occupational and recreational licenses, certificates and permits issued to a person~~  
5 ~~who is licensed as a barber, an apprentice or an instructor, the [Board] Division~~  
6 ~~shall deem the license issued to that person to be suspended at the end of the 30th~~  
7 ~~day after the date on which the court order was issued unless the [Board] Division~~  
8 ~~receives a letter issued to the holder of the license by the district attorney or other~~  
9 ~~public agency pursuant to NRS 425.550 stating that the holder of the license has~~  
10 ~~complied with the subpoena or warrant or has satisfied the arrearage pursuant to~~  
11 ~~NRS 425.560.~~

12        ~~2. The [Board] Division shall reinstate a license that has been suspended by a~~  
13 ~~district court pursuant to NRS 425.540 if the [Board] Division receives a letter~~  
14 ~~issued by the district attorney or other public agency pursuant to NRS 425.550 to~~  
15 ~~the person whose license was suspended stating that the person whose license was~~  
16 ~~suspended has complied with the subpoena or warrant or has satisfied the arrearage~~  
17 ~~pursuant to NRS 425.560.] (Deleted by amendment.)~~

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**Section 296 of Senate Bill No. 335 is hereby amended as follows:**

18        **Sec. 296.** ~~[NRS 643.189 is hereby amended to read as follows:~~

19        ~~643.189 1. Except as otherwise provided in this section and NRS 239.0115,~~  
20 ~~a complaint filed with the [Board] Division, all documents and other information~~  
21 ~~filed with the complaint and all documents and other information compiled as a~~  
22 ~~result of an investigation conducted to determine whether to initiate disciplinary~~  
23 ~~action against a person are confidential, unless the person submits a written~~  
24 ~~statement to the [Board] Division requesting that such documents and information~~  
25 ~~be made public records.~~

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

30        ~~3. The provisions of this section do not prohibit the [Board] Division from~~  
31 ~~communicating or cooperating with or providing any documents or other~~  
32 ~~information to any [other] licensing board or any other agency that is investigating~~  
33 ~~a person, including, without limitation, a law enforcement agency.] (Deleted by~~  
34 ~~amendment.)~~

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**Section 297 of Senate Bill No. 335 is hereby amended as follows:**

35        **Sec. 297.** ~~[NRS 643.190 is hereby amended to read as follows:~~

36        ~~643.190 It is unlawful:~~

37        ~~1. For any person to engage in the practice of barbering or attempt to engage~~  
38 ~~in the practice of barbering without a license as a barber or an apprentice issued by~~  
39 ~~the [Board] Division pursuant to this chapter.~~

~~2. For any owner or manager of any barbershop to hire or employ a barber or an apprentice who does not have a license issued by the [Board] Division pursuant to this chapter or whose barbershop does not meet the sanitary requirements of the [Board] Division.~~

~~3. For any person to serve as an apprentice under a licensed barber without a license as an apprentice issued by the [Board] Division pursuant to this chapter.~~

~~4. For any person to operate a barbershop unless the barbershop is at all times under the direct supervision and management of a licensed barber.~~

~~5. For any person to hire or employ any person to engage in the practice of barbering or attempt to engage in the practice of barbering unless the person holds a license as a barber or an apprentice issued by the [Board] Division pursuant to this chapter.~~

~~6. For any person licensed pursuant to chapter 644A of NRS or any other person to:~~

~~(a) Hold himself or herself out to the public, solicit business or advertise as a licensed barber or as operating a licensed barbershop;~~

~~(b) Use the title or designation "barber" or "barbershop" under circumstances which would create or tend to create the impression to members of the general public that the person is a licensed barber or is operating a licensed barbershop; or~~

~~(c) Engage in any other act or practice which would create or tend to create the impression to members of the general public that the person is a licensed barber or is operating a licensed barbershop,~~

~~unless the person holds, as appropriate, a license as a barber or a license to operate a barbershop issued by the [Board] Division pursuant to this chapter or the person is operating a licensed cosmetological establishment that is leasing space to or employing a licensed barber pursuant to NRS 644A.615.~~

~~7. For any person licensed pursuant to chapter 644A of NRS or any other person to place a barber pole in a location which would create or tend to create the impression to members of the general public that a business located near the barber pole is a barbershop unless the operator of the business holds a license to operate a barbershop issued by the [Board] Division pursuant to this chapter or the business is a licensed cosmetological establishment that is leasing space to or employing a licensed barber pursuant to NRS 644A.615. As used in this subsection, "barber pole" means:~~

~~(a) A red and white striped vertical cylinder with a ball located on top of the cylinder; or~~

~~(b) Any object of a similar nature, regardless of its actual shape or coloring, which would create or tend to create the impression to members of the general public that a business located near the object is a barbershop.] (Deleted by amendment.)~~

