



SENATE BILL 548: Strengthen Human Trafficking Laws/Studies.

2017-2018 General Assembly

Committee:		Date:	August 11, 2017
Introduced by:		Prepared by:	Bill Patterson Staff Attorney
Analysis of:	S.L. 2017-151		

OVERVIEW: S.L. 2017-151:

- *Increases the felony level for human trafficking.*
- *Requires licensure of establishments providing massage and bodywork therapy services.*
- *Makes it a Class 1 misdemeanor to employ any unlicensed person to provide massage and bodywork therapy services to the public for which licensure is required.*
- *Requires massage and bodywork therapists to obtain a statewide privilege license.*
- *Directs the Department of Health and Human Services to study the feasibility of providing human trafficking training to health care providers, emergency medical providers, and relevant first responders.*

This act has various effective dates. Please see the full summary for more detail.

BILL ANALYSIS:

Section 1 increases the existing Class F felony of human trafficking with an adult victim to a Class C felony, and increases the current Class C felony of human trafficking with a minor victim to a Class B1 felony.

Sections 2.(a) and 2.(b) remove massage businesses from the definition of "adult establishment" and make conforming statutory changes.

Section 2.(c) prohibits the practice of massage and bodywork therapy in an adult establishment.

Section 3 establishes standards for establishments providing massage and bodywork therapy services to the public and requires their licensure and regulation by the North Carolina Board of Massage and Bodywork Therapy. Sexual activity in any licensed establishment is prohibited. Any person employing a person who is not licensed or exempt from licensure to provide massage and bodywork therapy services to the public is guilty of a Class 1 misdemeanor.

The following entities and activities are not subject to regulation as massage and bodywork therapy establishments:

- On-site massage performed at the customer's location.
- Devices such as chairs that are operated by the customer.
- Establishments within a hospital, nursing home or similar facility licensed by DHHS.
- Massage and bodywork therapy provided by a sole practitioner.

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- Student clinics operated by a Board-approved school or massage and bodywork therapy programs offered by accredited community colleges or colleges or universities.
- Chiropractic physician offices in which massage and bodywork therapy is provided only by massage and bodywork therapists licensed in North Carolina.

Section 4 requires massage and bodywork therapists to obtain a statewide privilege license.

Section 5 directs the Department of Health and Human Services, in consultation with the North Carolina Human Trafficking Commission, to study the feasibility of training health care providers, emergency medical providers, and relevant first responders in human trafficking identification and response and preventative tools and measures.

EFFECTIVE DATE: Section 1 (enhanced felony level) and Section 3.(l) (new misdemeanor offense) become effective December 1, 2017, and apply to offenses committed on or after that date. Section 2 and Sections 3.(a) through 3.(k) became effective October 1, 2017. The remainder of this act became effective July 20, 2017. Section 4 of this act (massage and bodywork therapist privilege license) applies to taxable years beginning on or after July 1, 2018.