

SENATE BILL NO. 128—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF THE SUNSET SUBCOMMITTEE
OF THE LEGISLATIVE COMMISSION)

PREFILED FEBRUARY 1, 2019

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing the administration of occupational licensing boards. (BDR 54-518)

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 occupational licensing boards; revising provisions governing the registration by the Nevada State Board of Accountancy of partnerships, corporations, limited-liability companies and sole proprietorships; requiring the Board of Medical Examiners to report certain additional licensure information; requiring members of the Nevada Physical Therapy Board to attend certain training; providing for the issuance of a provisional license as an instructor in the practice of barbering; requiring the State Board of Cosmetology to adopt regulations to provide for the issuance of an endorsement to render shaving services on certain licenses; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law grants practice privileges in this State to a natural person who holds
2 a valid license as a certified public accountant in another state, territory or possession
3 of the United States or the District of Columbia. (NRS 628.033, 628.315) Such a
4 natural person is not required to obtain a certificate of certified public accountant or
5 a permit to engage in the practice of public accounting from the Nevada State Board
6 of Accountancy but is required to consent to certain specified conditions, including
7 consent to the disciplinary authority of the Board. (NRS 628.315) **Section 3.15** of
8 this bill extends the authority of the Board to grant such practice privileges to a
9 certified public accounting firm organized as a partnership, corporation or limited-
10 liability company or a sole proprietorship which holds a valid registration in good
11 standing from another state, territory or possession of the United States or the District



12 of Columbia. Such a certified public accounting firm is not required to register with
13 the Board, but is required to consent to the same conditions as natural persons, such
14 as consent to the disciplinary authority of the Board. **Sections 3.1 and 3.25-3.85** of
15 this bill make conforming changes. **Section 3.2** of this bill exempts certain entities
16 whose sole business is preparing tax returns and related schedules from the
17 requirement of registration.

18 Existing law requires the Board of Medical Examiners to maintain records
19 pertaining to applicants to whom licenses have been issued or denied by the Board.
20 (NRS 630.220) Existing law also requires the Board of Medical Examiners to report
21 certain licensure information relating to veterans and service members. (NRS
22 417.0194, 622.120) **Section 3.9** of this bill requires the Board of Medical Examiners
23 to submit an annual report to the Legislature containing certain information relating
24 to applicants for licensure by endorsement by the Board who are members of the
25 Armed Forces of the United States, veterans and certain family members of veterans
26 or members of the Armed Forces of the United States.

27 **Section 4** of this bill requires each new member of the Nevada Physical Therapy
28 Board to attend certain training, which existing law requires the Attorney General to
29 provide to members of occupational licensing boards. (NRS 622.200)

30 Existing law creates the State Barbers' Health and Sanitation Board to regulate
31 the sanitary requirements for barbershops and barber schools and the conduct and
32 course of study of barber schools. (NRS 643.020, 643.050) **Section 4.05** of this bill
33 establishes the requirements for a licensed barber to obtain a provisional license as
34 an instructor and work while receiving the training. **Section 4.25** of this bill prohibits
35 an instructor from training more than two persons who each hold a provisional
36 license as an instructor at the same time.

37 Existing law requires the State Board of Cosmetology to regulate the various
38 branches of cosmetology, including the licensure of cosmetologists and hair
39 designers. (Chapter 644A of NRS) Existing law requires the State Board of
40 Cosmetology to adopt reasonable regulations for carrying out provisions of law
41 relating to cosmetology. (NRS 644A.275) **Sections 4.28 and 4.29** of this bill require
42 the Board to adopt regulations to provide for the issuance of an endorsement to render
43 shaving services on a license to practice cosmetology or a license to practice hair
44 design. **Sections 4.28 and 4.29** require these regulations to establish: (1) the manner
45 in which to apply for such an endorsement; (2) the training required to obtain such
46 an endorsement; and (3) procedures for the renewal of such an endorsement.

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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** (Deleted by amendment.)

3 **Sec. 3.** (Deleted by amendment.)

4 **Sec. 3.1.** NRS 628.023 is hereby amended to read as follows:

5 628.023 "Practice of public accounting" means the offering to
6 perform or the performance by a holder of a live permit or a natural
7 person *or certified public accounting firm* granted practice privileges
8 pursuant to NRS 628.315, for a client or potential client, of one or
9 more services involving the use of skills in accounting or auditing,
10 one or more services relating to advising or consulting with clients on
11 matters relating to management or the preparation of tax returns and
12 the furnishing of advice on matters relating to taxes.



1 **Sec. 3.15.** NRS 628.315 is hereby amended to read as follows:
2 628.315 1. Except as otherwise provided in this chapter, a
3 natural person who holds a valid license *in good standing* as a
4 certified public accountant *or a certified public accounting firm*
5 *organized as a partnership, corporation or limited-liability company*
6 *or a sole proprietorship which holds a valid registration in good*
7 *standing* from any state other than this State shall be deemed to be a
8 certified public accountant *or certified public accounting firm* for all
9 purposes under the laws of this State other than this chapter.

