

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2014 Legislative Session**

Bill No. CB-81-2014  
 Chapter No. 72  
 Proposed and Presented by Council Member Toles  
 Introduced by Council Members Toles, Lehman, Harrison and Franklin  
 Co-Sponsors \_\_\_\_\_  
 Date of Introduction October 21, 2014

**BILL**

1 AN ACT concerning

2 Massage Establishment Licensing

3 For the purpose of amending the County Code provisions for licensing of massage  
 4 establishments, operators, managers and technicians to require certain information and generally  
 5 related to licensing of massage establishments.

6 BY repealing and reenacting with amendments:

7 SUBTITLE 5. BUSINESSES AND LICENSES.

8 Sections 5-184.05, 5-184.07, 5-184.08 and 5-184.09

9 The Prince George's County Code

10 (2011 Edition; 2013 Supplement).

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
 12 Maryland, that Sections 5-184.05, 5-184.07, 5-184.08 and 5-184.09 of the Prince George's  
 13 County Code be and the same are hereby repealed and reenacted with the following  
 14 amendments:

15 **SUBTITLE 5. BUSINESSES AND LICENSES.**

16 **DIVISION 9A. MESSAGE ESTABLISHMENTS.**

17 **Sec. 5-184.05. Massage establishment license application.**

18 (a) Each application for a massage establishment license shall be upon a form provided by  
 19 the Department of Permitting, Inspections, and Enforcement. Each such form shall contain the  
 20 following information:

21 \* \* \* \* \*

(b) Every applicant for a massage establishment license shall submit with their license application a copy of or verification of a license or registration issued by the State Board of Chiropractic and Massage Therapy Examiners, pursuant to Subtitle 5A of Title 3 of the Health Occupation Article of the Annotated Code of Maryland, for a massage technician employed by the massage establishment.

(c) Every applicant for a massage establishment license and every licensee shall be subject to a continuing duty to supply to the Director current information with respect to the items set forth in subsection (a) of this Section, such report to be made within fourteen (14) days of learning of any change. Failure to report a change in that information after learning of it shall be grounds for revocation of the license.

\* \* \* \* \*

**Sec. 5-184.07. Operator or manager of massage establishment and massage technician license fee; term; health certificate required.**

Every person conducting or engaging in the administration of massage in a massage establishment or operating or managing a massage establishment shall pay an annual license fee of [One] Two Hundred Fifty Dollars (\$[10]250.00). The license shall be renewed one year from date of issue. The fee shall not be in lieu of, and shall be in addition to, any business license tax required to be paid. The licensee must submit a certificate of a licensed physician licensed in the State of Maryland annually upon renewal of the license certifying that the licensee is free of communicable disease. Health certificates shall be valid for twelve (12) months. Any and all costs for such examination and certification shall be borne by the applicant.

**Sec. 5-184.08. Operator or manager of massage establishment and massage technician license application.**

(a) Each application for an operator's or manager's massage establishment license or a massage technician license shall be upon a form provided by the Department of Permitting, Inspections, and Enforcement. Each such form shall contain the following information:

\* \* \* \* \*

(b) Every applicant or holder of a massage technician's license shall submit with their license application a copy of or verification of a license or registration issued by the State Board of Chiropractic and Massage Therapy Examiners, pursuant to Subtitle 5A of Title 3 of the Health Occupation Article of the Annotated Code of Maryland.

(c) Every applicant or holder of a massage technician's license or massage establishment operator or manager's license shall be subject to a continuing duty to supply to the Director current information with respect to the items set forth in Subsection (a) of this Section, such report to be made within fourteen (14) days of learning of any change. Failure to report a change in that information after learning of it shall be grounds for revocation of the license.

\* \* \* \* \*

**Sec. 5-184.09. Investigation of applicant for massage establishment license, operator or manager's license, or massage technician license; grounds for denial of application; continuing investigations.**

\* \* \* \* \*

(b) The Director shall deny any application for a massage establishment license or a massage technician license under this Division if the Director finds:

\* \* \* \* \*

(8) That the person making application for a massage establishment license or a massage technician's license fails to provide with their license application a copy of or verification of a license or registration issued by the State Board of Chiropractic and Massage Therapy Examiners, pursuant to Subtitle 5A of Title 3 of the Health Occupation Article of the Annotated Code of Maryland.

\* \* \* \* \*

SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 19<sup>th</sup> day of November, 2014.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Mel Franklin  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Rushern L. Baker, III  
County Executive

KEY:  
Underscoring indicates language added to existing law.  
[Brackets] indicate language deleted from existing law.  
Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.