

By: Schwertner  
(King of Hemphill)

S.B. No. 1120

A BILL TO BE ENTITLED

AN ACT

relating to certain prohibited practices by a barber or  
cosmetologist.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter E-1, Chapter 1603, Occupations Code,  
is amended by adding Section 1603.2110 to read as follows:

Sec. 1603.2110. PROHIBITED PRACTICES. (a) Except as  
provided by Subsection (b), a person performing a barbering or  
cosmetology service within the scope of a license or permit issued  
under this subchapter may not:

(1) make an incision into the dermis layer of a  
person's skin, including for purposes of injecting a medication or  
other substance; or

(2) use a prescription medical device approved by the  
United States Food and Drug Administration.

(b) A person holding a license or permit issued under this  
subchapter may perform an act described by Subsection (a) as part of  
a barbering or cosmetology service if the person is licensed to  
perform that act in this state or is otherwise authorized by law to  
perform that act. In a disciplinary action by the commission  
related to an act in violation of Subsection (a), the license or  
permit holder has the burden of proving by a preponderance of the  
evidence that the person is licensed or otherwise authorized to  
perform the act.

1        (c) This section does not affect the authority of another  
2 state agency regulating a profession to enforce any law related to  
3 that profession.

4        SECTION 2. Section 1603.2110, Occupations Code, as added by  
5 this Act, applies only to conduct that occurs on or after the  
6 effective date of this Act. Conduct that occurs before the  
7 effective date of this Act is governed by the law in effect on the  
8 date the conduct occurred, and the former law is continued in effect  
9 for that purpose.

10        SECTION 3. This Act takes effect September 1, 2023.