10 2. A natural person *or certified public accounting firm* granted
11 practice privileges pursuant to subsection 1 is not required to obtain
12 ~~it~~, *as applicable:*

13 (a) A certificate pursuant to NRS 628.190; ~~or~~

14 (b) A permit pursuant to NRS 628.380 ~~it~~; *or*

15 (c) *A registration pursuant to NRS 628.335.*

16 3. A natural person granted practice privileges pursuant to
17 subsection 1 and a partnership, corporation, limited-liability company
18 or sole proprietorship that employs such a *natural person or a*
19 *certified public accounting firm granted practice privileges*
20 *pursuant to subsection 1* shall be deemed to consent, as a condition
21 of the grant of such practice privileges:

22 (a) To the personal and subject matter jurisdiction, and
23 disciplinary authority, of the Board.

24 (b) To comply with the provisions of this chapter and the
25 regulations of the Board.

26 (c) That, in the event that the license from the state wherein the
27 ~~natural person's~~ principal place of business *of the natural person*
28 *or certified public accounting firm* is located becomes invalid ~~it~~
29 *or not in good standing:*

30 (1) *The* natural person will cease offering or engaging in the
31 practice of ~~professional~~ *public* accounting in this State individually
32 and on behalf of a partnership, corporation, limited-liability company
33 or sole proprietorship ~~it~~; *or*

34 (2) *The certified public accounting firm will cease offering*
35 *or engaging in the practice of public accounting in this State.*

36 (d) To the appointment of the state board that issued the license
37 as the agent upon whom process may be served in any investigation,
38 action or proceeding *by the Board* relating to ~~the~~ :

39 (1) *The* natural person or the partnership, corporation, limited-
40 liability company or sole proprietorship ~~by the Board.~~

41 ~~—4. A natural person granted practice privileges pursuant to~~
42 ~~subsection 1 may perform attest services for a client having his or her~~
43 ~~home office in this State only if the partnership, corporation, limited-~~
44 ~~liability company or sole proprietorship that employs the person is~~



1 ~~registered pursuant to NRS 628.335.] that employs the natural~~
2 ~~person; or~~

3 *(2) The certified public accounting firm.*

4 **Sec. 3.2.** NRS 628.335 is hereby amended to read as follows:

5 628.335 1. The Board shall grant or renew registration to a
6 partnership, corporation ~~[.]~~ *or* limited-liability company ~~for sole~~
7 ~~proprietorship]~~ that demonstrates its qualifications therefor in
8 accordance with this chapter.

9 2. ~~[A]~~ *Except as otherwise provided in subsection 3, a*
10 partnership, corporation or limited-liability company with an office
11 in this State shall register with the Board if the partnership,
12 corporation or limited-liability company:

- 13 (a) Performs attest services;
- 14 (b) Performs compilation services;
- 15 (c) Is engaged in the practice of public accounting; or
- 16 (d) Is styled and known as a certified public accountant or uses
17 the abbreviation "C.P.A."

18 3. ~~[A]~~ *An entity that is organized as a* partnership, corporation
19 ~~[.]~~ *or* limited-liability company ~~for sole proprietorship that does not~~
20 ~~have an office in this State:~~

21 ~~—(a) Shall register with the Board if the partnership, corporation,~~
22 ~~limited liability company or sole proprietorship performs attest~~
23 ~~services for a client having his or her home office in this State.~~

24 ~~—(b) May practice public accounting, may perform compilation~~
25 ~~services or other professional services within the practice of public~~
26 ~~accounting other than attest services for a client having his or her~~
27 ~~home office in this State, may be styled and known as a certified~~
28 ~~public accountant and may use the title or designation "certified~~
29 ~~public accountant" and the abbreviation "C.P.A." without registering~~
30 ~~with the Board if:~~

31 ~~—(1) Persons who are certified public accountants in any state~~
32 ~~constitute a simple majority, in terms of financial interests and voting~~
33 ~~rights of all partners, shareholders, officers, members and principals~~
34 ~~thereof, of the ownership of the partnership, corporation, limited-~~
35 ~~liability company or sole proprietorship;~~

36 ~~—(2) The partnership, corporation, limited liability company or~~
37 ~~sole proprietorship complies with the provisions of subsection 5 of~~
38 ~~NRS 628.325, if applicable;~~

39 ~~—(3) A natural person granted practice privileges pursuant to~~
40 ~~NRS 628.315 practices such public accounting or performs such~~
41 ~~compilation services or such other professional services within the~~
42 ~~practice of public accounting for the client having his or her home~~
43 ~~office in this State; and~~

44 ~~—(4) The partnership, corporation, limited liability company or~~
45 ~~sole proprietorship can lawfully perform such services in the state~~



1 where the natural person described in subparagraph (3) has his or her
2 principal place of business.

