



15 MAY -1 PM 4:00
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Schaefer

1 Amend C.S.H.B. 3325 (house committee report) by striking all
2 below the enacting clause and substituting the following:

3 SECTION 1. Section 1601.353, Occupations Code, is amended
4 to read as follows:

5 Sec. 1601.353. REQUIRED FACILITIES AND EQUIPMENT. The
6 department may approve an application for a permit for a barber
7 school if the school meets the health and safety standards
8 established by the commission. The commission may not establish
9 building or facility standards that are not related to health and
10 safety, including a requirement that a facility have a specific:

- 11 (1) square footage of floor space [~~is located in:~~
- 12 [~~(A) a municipality with a population of more~~
- 13 ~~than 50,000 that has a building of permanent construction~~
- 14 ~~containing at least 2,000 square feet of floor space, including~~
- 15 ~~classroom and practical areas, covered in a hard-surface~~
- 16 ~~floor-covering of tile or other suitable material, or~~
- 17 [~~(B) a municipality with a population of 50,000~~
- 18 ~~or less or an unincorporated area of a county that has a building of~~
- 19 ~~permanent construction containing at least 1,000 square feet of~~
- 20 ~~floor space, including classroom and practical areas, covered in a~~
- 21 ~~hard-surface floor-covering of tile or other suitable material];~~

- 22 (2) number of chairs [~~has the following equipment:~~
- 23 [~~(A) at least 10 student workstations that~~
- 24 ~~include a chair that reclines, a back bar, and a wall mirror,~~
- 25 [~~(B) a sink behind every two workstations,~~
- 26 [~~(C) adequate lighting for each room,~~
- 27 [~~(D) at least 10 classroom chairs and other~~
- 28 ~~materials necessary to teach the required subjects, and~~
- 29 [~~(E) access to permanent restrooms and adequate~~

1 ~~drinking fountain facilities~~; or [and]

2 (3) number of sinks [~~meets any other requirement set~~
3 ~~by the commission~~].

4 SECTION 2. Section 1602.303, Occupations Code, is amended
5 by amending Subsections (b) and (c) and adding Subsection (d) to
6 read as follows:

7 (b) An application for a private beauty culture school
8 license must be accompanied by the required license fee and
9 inspection fee and:

10 (1) be on a form prescribed by the department;

11 (2) be verified by the applicant; and

12 (3) contain a statement that the building meets the
13 health and safety standards established by the commission[+]

14 [~~(A) is of permanent construction and is divided~~
15 ~~into at least two separate areas.~~

16 [~~(i) one area for instruction in theory,~~
17 ~~and~~

18 [~~(ii) one area for clinic work,~~

19 [~~(B) contains a minimum of.~~

20 [~~(i) 2,800 square feet of floor space if the~~
21 ~~building is located in a county with a population of more than~~
22 ~~100,000, or~~

23 [~~(ii) 1,800 square feet of floor space if~~
24 ~~the building is located in a county with a population of 100,000 or~~
25 ~~less,~~

26 [~~(C) has access to permanent restrooms and~~
27 ~~adequate drinking fountain facilities, and~~

28 [~~(D) contains, or will contain before classes~~
29 ~~begin, the equipment established by commission rule as sufficient~~
30 ~~to properly instruct a minimum of 10 students].~~

31 (c) The applicant is entitled to a private beauty culture

1 school license if:

2 (1) the department determines that the applicant is
3 financially sound and capable of fulfilling the school's
4 commitments for training;

5 (2) the applicant's facilities meet the health and
6 safety standards established by the commission and pass an
7 inspection conducted by the department under Section 1603.103; and

8 (3) the applicant has not committed an act that
9 constitutes a ground for denial of a license.

10 (d) The commission may not establish building or facility
11 standards that are not related to health and safety, including a
12 requirement that a facility have a specific:

13 (1) square footage of floor space;

14 (2) number of chairs; or

15 (3) number of sinks.

16 SECTION 3. As soon as practicable after the effective date
17 of this Act, the Texas Commission of Licensing and Regulation shall
18 adopt rules to implement Sections 1601.353 and 1602.303,
19 Occupations Code, as amended by this Act.

20 SECTION 4. This Act takes effect September 1, 2015.

