
A BILL FOR AN ACT

RELATING TO MASSAGE THERAPY.

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

1 SECTION 1. Section 452-18, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§452-18 Sanitary rule.** The [~~department of health~~] board
4 shall prescribe [~~such~~] sanitary rules as it deems necessary,
5 with [~~particular~~] reference to the precautions necessary to be
6 employed to prevent the creating and spreading of infectious and
7 contagious diseases."

8 SECTION 2. Section 452-19, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§452-19 Penalties.** [~~(a) Any person who practices~~
11 ~~massage or maintains a massage therapy establishment, or acts in~~
12 ~~any capacity wherein a license is required by this chapter,~~
13 ~~without a license provided for in this chapter, shall be guilty~~
14 ~~of a petty misdemeanor.~~

15 ~~(b)]~~ Any owner, operator, manager, or licensee in charge
16 of or in control of a massage therapy establishment who
17 knowingly employs a person who is not licensed as a massage



1 therapist or who has not received a permit as a massage
2 therapist apprentice as provided in this chapter, or who allows
3 an unlicensed person to perform, operate, or practice massage is
4 guilty of a misdemeanor."

5 SECTION 3. Section 452-24, Hawaii Revised Statutes, is
6 amended by amending subsection (b) to read as follows:

7 "(b) Any person who violates any of the provisions of this
8 chapter or the rules adopted pursuant thereto shall be fined not
9 less than [~~\$100~~] \$250 nor more than [~~\$1,000~~] \$2,000 for each
10 violation."

11 SECTION 4. This Act does not affect rights and duties that
12 matured, penalties that were incurred, and proceedings that were
13 begun before its effective date.

14 SECTION 5. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Massage Therapy; Massage Therapy Establishments; Rulemaking Authority; Fines

Description:

Requires the board of massage therapy to adopt and enforce sanitation rules for massage therapy establishments. Repeals existing statutory language that classifies unlicensed activity as a petty misdemeanor in favor of existing statutes that treat unlicensed activity as a misdemeanor. Increases the fines for violations of the laws regulating massage therapy. (HD2)

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