3 ~~—4. A natural person granted practice privileges pursuant to NRS
4 628.315 must not be required to obtain a permit from this State
5 pursuant to NRS 628.380 if the person performs such professional
6 services for:~~

7 ~~—(a) Which a partnership, corporation, limited liability company
8 or sole proprietorship is required to register pursuant to subsection 2
9 or 3; or~~

10 ~~—(b) A partnership, corporation or limited liability company
11 registered pursuant to the provisions of NRS 628.325.] is not
12 required to register with the Board pursuant to this section if:~~

13 *(a) The entity is not styled or known as a firm of certified public
14 accountants;*

15 *(b) The entity is not using the title or designation “certified
16 public accountant” or the abbreviation “C.P.A.”; and*

17 *(c) The sole business of the entity is preparing tax returns or
18 schedules in support of tax returns.*

19 **Sec. 3.25.** NRS 628.340 is hereby amended to read as follows:

20 628.340 1. A partnership required to register with the Board
21 pursuant to NRS 628.335 must meet the following requirements:

22 (a) At least one general partner must be ~~[either]~~ a certified public
23 accountant of this State in good standing . ~~[or, if the partnership is
24 required to register pursuant to paragraph (a) of subsection 3 of NRS
25 628.335, a natural person granted practice privileges pursuant to
26 NRS 628.315.]~~

27 (b) Each partner who is a resident of this State and is personally
28 and regularly engaged within this State in the practice of public
29 accounting as a member thereof, or whose principal place of business
30 is in this State and who is engaged in the practice of ~~[professional]~~
31 *public* accounting in this State, must be a certified public accountant
32 of this State in good standing.

33 (c) Each partner who is personally and regularly engaged in the
34 practice of public accounting in this State must be ~~[either]~~ a certified
35 public accountant of this State in good standing . ~~[or, if the partnership
36 is required to register pursuant to paragraph (a) of subsection 3 of
37 NRS 628.335, a natural person granted practice privileges pursuant
38 to NRS 628.315.]~~

39 (d) Each partner who is regularly engaged in the practice of public
40 accounting within the United States must be a certified public
41 accountant in good standing of some state or jurisdiction of the United
42 States.

43 (e) Each manager in charge of an office of the partnership in this
44 State must be ~~[either]~~ a certified public accountant of this State in



1 good standing . ~~[or a natural person granted practice privileges~~
2 ~~pursuant to NRS 628.315.]~~

3 (f) A corporation or limited-liability company which is registered
4 pursuant to NRS 628.343 or 628.345 may be a partner, and a
5 partnership which is registered pursuant to this section may be a
6 general partner, in a partnership engaged in the practice of public
7 accounting.

8 2. Application for registration must be made upon the affidavit
9 of ~~[either]~~ a general partner who holds a live permit to practice in this
10 State as a certified public accountant . ~~[or, if the partnership is~~
11 ~~required to register pursuant to paragraph (a) of subsection 3 of NRS~~
12 ~~628.335, a natural person granted practice privileges pursuant to NRS~~
13 ~~628.315.]~~ The Board shall determine whether the applicant is eligible
14 for registration and may charge an initial fee and an annual renewal
15 fee set by the Board by regulation. A partnership which is so
16 registered may use the words “certified public accountants” or the
17 abbreviation “C.P.A.’s” or “CPA’s” in connection with its
18 partnership name. Notice must be given to the Board within 1 month
19 after the admission to or withdrawal of a partner from any partnership
20 so registered.

21 **Sec. 3.3.** NRS 628.343 is hereby amended to read as follows:

22 628.343 1. A corporation required to register with the Board
23 pursuant to NRS 628.335 shall comply with the following
24 requirements:

25 (a) The sole purpose and business of the corporation must be to
26 furnish to the public services not inconsistent with this chapter or the
27 regulations of the Board, except that the corporation may invest its
28 money in a manner not incompatible with the practice of public
29 accounting.

30 (b) The principal officer of the corporation and any officer or
31 director having authority over the practice of public accounting by the
32 corporation must be a certified public accountant of ~~[some state]~~ *this*
33 *State* in good standing.

34 (c) At least one shareholder of the corporation must be ~~[either]~~ a
35 certified public accountant of this State in good standing . ~~[or, if the~~
36 ~~corporation is required to register pursuant to paragraph (a) of~~
37 ~~subsection 3 of NRS 628.335, a natural person granted practice~~
38 ~~privileges pursuant to NRS 628.315.]~~

39 (d) Each manager in charge of an office of the corporation in this
40 State and each shareholder or director who is regularly and personally
41 engaged within this State in the practice of public accounting must be
42 ~~[either]~~ a certified public accountant of this State in good standing .
43 ~~[or, if the corporation is required to register pursuant to paragraph (a)~~
44 ~~of subsection 3 of NRS 628.335, a natural person granted practice~~
45 ~~privileges pursuant to NRS 628.315.]~~



1 (e) In order to facilitate compliance with the provisions of this
2 section relating to the ownership of stock, there must be a written
3 agreement binding the shareholders or the corporation to purchase
4 any shares offered for sale by, or not under the ownership or effective
5 control of, a qualified shareholder. The corporation may retire any
6 amount of stock for this purpose, notwithstanding any impairment of
7 its capital, so long as one share remains outstanding.

8 (f) The corporation shall comply with other regulations pertaining
9 to corporations practicing public accounting in this State adopted by
10 the Board.

11 2. Application for registration must be made upon the affidavit
12 of ~~either~~ a shareholder who holds a live permit to practice in this
13 State as a certified public accountant . ~~for, if the corporation is~~
14 ~~required to register pursuant to paragraph (a) of subsection 3 of NRS~~
15 ~~628.335, a natural person granted practice privileges pursuant to NRS~~
16 ~~628.315.]~~ The Board shall determine whether the applicant is eligible
17 for registration and may charge an initial fee and an annual renewal
18 fee set by the Board by regulation. A corporation which is so
19 registered may use the words “certified public accountants” or the
20 abbreviation “C.P.A.’s” or “CPA’s” in connection with its corporate
21 name. Notice must be given to the Board within 1 month after the
22 admission to or withdrawal of a shareholder from any corporation so
23 registered.

