



# SENATE BILL 548: Strengthen Human Trafficking Laws/Studies.

2017-2018 General Assembly

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<b>Committee:</b>		<b>Date:</b>	June 29, 2017
<b>Introduced by:</b>	Sens. Randleman, Daniel, Brock	<b>Prepared by:</b>	Bill Patterson Staff Attorney
<b>Analysis of:</b>	Fourth Edition		

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**OVERVIEW: Senate Bill 548 would:**

- *Increase the felony level for human trafficking.*
- *Require licensure of establishments providing massage and bodywork therapy services.*
- *Make it a Class 1 misdemeanor to employ any person to provide massage and bodywork therapy services to the public who is not licensed to provide such services and is not exempt from licensure requirements.*
- *Require massage and bodywork therapists to obtain a statewide privilege license.*
- *Direct 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.*

**BILL ANALYSIS:**

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

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

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

**Section 3** would establish standards for and require licensure of establishments providing massage and bodywork therapy services to the public. These businesses would be regulated by the North Carolina Board of Massage and Bodywork Therapy. Sexual activity in any licensed establishment would be prohibited. Any person employing a person who is not licensed or exempt from licensure to provide massage and bodywork therapy services to the public would be guilty of a Class 1 misdemeanor.

"Massage and bodywork therapy establishments" subject to regulation would not include the following:

- 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** would require massage and bodywork therapists to obtain a statewide privilege license.

**Section 5** would direct 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) become effective October 1, 2017. Section 4 of this act is effective when it becomes law and applies to taxable years beginning on or after July 1, 2018. The remainder of this act is effective when it becomes law.