

**House Bill 2304**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

SENATE VERSION (CS)

SECTION 1. Section 1602.254(b), Occupations Code, is amended to read as follows:

(b) To be eligible for an operator license, an applicant must meet the requirements of Subsection (c) or:

- (1) be at least 17 years of age;
- (2) have obtained a high school diploma or the equivalent of a high school diploma or have passed a valid examination administered by a certified testing agency that measures the person's ability to benefit from training; and

(3) have completed:

(A) 1,000 [~~1,500~~] hours of instruction in a licensed beauty culture school; or

(B) 1,000 hours of instruction in beauty culture courses and 500 hours of related high school courses prescribed by the commission in a vocational cosmetology program in a public school.

CONFERENCE

No equivalent provision.

SECTION 2. Section 1602.451(a), Occupations Code, is amended to read as follows:

(a) The holder of a private beauty culture school license shall:

- (1) maintain a sanitary establishment;
- (2) maintain on duty one licensed instructor for each 25 students in attendance;
- (3) maintain a daily record of students' attendance;
- (4) establish regular class and instruction hours and grades;
- (5) require a school term of not less than six [~~nine~~] months and not less than 1,000 [~~1,500~~] hours instruction for a complete course in cosmetology;
- (6) require a school term of not less than 600 hours instruction for a complete course in manicuring;
- (7) hold examinations before issuing diplomas;

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- (8) maintain a copy of the school's curriculum in a conspicuous place and verify that the curriculum is being followed;
- (9) publish in the school's catalogue and enrollment contract a description of the refund policy required under Section 1602.458; and
- (10) provide the department with information on:
  - (A) the current course completion rates of students who attend a course of instruction offered by the school; and
  - (B) job placement rates and employment rates of students who complete the course of instruction.

No equivalent provision.

SECTION 3. Section 1603.102, Occupations Code, is amended to read as follows:

Sec. 1603.102. SANITATION RULES. (a) The commission shall establish sanitation rules to prevent the spread of an infectious or contagious disease.

(b) Rules adopted under this section applicable to an individual or facility regulated under Chapter 1602 shall be consistent with the standards and terminology related to safety and sanitation that are commonly used in the cosmetology industry.

No equivalent provision.

SECTION 4. Section 1603.255, Occupations Code, is amended to read as follows:

Sec. 1603.255. EARLY EXAMINATION. The department may allow for the early written examination of a student who has completed the following number of hours of instruction in a department-approved training program:

- (1) 1,000 hours for a student seeking a Class A barber

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certificate [~~or operator license~~] in a private barber [~~or cosmetology~~] school; [~~or~~]  
(2) 900 hours for a student seeking an operator license in a private cosmetology school; or  
(3) 900 hours for a student seeking a Class A barber certificate or operator license in a publicly funded barber or cosmetology school.

No equivalent provision.

SECTION 5. Section 1603.256(c), Occupations Code, is amended to read as follows:

(c) The following persons may administer a practical examination required under this subchapter:

- (1) the department; [~~or~~]
- (2) a person with whom the department contracts under Section 1603.252; or
- (3) a private beauty culture school or a vocational cosmetology program in a public school licensed under this chapter or Chapter 1602.

SECTION 1. Section 1603.351, Occupations Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Notwithstanding any other law, the commission may adopt rules to:

- (1) authorize a school licensed under this chapter, Chapter 1601, or Chapter 1602 to account for any hours of instruction completed under those chapters on the basis of clock hours or credit hours; and
- (2) establish standards for determining the equivalency and conversion of clock hours to credit hours and credit hours to clock hours.

SECTION 6. Same as House version.

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SENATE VERSION (CS)

SECTION 7. As soon as practicable after the effective date of this Act, the Texas Commission of Licensing and Regulation shall adopt rules implementing Chapter 1602, Occupations Code, as amended by this Act.

SECTION 8. The change in law made by this Act to Section 1602.254(b), Occupations Code, applies only to an application for an operator license submitted on or after September 1, 2018. An application for an operator license submitted before that date is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

SECTION 9. The change in law made by this Act to Section 1603.256(c), Occupations Code, applies to an examination administered on or after the effective date of this Act. An examination administered before the effective date of this Act is governed by the law in effect on the date the examination was administered, and that law is continued in effect for that purpose.

SECTION 10. (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.

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SECTION 2. This Act takes effect September 1, 2017.

SENATE VERSION (CS)

SECTION 11. Same as House version.

CONFERENCE