

- SUBJECT:** Deregulating threading; allowing barber, cosmetologist on-site services
- COMMITTEE:** Licensing and Administrative Procedures — committee substitute recommended
- VOTE:** 8 ayes — Smith, Gutierrez, Geren, Goldman, Guillen, Miles, D. Miller, S. Thompson
- 0 nays
- 1 absent — Kuempel
- WITNESSES:** For — (*Registered, but did not testify:* Linda Connor; Paul Griffith)
- Against — Linda Colwell
- On — (*Registered, but did not testify:* William Kuntz, Texas Department of Licensing and Regulation)
- DIGEST:** CSHB 4069 would decrease from four years to two the amount of time after a student's withdrawal or termination from a barber or private beauty culture school that the student had to re-enroll in the school after having completed at least 50 percent of the course. A student who received a grade of incomplete when the student withdrew but who was not entitled to a refund could re-enroll within two years and complete the subjects without paying additional tuition.
- The bill would specify that threading, a process to remove unwanted eyebrow hair from a person by using a thin piece of thread, was not included in the definition of barbering or cosmetology. The bill would add eyelash extensions to the practices people holding manicurist/esthetician specialty licenses could perform.
- CSHB 4069 would allow people who held a license, certificate, or permit for barbering or cosmetology to perform their services at an unlicensed facility if it was for a client who received the services in preparation for a

special event, including a wedding or quinceañera.

The bill would increase from nine to 11 the number of members appointed to the Advisory Board on Cosmetology, including one member who held a manicurist specialty license and an additional public member. The presiding officer of the Texas Commission of Licensing and Regulation would be required to appoint the two additional members by January 1, 2016, and would designate one member to a term expiring in 2017 and one to a term expiring 2021.

CSHB 4069 would require the commission to adopt rules to implement the bill by January 1, 2016.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2015.

**SUPPORTERS  
SAY:**

CSHB 4069 would update regulations covering barbering and cosmetology to keep up with modern demands. The bill would decrease by two years the amount of time a school was required to accept a former student who withdrew or was terminated, which would reduce the likelihood that returning students had forgotten instructional material while their studies had lapsed. The decrease in time would be beneficial for both re-enrolled students and schools because time in the classroom could be used more efficiently.

The bill would deregulate the practice of threading, which presents a very small risk to the public's safety. The only tool used in the practice is thread, making regulation unnecessary. Currently, licensed estheticians can perform eyelash extensions, while licensed manicurist-estheticians cannot. The bill would remove this unnecessary disparity between the two license holders.

Under current law, licensed barbers and cosmetologists may not perform services for compensation at a facility that is not licensed. However, many clients would rather have services performed on-site for special occasions

such as weddings or quinceañeras, and the bill would allow this to happen.

CSHB 4069 would add a member to the Advisory Board on Cosmetology who held a manicurist specialty license, to represent about 15 percent of licensed cosmetologists. This would help ensure the concerns and suggestions of those license holders were heard. The additional public member also would provide valuable feedback and suggestions to the board.

OPPONENTS  
SAY:

CSHB 4069 would maintain the unreasonable requirement that barber and private beauty culture schools accept students who had previously withdrawn from or been terminated by the school. While the timeframe would be limited to two years instead of four, this requirement still would be unreasonable for school owners.

Barber and private beauty culture schools are required to accept former students who received a grade of incomplete and withdrew from the class with no additional tuition. This financial burden on schools should be removed. In situations where the student's education was terminated by the school, the school would have to allow the student to return, even though there likely was a good reason the student was asked to leave.