

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.