

SUBJECT: Prohibiting someone with a sexual offense from holding massage licenses

COMMITTEE: Licensing & Administrative Procedures — favorable, without amendment

VOTE: 10 ayes — K. King, Walle, Goldman, Harless, Hernandez, Herrero, T. King, Patterson, Schaefer, Shaheen

0 nays

1 absent — S. Thompson

WITNESSES: For — (*Registered, but did not testify*: James Parnell, Dallas Police Association; Ray Hunt, HPOU; Bill Kelly, Mayor’s Office, City of Houston; John Wilkerson, Texas Municipal Police Association; Jennifer Allmon, The Texas Catholic Conference of Bishops)

Against — None

On — (*Registered, but did not testify*: Mary Winston, Texas Department of Licensing and Regulation)

DIGEST: HB 2016 would prohibit a person who was convicted of, entered a plea of nolo contendere or guilty to, or received deferred adjudication for sexual assault or aggravated sexual assault from being eligible for a massage establishment, massage school, massage therapist, or massage therapy instructor license.

The bill would take effect September 1, 2023.

SUPPORTERS SAY: HB 2016 would address concerns that individuals convicted of sexual offenses are allowed to practice in the massage industry. Clients of massage establishments are at a higher risk due to the inherent intimacy of the setting. In recent years, many cases of sexual misconduct and sexual assault violations have been reported involving the massage therapy industry.

Current law allows for license ineligibility for certain offenses but does not explicitly prohibit massage therapy licensure for individuals with certain sexual offenses. HB 2016 would allow for these needed prohibitions.

CRITICS
SAY:

No concerns identified.