24 **Sec. 3.35.** NRS 628.345 is hereby amended to read as follows:

25 628.345 1. A limited-liability company required to register
26 with the Board pursuant to NRS 628.335 shall comply with the
27 following requirements:

28 (a) The sole purpose and business of the limited-liability
29 company must be to furnish to the public services not inconsistent
30 with this chapter or the regulations of the Board, except that the
31 limited-liability company may invest its money in a manner not
32 incompatible with the practice of public accounting.

33 (b) The manager, if any, of the limited-liability company must be
34 a certified public accountant of ~~some state~~ *this State* in good
35 standing.

36 (c) At least one member of the limited-liability company must be
37 ~~either~~ a certified public accountant of this State in good standing .
38 ~~for, if the limited liability company is required to register pursuant to~~
39 ~~paragraph (a) of subsection 3 of NRS 628.335, a natural person~~
40 ~~granted practice privileges pursuant to NRS 628.315.]~~

41 (d) Each person in charge of an office of the limited-liability
42 company in this State and each member who is regularly and
43 personally engaged within this State in the practice of public
44 accounting must be ~~either~~ a certified public accountant of this State
45 in good standing . ~~for, if the limited liability company is required to~~



~~register pursuant to paragraph (a) of subsection 3 of NRS 628.335, a natural person granted practice privileges pursuant to NRS 628.315.]~~

(e) In order to facilitate compliance with the provisions of this section relating to the ownership of interests, there must be a written agreement binding the members or the limited-liability company to purchase any interest offered for sale by, or not under the ownership or effective control of, a qualified member.

(f) The limited-liability company shall comply with other regulations pertaining to limited-liability companies practicing public accounting in this State adopted by the Board.

2. Application for registration must be made upon the affidavit of the manager or a member of the limited-liability company. The affiant must hold a live permit to practice in this State as a certified public accountant. ~~[or, if the limited liability company is required to register pursuant to paragraph (a) of subsection 3 of NRS 628.335, be a natural person granted practice privileges pursuant to NRS 628.315.]~~ The Board shall determine whether the applicant is eligible for registration and may charge an initial fee and an annual renewal fee set by the Board by regulation. A limited-liability company which is so registered may use the words "certified public accountants" or the abbreviation "C.P.A.'s" or "CPA's" in connection with its name. Notice must be given to the Board within 1 month after the admission to or withdrawal of a member from any limited-liability company so registered.

Sec. 3.4. NRS 628.390 is hereby amended to read as follows:

628.390 1. After giving notice and conducting a hearing, the Board may revoke, or may suspend for a period of not more than 5 years, any certificate issued under NRS 628.190 to 628.310, inclusive, any practice privileges granted pursuant to NRS 628.315 ~~[or 628.335]~~ or any registration of a partnership, corporation, limited-liability company, sole proprietorship or office, or may revoke, suspend or refuse to renew any permit issued under NRS 628.380, or may publicly censure the holder of any permit, certificate or registration or any natural person *or certified public accounting firm* granted practice privileges pursuant to NRS 628.315, for any one or any combination of the following causes:

(a) Fraud or deceit in obtaining a certificate as a certified public accountant or in obtaining a permit to practice public accounting under this chapter.

(b) Dishonesty, fraud or gross negligence by a certified public accountant or a natural person *or certified public accounting firm* granted practice privileges pursuant to NRS 628.315.

(c) Violation of any of the provisions of this chapter.

(d) Violation of a regulation or rule of professional conduct adopted by the Board under the authority granted by this chapter.



1 (e) Conviction of a felony relating to the practice of public
2 accounting under the laws of any state or jurisdiction.

3 (f) Conviction of any crime:

4 (1) An element of which is dishonesty or fraud; or

5 (2) Involving moral turpitude,

6 ↪ under the laws of any state or jurisdiction.

7 (g) Cancellation, revocation, suspension, placing on probation or
8 refusal to renew authority to practice as a certified public accountant
9 by any other state, for any cause. ~~[other than failure to pay an annual
10 registration fee or to comply with requirements for continuing
11 education or review of his or her practice in the other state.]~~

12 (h) Suspension, revocation or placing on probation of the right to
13 practice before any state or federal agency.

14 (i) Unless the person has been placed on inactive or retired status,
15 failure to obtain an annual permit under NRS 628.380, within:

16 (1) Sixty days after the expiration date of the permit to practice
17 last obtained or renewed by the holder of a certificate; or

18 (2) Sixty days after the date upon which the holder of a
19 certificate was granted the certificate, if no permit was ever issued to
20 the person, unless the failure has been excused by the Board.

21 (j) Conduct discreditable to the profession of public accounting
22 or which reflects adversely upon the fitness of the person to engage
23 in the practice of public accounting.

24 (k) Making a false or misleading statement in support of an
25 application for a certificate or permit of another person.

26 (l) Committing an act in another state or jurisdiction which would
27 be subject to discipline in that state.