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**Section 298 of Senate Bill No. 335 is hereby amended as follows:**

**Sec. 298.** ~~[NRS 643.203 is hereby amended to read as follows:~~

~~643.203 1. It is unlawful for a person to engage in the practice of barbering unless he or she is wearing clean outer garments which are suitable to allow the safe and hygienic practice of barbering.~~

~~2. The [Board] Division shall adopt regulations which prescribe standards for the garments required by subsection 1.] (Deleted by amendment.)~~

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**Section 299 of Senate Bill No. 335 is hereby amended as follows:**

1        **Sec. 299.** ~~[NRS 643.205 is hereby amended to read as follows:~~  
 2        ~~643.205 It is unlawful for any person to instruct the practice of barbering in a~~  
 3        ~~barber school unless the person is licensed by the [Board] Division to do so.]~~  
 4        **(Deleted by amendment.)**

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**Section 300 of Senate Bill No. 335 is hereby amended as follows:**

5        **Sec. 300.** ~~[NRS 643.220 is hereby amended to read as follows:~~  
 6        ~~643.220 1. In addition to any other remedy or penalty:~~  
 7        ~~(a) The [Board] Division may issue a citation to a person who has engaged in~~  
 8        ~~any act or practice which constitutes a violation of any provision of NRS 643.190.~~  
 9        ~~A citation issued pursuant to this paragraph must be in writing and describe with~~  
 10        ~~particularity the nature of the violation. The citation also must inform the person of~~  
 11        ~~the provisions of subsection 2. A separate citation must be issued for each violation.~~  
 12        ~~If appropriate, the citation may contain an order to cease and desist.~~  
 13        ~~(b) Upon finding that a person has engaged in any act or practice which~~  
 14        ~~constitutes a violation of any provision of NRS 643.190, the [Board] Division shall~~  
 15        ~~assess an administrative fine of:~~  
 16        ~~(1) For the first violation, \$1,000.~~  
 17        ~~(2) For the second violation, \$1,500.~~  
 18        ~~(3) For the third or subsequent violation, \$2,000.~~  
 19        ~~2. To appeal a finding of a violation pursuant to this section, the person must~~  
 20        ~~request a hearing by written notice of appeal to the [Board] Division within 30 days~~  
 21        ~~after the date on which the citation is issued.] (Deleted by amendment.)~~

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**Section 301 of Senate Bill No. 335 is hereby amended as follows:**

22        **Sec. 301.** ~~[NRS 643.230 is hereby amended to read as follows:~~  
 23        ~~643.230 1. In addition to any other remedy or penalty, if a person has~~  
 24        ~~engaged in any act or practice which constitutes a violation of any provision of this~~  
 25        ~~chapter, the district court of any county, on application of the [Board.] Division,~~  
 26        ~~may issue an injunction or other appropriate order restraining the act or practice,~~  
 27        ~~without a showing of actual harm.~~  
 28        ~~2. A proceeding under this section is governed by Rule 65 of the Nevada~~  
 29        ~~Rules of Civil Procedure.] (Deleted by amendment.)~~

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**Section 302 of Senate Bill No. 335 is hereby amended as follows:**

30        **Sec. 302.** ~~[NRS 644A.615 is hereby amended to read as follows:~~  
 31        ~~644A.615 1. Every holder of a license issued by the Board to operate a~~  
 32        ~~cosmetological establishment shall display the license or a duplicate of the license~~  
 33        ~~in plain view of members of the general public in the principal office or place of~~  
 34        ~~business of the holder.~~  
 35        ~~2. Except as otherwise provided in this section, the operator of a~~  
 36        ~~cosmetological establishment may lease space to or employ only licensed or~~

1 registered, as applicable, nail technologists, electrologists, estheticians, hair  
 2 designers, shampoo technologists, hair braiders, demonstrators of cosmetics and  
 3 cosmetologists at the establishment to provide services relating to the practice of  
 4 cosmetology. This subsection does not prohibit an operator of a cosmetological  
 5 establishment from:

6 ~~— (a) Leasing space to or employing a barber. Such a barber remains under the~~  
 7 ~~jurisdiction of the [State Barbers' Health and Sanitation Board] *Division of*~~  
 8 ~~*Occupational Licensing of the Department of Business and Industry* and remains~~  
 9 ~~subject to the laws and regulations of this State applicable to his or her business or~~  
 10 ~~profession.~~

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

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

25 ~~— 4. As used in this section:~~

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

29 ~~— (b) "Space" includes, without limitation, a separate room in the cosmetological~~  
 30 ~~establishment.] (Deleted by amendment.)~~

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### Section 303 of Senate Bill No. 335 is hereby amended as follows:

31 **Sec. 303.** NRS 644A.880 is hereby amended to read as follows:

32 644A.880 1. If the Board determines that a complaint filed with the Board  
 33 concerns a matter within the jurisdiction of another licensing board, the Board shall  
 34 refer the complaint to the other licensing board within 5 days after making the  
 35 determination.

