

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018
COMMITTEE STATEMENT
LB790

Hearing Date: Wednesday January 17, 2018
Committee On: Health and Human Services
Introducer: Ebke
One Liner: Provide for licensure of mobile cosmetology and nail technology salons

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Crawford, Erdman, Howard, Kolterman, Linehan, Riepe, Williams
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:
Senator Laura Ebke
John Duncan
Nicole Fox

Representing:
Introducer
John Duncan Hair Salon
Platte Institute

Opponents:

Representing:

Neutral:
Ken Allen
Pam Rowland

Representing:
Nebraska Board of Barber Examiners
Nebraska Board of Cosmetology, Electrology, Esthetics,
Nail Technology and Body Art

Summary of purpose and/or changes:

LB 790 provides requirements for licensure of mobile cosmetology and nail technology salons.

SECTION BY SECTION:

Section 1: Amends Section 38-1001 to add sections to the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act.

Section 2: Amends Section 38-1004 to add definition sections to Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act.

Section 3: Adds mobile cosmetology salon to definition of cosmetology establishment.

Section 4: Adds definition for "mobile cosmetology salon."

Section 5: Adds definition for "mobile nail technology salon."

Section 6: Adds mobile nail technology salon to nail technology establishment.

Section 7: Provides requirements for licensure of mobile cosmetology salon.

Section 8: Provides requirements for application process for licensing a mobile cosmetology salon.

Section 9: Mandates the Department of Health and Human Services review all applications for mobile cosmetology salons. Provides requirements for the Department regarding application process.

Section 10: Provides requirements for mobile cosmetology salons to maintain license in good standing.

Section 11: Provides requirements for renewal process for mobile cosmetology salons.

Section 12: Provides requirements regarding revoked or expired licenses for mobile cosmetology salons.

Section 13: Provides requirements regarding issuance of mobile cosmetology salon licenses.

Section 14: Provides responsibility requirements of owner of mobile cosmetology salons to comply with all applicable laws, rules, and regulations. The owner shall be liable for all violation occurring in the salon.

Section 15: Provides requirements for licensure of mobile nail technology salon.

Section 16: Provides requirements for application process for licensing a mobile nail technology salons.

Section 17: Mandates the Department of Health and Human Services review all applications for mobile nail technology salons. Provides requirements for the Department regarding application process.

Section 18: Provides requirements for mobile nail technology salons to maintain license in good standing.

Section 19: Provides requirements for mobile nail technology salons to maintain license in good standing.

Section 20: Provides requirements regarding revoked or expired licenses for mobile nail technology salons.

Section 21: Provides requirements regarding issuance of mobile nail technology salon licenses.

Section 22: Provides responsibility requirements of owner of mobile nail technology salons to comply with all applicable laws, rules, and regulations. The owner shall be liable for all violation occurring in the salon.

Section 23: Amends 71-203 to change cosmetology salons to cosmetology establishments.

Section 24: Operative date January 1, 2019.

Section 25: Repeals Sections 38-1001, 38-1004, 38-1017, 38-1036 and 71-203.

Explanation of amendments:

AM 2422 is a white copy amendment which retains the original Sections 1-24 and provides requirements for the licensure of mobile barber shops. New language is bracketed with "* ... *".

SECTION BY SECTION:

Section 1: Amends Section 38-1001 to add sections to the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act.

Section 2: Amends Section 38-1004 to add definition sections to Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act.

Section 3: Adds "mobile cosmetology salon" to definition of "cosmetology establishment."

Section 4: Adds definition for "mobile cosmetology salon."

Section 5: Adds definition for "mobile nail technology salon."

Section 6: Adds mobile nail technology salon to nail technology establishment.

Section 7: Provides requirements for licensure of mobile cosmetology salon. Adds insurance requirements. *Adds requirement that insurance meets the Motor Vehicle Registration Act.*

Section 8: Provides requirements for application process for licensing a mobile cosmetology salon. *Strikes thirty day requirement. Strikes application requirements and provides compliance with Section 7.*

Section 9: Mandates the Department of Health and Human Services review all applications for mobile cosmetology salons. Provides requirements for the Department regarding application process.

Section 10: Provides requirements for mobile cosmetology salons to maintain license in good standing. *Removes thirty day requirement and one week requirement. Adds Department of Health and Human Services is not responsible for mandatory enforcement but may discipline for a reported and verified complaints.*

Section 11: Provides requirements for renewal process for mobile cosmetology salons.

Section 12: Provides requirements regarding revoked or expired licenses for mobile cosmetology salons.

Section 13: Provides requirements regarding issuance of mobile cosmetology salon licenses.

Section 14: Provides responsibility requirements of owner of mobile cosmetology salons to comply with all applicable laws, rules, and regulations. The owner shall be liable for all violation occurring in the salon.

Section 15: Provides requirements for licensure of mobile nail technology salon. *Provides requirements for licensure of mobile cosmetology salon.*

Section 16: Provides requirements for application process for licensing a mobile nail technology salons. *Provides requirements for application process for licensing a mobile cosmetology salon.*

Section 17: Mandates the Department of Health and Human Services review all applications for mobile nail technology salons. Provides requirements for the Department regarding application process.

Section 18: Provides requirements for mobile nail technology salons to maintain license in good standing. *Provides requirements for mobile cosmetology salons to maintain license in good standing.*

Section 19: Provides requirements for mobile nail technology salons to maintain license in good standing.

Section 20: Provides requirements regarding revoked or expired licenses for mobile nail technology salons.

Section 21: Provides requirements regarding issuance of mobile nail technology salon licenses.

Section 22: Provides responsibility requirements of owner of mobile nail technology salons to comply with all applicable laws, rules, and regulations. The owner shall be liable for all violation occurring in the salon.

Section 23: Amends 71-202.01 to add "mobile barber shop" to definition of "barber shop." Adds definition of "mobile barber shop."

Section 24: Amends 71-203 to change cosmetology "salons" to "establishments."

Section 25: Provides requirements for licensure of a mobile barber shop.

Section 26: Provides application requirements for licensure of a mobile barber shop.

Section 27: Provides compliance requirements with Barber Act. Provides requirements regarding issuance of denial of application and issuance of license.

Section 28: Provides requirements for mobile cosmetology salons to maintain license in good standing.

Section 29: Provides requirements for revoked or expired mobile barber licenses.

Section 30: Provides requirements for expiration of mobile barber licenses.

Section 31: Provides responsibility requirements of owner of mobile barber shop to comply with all applicable laws, rules, and regulations. The owner shall be liable for all violation occurring in the barber shop.

Section 32: Amends Section 71-224 to add sections to the Barber Act.

Section 33: Operative date January 1, 2019.

Section 34: Repeal Sections 38-1001, 38-1004, 38-1017, 38-1036, 71-203, 71-224, and 71-202.01.

Merv Riepe, Chairperson