

BILL ANALYSIS

C.S.H.B. 340
By: Goldman
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that recently enacted legislation sought to phase out onerous and unnecessary requirements relating to shampooing and conditioning hair. The parties contend that further deregulation of such activities is needed and that the removal of the applicable requirements would pose minimal risk to consumers. C.S.H.B. 340 seeks to provide for such deregulation.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

C.S.H.B. 340 repeals Occupations Code provisions relating to shampoo apprentice permits and establishes that such a previously issued permit and a previously issued shampoo specialty certificate expire on the bill's effective date. The bill amends the Occupations Code to remove shampooing and conditioning a person's hair from the definitions of "barbering," "practicing barbering," "practice of barbering," and "cosmetology" and from the barbering and cosmetology activities authorized to be performed under a barber technician license or a hair weaving specialty certificate, respectively. The bill removes the prohibition against a person holding a beauty shop license or specialty shop license employing a person to shampoo or condition a person's hair unless the person holds a shampoo apprentice permit or student permit and repeals provisions relating to the shampooing or conditioning of a person's hair by a student permit holder and the employment of a student permit holder for such purposes.

C.S.H.B. 340 repeals the following provisions of the Occupations Code:

- Section 1601.260(c)
- Section 1601.261
- Section 1601.301(c)
- Section 1602.266(c)
- Section 1602.267
- Section 1602.301(c)
- Section 1602.456(b-1)

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 340 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

| INTRODUCED | HOUSE COMMITTEE SUBSTITUTE |
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| SECTION 1. Section 1601.002, Occupations Code, is amended. | SECTION 1. Same as introduced version. |
| SECTION 2. Section 1601.256(a), Occupations Code, is amended. | SECTION 2. Same as introduced version. |
| SECTION 3. Section 1602.002(a), Occupations Code, is amended. | SECTION 3. Same as introduced version. |
| SECTION 4. Section 1602.255(c), Occupations Code, is amended. | SECTION 4. Same as introduced version. |
| SECTION 5. Section 1602.256(a), Occupations Code, is amended. | SECTION 5. Same as introduced version. |
| SECTION 6. Section 1602.257(a), Occupations Code, is amended. | SECTION 6. Same as introduced version. |
| SECTION 7. Section 1602.2571(a), Occupations Code, is amended. | SECTION 7. Same as introduced version. |
| SECTION 8. Section 1602.259(a), Occupations Code, is amended. | SECTION 8. Same as introduced version. |
| SECTION 9. Section 1602.260(a), Occupations Code, is amended. | SECTION 9. Same as introduced version. |
| SECTION 10. Section 1602.261(a), Occupations Code, is amended. | SECTION 10. Same as introduced version. |
| SECTION 11. Section 1602.305(a), Occupations Code, is amended. | SECTION 11. Same as introduced version. |
| SECTION 12. Section 1602.354(a), Occupations Code, is amended. | SECTION 12. Same as introduced version. |
| SECTION 13. Section 1602.403(c), Occupations Code, is amended. | SECTION 13. Same as introduced version. |
| SECTION 14. Section 1603.352(a), Occupations Code, is amended. | SECTION 14. Same as introduced version. |
| SECTION 15. Sections 1601.261 and 1602.267, Occupations Code, are repealed. | SECTION 15. The following provisions of the Occupations Code are repealed: |

- (1) Section 1601.260(c);
- (2) Section 1601.261;
- (3) Section 1601.301(c);
- (4) Section 1602.266(c);
- (5) Section 1602.267;
- (6) Section 1602.301(c); and
- (7) Section 1602.456(b-1).

SECTION 16. On the effective date of this Act:

- (1) a shampoo apprentice permit issued under former Section 1601.261 or 1602.267, Occupations Code, expires; and
- (2) a shampoo specialty certificate issued under Chapter 1602 expires.

SECTION 17. (a) The changes in law made by this Act do not affect the validity of a proceeding pending before a court or other governmental entity on the effective date of this Act.

(b) An offense or other violation of law committed before the effective date of this Act is governed by the law in effect when the offense or violation was committed, and the former law is continued in effect for that purpose. For purposes of this subsection, an offense or violation was committed before the effective date of this Act if any element of the offense or violation occurred before that date.

SECTION 18. This Act takes effect September 1, 2017.

SECTION 16. Same as introduced version.

SECTION 17. Same as introduced version.

SECTION 18. Same as introduced version.