

BILL ANALYSIS

Senate Research Center

S.B. 447
By: Madla
State Affairs
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As Filed

DIGEST

Currently, the State Board of Barber Examiners (board) is a legally constituted body appointed by the governor to regulate the practice of barbering in Texas. However, under current statute, the Texas Board of Health is responsible for promulgating sanitary rules for the practice of barbering. The Texas Department of Health (TDH) does not routinely inspect barber shops or investigate inquiries about barber shops. Any inquiries TDH receives are routinely referred to the board, which has barber inspectors on staff who routinely inspect these establishments. All sanitary rules for barbers are initiated by the board, which then must ask the General Sanitation Division at TDH to present the proposed rules to the Texas Board of Health for appropriate action. S.B. 447 transfers rulemaking authority to the State Board of Barber Examiners to regulate barbering practices in Texas.

PURPOSE

As proposed, S.B. 447 outlines provisions regarding the practice of barbering.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the State Board of Barber Examiners under SECTION 4, (Section 28(a), Article 8407a, V.T.C.S.) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 3(c), Article 8407a, V.T.C.S., to require the State Board of Barber Examiners (board) to issue a barber shop permit to an applicant holding a class A barber license and whose shop meets the health standard for barber shops as promulgated by the board and all other rules and regulations of the board. Deletes text defining "board" as the Texas Department of Health.

SECTION 2. Amends Section 15A(c), Article 8407a, V.T.C.S., to make a conforming change.

SECTION 3. Amends Section 18(c), Article 8407a, V.T.C.S., to make a conforming change.

SECTION 4. Amends Section 28(a), Article 8407a, V.T.C.S., to makes conforming and nonsubstantive changes.

SECTION 5. (a) Effective date: September 1, 1997.

(b) Requires the State Board of Barber Examiners to adopt rules under this Act not later than September 1, 1998.

(c) Requires a rule adopted by the Texas Board of Health or the Texas Department of Health under Chapter 65, Acts of the 41st Legislature, 1st Called Session, 1929 (Article 8407a, V.T.C.S.), that is in effect on the effective date of this Act, to remain in effect as a rule of the State Board of Barber Examiners until adopted or superseded by a new rule adopted by the State Board of Barber Examiners.

SECTION 6. Emergency clause.