36 2. The Board may refer a complaint pursuant to subsection 1 orally,  
 37 electronically or in writing.

38 3. The provisions of subsection 1 apply to any complaint filed with the Board,  
 39 including, without limitation:

40 (a) A complaint which concerns a person who or entity which is licensed,  
 41 certified or otherwise regulated by the Board or by another licensing board; and

42 (b) A complaint which concerns a person who or entity which is licensed,  
 43 certified or otherwise regulated solely by another licensing board.

44 4. The provisions of this section do not prevent the Board from acting upon a  
 45 complaint which concerns a matter within the jurisdiction of the Board regardless  
 46 of whether the Board refers the complaint pursuant to subsection 1.

1           5. The Board or an officer or employee of the Board is immune from any civil  
2 liability for any decision or action taken in good faith and without malicious intent  
3 in carrying out the provisions of this section.

4           6. As used in this section, "licensing board" means:

5           (a) A board created pursuant to chapter 630, ~~{630A, 631,}~~ 632, 633, 634,  
6 ~~{634A,}~~ 635, 636, 637, 637B, 639, 640, 640A, ~~{640B, 640C,}~~ 640D, 640E, 641,  
7 641A, 641B, 641C, 643, 644A or 654 of NRS; ~~{and}~~

8           (b) The Division of Public and Behavioral Health of the Department of Health  
9 and Human Services ~~{;}~~ **and**

10           (c) *The Division of Occupation Licensing of the Department of Business and*  
11 *Industry.*

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**Section 304 of Senate Bill No. 335 is hereby amended as follows:**

12           **Sec. 304.** NRS 654.185 is hereby amended to read as follows:

13           654.185 1. If the Board determines that a complaint filed with the Board  
14 concerns a matter within the jurisdiction of another licensing board, the Board shall  
15 refer the complaint to the other licensing board within 5 days after making the  
16 determination.

17           2. The Board may refer a complaint pursuant to subsection 1 orally,  
18 electronically or in writing.

19           3. The provisions of subsection 1 apply to any complaint filed with the Board,  
20 including, without limitation:

21           (a) A complaint which concerns a person who or entity which is licensed,  
22 certified or otherwise regulated by the Board or by another licensing board; and

23           (b) A complaint which concerns a person who or entity which is licensed,  
24 certified or otherwise regulated solely by another licensing board.

25           4. The provisions of this section do not prevent the Board from acting upon a  
26 complaint which concerns a matter within the jurisdiction of the Board regardless  
27 of whether the Board refers the complaint pursuant to subsection 1.

28           5. The Board or an officer or employee of the Board is immune from any civil  
29 liability for any decision or action taken in good faith and without malicious intent  
30 in carrying out the provisions in this section.

31           6. As used in this section, "licensing board" means:

32           (a) A board created pursuant to chapter 630, ~~{630A, 631,}~~ 632, 633, 634,  
33 ~~{634A,}~~ 635, 636, 637, 637B, 639, 640, 640A, ~~{640B, 640C,}~~ 640D, 640E, 641,  
34 641A, 641B, 641C, 643, 644A or 654 of NRS; ~~{and}~~

35           (b) The Division of Public and Behavioral Health of the Department of Health  
36 and Human Services ~~{;}~~ **and**

37           (c) *The Division of Occupational Licensing of the Department of Business*  
38 *and Industry.*

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**Section 312 of Senate Bill No. 335 is hereby amended as follows:**

39           **Sec. 312.** Any person who, on December 31, 2021, serves as a member of  
40 the:

41           1. Nevada Board of Homeopathic Medical Examiners pursuant to chapter  
42 630A of NRS;

43           2. Board of Dental Examiners of Nevada pursuant to chapter 631 of NRS;

- 1           3. State Board of Oriental Medicine pursuant to chapter 634A of NRS;  
 2           4. Board of Athletic Trainers pursuant to chapter 640B of NRS; **or**  
 3           5. Board of Massage Therapy pursuant to chapter 640C of NRS. ~~1. or~~  
 4           ~~6. State Barbers' Health and Sanitation Board pursuant to chapter 643 of~~  
 5           ~~NRS.~~  
 6           ➤ shall be deemed to be a member of an advisory board appointed by the  
 7           Administrator of the Division of Occupational Licensing of the Department of  
 8           Business and Industry pursuant to section 9 of this act on January 1, 2022.

