

14-0002-532

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the massage industry provides a variety of benefits for people in need of pain relief, injury rehabilitation, stress reduction, and general relaxation; and

WHEREAS, certain regulations are also needed to ensure that legitimate massage businesses are not confused with illegitimate establishments which foster illegal activity such as prostitution and human trafficking; and

WHEREAS, in 2008 the State Legislature enacted SB 731 which created the California Massage Therapy Council (CAMTC) to oversee a statewide voluntary certification process for massage therapists; and

WHEREAS, SB 731 removed the ability of local governments to regulate and control massage businesses according to pre-existing local ordinances which governed land use and permitting requirements; and

WHEREAS, the language of SB 731 gives the appearance that local governments may use such ordinances, but this language is misleading because SB 731 states that such ordinances are valid only if regulations applying to massage establishments are the same as all other types of professional services, which is clearly impractical for local jurisdictions; and

WHEREAS, under SB731, the licensure of massage therapists only applies to the holder of the license, so if a certificate holder is an employee of a business and engages in illegal activity, the employee is subject to disciplinary action but the employer is not; and

WHEREAS, the lack of local control and local law enforcement's increasing difficulty to investigate and enforce crimes of prostitution demonstrate that SB 731 has negatively impacted local governments; and

WHEREAS, these concerns are shared by municipalities and law enforcement agencies across California; and

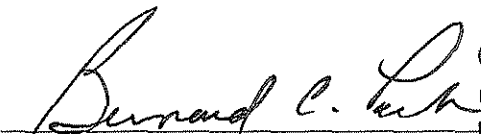
WHEREAS, SB 731 is due to sunset on January 1, 2015, and the State Legislature is considering whether to allow the current legislation to continue or expire;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013-2014 State Legislative Program SUPPORT of the sunset provision of SB 731 enacted in 2008, and OPPOSITION to legislation which would continue to undermine local control and regulation of massage businesses.



MAR 21 2014

PRESENTED BY



BERNARD C. PARKS  
Councilmember, 8<sup>th</sup> District

SECONDED BY



ORIGINAL