

BILL ANALYSIS

Senate Research Center
88R9680 JCG-D

H.B. 2016
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Law enforcement agencies have expressed concerns that persons convicted of sexual assault or aggravated sexual assault are permitted to practice in the massage industry given they could use their position of authority to commit further sexual offenses. Although current law provides for license ineligibility for some offenses, it does not explicitly prohibit licensure for sexual assault or aggravated sexual assault offenses. Accordingly, H.B. 2016 would help protect massage clients in vulnerable positions by prohibiting a person who has committed sexual assault offenses from obtaining a massage license.

H.B. 2016 amends current law relating to the eligibility requirements for a license as a massage establishment, massage school, massage therapist, or massage therapy instructor.

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 455.152, Occupations Code, as follows:

Sec. 455.152. INELIGIBILITY FOR LICENSE. Provides that a person is not eligible for a license as a massage establishment, massage school, massage therapist, or massage therapy instructor if the person is an individual and has been convicted of, entered a plea of nolo contendere or guilty to, or received deferred adjudication for certain offenses, including an offense under Section 22.011 (Sexual Assault) or 22.021 (Aggravated Sexual Assault), Penal Code.

SECTION 2. Effective date: September 1, 2023.