88R11950 JTZ-D

By:  Thierry H.B. No. 3845

A BILL TO BE ENTITLED

AN ACT

relating to the practice of barbering and cosmetology.

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

SECTION 1.  Section 1603.0011(a), Occupations Code, is amended to read as follows:

(a)  The practices of barbering and cosmetology consist of performing or offering to perform for compensation any of the following services:

(1)  treating a person's hair by:

(A)  providing any method of treatment in this section as a primary service, including [~~arranging, beautifying,~~] bleaching, [~~cleansing,~~] coloring, cutting, [~~dressing,~~] dyeing, processing, shaping, singeing, [~~straightening, styling,~~] tinting, or straightening or waving using reactive chemicals;

(B)  providing a necessary service that is preparatory or ancillary to a service under Paragraph (A), including bobbing, clipping, cutting, or trimming a person's hair or shaving a person's neck with a safety razor; or

(C)  cutting the person's hair as a separate and independent service for which a charge is directly or indirectly made separately from charges for any other service;

(2)  treating a person's mustache or beard by arranging, beautifying, coloring, processing, styling, trimming, or shaving with a safety razor;

(3)  cleansing, stimulating, or massaging a person's [~~scalp,~~] face, neck, shoulders, or arms:

(A)  by hand or by using a device, apparatus, or appliance; and

(B)  with or without the use of any cosmetic preparation, antiseptic, tonic, lotion, or cream;

(4)  beautifying a person's face, neck, shoulders, or arms using a cosmetic preparation, antiseptic, tonic, lotion, powder, oil, clay, cream, or appliance;

(5)  administering facial treatments;

(6)  removing superfluous hair from a person's body using depilatories, preparations or chemicals, tweezers, or other devices or appliances of any kind or description;

(7)  treating a person's nails by:

(A)  cutting, trimming, polishing, tinting, coloring, cleansing, manicuring, or pedicuring; or

(B)  attaching false nails; or

(8)  massaging, cleansing, treating, or beautifying a person's hands or feet[~~; or~~

[~~(9)  weaving a person's hair by using any method to attach commercial hair to a person's hair or scalp~~].

SECTION 2.  Section 1603.0012, Occupations Code, is amended to read as follows:

Sec. 1603.0012.  SERVICES NOT CONSTITUTING BARBERING OR COSMETOLOGY. Barbering and cosmetology do not include:

(1)  threading, which involves removing unwanted hair from a person by using a piece of thread that is looped around the hair and pulled to remove the hair and includes the incidental trimming of eyebrow hair; [~~or~~]

(2)  servicing a person's wig, toupee, or artificial hairpiece on a person's head or on a block after the initial retail sale in any manner described by Section 1603.0011(a)(1); or

(3)  blow-dry styling, which includes the practice of cleansing, conditioning, drying, arranging, curling, straightening, or styling hair using only mechanical devices, hair sprays, and topical agents, including balms, oils, and serums.

SECTION 3.  This Act takes effect September 1, 2023.