

By: Wong

H.B. No. 1304

Substitute the following for H.B. No. 1304:

By: Otto

C.S.H.B. No. 1304

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to sanitation requirements for certain barbering and  
3 cosmetology services.

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

5 SECTION 1. Section 1601.506, Occupations Code, is amended  
6 by adding Subsections (e) and (f) to read as follows:

7 (e) A person who holds a license, certificate, or permit  
8 issued under this chapter and who performs a barbering service  
9 described by Section 1601.002(1)(E) or (F):

10 (1) shall, before performing the service, disinfect  
11 and sterilize with an autoclave each nondisposable instrument used  
12 to perform the service; and

13 (2) may use a disposable supply or instrument only if  
14 that supply or instrument is purchased at the location where the  
15 service is performed or provided by the person on whom the service  
16 is performed.

17 (f) The owner or manager of a barbershop, specialty shop, or  
18 barber school is responsible for providing an autoclave for use in  
19 the shop or school as required by Subsection (e). An autoclave used  
20 as required by Subsection (e) must be:

21 (1) registered and listed with the federal Food and  
22 Drug Administration; and

23 (2) used in accordance with the manufacturer's  
24 instructions.

1 SECTION 2. Subchapter I, Chapter 1602, Occupations Code, is  
2 amended by adding Section 1602.408 to read as follows:

3 Sec. 1602.408. SANITATION REQUIREMENTS FOR CERTAIN  
4 SERVICES. (a) A person who holds a license, certificate, or permit  
5 issued under this chapter and who performs a cosmetology service  
6 described by Section 1602.002(10) or (11):

7 (1) shall, before performing the service, disinfect  
8 and sterilize with an autoclave each nondisposable instrument used  
9 to perform the service; and

10 (2) may use a disposable supply or instrument only if  
11 that supply or instrument is purchased at the location where the  
12 service is performed or provided by the person on whom the service  
13 is performed.

14 (b) The owner or manager of a beauty shop, specialty shop,  
15 or beauty culture school is responsible for providing an autoclave  
16 for use in the shop or school as required by Subsection (a). An  
17 autoclave used as required by Subsection (a) must be:

18 (1) registered and listed with the federal Food and  
19 Drug Administration; and

20 (2) used in accordance with the manufacturer's  
21 instructions.

22 SECTION 3. This Act takes effect January 1, 2006.