

# House Bill 2446

Sponsored by Representative YUNKER; Representative WRIGHT, Senators NASH, WEBER (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that a massage facility cannot be close to a school or similar building. (Flesch Readability Score: 63.6).

Prohibits a massage facility from being located within 1,000 feet of a school or similar building.

## A BILL FOR AN ACT

1  
2 Relating to massage therapy; creating new provisions; and amending ORS 687.059 and 687.071.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 687.059 is amended to read:

5 687.059. (1) To be issued a permit to operate a massage facility in this state, an applicant  
6 [*must*] **shall**:

7 (a) Submit an application to the State Board of Massage Therapists in a form and manner pre-  
8 scribed by the board by rule;

9 (b) Comply with the health, safety and infection control requirements adopted by the board un-  
10 der ORS 687.121;

11 (c) Pay the fee required under ORS 687.071 [*(1)(b)*];

12 (d) If the applicant is a natural person, be at least 18 years of age; and

13 (e) If the applicant is not a natural person, comport with the laws of this state related to busi-  
14 ness formation, including making an appropriate filing with the Secretary of State.

15 (2) A massage facility for which a person has been issued a permit under this section may pro-  
16 vide massage therapy only through the use of massage therapists licensed under ORS 687.051.

17 **(3) A massage facility may not be located within 1,000 feet of:**

18 **(a) A building where a public prekindergarten or kindergarten program is provided by a**  
19 **school district or an education service district;**

20 **(b) A public elementary or secondary school for which attendance is compulsory under**  
21 **ORS 339.020; or**

22 **(c) A private or parochial elementary or secondary school, teaching children as described**  
23 **in ORS 339.030 (1)(a).**

24 [*(3)*] (4) The board may authorize relocating a massage facility if:

25 (a) The permittee submits an application in a form and manner prescribed by the board by rule;

26 (b) The permittee pays the fee required under ORS 687.071 [*(1)(h)*]; and

27 (c) The permittee complies with any other applicable rule of the board.

28 [*(4)*] (5) The board may authorize transferring a permit to operate a massage facility from one  
29 person to another person if the person to whom the permit will be transferred:

30 (a) Submits an application in a form and manner prescribed by the board by rule;

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

- 1 (b) Pays the fee required under ORS 687.071 [(1)(i)];
- 2 (c) Makes all necessary changes to documents on file with the Secretary of State; and
- 3 (d) Complies with any other applicable rule of the board.

4 [(5)] (6) The board may authorize transferring the name of a massage facility to another massage  
5 facility if the permittee who operates the massage facility to which the name will be transferred:

- 6 (a) Submits an application in a form and manner prescribed by the board by rule;
- 7 (b) Pays the fee required under ORS 687.071 [(1)(j)];
- 8 (c) Makes all necessary changes to documents on file with the Secretary of State; and
- 9 (d) Complies with any other applicable rule of the board.

10 **SECTION 2.** ORS 687.071 is amended to read:

11 687.071. (1) The State Board of Massage Therapists shall impose fees for the following:

- 12 (a) Issuance or renewal of a massage therapist license.
- 13 (b) Issuance or renewal of a permit to operate a massage facility.
- 14 (c) Examinations and reexaminations.
- 15 (d) Inactive status.
- 16 (e) Delinquency in renewal of a license or of a permit to operate a massage facility.
- 17 (f) Temporary practice permit.
- 18 (g) Application for massage license examination.
- 19 (h) Relocation of a massage facility as described in ORS 687.059 [(3)].
- 20 (i) Transferring a permit to operate a massage facility from one person to another person as  
21 described in ORS 687.059 [(4)].
- 22 (j) Transferring the name of a massage facility to another massage facility as described in ORS  
23 687.059 [(5)].

24 (2) If the effective period of an initial massage therapist license or permit to operate a massage  
25 facility is to be less than 12 months by reason of the expiration date established by rule of the  
26 board, the required license fee shall be prorated to represent one-half of the rate for a biennial pe-  
27 riod.

28 (3) The board shall examine or reexamine an applicant for a massage therapist license who pays  
29 a fee for each examination and who meets the requirements of ORS 687.051.

30 (4) All moneys received by the board shall be paid into the account created by the board under  
31 ORS 182.470 and are continuously appropriated to the board for the administration and enforcement  
32 of ORS 676.850, 687.011 to 687.250, 687.895 and 687.991.

33 **SECTION 3.** (1) **The amendments to ORS 687.059 and 687.071 by sections 1 and 2 of this**  
34 **2025 Act apply to massage facilities for which a permit is issued under ORS 687.059 on or**  
35 **after the effective date of this 2025 Act and that are relocated on or after the effective date**  
36 **of this 2025 Act.**

37 (2) **A massage facility that is located in an area described in ORS 687.059 (3), as amended**  
38 **by section 1 of this 2025 Act, before the effective date of this 2025 Act may remain at that**  
39 **location unless the State Board of Massage Therapists revokes the massage facility's permit.**