28 2. After giving notice and conducting a hearing, the Board may
29 deny an application to take the examination prescribed by the Board
30 pursuant to NRS 628.190, deny a person admission to such an
31 examination, invalidate a grade received for such an examination or
32 deny an application for a certificate issued pursuant to NRS 628.190
33 to 628.310, inclusive, to a person who has:

34 (a) Made any false or fraudulent statement, or any misleading
35 statement or omission relating to a material fact in an application:

36 (1) To take the examination prescribed by the Board pursuant
37 to NRS 628.190; or

38 (2) For a certificate issued pursuant to NRS 628.190 to
39 628.310, inclusive;

40 (b) Cheated on an examination prescribed by the Board pursuant
41 to NRS 628.190 or any such examination taken in another state or
42 jurisdiction of the United States;

43 (c) Aided, abetted or conspired with any person in a violation of
44 the provisions of paragraph (a) or (b); or



1 (d) Committed any combination of the acts set forth in paragraphs
2 (a), (b) and (c).

3 3. In addition to other penalties prescribed by this section, the
4 Board may impose a civil penalty of not more than \$5,000 for each
5 violation of this section.

6 4. The Board shall not privately censure the holder of any permit
7 or certificate or any natural person *or certified public accounting*
8 *firm* granted practice privileges pursuant to NRS 628.315.

9 5. An order that imposes discipline and the findings of fact and
10 conclusions of law supporting that order are public records.

11 **Sec. 3.45.** NRS 628.430 is hereby amended to read as follows:

12 628.430 All statements, records, schedules, working papers and
13 memoranda made by a certified public accountant or a natural person
14 *or certified public accounting firm* granted practice privileges
15 pursuant to NRS 628.315 incident to or in the course of professional
16 service to clients by the accountant, except reports submitted by a
17 certified public accountant or a natural person *or certified public*
18 *accounting firm* granted practice privileges pursuant to NRS 628.315
19 to a client, are the property of the accountant, in the absence of an
20 express agreement between the accountant and the client to the
21 contrary. No such statement, record, schedule, working paper or
22 memorandum may be sold, transferred or bequeathed, without the
23 consent of the client or the client's personal representative or
24 assignee, to anyone other than one or more surviving partners or new
25 partners of the accountant or to his or her corporation.

26 **Sec. 3.5.** NRS 628.435 is hereby amended to read as follows:

27 628.435 1. A practitioner shall comply with all professional
28 standards for accounting and documentation related to an attestation
29 applicable to particular engagements.

30 2. Except as otherwise provided in this section and in all
31 professional standards for accounting and documentation related to
32 an attestation applicable to particular engagements, a practitioner
33 shall retain all documentation related to an attestation for not less than
34 5 years after the date of the report containing the attestation.

35 3. Documentation related to an attestation that, at the end of the
36 retention period set forth in subsections 1 and 2, is a part of or subject
37 to a pending investigation of, or disciplinary action against, a
38 practitioner must be retained and must not be destroyed until the
39 practitioner has been notified in writing that the investigation or
40 disciplinary action has been closed or concluded.

41 4. As used in this section:

42 (a) "Documentation related to an attestation" includes, without
43 limitation:



1 (1) All documentation relating to consultations and
2 resolutions of any differences of professional opinion regarding the
3 exercise of professional judgment relating to an attestation; and

4 (2) Documentation of the findings or issues related to the
5 attestation that, based on the judgment of the practitioner after an
6 objective analysis of the facts and circumstances, is determined to be
7 significant, regardless of whether the documentation includes
8 information or data that is inconsistent with the final conclusions of
9 the practitioner.

10 (b) "Practitioner" means:

11 (1) A holder of a certificate issued pursuant to NRS 628.190
12 to 628.310, inclusive, or a permit issued pursuant to NRS 628.380;

13 (2) A partnership, corporation, limited-liability company or
14 sole proprietorship registered pursuant to NRS 628.335; or

15 (3) A natural person *or certified public accounting firm*
16 granted practice privileges pursuant to NRS 628.315.

17 **Sec. 3.55.** NRS 628.460 is hereby amended to read as follows:

18 628.460 A partnership, corporation, limited-liability company
19 or sole proprietorship shall not assume or use the title or designation
20 "certified public accountant" or the abbreviation "C.P.A." or any
21 other title, designation, words, letters, abbreviation, sign, card or
22 device tending to indicate that the partnership, corporation, limited-
23 liability company or sole proprietorship is composed of certified
24 public accountants unless the partnership, corporation,
25 limited-liability company or sole proprietorship is:

26 1. Registered as a partnership, corporation, limited-liability
27 company or sole proprietorship of certified public accountants and all
28 offices of the partnership, corporation, limited-liability company or
29 sole proprietorship in this State for the practice of public accounting
30 are maintained and registered as required under NRS 628.370; or

31 2. ~~Performing services within the practice of public accounting~~
32 *Granted practice privileges* pursuant to the provisions of ~~subsection~~
33 ~~3 of~~ NRS ~~628.335.~~ *628.315.*

34 **Sec. 3.6.** NRS 628.480 is hereby amended to read as follows:

