

AMENDMENTS TO LB794

Introduced by Health and Human Services.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 38-1086, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 38-1086 In order to maintain its license in good standing, each
6 salon shall operate in accordance with the following requirements:

7 (1) The salon shall at all times comply with all applicable
8 provisions of the Cosmetology, Electrology, Esthetics, Nail Technology,
9 and Body Art Practice Act and all rules and regulations adopted and
10 promulgated under such act;

11 (2) The salon owner or his or her agent shall notify the department
12 at least thirty days prior to any change of ownership, name, or address,
13 and within one week if a salon is permanently closed, except in emergency
14 circumstances as determined by the department;

15 (3) No salon shall permit any unlicensed or unregistered person to
16 perform any of the practices of cosmetology within its confines or
17 employment;

18 (4) The salon shall display a name upon, over, or near the entrance
19 door distinguishing it as a salon;

20 (5) The salon shall permit any duly authorized agent of the
21 department to conduct an operation inspection or investigation at any
22 time during the normal operating hours of the salon, without prior
23 notice, and the owner and manager shall assist the inspector by providing
24 access to all areas of the salon, all personnel, and all records
25 requested by the inspector;

26 (6) The salon shall display in a conspicuous place the following
27 records:

1 (a) The current license or certificate of consideration to operate a
2 salon;

3 (b) The current licenses or registrations of all persons employed by
4 or working in the salon; and

5 (c) The rating sheet from the most recent operation inspection;

6 (7) At no time shall a salon employ more employees than permitted by
7 the square footage requirements of the Cosmetology, Electrology,
8 Esthetics, Nail Technology, and Body Art Practice Act; and

9 (8) The salon shall not knowingly permit its employees ~~or clients~~ to
10 use, ~~or consume, serve, or in any manner possess or distribute~~
11 intoxicating beverages ~~or controlled substances~~ upon its premises.

12 Sec. 2. Section 38-10,142, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 38-10,142 In order to maintain its license in good standing, each
15 nail technology salon shall operate in accordance with the following
16 requirements:

17 (1) The nail technology salon shall at all times comply with all
18 applicable provisions of the Cosmetology, Electrology, Esthetics, Nail
19 Technology, and Body Art Practice Act and all rules and regulations
20 adopted and promulgated under such act;

21 (2) The nail technology salon owner or his or her agent shall notify
22 the department at least thirty days prior to any change of ownership,
23 name, or address, and at least one week prior to closure, except in
24 emergency circumstances as determined by the department;

25 (3) No nail technology salon shall permit any unlicensed or
26 unregistered person to perform any of the practices of nail technology
27 within its confines or employment;

28 (4) The nail technology salon shall display a name upon, over, or
29 near the entrance door distinguishing it as a nail technology salon;

30 (5) The nail technology salon shall permit any duly authorized agent
31 of the department to conduct an operation inspection or investigation at

1 any time during the normal operating hours of the nail technology salon,
2 without prior notice, and the owner and manager shall assist the
3 inspector by providing access to all areas of the nail technology salon,
4 all personnel, and all records requested by the inspector;

5 (6) The nail technology salon shall display in a conspicuous place
6 the following records:

7 (a) The current license or certificate of consideration to operate a
8 nail technology salon;

9 (b) The current licenses or registrations of all persons employed by
10 or working in the nail technology salon; and

11 (c) The rating sheet from the most recent operation inspection;

12 (7) At no time shall a nail technology salon employ more employees
13 than permitted by the square footage requirements of the act; and

14 (8) The nail technology salon shall not knowingly permit its
15 employees ~~or clients~~ to use, ~~or consume, serve, or in any manner possess~~
16 ~~or distribute~~ intoxicating beverages ~~or controlled substances~~ upon its
17 premises.

18 Sec. 3. Original sections 38-1086 and 38-10,142, Reissue Revised
19 Statutes of Nebraska, are repealed.