

ACT 64

S.B. NO. 2878

A Bill for an Act Relating to Massage Therapy.

Be It Enacted by the Legislature of the State of Hawaii:

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

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

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

“§452-19 Penalties. ~~[(a) Any person who practices massage or maintains a massage therapy establishment, or acts in any capacity wherein a license~~

is required by this chapter, without a license provided for in this chapter, shall be guilty of a petty misdemeanor.

(b) Any owner, operator, manager, or licensee in charge of or in control of a massage therapy establishment who knowingly employs a person who is not licensed as a massage therapist or who has not received a permit as a massage therapist apprentice as provided in this chapter, or who allows an unlicensed person to perform, operate, or practice massage is guilty of a misdemeanor.”

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

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

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

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 Statutory material to be repealed is bracketed and stricken.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

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

(Approved September 15, 2020.)