35 628.480 A partnership, corporation, limited-liability company
36 or sole proprietorship shall not assume or use the title or designation
37 "public accountant" or any other title, designation, words, letters,
38 abbreviation, sign, card or device tending to indicate that the
39 partnership, corporation, limited-liability company or sole
40 proprietorship is composed of public accountants unless the
41 partnership, corporation, limited-liability company or sole
42 proprietorship is:

43 1. Registered as a partnership, corporation, limited-liability
44 company or sole proprietorship of certified public accountants and all
45 offices of the partnership, corporation, limited-liability company or



1 sole proprietorship in this State for the practice of public accounting
2 are maintained and registered as required under NRS 628.370; or

3 2. ~~Performing services within the practice of public accounting]~~
4 *Granted practice privileges* pursuant to ~~the provisions of subsection~~
5 ~~3 of]~~ NRS ~~[628.335.]~~ *628.315.*

6 **Sec. 3.65.** NRS 628.490 is hereby amended to read as follows:

7 628.490 1. Except as otherwise provided in subsection 2 and
8 NRS 628.450 to 628.480, inclusive, a person, partnership,
9 corporation, limited-liability company or sole proprietorship shall not
10 assume or use the title or designation “certified accountant,” or any
11 other title or designation likely to be confused with “certified public
12 accountant” or “public accountant,” or any of the abbreviations
13 “C.A.” or “P.A.” or similar abbreviations likely to be confused with
14 “C.P.A.”

15 2. ~~Anyone]~~ *Any person, partnership, corporation, limited-*
16 *liability company or sole proprietorship* who:

17 (a) Holds a live permit pursuant to NRS 628.380 or is registered
18 as a partnership, corporation, limited-liability company or sole
19 proprietorship pursuant to the provisions of this chapter and all of
20 whose offices in this State for the practice of public accounting are
21 maintained and registered as required under NRS 628.370; *or*

22 (b) Has been granted practice privileges pursuant to NRS 628.315
23 , ~~[-or~~

24 ~~—(c) Is performing services within the practice of public accounting~~
25 ~~pursuant to the provisions of subsection 3 of NRS 628.335.]~~

26 ↪ may hold himself or herself out to the public as an “accountant,”
27 “auditor” or “certified public accountant.”

28 **Sec. 3.7.** NRS 628.510 is hereby amended to read as follows:

29 628.510 1. Except as otherwise provided in subsection 2, a
30 person shall not sign or affix his or her name or the name of a
31 partnership, corporation, limited-liability company or sole
32 proprietorship, or any trade or assumed name used by the person or
33 by the partnership, corporation, limited-liability company or sole
34 proprietorship in business, with any wording indicating that he or she
35 is an accountant or auditor, or that the partnership, corporation,
36 limited-liability company or sole proprietorship is authorized to
37 practice as an accountant or auditor or with any wording indicating
38 that the person or the partnership, corporation, limited-liability
39 company or sole proprietorship has expert knowledge in accounting
40 or auditing, to any accounting or financial statement, or attest to any
41 accounting or financial statement, unless:

42 (a) The person holds a live permit or the partnership, corporation,
43 limited-liability company or sole proprietorship is registered pursuant
44 to NRS 628.335 and all of the person’s offices in this State for the



1 practice of public accounting are maintained and registered under
2 NRS 628.370;

3 (b) The person is a natural person *or certified public accounting*
4 *firm* granted practice privileges pursuant to NRS 628.315 . ~~;~~ ~~or~~

5 ~~—(c) The partnership, corporation, limited liability company or~~
6 ~~sole proprietorship is performing services within the practice of~~
7 ~~public accounting pursuant to the provisions of subsection 3 of~~
8 ~~NRS 628.335.]~~

9 2. The provisions of subsection 1 do not prohibit:

10 (a) Any officer, employee, partner, principal or member of any
11 organization from affixing his or her signature to any statement or
12 report in reference to the financial affairs of that organization with
13 any wording designating the position, title or office which he or she
14 holds in the organization.

15 (b) Any act of a public official or public employee in the
16 performance of his or her duties as such.

17 (c) Any person who does not hold a live permit from preparing a
18 financial statement or issuing a report if the statement or report,
19 respectively, includes a disclosure that:

20 (1) The person who prepared the statement or issued the report
21 does not hold a live permit issued by the Board; and

22 (2) The statement or report does not purport to have been
23 prepared in compliance with the professional standards of accounting
24 adopted by the Board.

25 **Sec. 3.75.** NRS 628.520 is hereby amended to read as follows:
26 628.520 A person shall not sign or affix the name of a
27 partnership, corporation, limited-liability company or sole
28 proprietorship with any wording indicating that it is a partnership,
29 corporation, limited-liability company or sole proprietorship
30 composed of accountants or auditors or persons having expert
31 knowledge or special expertise in accounting or auditing, to any
32 accounting or financial statement, or attest to any accounting or
33 financial statement, unless the partnership, corporation,
34 limited-liability company or sole proprietorship is:

35 1. Registered pursuant to NRS 628.335 and all of its offices in
36 this State for the practice of public accounting are maintained and
37 registered as required under NRS 628.370; or

38 2. ~~Performing services within the practice of public accounting]~~
39 *Granted practice privileges* pursuant to ~~the provisions of subsection~~
40 ~~3 of] NRS [628.335.] 628.315.~~

