

AN ACT

relating to the licensing and regulation of massage therapy.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 455.202, Occupations Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) A massage establishment may not:

(1) employ an individual who is not a United States citizen or a legal permanent resident with a valid work permit;

(2) employ a minor unless the minor's parent or legal guardian authorizes in writing the minor's employment by the establishment;

(3) allow a nude or partially nude employee to provide massage therapy or other massage services to a customer;

(4) allow any individual, including a client, student, license holder, or employee, to engage in sexual contact in the massage establishment; ~~or~~

(5) allow any individual, including a student, license holder, or employee, to practice massage therapy in the nude or in clothing designed to arouse or gratify the sexual desire of any individual; or

(6) allow any individual, including a student, license holder, or employee, to reside on the premises of the massage establishment.

(e) Subsection (b)(6) does not apply to:

(1) a place of business exempted under Section 455.155(c)(2) from the requirement to hold a license as a massage establishment; or

(2) a licensed massage therapist who practices as a solo practitioner and who is exempted under Section 455.155(b) from the requirement to hold a license as a massage establishment.

SECTION 2. Section 455.204, Occupations Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) The license of a massage therapist that is posted under Subsection (b) must have attached to the front of the license a photograph of the massage therapist.

SECTION 3. Subchapter E, Chapter 455, Occupations Code, is amended by adding Section 455.207 to read as follows:

Sec. 455.207. POSTING OF CERTAIN NOTICES REQUIRED. (a) Each massage establishment and massage school shall display in the form and manner prescribed by the commission a sign concerning services and assistance available to victims of human trafficking.

(b) The sign required by this section must:

(1) be in English, Spanish, Korean, Mandarin, and any other language required by commission rule;

(2) include a toll-free telephone number of a nationally recognized information and referral hotline for victims of human trafficking; and

(3) be displayed in a conspicuous place clearly visible to the public.

(c) The commission by rule shall establish requirements

1 regarding the posting of signs under this section.

2 SECTION 4. Not later than March 1, 2020, the Texas
3 Commission of Licensing and Regulation shall adopt rules necessary
4 to implement the changes in law made by this Act to Chapter 455,
5 Occupations Code.

6 SECTION 5. A massage establishment, as defined by Section
7 455.001, Occupations Code, shall comply with:

8 (1) Section 455.204(b-1), Occupations Code, as added
9 by this Act, not later than January 1, 2020; and

10 (2) Section 455.207, Occupations Code, as added by
11 this Act, not later than April 1, 2020.

12 SECTION 6. This Act takes effect September 1, 2019.

H.B. No. 2747

President of the Senate

Speaker of the House

I certify that H.B. No. 2747 was passed by the House on May 2, 2019, by the following vote: Yeas 113, Nays 25, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2747 on May 23, 2019, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2747 on May 26, 2019, by the following vote: Yeas 91, Nays 54, 1 present, not voting.

Chief Clerk of the House

H.B. No. 2747

I certify that H.B. No. 2747 was passed by the Senate, with amendments, on May 21, 2019, by the following vote: Yeas 30, Nays 1; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2747 on May 26, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor