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**SENATE FLOOR AMENDMENTS**

2021 Regular Session

Amendments proposed by Senator Mizell to Reengrossed House Bill No. 531 by Representative Pressly

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1 AMENDMENT NO. 1

2 On page 1, line 4, after "3556(B)(3)," insert "3558(A)(4) and (E),"

3 AMENDMENT NO. 2

4 On page 2, line 20, after "3556(B)(3)," insert "3558(A)(4) and (E),"

5 AMENDMENT NO. 3

6 On page 6, between lines 24 and 25, insert the following:

7 "§3558. Massage establishments; license; qualifications; criminal history  
8 check; prohibitions

9 A. Massage establishments shall be required to be licensed as  
10 follows:

11 \* \* \*

12 (4)(a) The board shall require that the applicant, designated  
13 responsible party, and any owners provide written consent to the board to  
14 request and obtain state and national criminal history record information as  
15 a condition for consideration of an application for licensure.

16 (b) The board may charge and collect from the applicant, in addition  
17 to all other applicable fees and costs, the amount as may be incurred by the  
18 board in requesting and obtaining state and national criminal history record  
19 information.

20 (c) The board shall provide each applicant with a copy of the written  
21 standards specifying the requirements that shall be met by an applicant and  
22 the grounds on which a license may be denied or revoked.

23 (d) Pursuant to this Section, or any other law or board rules or  
24 regulations promulgated and adopted by the board, the board may request  
25 and obtain state and national criminal history record information from the  
26 bureau and the FBI relative to any applicant, designated responsible party,  
27 or owner whose fingerprints the board has obtained for the purpose of  
28 determining an applicant's suitability and eligibility for licensure.

29 (e) Upon request by the board and upon the board's submission of  
30 fingerprints and other identifying information as may be required, the bureau  
31 shall conduct a search of its criminal history record information relative to  
32 the applicant, designated responsible party, or owner and report the results  
33 of its search to the board within sixty days from receipt of a request. The  
34 bureau may charge the board a processing fee pursuant to R.S. 15:587 for  
35 conducting and reporting on a search.

36 (f) If the criminal history record information reported by the bureau  
37 to the board does not provide grounds for disqualification of the applicant for  
38 licensure, the board may forward the fingerprints and other identifying  
39 information as may be required to the FBI with a request for a search of  
40 national criminal history record information.

41 (g) Any and all state or national criminal history record information  
42 obtained by the board from the bureau or FBI which is not already a matter  
43 of public record shall be deemed nonpublic and confidential information  
44 restricted to the exclusive use of the board, its members, officers,  
45 investigators, agents, and attorneys in evaluating the applicant's eligibility or  
46 disqualification for licensure. No information or records shall, except with  
47 the written consent of the individual or by order of a court of competent

1 jurisdiction, be released or otherwise disclosed by the board to any other  
2 person or agency.

3 \* \* \*

4 E. No massage establishment shall be eligible for licensure unless the  
5 applicant has submitted evidence satisfactory to the board of meeting the  
6 following requirements:

7 (1) The applicant, designated responsible party, and any owners  
8 have not, within the five years preceding the date of the application, been  
9 convicted of a nonviolent felony.

10 (2) The applicant, designated responsible party, and any owners have  
11 never been convicted of or pled nolo contendere to a violent felony or a  
12 criminal offense involving sexual misconduct.

13 (3) The applicant, designated responsible party, and any owners have  
14 submitted to and cleared a background check.

15 \* \* \*"

16 AMENDMENT NO. 4

17 On page 7, at the end of line 29, insert the following:

18 "The training opportunities required pursuant to this Subsection shall  
19 commence no later than ninety days following the effective date of this Part  
20 and continue on at least an annual basis thereafter. Failure to participate in  
21 the training shall be grounds for removal of any board member, disciplinary  
22 action up to termination of employment for any staff person, or the  
23 termination of the contract of an inspector."