

By: Pitts

H.B. No. 3460

A BILL TO BE ENTITLED

AN ACT

relating to regulation of the practice of cosmetology.

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

SECTION 1. Section 1602.254(b), Occupations Code, is amended to read as follows:

(b) To be eligible for an operator license, an applicant must:

(1) be at least 17 years of age;

(2) have obtained a high school diploma, the equivalent of a high school diploma, or have passed a valid examination administered by a certified testing agency that measures the person's ability to benefit from training ~~[completed the seventh grade or its equivalent]~~; and

(3) have completed:

(A) 1,500 hours of instruction in a licensed beauty culture school; or

(B) 1,000 hours of instruction in beauty culture courses and 500 hours of related high school courses prescribed by the commission in a vocational cosmetology program in a public school.

SECTION 2. Section 1602.256(b), Occupations Code, is amended to read as follows:

(b) To be eligible for a manicurist license, an applicant must:

1 (1) be at least 17 years of age;

2 (2) have obtained a high school diploma, the
3 equivalent of a high school diploma, or have passed a valid
4 examination administered by a certified testing agency that
5 measures the person's ability to benefit from training [~~completed~~
6 ~~the seventh grade or its equivalent~~]; and

7 (3) have completed 600 hours of instruction in
8 manicuring through a commission-approved training program.

9 SECTION 3. Section 1602.257(b), Occupations Code, is
10 amended to read as follows:

11 (b) To be eligible for a facialist specialty license, an
12 applicant must:

13 (1) be at least 17 years of age;

14 (2) have obtained a high school diploma, the
15 equivalent of a high school diploma, or have passed a valid
16 examination administered by a certified testing agency that
17 measures the person's ability to benefit from training [~~completed~~
18 ~~the seventh grade or its equivalent~~]; and

19 (3) have completed 750 hours of instruction in
20 facialist specialty through a commission-approved training program
21 [~~the necessary requisites in the facialist specialty as determined~~
22 ~~by the commission~~].

23 SECTION 4. Section 1602.258(b), Occupations Code, is
24 amended to read as follows:

25 (b) To be eligible for a specialty certificate, an applicant
26 must:

27 (1) be at least 17 years of age;

1 (2) have obtained a high school diploma, the
2 equivalent of a high school diploma, or have passed a valid
3 examination administered by a certified testing agency that
4 measures the person's ability to benefit from training [~~completed~~
5 ~~the seventh grade or its equivalent~~]; and

6 (3) have the necessary requisites as determined by the
7 commission in the particular specialty for which certification is
8 sought, including training through a commission-approved training
9 program.

10 SECTION 5. Section 1602.261, Occupations Code, is amended
11 to read as follows:

12 Sec. 1602.261. EXAMINATION RESULTS. (a) The commission
13 shall notify each examinee of the results of the examination not
14 later than the 30th day after the date an examination is
15 administered. If an examination is graded or reviewed by a national
16 testing service, the commission shall notify each examinee of the
17 results of the examination not later than the 14th day after the
18 date the commission receives the results from the testing service.

19 (b) If the notice of examination results graded or reviewed
20 by a national testing service will be delayed for longer than 90
21 days after the examination date, the commission shall notify the
22 examinee of the reason for the delay before the 90th day.

23 ~~[(c) If the examinee is a student in a vocational~~
24 ~~cosmetology program in a public school, the commission shall grade~~
25 ~~the examination and may not submit the examination for grading by a~~
26 ~~national testing service.]~~

27 (c) [~~(d)~~] If requested in writing by a person who fails the

1 examination, the commission shall send to the person not later than
2 the 60th day after the day the request is received by the commission
3 an analysis of the person's performance on the examination.

4 SECTION 6. Section 1602.304, Occupations Code, is amended
5 to read as follows:

6 Sec. 1602.304. PUBLIC SECONDARY OR POSTSECONDARY BEAUTY
7 CULTURE SCHOOL CERTIFICATE. (a) Each application for a license
8 [~~certification~~] as a public secondary or public post secondary
9 beauty culture school must be accompanied by the required license
10 [~~inspection~~] fee.

11 (b) The commission shall charge an inspection fee for each
12 inspection trip required before approval of the license
13 [~~certificate~~].

14 SECTION 7. Section 1602.351(c), Occupations Code, is
15 amended to read as follows:

16 (c) A private beauty culture school license or a public
17 secondary or post secondary beauty culture school license expires
18 on the anniversary of the date the license is issued.

19 SECTION 8. Section 1602.354, Occupations Code, is amended
20 to read as follows:

21 Sec. 1602.354. CONTINUING EDUCATION. The commission will
22 by rule [~~may~~] recognize, prepare, or administer continuing
23 education programs for the practice of cosmetology. Participation
24 in the programs is mandatory for all license renewals [~~voluntary~~].

25 SECTION 9. This Act takes effect September 1, 2003, except
26 that Section 8 of this Act and the amendment to section
27 1602.257(b)(3) in Section 3 of this Act take effect September 1,

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1 2004.