41 **Sec. 3.8.** NRS 628.540 is hereby amended to read as follows:
42 628.540 1. Except as otherwise provided in subsection 2, a
43 person, partnership, corporation, limited-liability company or sole
44 proprietorship shall not engage in the practice of public accounting or
45 hold himself, herself or itself out to the public as an “accountant” or



1 “auditor” by use of either or both of those words in connection with
2 any other language which implies that such a person or firm holds a
3 certificate, permit or registration or has special competence as an
4 accountant or auditor on any sign, card, letterhead or in any
5 advertisement or directory unless:

6 (a) If a natural person, he or she holds a live permit or has been
7 granted practice privileges pursuant to NRS 628.315; or

8 (b) If a partnership, corporation, limited-liability company or sole
9 proprietorship, it is registered pursuant to NRS 628.335 or ~~is~~
10 ~~performing services within the practice of public accounting~~ *has*
11 *been granted practice privileges* pursuant to ~~the provisions of~~
12 ~~subsection 3 of~~ NRS ~~628.335.~~ *628.315.*

13 2. The provisions of subsection 1 do not prohibit:

14 (a) Any officer, employee, partner, shareholder, principal or
15 member of any organization from describing himself or herself by the
16 position, title or office he or she holds in that organization.

17 (b) Any act of a public official or public employee in the
18 performance of his or her duties as such.

19 **Sec. 3.85.** NRS 628.550 is hereby amended to read as follows:

20 628.550 1. A person shall not assume or use the title or
21 designation “certified public accountant” or “public accountant” in
22 conjunction with names indicating or implying that there is a
23 partnership, corporation or limited-liability company, or in
24 conjunction with the designation “and Company” or “and Co.” or a
25 similar designation, if there is in fact no bona fide partnership,
26 corporation or limited-liability company:

27 (a) Registered under NRS 628.335; or

28 (b) ~~Performing services within the practice of public accounting~~
29 *Granted practice privileges* pursuant to ~~the provisions of subsection~~
30 ~~3 of~~ NRS ~~628.335.~~ *628.315.*

31 2. A person, partnership, corporation or limited-liability
32 company shall not engage in the practice of public accounting under
33 any name which is misleading as to:

34 (a) The legal form of the firm;

35 (b) The persons who are partners, officers, shareholders or
36 members; or

37 (c) Any other matter.

38 ↪ The names of past partners, shareholders or members may be
39 included in the name of a firm or its successors.

40 **Sec. 3.9.** NRS 630.220 is hereby amended to read as follows:

41 630.220 1. The Board shall maintain records pertaining to
42 applicants to whom licenses or permits have been issued or denied.
43 The records must be open to the public and must include:

44 ~~H-~~ (a) The name of each applicant.



1 ~~[2.]~~ (b) The name of the school granting the diploma to the
2 applicant.

3 ~~[3.]~~ (c) The date of the diploma.

4 ~~[4.]~~ (d) The address of the applicant.

5 ~~[5.]~~ (e) The date of issuance or denial of the license.

6 *2. On or before January 31 of each year, the Executive*
7 *Director of the Board shall compile a report on the number of:*

8 *(a) Members of the Armed Forces of the United States, spouses*
9 *of such members, veterans and surviving spouses of deceased*
10 *veterans who applied for licensure by endorsement to the Board*
11 *during the immediately preceding year;*

12 *(b) Such licenses issued;*

13 *(c) Such licenses denied and the reasons for denial; and*

14 *(d) Days taken by the Board to process each such application.*

15 *3. On or before January 31 of each year, the Executive*
16 *Director of the Board shall submit to the Director of the Legislative*
17 *Counsel Bureau for transmittal to the Legislature or, if the*
18 *Legislature is not in session, to the Legislative Commission, the*
19 *report required pursuant to subsection 2.*

20 **Sec. 4.** NRS 640.030 is hereby amended to read as follows:

21 640.030 1. The Nevada Physical Therapy Board, consisting of
22 five members appointed by the Governor, and any nonvoting
23 advisory members appointed by the Board pursuant to NRS 640.055,
24 is hereby created.

25 2. The Governor shall appoint:

26 (a) Three members who are licensed physical therapists in the
27 State of Nevada.

28 (b) One member who is a licensed physical therapist assistant in
29 the State of Nevada.

30 (c) One member who is a representative of the general public.
31 This member must not be:

32 (1) A physical therapist or a physical therapist assistant; or

33 (2) The spouse or the parent or child, by blood, marriage or
34 adoption, of a physical therapist or a physical therapist assistant.

35 3. No member of the Board may serve more than two
36 consecutive terms.

37 4. The Governor may remove any voting member of the Board
38 for incompetency, neglect of duty, gross immorality or malfeasance
39 in office.

40 5. A majority of the voting members of the Board constitutes a
41 quorum.

42 6. No member of the Board may be held liable in a civil action
43 for any act which he or she has performed in good faith in the
44 execution of his or her duties under this chapter.



1 7. The Board shall comply with the provisions of chapter 241 of
2 NRS, and all meetings of the Board must be conducted in accordance
3 with that chapter.

