

By the Committee on Health Regulation; and Senator Joyner

588-03191-10

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1 A bill to be entitled

2 An act relating to massage services; creating s.  
3 480.054, F.S.; requiring a person who provides or  
4 offers to provide massage services to possess a  
5 license and certain identifying documents; requiring a  
6 person who provides or offers to provide massage  
7 services to present a license and an identifying  
8 document to a law enforcement officer upon request;  
9 prohibiting a person from providing or offering to  
10 provide massage services without possessing certain  
11 documents; requiring any person who operates a massage  
12 establishment to maintain certain valid work  
13 authorization documents on the premises for certain  
14 employees; requiring any person who operates a massage  
15 establishment to present certain valid work  
16 authorization documents to a law enforcement officer  
17 upon request; prohibiting a person from operating or  
18 managing a massage establishment without maintaining  
19 valid work authorization documents on the premises of  
20 the massage establishment for certain employees;  
21 prohibiting a person from using a massage  
22 establishment license for the purpose of lewdness,  
23 assignation, or prostitution; providing penalties;  
24 providing an effective date.

25  
26 Be It Enacted by the Legislature of the State of Florida:

27  
28 Section 1. Section 480.054, Florida Statutes, is created to  
29 read:

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30       480.054 Documents required for identification for  
31 presentation to law enforcement officer while offering or  
32 providing massage services.-

33       (1) Each person who provides or offers to provide massage  
34 services shall possess a wallet-size identification license card  
35 or wall license card issued by the Department of Health pursuant  
36 to s. 456.013 and one of the following documents:

37       (a) A current driver's license;

38       (b) An identification card issued by the state;

39       (c) A valid passport issued by the Department of State of  
40 the United States;

41       (d) A valid I-551 permanent residence card; or

42       (e) A valid employment authorization document issued to the  
43 person providing or offering to provide the massage services.

44       (2) Upon request by a law enforcement officer, a person who  
45 provides or offers to provide massage services shall present to  
46 the law enforcement officer the wallet-size identification  
47 license card or wall license card issued by the Department of  
48 Health pursuant to s. 456.013 and one of the following  
49 documents:

50       (a) A current driver's license;

51       (b) An identification card issued by the state;

52       (c) A valid passport issued by the Department of State of  
53 the United States;

54       (d) A valid I-551 permanent residence card; or

55       (e) A valid employment authorization document issued to the  
56 person providing or offering to provide the massage services.

57       (3) A person may not offer or provide massage services  
58 without possession of a valid wallet-size identification license

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59 card or wall license card issued by the Department of Health  
60 pursuant to s. 456.013 and one of the following documents:

61 (a) A current driver's license;

62 (b) An identification card issued by a state;

63 (c) A valid passport by the Department of State of the  
64 United States;

65 (d) A valid I-551 permanent residence card; or

66 (e) A valid employment authorization document issued to the  
67 person providing or offering to provide the massage services.

68 (4) Any person who operates a massage establishment  
69 pursuant to s. 480.043 shall maintain valid work authorization  
70 documents on the premises for each employee who is not a United  
71 States citizen. Valid work authorization documents for an  
72 employee who is not a United States citizen include:

73 (a) A valid I-551 permanent residence card; or

74 (b) A valid employment authorization document.

75 (5) Upon request by a law enforcement officer, any person  
76 who operates a massage establishment shall present valid work  
77 authorization documents on the premises for each employee who is  
78 not a United States citizen. Valid work authorization documents  
79 for an employee who is not a United States citizen include:

80 (a) A valid I-551 permanent residence card; or

81 (b) A valid employment authorization document.

82 (6) A person may not operate or otherwise manage a massage  
83 establishment without maintaining valid work authorization  
84 documents on the premises for each employee who is not a United  
85 States citizen. Valid work authorization documents for an  
86 employee who is not a United States citizen include:

87 (a) A valid I-551 permanent residence card; or

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88       (b) A valid employment authorization document.

89       (7) A person may not use a massage establishment license  
90 issued pursuant to s. 480.043 for the purpose of lewdness,  
91 assignment, or prostitution at any place, structure, or part  
92 thereof, trailer or other conveyance, with the knowledge that  
93 the license will be used for the purpose of lewdness,  
94 assignment, or prostitution.

95       (8) A person who violates any provision of this section  
96 commits:

97       (a) A misdemeanor of the second degree for the first  
98 violation, punishable as provided in s. 775.082 or s. 775.083.

99       (b) A misdemeanor of the first degree for the second  
100 violation, punishable as provided in s. 775.082 or s. 775.083.

101       (c) A felony of the third degree for the third or  
102 subsequent violation, punishable as provided in s. 775.082, s.  
103 775.083, or s. 775.084.

104       Section 2. This act shall take effect July 1, 2010.