

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;

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

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

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

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

10           (5) administering facial treatments;

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

14           (7) treating a person's nails by:

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

17                   (B) attaching false nails; or

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

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

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

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

26                   (1) threading, which involves removing unwanted hair  
27 from a person by using a piece of thread that is looped around the

1 hair and pulled to remove the hair and includes the incidental  
2 trimming of eyebrow hair; [~~or~~]

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

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

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