4 8. *Each member of the Board, as soon as practicable after*
5 *being first appointed to serve as a member of the Board, shall attend*
6 *the training provided by the Office of the Attorney General*
7 *pursuant to NRS 622.200.*

8 **Sec. 4.05.** Chapter 643 of NRS is hereby amended by adding
9 thereto a new section to read as follows:

10 1. *The Board may issue a provisional license as an instructor*
11 *to a person who:*

12 (a) *Has successfully completed the 12th grade in school or the*
13 *equivalent;*

14 (b) *Has practiced as a full-time licensed barber for at least 3*
15 *years and submits written verification of his or her experience;*

16 (c) *Is licensed as a barber pursuant to this chapter;*

17 (d) *Applies for the provisional license on a form supplied by the*
18 *Board;*

19 (e) *Submits two current photographs of himself or herself; and*

20 (f) *Has paid the fee established pursuant to subsection 2.*

21 2. *The Board shall establish and collect a fee of not more than*
22 *\$210 for the issuance of a provisional license as an instructor.*

23 3. *A person issued a provisional license pursuant to this*
24 *section may act as an instructor for compensation while*
25 *accumulating the number of hours of instruction required pursuant*
26 *to NRS 643.1775 for a license as an instructor.*

27 4. *A provisional license as an instructor expires upon the*
28 *completion by the licensee of the number of hours of instruction*
29 *required pursuant to NRS 643.1775 for a license as an instructor or*
30 *1 year after the date of issuance of the provisional license,*
31 *whichever occurs first. The Board may grant an extension of the*
32 *expiration of the provisional license of not more than 45 days to*
33 *provisional licensees who have applied to the Board for*
34 *examination as instructors and are awaiting examination.*

35 **Sec. 4.1.** (Deleted by amendment.)

36 **Sec. 4.2.** (Deleted by amendment.)

37 **Sec. 4.25.** NRS 643.177 is hereby amended to read as follows:

38 643.177 1. Any person who owns, manages, operates or
39 controls any barber school, or part thereof:

40 ~~(a)~~ (a) Shall:

41 ~~(a)~~ (1) Display a sign that may be easily seen upon entering the
42 barber school on which is printed in bold letters "Work Performed
43 Exclusively by Students";

44 ~~(b)~~ (2) Have at least:



~~(1)~~ (I) One instructor on the premises of the barber school at all times if the active enrollment of the school is 20 students or less;

~~(2)~~ (II) One additional instructor on the premises of the barber school for each 20 students enrolled in the school in excess of 20 students;

~~(3)~~ (III) Two instructors available to provide instruction at all times; and

~~(4)~~ (IV) One barber's chair for each student present during instruction in the barber school;

~~(e)~~ (3) Not allow a student to provide barbering services to members of the general public for more than 7 hours in a day or for more than 5 days in any 7-day period;

~~(d)~~ (4) Not advertise that the barber school will charge for barbering services provided to members of the general public by students unless those barbering services are specifically advertised as services provided by students; and

~~(e)~~ (5) Comply with all other provisions of this chapter relating to barber schools.

~~(2)~~ (b) May charge for barbering services provided to a member of the general public by a student if the student performs those barbering services as part of the required course of study of the barber school.

2. An instructor shall not provide instruction to more than two persons who each hold a provisional license as an instructor at the same time.

Sec. 4.27. Chapter 644A of NRS is hereby amended by adding thereto the provisions set forth as sections 4.28 and 4.29 of this act.

Sec. 4.28. *The Board shall adopt regulations to provide for the issuance of an endorsement on a license to practice cosmetology which allows a licensed cosmetologist to render shaving services. Such regulations must establish, without limitation:*

- 1. The manner in which to apply for an endorsement;*
- 2. The training required to obtain an endorsement; and*
- 3. Procedures for the renewal of an endorsement.*

Sec. 4.29. *The Board shall adopt regulations to provide for the issuance of an endorsement on a license to practice hair design which allows a licensed hair designer to render shaving services. Such regulations must establish, without limitation:*

- 1. The manner in which to apply for an endorsement;*
- 2. The training required to obtain an endorsement; and*
- 3. Procedures for the renewal of an endorsement.*

Sec. 4.3. (Deleted by amendment.)

Sec. 4.4. (Deleted by amendment.)

Sec. 4.5. (Deleted by amendment.)

Sec. 4.6. (Deleted by amendment.)



1 **Sec. 4.7.** The provisions of subsection 1 of NRS 218D.380 do
2 not apply to any provision of this act which adds or revises a
3 requirement to submit a report to the Legislature.

4 **Sec. 4.8.** NRS 628.017 is hereby repealed.

5 **Sec. 5.** 1. This section and sections 4.05 and 4.25 of this act
6 become effective upon passage and approval.

7 2. Sections 3.9, 4, 4.27, 4.28, 4.29 and 4.7 of this act become
8 effective on July 1, 2019.

9 3. Sections 3.1 to 3.85, inclusive, and 4.8 of this act become
10 effective upon passage and approval for the purpose of adopting any
11 regulations and performing any other preparatory administrative
12 tasks that are necessary to carry out those provisions and on
13 January 1, 2020, for all other purposes.

TEXT OF REPEALED SECTION

628.017 “Home office” defined. “Home office” means the location specified by a client of an accountant as the address of an entity for which the accountant practices public accounting, performs an attestation or compilation or performs other professional services within the practice of public accounting.



