

BILL ANALYSIS

H.B. 619
By: Gonzalez, Naomi
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties have noted that state reciprocity regarding the licensing of certain classes of cosmetologists and barbers is inconsistent across jurisdictional boundaries. Under current Texas law, the Texas Department of Licensing and Regulation is authorized to waive certain license requirements for applicants licensed in other states but is not required to do so. Critics report that many applicants who have been licensed by other states to perform the same activities authorized under the Texas license and who have moved to Texas are often required to fulfill additional training requirements to obtain a license to practice in Texas, and they assert that this additional training is redundant and unnecessary because most licensing standards established in other states meet or exceed those of Texas. In addition, those applicants have years of experience practicing their respective trades in the other state and should not have to complete additional training. H.B. 619 seeks to ease the transition for certain cosmetologists and barbers who move to Texas and continue their respective practice.

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

H.B. 619 amends the Occupations Code to require the Texas Department of Licensing and Regulation (TDLR) to issue a license or certificate to an applicant for a Class A barber certificate, barber technician license, hair weaving specialty certificate of registration, hair braiding specialty certificate of registration, or cosmetology operator license if the applicant submits an application on a form prescribed by TDLR, pays the application fee, and provides proof that the applicant holds a current license to engage in the same or a similar activity issued by another jurisdiction that has license requirements substantially equivalent to those of Texas. The bill authorizes TDLR to waive any requirement for a barbering license or certificate, other than for a license or certificate issued under these provisions, rather than waive any license requirement, for an applicant holding a license from another state or country that has license requirements substantially equivalent to those of Texas. The bill authorizes TDLR to waive any requirement for a cosmetology license or certificate, other than for an operator license issued under these provisions, for an applicant holding a license from another state that has license requirements substantially equivalent to those of Texas. The bill requires a license or certificate issued under these provisions to be renewed as provided by provisions governing the renewal of a certificate, license, or permit related to barbering or cosmetology, as appropriate.

EFFECTIVE DATE

September 1, 2013.