

## Session 123 - (2019-2020)

### H 3154 General Bill, By Norrell and Thayer

#### Summary: Massage establishments

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-30-115 SO AS TO PROVIDE REQUIREMENTS FOR THE LICENSURE AND OPERATION OF MASSAGE ESTABLISHMENTS; BY ADDING SECTION 40-30-210 SO AS TO PROVIDE FOR THE QUALIFICATIONS AND AUTHORITY OF INSPECTORS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION WHEN ENFORCING THE PROVISIONS OF THIS ACT; TO AMEND SECTION 40-30-20, RELATING TO THE PURPOSE OF THE MASSAGE/BODYWORK PRACTICE ACT, SO AS TO INCLUDE MASSAGE ESTABLISHMENTS; TO AMEND SECTION 40-30-30, RELATING TO DEFINITIONS IN THE MASSAGE/BODYWORK PRACTICE ACT, SO AS TO DEFINE NECESSARY TERMS; TO AMEND SECTION 40-30-50, RELATING TO DUTIES OF THE PANEL FOR MASSAGE/BODYWORK, SO AS TO INCLUDE MASSAGE ESTABLISHMENTS; TO AMEND SECTION 40-30-60, RELATING TO DUTIES OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION CONCERNING MASSAGE/BODYWORK THERAPY, SO AS TO INCLUDE ELIGIBILITY OF APPLICANTS FOR MASSAGE ESTABLISHMENT LICENSURE; TO AMEND SECTION 40-30-80, RELATING TO FEES THE DEPARTMENT MAY CHARGE FOR MASSAGE/BODYWORK THERAPIST LICENSES, SO AS TO INCLUDE FEES CONCERNING MASSAGE ESTABLISHMENT LICENSES; TO AMEND SECTION 40-30-100, RELATING TO THE PROHIBITION ON PRACTICING MASSAGE/BODYWORK THERAPY WITHOUT A LICENSE, SO AS TO REQUIRE LICENSURE FOR MASSAGE ESTABLISHMENTS, TO PROVIDE PEOPLE MAY NOT OFFER OR RENDER MASSAGE/BODYWORK SERVICES IN PLACES THAT ARE NOT LICENSED AS A MASSAGE ESTABLISHMENT, AND TO PROVIDE EXCEPTIONS; TO AMEND SECTION 40-30-110, RELATING TO THE REQUIREMENTS FOR MASSAGE/BODYWORK THERAPIST LICENSURE, SO AS TO PROVIDE REQUIREMENTS FOR MASSAGE ESTABLISHMENTS; TO AMEND SECTION 40-30-140, RELATING TO LICENSES, SO AS TO PROVIDE MASSAGE ESTABLISHMENTS SHALL DISPLAY THEIR LICENSES IN A CERTAIN MANNER, TO PROVIDE REQUIRED INFORMATION FOR ADVERTISEMENTS AND SOCIAL MEDIA PAGES, AMONG OTHER THINGS; TO AMEND SECTION 40-30-150, RELATING TO MASSAGE/BODYWORK THERAPIST LICENSES ISSUED BY OTHER STATES, SO AS TO CLARIFY THE APPLICABILITY OF THE PROVISIONS; TO AMEND SECTION 40-30-160, RELATING TO RECORDS AND A REGISTRY THE DEPARTMENT SHALL MAINTAIN, SO AS TO INCLUDE PROVISIONS CONCERNING MASSAGE ESTABLISHMENTS; TO AMEND SECTION 40-30-170, RELATING TO A ROSTER OF MASSAGE/BODYWORK THERAPIST LICENSEES THE DEPARTMENT SHALL MAINTAIN AND PUBLISH, SO AS TO INCLUDE MASSAGE ESTABLISHMENTS IN THE ROSTER; TO AMEND SECTION 40-30-180, RELATING TO MASSAGE/BODYWORK THERAPIST LICENSE RENEWALS, SO AS TO INCLUDE PROVISIONS CONCERNING MASSAGE ESTABLISHMENT LICENSURE RENEWALS; TO AMEND SECTION 40-30-190, RELATING TO THE PROMULGATION OF RELATED REGULATIONS BY THE DEPARTMENT, SO AS TO CLARIFY THE APPLICABILITY OF THE PROVISIONS; TO AMEND SECTION 40-30-200, RELATING TO INVESTIGATIONS OF VIOLATIONS, SO AS TO PROVIDE THE DEPARTMENT MAY INVESTIGATE VIOLATIONS CONCERNING MASSAGE ESTABLISHMENTS; TO AMEND SECTION 40-30-220, RELATING TO CERTAIN EQUITABLE REMEDIES CONCERNING VIOLATIONS, SO AS TO INCLUDE MASSAGE ESTABLISHMENTS; TO AMEND SECTION 40-30-230, RELATING TO GROUNDS FOR MISCONDUCT BY MASSAGE/BODYWORK THERAPISTS, SO AS TO INCLUDE GROUNDS FOR MISCONDUCT CONCERNING MASSAGE ESTABLISHMENTS; TO AMEND SECTION 40-30-260, RELATING TO VOLUNTARY SURRENDER OF LICENSES BY LICENSEES UNDER INVESTIGATION FOR MISCONDUCT, SO AS TO PROVIDE MASSAGE ESTABLISHMENTS THAT MAKE SUCH SURRENDERS MAY NOT OPERATE AS MASSAGE ESTABLISHMENTS DURING PERIODS OF VOLUNTARY SURRENDER; TO AMEND SECTION 40-30-270, RELATING TO APPEALS OF ACTIONS BY THE PANEL OR DEPARTMENT, SO AS TO MAKE A CONFORMING CHANGE CONCERNING MASSAGE ESTABLISHMENTS; TO AMEND SECTION 40-30-300, RELATING TO CERTAIN PRIVILEGED COMMUNICATIONS, SO AS TO INCLUDE MASSAGE ESTABLISHMENTS; AND TO AMEND SECTION 40-30-310, RELATING TO CERTAIN ILLEGAL ACTIONS RELATING TO MASSAGE/BODYWORK THERAPISTS, SO AS TO INCLUDE MASSAGE ESTABLISHMENTS.

12/18/18 House Prefiled

12/18/18 House Referred to Committee on Labor, Commerce and Industry

01/08/19 House Introduced and read first time (House Journal-page 108)

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