

SUBJECT:	Amending local regulation authority for massage establishments
COMMITTEE:	Licensing & Administrative Procedures — committee substitute recommended
VOTE:	<p>9 ayes — K. King, Walle, Goldman, Harless, Hernandez, Herrero, Patterson, Schaefer, Shaheen</p> <p>1 nays — T. King</p> <p>1 absent — S. Thompson</p>
WITNESSES:	<p>For — TJ Gilmore, City of Lewisville; Kevin Deaver, Lewisville Police Department (<i>Registered, but did not testify</i>: Adam Haynes, Conference of Urban Counties; Rick Thompson, County Judges and Commissioners Association of Texas; Monty Wynn, Texas Municipal League; Jennifer Allmon, The Texas Catholic Conference of Bishops)</p> <p>Against — None</p>
BACKGROUND:	Some have suggested that more flexibility for local law enforcement to regulate massage establishments could help to address certain human trafficking violations.
DIGEST:	<p>CSHB 2134 would expand conditions exempting certain local regulations from certain massage therapy licensing and regulation provisions. Added conditions for exemption would include:</p> <ul style="list-style-type: none"><li>• conditional use permits;</li><li>• hours of operation; or</li><li>• other similar regulations similar.</li></ul> <p>The bill would provide exceptions to provisions prohibiting a political subdivision from restricting massage establishments more than other health care establishments, including for:</p>

- municipal and county authority to regulate sexually-oriented businesses;
- regulations regarding massage establishment operating hours; or
- regulations related to the location, ownership, or operation of a massage establishment where certain offenses were committed related to prostitution, organized criminal activity, money laundering, or human trafficking, or that was operating at a location where another massage establishment committed certain violations and received sanctions.

The bill would take effect September 1, 2023.