

BILL ANALYSIS

C.S.H.B. 1304
By: Wong
Government Reform
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, cosmetology nail salons are not required to use autoclaves to sanitize instruments, which puts Texas citizens at risk of contracting dangerous infections and viruses. Among the Sunset Advisory Commission's recommendations to the 79th Legislature is the recommendation that these salons be required to use autoclaves to sanitize instruments. Therefore, C.S.H.B. 1304 strives to improve safety and sanitation by requiring the use of autoclaves in nail salons.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1

Amends Section 1601.506 of the Occupations Code by adding Subsections (e) and (f) providing for mandatory autoclave of non-disposable instruments.

Section 1601.506(e) specifies that a licensee shall disinfect instruments before performing the service and may only use a disposable supply or instrument if it is bought at the location the service is performed or provided by the person on whom the service is performed.

Section 1601.506(f) provides that an owner or manager of a barbershop, specialty shop, or barber school is responsible for providing an autoclave for use in the shop or school as provided by Subsection (e), and provides that the autoclave must be registered with the FDA and used in accordance with manufacturer's instructions.

SECTION 2

Amends Subchapter I of Chapter 1602 of the Occupations Code by adding Section 1602.408 which specifies sanitation requirements for certain services. Under this section, a licensee is required to autoclave non-disposable instruments before performing the service and may only use a disposable supply or instrument if it is bought at the location the service is performed or provided by the person on whom the service is performed. This section also provides that an owner or manager of a barbershop, specialty shop, or barber school is responsible for providing an autoclave for use in the shop or school, and that the autoclave must be registered with the FDA and used in accordance with manufacturer's instructions.

SECTION 3

The effective date of this Act is January 1, 2006.

EFFECTIVE DATE

January 1, 2006.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 1304 modifies the original by adding a provision that requires the owner or manager of a barbershop, specialty shop, or barber school to provide an autoclave for use in the shop or school.

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