

## **BILL ANALYSIS**

H.B. 404  
By: Hernandez  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerns have been raised about the prevalence of domestic violence in states across the country, and Texas is no exception. While efforts have been made to increase awareness and enable victims to safely bring attention to their particular circumstance, there are certain settings that may offer unique opportunities for a victim to come forward without fear. One such setting is during visits to a cosmetologist. It has been suggested that domestic violence victims may feel more comfortable discussing the issue with a cosmetologist because they are not likely to have higher pressure, daily interactions with them. In keeping with this thinking, other states have enacted legislation establishing application requirements for a cosmetology license involving the completion of a domestic violence awareness course similar to measures providing training to certain professions to identify a domestic violence victim as a mitigation strategy. H.B. 404 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 cosmetology license holders.

### **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**

H.B. 404 amends the Occupations Code to require information on sexual assault and domestic violence awareness to be included in continuing education programs for cosmetology license holders. The bill requires the Texas Commission of Licensing and Regulation to adopt rules not later than March 1, 2022, to implement the bill's provisions. The rules and provisions apply only to a continuing education program provided on or after September 1, 2022.

### **EFFECTIVE DATE**

September 1, 2021.