By: White of Tyler   H.B. No. 578

A BILL TO BE ENTITLED

1   AN ACT

2 relating to an exemption from the cosmetologist licensing law for

3 persons who provide certain services at a special event.

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

5   SECTION 1. Section 1602.003(b), Occupations Code, is

6 amended to read as follows:

7   (b) This chapter does not apply to a person who:

8   (1) provides a service in an emergency;

9   (2) is licensed in this state to practice medicine,

10 dentistry, podiatry, chiropractic, or nursing and is operating

11 within the scope of the person's license;

12   (3) is in the business of or receives compensation for

13 makeup applications only;

14   (4) acts as a barber under Chapter 1601, if the person

15 does not hold the person out as a cosmetologist;

16   (5) provides a cosmetic service as a volunteer or an

17 employee performing regular duties at a licensed nursing or

18 convalescent custodial or personal care home to a patient residing

19 in the home;

20   (6) owns, operates, or manages a licensed nursing or

21 convalescent custodial or personal care home that allows a person

22 with an operator license to perform cosmetic services for patients

23 residing in the home on an occasional but not daily basis; [or]

24   (7) provides an incidental cosmetic service, or owns,

1 operates, or manages the location where that service is provided,

2 if the primary purpose of the service is to enable or assist the

3 recipient of the service to participate as the subject of:

4   (A)   a   photographic   sitting   at   a   fashion

5 photography studio;

6   (B)   a television appearance; or

7   (C)   the filming of a motion picture; or

8   (8)   provides   an   incidental   cosmetic   service,

9 including combing, curling, or pinning a person's hair, but not

10 including cutting, coloring, dyeing, or processing a person's hair,

11 at the location of a special event, including a wedding, if the

12 person does not represent that the person is a cosmetologist.

13   SECTION 2.   This Act takes effect September 1, 2015.