

By: Schaefer

H.B. No. 3278

A BILL TO BE ENTITLED

AN ACT

relating to certain requirements for barber schools and private beauty culture schools.

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

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

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

(1) square footage of floor space [~~is located in:~~

~~[(A) a municipality with a population of more than 50,000 that has a building of permanent construction containing at least 2,000 square feet of floor space, including classroom and practical areas, covered in a hard-surface floor-covering of tile or other suitable material; or~~

~~[(B) a municipality with a population of 50,000 or less or an unincorporated area of a county that has a building of permanent construction containing at least 1,000 square feet of floor space, including classroom and practical areas, covered in a hard-surface floor-covering of tile or other suitable material];~~

(2) number of chairs [~~has the following equipment:~~

1 ~~[(A) at least 10 student workstations that~~
2 ~~include a chair that reclines, a back bar, and a wall mirror,~~
3 ~~[(B) a sink behind every two workstations,~~
4 ~~[(C) adequate lighting for each room,~~
5 ~~[(D) at least 10 classroom chairs and other~~
6 ~~materials necessary to teach the required subjects, and~~
7 ~~[(E) access to permanent restrooms and adequate~~
8 ~~drinking fountain facilities]; or [and]~~

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

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

14 (b) An application for a private beauty culture school
15 license must be accompanied by the required license fee and
16 inspection fee and:

- 17 (1) be on a form prescribed by the department;
18 (2) be verified by the applicant; and
19 (3) contain a statement that the building meets the
20 health and safety standards established by the commission[+]

21 ~~[(A) is of permanent construction and is divided~~
22 ~~into at least two separate areas:~~

23 ~~[(i) one area for instruction in theory,~~
24 ~~and~~

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

26 ~~[(B) contains a minimum of:~~

27 ~~[(i) 2,800 square feet of floor space if the~~

1 ~~building is located in a county with a population of more than~~
2 ~~100,000; or~~

3 ~~[(ii) 1,800 square feet of floor space if~~
4 ~~the building is located in a county with a population of 100,000 or~~
5 ~~less;~~

6 ~~[(C) has access to permanent restrooms and~~
7 ~~adequate drinking fountain facilities; and~~

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

11 (c) The applicant is entitled to a private beauty culture
12 school license if:

13 (1) the department determines that the applicant is
14 financially sound and capable of fulfilling the school's
15 commitments for training;

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

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

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

24 (1) square footage of floor space;

25 (2) number of chairs; or

26 (3) number of sinks.

27 SECTION 3. As soon as practicable after the effective date

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1 of this Act, the Texas Commission of Licensing and Regulation shall
2 adopt rules to implement Sections [1601.353](#) and [1602.303](#),
3 Occupations Code, as amended by this Act.

4 SECTION 4. This Act takes effect September 1, 2017.