

ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021
COMMITTEE STATEMENT
LB19

Hearing Date: Thursday January 28, 2021
Committee On: Health and Human Services
Introducer: Kolterman
One Liner: Change provisions relating to nail technology and body art

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	4	Senators Williams, Walz, Cavanaugh, M., Day
Nay:	1	Senator Murman
Absent:		
Present Not Voting:	2	Senators Arch, Hansen, B.

Oral Testimony:

Proponents:

Tyler Mahood
Pam Rowland
Harold Sims
Siobhan (Cheryl) Kozisek

Representing:

Introducer
State Board of Cosmetology
Nebraska Board of Cosmetology
Licensed Professionals Against Human Trafficking and Domestic Violence

Opponents:

Laura Ebke
Becky Wisell

Representing:

Platte Institute
Department of Health and Human Services

Neutral:

Representing:

Summary of purpose and/or changes:

LB 19 amends the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art [Cosmetology Act] practice act to add provisions relating to nail technology apprentice salons and guest body artists, in addition to other minor changes.

LB 19 would require persons working with natural nails to be included in the licensing requirements for nail technology. LB 19 also defines a nail technology apprentice salon and creates a licensure process for nail technology apprentice salons.

Several other sections of law are updated where appropriate to include nail technology apprentice salons and nail technology apprentices. The definition of nail technology is also amended in Section 6 to include manicuring and pedicuring in addition to some other minor changes.

Guest Body Artist:

Guest body artist is defined in section 4 of LB 19 as a person temporarily registered under the Cosmetology Act to perform

body art under the sponsorship of a licensed body art facility or a person licensed under the act to perform body art. [p. 2].

LB 19 creates a registration requirement for guest body artists in Section 18 of LB 19. To register a person must comply with the rules and regulations under the Cosmetology Act, be 18 years of age, be sponsored by a licensed facility, complete a blood-borne pathogen course, be licensed or credentialed in another jurisdiction, and apply 30 days before he or she will perform body art in Nebraska. [p. 6-7].

Registration as a guest body artist is required under LB 19 before one can engage in the performance of body art or use the guest body artist title. Both Neb. Rev. Stat. 38-1061 and 38-1069 are amended to reflect this. Guest body artists may be registered for 14 consecutive calendar days which can be renewed twice in a calendar year. [p. 7, 11, 12]. A temporary body art facility is defined in section 17 of LB 19 and means a nonmobile room or space with a dedicated licensed physical address where body art is performed for not more than 72 consecutive hours in conjunction with a single event. [p. 5-6].

LB 19 requires temporary body art facilities to be licensed. Licenses may be granted if all applicable requirements of the Cosmetology Act have been met and the facility has been inspected. Licenses will be valid for no more than 72 hours. [p. 13].

Other Changes:

LB 19 amends the licensing requirements under the Cosmetology Act by eliminating the English language proficiency requirement under the general licensing provision in Neb. Rev. Stat. 38-1062 and the nail technician licensing provisions in 38-10,128. [p. 8, 14].

It moves manicuring under the Cosmetology Act by striking its exemption in Neb. Rev. Stat. 38-1075. It also amends some language in the definition of manicuring and creates a definition for pedicuring. Finally, LB 19 updates the language in the Cosmetology Act to replace 'color technology' with 'cosmetic tattooing' in sections 3, 13, and 19.

John Arch, Chairperson