

**BILL ANALYSIS**

Senate Research Center  
79R9370 YDB-D

H.B. 1304  
By: Wong (Van de Putte)  
Business & Commerce  
5/4/2005  
Engrossed

**AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Currently, cosmetology nail salons are not required to use autoclaves to sanitize non-disposable instruments, which puts Texas citizens at risk of contracting dangerous infections and viruses. Among the Sunset Advisory Commission's recommendations to the 79th Legislature, Regular Session, 2005, is the recommendation that these salons be required to use autoclaves to sanitize these instruments.

H.B. 1304 improves safety and sanitation by requiring the use of autoclaves to sterilize non-disposable instruments in a barbershop, specialty shop, or barber school.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1601.506, Occupations Code, by adding Subsections (e) and (f), as follows:

(e) Sets forth certain provisions relating to a person who holds a license, certificate, or permit issued under this chapter and who performs a barbering service described by Section 1601.002(1)(E) or (F).

(f) Provides that the owner or manager of a barbershop, specialty shop, or barber school is responsible for providing an autoclave for use in the shop or school as required by Subsection (e). Requires an autoclave used as required by Subsection (e) to be registered and listed with the Federal Food and Drug Administration and used in accordance with the manufacturer's instructions.

SECTION 2. Amends Subchapter I, Chapter 1602, Occupations Code, by adding Section 1602.408, as follows:

Sec. 1602.408. SANITATION REQUIREMENTS FOR CERTAIN SERVICES. (a) Sets forth certain provisions relating to a person who holds a license, certificate, or permit issued under this chapter and who performs a cosmetology service described by Section 1602.002(10) or (11).

(b) Provides that the owner or manager of a beauty shop, specialty shop, or beauty culture school is responsible for providing an autoclave for use in the shop or school as required by Subsection (a). Requires an autoclave used as required by Subsection (a) to be registered and listed with the Federal Food and Drug Administration and used in accordance with the manufacturer's instructions.

SECTION 3. Effective date: January 1, 2006.