

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2878

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2878 entitled:

"A BILL FOR AN ACT RELATING TO MASSAGE THERAPY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Board of Massage Therapy to promulgate and enforce sanitation rules for massage establishments;
- (2) Repeal the petty misdemeanor penalty for practicing massage therapy without a license in favor of existing statutes that already treat unlicensed activity as a misdemeanor; and
- (3) Increase the minimum fine from \$100 to \$250 and the maximum fine from \$1,000 to \$2,000 for each violation.

Your Committee received testimony in support of this measure from the Board of Massage Therapy, American Massage Therapy Association, and IMUAlliance.

Your Committee finds that the Hawaii Administrative Rules that governed sanitation requirements for massage establishments were repealed in October 2018, resulting in existing massage establishments not being subject to any form of sanitation rules and being allowed to operate under self-imposed sanitary



requirements. This measure will ensure the safety of the public by granting rulemaking authority to and clarifying enforcement powers of the Board of Massage Therapy.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2878 and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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KARL RHOADS, Chair



The Senate  
 Thirtieth Legislature  
 State of Hawai'i

Record of Votes  
 Committee on Judiciary  
 JDC

Bill / Resolution No.:* SB 2878	Committee Referral: CPH, JDC	Date: 2/25/2020
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The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312     
  Pass, with amendments 2311     
  Hold 2310     
  Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike				/
KIM, Donna Mercado	/			
FEVELLA, Kurt				/
<b>TOTAL</b>	<b>3</b>			<b>2</b>

Recommendation:  Adopted       Not Adopted

Chair's or Designee's Signature: 

Distribution:      Original      Yellow      Pink      Goldenrod  
 File with Committee Report      Clerk's Office      Drafting Agency      Committee File Copy

\*Only one measure per Record of Votes