

1-1 By: Schwertner S.B. No. 378
1-2 (In the Senate - Filed November 15, 2024; February 3, 2025,
1-3 read first time and referred to Committee on Business & Commerce;
1-4 March 19, 2025, reported favorably by the following vote: Yeas 10,
1-5 Nays 0; March 19, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Schwertner	X		
1-9	King	X		
1-10	Blanco		X	
1-11	Campbell	X		
1-12	Creighton	X		
1-13	Johnson	X		
1-14	Kolkhorst	X		
1-15	Menéndez	X		
1-16	Middleton	X		
1-17	Nichols	X		
1-18	Zaffirini	X		

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to certain prohibited practices by a barber or
1-22 cosmetologist.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter E-1, Chapter 1603, Occupations Code,
1-25 is amended by adding Section 1603.2110 to read as follows:

1-26 Sec. 1603.2110. PROHIBITED MEDICAL PRACTICES. (a) Except
1-27 as provided by Subsection (b), a person performing a barbering or
1-28 cosmetology service within the scope of a license or permit issued
1-29 under this subchapter may not:

1-30 (1) make an incision into the dermis layer of a
1-31 person's skin, including for purposes of injecting a medication or
1-32 other substance; or

1-33 (2) use a device, as defined by Section 551.003.

1-34 (b) A person holding a license or permit issued under this
1-35 subchapter may perform an act described by Subsection (a) as part of
1-36 a barbering or cosmetology service if the person is licensed to
1-37 perform that act in this state or is otherwise authorized by law to
1-38 perform that act. In a disciplinary action by the department
1-39 related to an act in violation of Subsection (a), the license or
1-40 permit holder has the burden of proving by a preponderance of the
1-41 evidence that the person is licensed or otherwise authorized to
1-42 perform the act.

1-43 (c) This section does not affect the authority of another
1-44 state agency regulating a profession to enforce any law related to
1-45 that profession.

1-46 SECTION 2. Section 1603.2110, Occupations Code, as added by
1-47 this Act, applies only to conduct that occurs on or after the
1-48 effective date of this Act. Conduct that occurs before the
1-49 effective date of this Act is governed by the law in effect on the
1-50 date the conduct occurred, and the former law is continued in effect
1-51 for that purpose.

1-52 SECTION 3. This Act takes effect September 1, 2025.

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