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**Section 314 of Senate Bill No. 335 is hereby amended as follows:**

9           **Sec. 314.** NRS 630A.020, 630A.100, 630A.110, 630A.120, 630A.130,  
 10          630A.135, 630A.140, 630A.150, 630A.170, 630A.175, 630A.180, 631.020,  
 11          631.120, 631.130, 631.140, 631.150, 631.195, 631.205, 634A.030, 634A.040,  
 12          634A.050, 634A.060, 640B.025, 640B.170, 640B.190, 640B.200, 640B.210,  
 13          640C.030, 640C.150, 640C.160, 640C.170, 640C.180, 640C.190, 640C.200 ~~1. and~~  
 14          640C.230 ~~1. 643.020, 643.030, 643.040 and 643.055~~ are hereby repealed.

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**Section 315 of Senate Bill No. 335 is hereby amended as follows:**

15          **Sec. 315.** 1. This ~~section~~ **act** becomes effective ~~upon passage and~~  
 16          ~~approval.~~  
 17          ~~2. Sections 1 to 314, inclusive, of this act become effective;~~  
 18          ~~(a) Upon passage and approval for the purpose of adopting any regulations and~~  
 19          ~~performing any other preparatory administrative tasks that are necessary to carry~~  
 20          ~~out the provisions of this act; and~~  
 21          ~~(b) On~~ **on** January 1, 2022. ~~1. for all other purposes.~~  
 22          ~~3. 2.~~ **2.** Sections 40, 71, 91, 125, 161, 169, 205, 210, 228, 244, 269 and 295 of  
 23          this act expire by limitation 2 years after the date on which the provisions of 42  
 24          U.S.C. § 666 requiring each state to establish procedures under which the state has  
 25          authority to withhold or suspend, or to restrict the use of professional, occupational  
 26          and recreational licenses of persons who:  
 27          (a) Have failed to comply with a subpoena or warrant relating to a proceeding  
 28          to determine the paternity of a child or to establish or enforce an obligation for the  
 29          support of a child; or  
 30          (b) Are in arrears in the payment for the support of one or more children,  
 31          ➤ are repealed by the Congress of the United States.

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Amend the bill as a whole by adding the leadlines of the repealed section(s) to read as follows:

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**LEADLINES OF REPEALED SECTIONS**

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- 630A.020 "Board" defined.
- 630A.100 Number, appointment and terms of members.
- 630A.110 Qualifications of members.
- 630A.120 Expiration of term; removal of member; replacement of removed member.
- 630A.130 Oaths or affirmations of office.
- 630A.135 Acknowledgment of statutory ethical standards.
- 630A.140 Officers; Secretary-Treasurer to receive applications for licenses and certificates; salary of Secretary-Treasurer.
- 630A.150 Meetings; quorum; vote by President only in case of tie.
- 630A.170 Seal; licenses and certificates to bear seal and signatures.
- 630A.175 Unauthorized use of seal or designation of Board or license or certificate issued by Board.
- 630A.180 Fiscal year.
- 631.020 "Board" defined.
- 631.120 Creation.
- 631.130 Qualifications of members.
- 631.140 Appointment of members from particular areas of State.
- 631.150 Grounds for removal of member from office.
- 631.160 Officers and Executive Director.
- 631.195 Fiscal year.
- 631.205 Creation; membership; powers and duties.
- 634A.040 Qualifications of members.
- 634A.050 Salary of members; per diem allowance and travel expenses of members and employees.
- 634A.060 Officers.
- 640B.025 "Board" defined.
- 640B.170 Creation; appointment and qualifications of members; terms, vacancies and removal from office; limitations on civil liability.
- 640B.190 Election of Chair; meetings; quorum.
- 640B.200 Employment of Executive Secretary and other personnel; members of Board not entitled to salary; per diem allowance and travel expenses of members and employees.
- 640B.210 Fiscal year.
- 640C.030 "Board" defined.
- 640C.150 Creation; appointment and qualifications of voting members; terms, vacancies and removal from office.
- 640C.160 Appointment of nonvoting advisory member.
- 640C.170 Salary of members; per diem allowance and travel expenses of members and employees.
- 640C.180 Election of Chair, Vice Chair and Secretary-Treasurer; meetings; quorum.
- 640C.190 Attorneys for Board.

**640C.200 Employment of Executive Director.**

**640C.230 Fiscal year.**

~~{~~  
~~643.020 Creation; qualifications and removal of members.~~  
~~643.030 Election of officers; salary of officers and members; per diem allowance and travel expenses of officers, members and employees; duties of Secretary-Treasurer.~~  
~~643.040 Meetings; quorum; seal; quarters.~~  
~~643.055 Fiscal year.~~  
~~}~~