

HOUSE BILL 230

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2002 Regular Session
(21r1426)

ENROLLED BILL

-- Commerce and Government Matters/Education, Health, and Environmental Affairs --

Introduced by **Charles County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Charles County - ~~Palm Readers, Fortune Tellers, and Soothsayers~~**
3 **Occupations - Licensing, Certification and Registration**

4 FOR the purpose of repealing certain licensing requirements for palm readers,
5 fortune tellers, soothsayers, and other similar persons in Charles County;
6 providing that it is a misdemeanor for a person to provide a massage or offer to
7 provide a massage to another person for compensation in Charles County unless
8 the person providing the massage is a certified massage therapist or a registered
9 massage practitioner; authorizing the Board of County Commissioners of Charles
10 County to adopt certain regulations relating to massage establishments and the
11 practice of massage therapists and practitioners in Charles County; requiring the
12 Board of County Commissioners to provide for the director of the Charles County
13 Health Department and the Office of Sheriff for Charles County to enforce certain
14 regulations or ordinances; and generally relating to the provisions concerning
15 licensing of palm readers, fortune tellers, and soothsayers and certification of
16 certain occupations in Charles County.

17 BY repealing

1 Article 24 - Political Subdivisions - Miscellaneous Provisions
 2 Section 11-402
 3 Annotated Code of Maryland
 4 (2001 Replacement Volume)

5 BY repealing and reenacting, with amendments,
 6 Article - Health Occupations
 7 Section 3-5A-11
 8 Annotated Code of Maryland
 9 (2000 Replacement Volume and 2001 Supplement)

10 BY adding to
 11 Article - Health Occupations
 12 Section 3-5A-14
 13 Annotated Code of Maryland
 14 (2000 Replacement Volume and 2001 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

18 [11-402.

19 Notwithstanding any other sections of the Business Regulation Article, in
 20 Charles County any palm reader, fortune-teller, soothsayer, or similar person shall
 21 apply to the Board of County Commissioners of Charles County for a license to carry
 22 on business. The license shall be issued by the Board only upon proof that the person
 23 has been a resident, taxpayer, and property owner of Charles County for at least 18
 24 months prior to the application for the license. The annual fee for the license shall be
 25 \$250, and the license shall be issued by the Clerk of the Circuit Court and may be
 26 revoked by the Board for good cause.]

27 **Article - Health Occupations**

28 3-5A-11.

29 (a) Except as otherwise provided in this subtitle, an individual may not
 30 practice, attempt to practice, or offer to practice massage therapy, massage,
 31 myotherapy, or any synonym or derivation of these terms in this State unless certified
 32 by the Board.

33 (b) An individual who is not certified as a certified massage therapist or
 34 registered as a massage practitioner under this subtitle may not advertise or claim by
 35 title, abbreviation, sign, card, or any other representation that the individual practices
 36 massage, massage therapy, myotherapy, or any synonym or derivation of these terms.

1 (c) An individual who is a registered massage practitioner under this subtitle
2 or a business entity that employs registered massage practitioners under this subtitle
3 may not advertise to the public that the individual or business entity provides
4 health-related therapeutic massage services.

5 (d) (1) IN CHARLES COUNTY, AN INDIVIDUAL MAY NOT PERFORM A
6 MASSAGE OR OFFER TO PERFORM A MASSAGE ON ANOTHER PERSON FOR
7 COMPENSATION UNLESS THE INDIVIDUAL WHO PERFORMS THE MASSAGE OR
8 OFFERS TO PERFORM A MASSAGE IS A CERTIFIED MESSAGE THERAPIST OR
9 REGISTERED MESSAGE PRACTITIONER.

10 (2) A LAW ENFORCEMENT OFFICER IN CHARLES COUNTY MAY DEMAND
11 PROOF OF CERTIFICATION OR REGISTRATION.

12 (E) Any individual who violates a provision of this section is guilty of a
13 misdemeanor and on conviction shall be subject to a fine not exceeding \$5,000 or
14 imprisonment for not more than 1 year, or both.

15 3-5A-14.

16 (A) IN CHARLES COUNTY, THE COUNTY COMMISSIONERS MAY ADOPT
17 ORDINANCES OR REGULATIONS RELATING TO MASSAGE ESTABLISHMENTS AND THE
18 PRACTICES OF MASSAGE THERAPISTS, MESSAGE PRACTITIONERS, AND ANY OTHER
19 INDIVIDUALS WHO PROVIDE MASSAGE FOR COMPENSATION.

20 (B) THE COUNTY COMMISSIONERS SHALL PROVIDE THAT THE DIRECTOR OF
21 THE CHARLES COUNTY HEALTH DEPARTMENT AND THE OFFICE OF THE SHERIFF
22 FOR CHARLES COUNTY HAS THE AUTHORITY TO CARRY OUT THE PROVISIONS OF
23 THE ORDINANCES OR REGULATIONS ADOPTED UNDER SUBSECTION (A) OF THIS
24 SECTION.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2002.