April 29, 2014

The Honorable Chris Holden
Member, California State Assembly
State Capitol Building, Room 5119
Sacramento, CA 95814
FAX: (916) 319-2141

Dear Assembly Member Holden:

RE: AB 1147 (Bonilla, Gomez, Holden) Massage Therapy Act of 2014. (As Amended on April, 2014) Notice of SUPPORT

The City of Claremont supports AB 1147, which would completely revise and recast the law pertaining to massage therapy, including returning land use control back to the cities.

AB 1147 allows local governments to enact ordinances that would require a certified massage establishment to obtain a license, permit or other authorization as long as that license, permit or other authorization is required of any other individual or business providing professional services. Having this authority returned will allow local governments to prevent businesses operating under the auspices of massage therapy from engaging in prostitution and human trafficking.

As has been the experience with many cities in the state, the passage of SB 731 has frustrated and complicated these efforts. The City of Claremont has seen the number of massage therapists increase significantly and the number of massage establishments double since SB 731 was passed.

For these reasons, the City of Claremont supports AB 1147.

Sincerely,

Joseph M. Lyons
Mayor
City of Claremont

c: City Council
Tony Ramos, City Manager
Senator Carol Liu, FAX (916) 324-7543
Jennifer Quan, League of California Cities, Email: jquan@cacities.org
MASSAGE THERAPY ACT OF 2014
SUMMARY OF MAJOR CHANGES

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- **Return Land Use Authority to Cities and Counties.** The broad preemption of local land use authority for 'certified-only' massage professionals has been deleted, returning local land use control back to the cities and counties.

- **Reconstitute the Massage Therapy Council.** In order to bring new leadership to the Council, the board of the California Massage Therapy Council will be reduced from 20 members to 11, with a majority being local government or new public member appointments. The League of California Cities, California State Association of Counties, and California Police Chiefs Association will each have a dedicated seat on the Council.

- **Reinforce Local Massage Ordinances.** Local governments will be explicitly authorized to adopt ordinances that would require certificated massage professionals and registered massage establishments to comply with reasonable health and safety requirements, abide by hours of operation, and pay appropriate business license fees. The Act also explicitly reiterates the power of local governments to require certification as a precondition to practice massage in the jurisdiction.

- **Provide Revocable Registration for Establishments.** A massage establishment that registers as using only certified and vetted massage therapists will enjoy a narrow set of privileges, but both the Council and local governments will have the authority to revoke or void the registration if the terms of the registration are violated.

- **Raise Professional Standards.** Professional standards will be raised by mandating the passage of an examination, specifying the content of required coursework, requiring continuing education, and imposing a 500 hour education requirement for all therapists. The Council will also phase out the less rigorous massage practitioner certificate.

- **Expand Council's Disciplinary Authority.** In order to address unprofessional behavior by certificate holders, the list of prohibited activities has been expanded to include a prohibition on sexually suggestive advertising of massage services and chronic failure to pay administrative fines.

- **Require certification of operators.** To increase establishment accountability, day-to-day managers who operate massage establishments will be required to hold a certification to work in a registered establishment, and will be subject to Council discipline.

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