

BILL ANALYSIS

C.S.H.B. 467
By: Hernandez
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised about the rising frequency with which domestic violence occurs in Texas. While many victims refrain from discussing domestic abuse with family and friends, it has been reported that some victims feel comfortable discussing personal issues with their cosmetologists, since they are not likely to have daily interactions. C.S.H.B. 467 seeks to leverage the rapport between cosmetologists and their clientele to help prevent the spread of domestic violence by incorporating training on sexual assault and domestic violence awareness into the required continuing education for cosmetologists.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 467 amends the Occupations Code to include information on sexual assault and domestic violence awareness among the information the Texas Commission of Licensing and Regulation (TCLR) is required to include in continuing education programs for the practice of cosmetology. The bill requires TCLR, not later than March 1, 2020, to adopt rules to implement the bill's provisions and makes those provisions and rules applicable only to a continuing education program provided on or after September 1, 2020.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 467 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include an exemption for a license holder subject to cosmetology continuing education requirements who is also a licensed peace officer or a certified educator from the portion of continuing education relating to sexual assault and domestic violence awareness. The substitute does not include a provision authorizing TCLR to waive the

requirement that a license holder participate in that portion of continuing education under certain conditions.

The substitute does not include a provision granting a person who has completed the portion of continuing education relating to sexual assault and domestic violence awareness and that person's employer immunity from civil and criminal liability for reporting, in good faith, information obtained during the course and scope of the person's employment that relates to a potential act of sexual assault or domestic violence.

The substitute changes the bill's applicability from the renewal of a license or certificate that expires on or after September 1, 2020, to a continuing education program provided on or after such date.