

1-1 By: Schwertner S.B. No. 1120
 1-2 (In the Senate - Filed February 22, 2023; March 9, 2023,
 1-3 read first time and referred to Committee on Business & Commerce;
 1-4 March 31, 2023, reported favorably by the following vote: Yeas 11,
 1-5 Nays 0; March 31, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to certain prohibited practices by a barber or
 1-22 cosmetologist.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter E-1, Chapter 1603, Occupations Code,
 1-25 is amended by adding Section 1603.2110 to read as follows:

1-26 Sec. 1603.2110. PROHIBITED PRACTICES. (a) Except as
 1-27 provided by Subsection (b), a person performing a barbering or
 1-28 cosmetology service within the scope of a license or permit issued
 1-29 under this subchapter may not:

1-30 (1) make an incision into the dermis layer of a
 1-31 person's skin, including for purposes of injecting a medication or
 1-32 other substance; or

1-33 (2) use a prescription medical device approved by the
 1-34 United States Food and Drug Administration.

1-35 (b) A person holding a license or permit issued under this
 1-36 subchapter may perform an act described by Subsection (a) as part of
 1-37 a barbering or cosmetology service if the person is licensed to
 1-38 perform that act in this state or is otherwise authorized by law to
 1-39 perform that act. In a disciplinary action by the commission
 1-40 related to an act in violation of Subsection (a), the license or
 1-41 permit holder has the burden of proving by a preponderance of the
 1-42 evidence that the person is licensed or otherwise authorized to
 1-43 perform the act.

1-44 (c) This section does not affect the authority of another
 1-45 state agency regulating a profession to enforce any law related to
 1-46 that profession.

1-47 SECTION 2. Section 1603.2110, Occupations Code, as added by
 1-48 this Act, applies only to conduct that occurs on or after the
 1-49 effective date of this Act. Conduct that occurs before the
 1-50 effective date of this Act is governed by the law in effect on the
 1-51 date the conduct occurred, and the former law is continued in effect
 1-52 for that purpose.

1-53 SECTION 3. This Act takes effect September 1, 2023.

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